



**Work Session**

**WS**

**Milwaukie City Council**

## COUNCIL WORK SESSION

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

## AGENDA

JUNE 18, 2024

**Council will hold this meeting in-person and by video conference.** The public may come to City Hall, join the Zoom webinar, or watch on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. For Zoom login visit <https://www.milwaukieoregon.gov/citycouncil/city-council-work-session-351>. Written comments may be delivered to City Hall or emailed to [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov).

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<b>Note:</b> agenda item times are estimates and are subject to change.	
<b>1. Library Strategic Plan – Report</b> (4:00 p.m.) Staff: Brent Husher, Library Director	<b>12</b>
<b>2. Council Parks Goal Update – Report</b> (4:30 p.m.) Staff: Emma Sagor, Acting City Manager	<b>16</b>
<b>3. Tree Code Amendments – Report</b> (5:00 p.m.) Staff: Peter Passarelli, Public Works Director	<b>20</b>
<b>4. Adjourn</b> (5:30 p.m.)	

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### Executive Sessions

The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.



## COUNCIL WORK SESSION

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## MINUTES

JUNE 18, 2024

**Council Present:** Councilors Will Anderson, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

**Staff Present:** Joseph Briglio, Acting Assistant City Manager      Adam Moore, Parks Development Coordinator  
Justin Gericke, City Attorney    Peter Passarelli, Public Works Director  
Brent Husher, Library Director    Emma Sagor, Acting City Manager  
Kelli Lamm, Library Circulation Manager                              Scott Stauffer, City Recorder  
Brandi Leos, Human Resources Director

**Mayor Batey** called the meeting to order at 4:00 p.m. and noted that Councilor Stavenjord was participating via Zoom, Councilor Khosroabadi would be late to the meeting, and that Councilor Anderson would be sworn-in after the meeting.

### 1. Library Strategic Plan – Report

**Husher** provided an overview of the Ledding Library strategic plan, explaining the purpose and priorities of the plan. The group discussed potential impacts of ending the daily overdue book fine and adding book hold pick-up lockers in east Milwaukie.

Councilor Khosroabadi arrived at 4:15 p.m.

The group continued to discuss budget impacts of ending the daily fine, noting how the Friends of the Ledding Library (FOLL) and the Libraries in Clackamas County (LINCC) district support the library. **Husher** and **Sagor** noted that proposed fee structure changes wouldn't be implemented until the beginning of fiscal year (FY) 2026.

**Husher** discussed possible library staffing changes and how library resources could be focused to provide more equitable services and maintain a healthy library organization.

Council expressed support for easing fee burdens on community members. **Husher** remarked on where library operations could be in five years.

**Mayor Batey** and **Husher** commented on the role of the Ledding Library Foundation in supporting the library's operations and possibly expanded services. **Councilor Khosroabadi** and **Husher** noted how the library district tracks where materials are requested. **Sagor** thanked library staff for their work.

**Mayor Batey** and **Husher** noted that the library held a volunteer appreciation event separately from the city's boards and committee volunteer dinner.

### 2. Council Parks Goal Update – Report

**Sagor** provided updates on parks related issues, including the city's relationship and legal actions with the North Clackamas Parks and Recreation District (NCPRD), the construction of three neighborhood parks, and phase III of the Milwaukie Bay Park project. The group discussed previously identified grant funding and other funding opportunities that could help finish Milwaukie Bay Park.

**Councilor Anderson** and **Mayor Batey** noted the issues that led to the Clackamas Board of County Commissioners (BCC), which acts as the NCPRD Board, pausing the adoption of previously proposed intergovernmental agreements (IGA) to finish Milwaukie Bay Park.

**Sagor** asked for Council input on whether staff should re-engage NCPRD staff on the Milwaukie Bay Park project and general maintenance IGAs and whether city urban renewal funding should be used to complete Milwaukie Bay Park. The group discussed the timing of pursuing a master maintenance IGA or specific park project IGAs, noting that it was unknown when a state appeals court would rule on the city’s validation action related to what legal mechanism the city could use to leave NCPRD. Council commented on whether the city would give up the district exit clause in the existing IGA and whether staff should re-engage NCPRD staff.

**Mayor Batey** and **Councilors Anderson** believed NCPRD system development charge (SDC) funds should be sought for Milwaukie Bay Park before urban renewal funds are used. Council commented on the future of NCPRD as an entity and whether NCPRD would engage with the city on park-specific project IGAs. **Councilor Stavenjord** preferred to not use urban renewal funds for Milwaukie Bay Park.

Council commented on what Milwaukie residents wanted in park services and whether the city should take local control of its parks or remain in the district, noting that funding for parks would likely need to increase in any outcome.

**Sagor** summarized that there was Council consensus for staff to engage NCPRD staff on park specific agreements and not the master maintenance agreement. **Mayor Batey** and **Council President Massey** agreed with Sagor’s summary and Council discussed whether staff or Council should reach out to NCPRD first. It was Council consensus that staff should make the first effort to engage NCPRD on park-specific IGAs.

**3. Tree Code Amendments – Report** (removed from the agenda)

**4. Adjourn**

**Mayor Batey** adjourned the meeting at 5:26 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Scott Stauffer, City Recorder



# CITY OF MILWAUKIE

## Memorandum

**To:** City Council  
**From:** Joseph Briglio, Community Development Director  
**CC:** Emma Sagor, Acting City Manager  
**Date:** June 18, 2024  
**Re:** Community Development Department Monthly Update

Community Development, Economic Development, & Housing	Planning	Building	Engineering
<ul style="list-style-type: none"> <li>▪ Economic Development</li> <li>▪ Affordable Housing</li> </ul>	<ul style="list-style-type: none"> <li>▪ Comprehensive Plan Implementation</li> <li>▪ Planning Commission</li> <li>▪ Design and Landmarks Committee</li> <li>▪ Land Use/ Development Review</li> </ul>	<ul style="list-style-type: none"> <li>▪ May Review</li> </ul>	<ul style="list-style-type: none"> <li>▪ CIP</li> <li>▪ Traffic/Parking Projects</li> <li>▪ Right-of-Way Permits</li> <li>▪ PIP</li> <li>▪ Document Administration</li> </ul>

### COMMUNITY DEVELOPMENT/ECONOMIC DEVELOPMENT/HOUSING

#### Economic Development

##### **Downtown:**

- The sale of the Collectors Mall, along with the adjacent store fronts, appears to have closed and actively pursuing new tenants in the vacant spaces: [See Lease Flyer Here](#)
- Historic City Hall: pFriem Beer and Keeper Coffee recently announced their new locations at Historic City Hall and the press has been very positive - <https://www.oregonlive.com/beer/2024/03/pfriem-family-brewers-to-open-first-portland-area-taproom.html>
  - The pFriem, Keeper, and Milwaukie flags are flying in front of the building.
  - Henry Point Development has completed the demolition portion of the project as of March 2024. They have approved building permits and have started construction.
  - Construction completion is slated for winter/spring 2025.
- The Libbie's property is currently for sale: <https://www.loopnet.com/Listing/11056-11070-SE-Main-St-Milwaukie-OR/31458135/>

- The former Chase Bank property is currently listed for sale - <https://www.loopnet.com/Listing/Former-Bank-Attached-Building/31903098/>
- [Cloud Pine](#) will be closing its doors later this summer. It was always intended to be a three-year project for the owners.
- *Milwaukie Station*: All cart spaces are currently occupied.

**Milwaukie Marketplace:**

- Ace Hardware is now open and nearby Mike's Drive-In reopened after a long tenant improvement period.

**Enterprise Zone:**

- Staff have recently met with a business (plastics recycler) relocating to Milwaukie's north innovation area and interested in taking advantage of the North Clackamas Enterprise Zone tax incentives.
- The Overland Van Project was recently approved. Alpine Foods is in their final application stages and should receive approval soon. Swagelock has withdrawn its interest for now.

**Urban Renewal Area Economic Development Programs:**

- The Milwaukie Redevelopment Commission Citizen Advisory Committee (MRCCAC) convened in November and January to discuss the draft criteria and provide feedback on the emerging economic development programs.
- Staff presented the MRCCAC recommended program parameters on March 19<sup>th</sup> to the Milwaukie Redevelopment Commission and are currently in the process of building out the applications and grant agreements to help launch the programs later this summer.

**Affordable Housing**

**Sparrow Site:**

- The city purchased the parcel ("main property") at the northeast corner of SE Sparrow Street and the Trolley Trail from TriMet for the purpose of land banking to support affordable housing several years ago. More recently, staff received a Metro Brownfields grant to support due diligence for the acquisition of 12302 SE 26<sup>th</sup> Avenue ("auxiliary property") from TriMet in order to help rectify access constraints to the main property. The city closed on the 12302 SE 26<sup>th</sup> Ave ("auxiliary") property and is considering next steps.

**Coho Point:**

- The Developer presented an update to the city council during its February 21, 2023, work session and requested a 12-month extension of the Disposition and Development Agreement (DDA) due diligence period because of extenuating circumstances involving supply chain and subcontractor timing issues related to the COVID-19 pandemic. The due diligence period was officially extended to March 31, 2024.
- Staff were notified on May 10, 2023, that Black Rock had submitted the CLOMR to FEMA. The review process typically takes several months, and FEMA has requested additional information from the applicant in September 2023, January 2024, and March 2024. The applicant has 90 days to address FEMA's comments and resubmit. In order to allow for the completion of the CLOMR/FEMA process, the City agreed to a fourth due diligence

extension of September 30, 2024.

**Construction Excise Tax (CET) Program:**

- The CET Program was established by the city council in 2017 and codified within chapter 3.60 (Affordable Housing Construction Excise Tax) of the municipal code. The CET levy's a one percent tax on any development over \$100,000 in construction value. In example, a property owner who is building an addition that has an assessed construction value of \$100,000 would have to pay \$1,000 in CET to the city. As development continues throughout the city, the CET fund increases in proportionality.
- The city released its inaugural competitive bid process for CET funds through a formal Request for Proposals (RFP). This resulted in Hillside Park Phase I being awarded \$1.7M (requested \$2M) and the Milwaukie Courtyard Housing Project (Now called Milwaukie Shortstack) with \$300K (requested \$600K).
- On March 7, 2023, the city council authorized the city manager to execute the necessary grant agreements in the amounts listed above. The grants agreements for both projects have been signed and executed, and initial funding disbursements have occurred. Staff will now work with the applicants to ensure that their projects meet the conditions for funding.

# PLANNING

## Comprehensive Plan Implementation

- Neighborhood Hubs: Following a series of public workshops and an online survey, planning and community development staff are moving forward with proposed code amendments and an economic development toolkit for the Neighborhood Hubs project.

Staff held a work session with the City Council on December 19 to discuss the project status and next steps. Staff met with the Planning Commission in a work session on January 23 to provide an update and discuss a draft set of proposed code amendments. A public hearing with the Planning Commission was held on March 12. Measure 56 notices, 300-ft notices, and emails to NDAs and other stakeholders were sent the week of February 12. After a detailed presentation about the project and the proposed amendments, the Planning Commission voted unanimously to recommend approval of the amendments. The City Council hearing was held on May 7, where the Council heard the staff report, took public testimony, began deliberation, and provided staff with direction on additional information and revisions to the proposed code. The hearing was continued to July 16.

The required 30-day notice and code commentary was posted on February 7:  
<https://www.milwaukieoregon.gov/planning/za-2024-001>.

## Transportation Systems Plan (TSP)

- The TSP kicked off in October 2023. To date, the Technical and Advisory Committees have each met four times. Most recently, the committees reviewed draft performance measures, and a draft livable streets analysis. There will be an opportunity for the public to provide feedback and ask questions about the performance measures and livable streets analysis on Engage Milwaukie beginning in early July. Staff will be taking the draft performance measures and livable streets analysis to the Planning Commission along with revised goals and policies on June 25. The City Council is scheduled to review the draft goals and policies during an August 6<sup>th</sup> work session. Over the summer, the city and its consultant will be conducting an existing conditions/needs/gaps analysis. The Technical Committee will meet again on August 14 to review the findings of that analysis and the Advisory Committee will meet on August 15.

## Planning Commission

- ZA-2022-005: A Type V code amendment application related to Climate Friendly Equitable Communities rulemaking. The Planning Commission held a public hearing on February 14<sup>th</sup> and voted 6-0 to recommend approval of the code amendments. The City Council discussed the amendments during the regular session on March 7<sup>th</sup>. These code amendments were put on hold until the rulemaking process was complete in the fall of 2023. Staff held a public hearing with the Planning Commission on March 12, 2024, which unanimously recommended approval of the code package. A work session was held with the City Council on April 2, 2024, and unanimously adopted on May 21.
- ZA-2024-001: A Type V code amendment package related to Neighborhood Hubs. The Planning Commission public hearing was held on March 12, where the Commission voted unanimously to recommend approval of the proposed amendments. The City Council held a public hearing on May 7. The hearing was continued to July 16.
- DR-2024-001, VR-2024-002: A Type III application to establish a food park at 1915-1925 SE Scott St. The proposal includes areas for food carts/trucks; a covered, open-air seating area;



and a permanent multi-story taproom building with a bar, indoor and roof-deck seating areas, and restrooms. The existing parking area will be improved and maintained to serve the site. The proposal requires downtown design review and a variance to minimum FAR in the DMU zone. The Planning Commission hearing was held on June 11 where they took a vote to deny the application and to continue the hearing to August 13 to review findings for denial.

- VR-2024-003: A Type III application seeking relief from the minimum side yard setback to allow the development of a 13-ft addition to the existing attached garage with a 0.5-ft setback rather than the required 10 ft. The addition would allow for the construction of additional living space while maintaining garage space. The addition would extend the existing non-conforming structure with a 0.5-ft setback. The Planning Commission hearing was held on June 11 where they voted 4-0-1 to approve the application. The Notice of Decision was issued on June 12. The appeal period runs until June 27.
- Natural Resources code update: Planning Commission held a work session on April 9 focused on coordination with the City's residential tree code. In early July, the Planning Commission will hold a work session regarding the Water Quality Resource standards and will continue to discuss the coordination with the residential tree code.
- CSU-2024-003: Initially processed as a Type I minor modification to the approved community service use (CSU) for Campbell Elementary School, this application is being reclassified as a Type III review. The proposal is to establish a public charter school at the site, where the former public elementary school ceased operations in 2011. Although the new student body will be smaller than before, the absence of busing has raised questions about potential traffic impacts in the surrounding neighborhood. The Planning Commission held a public hearing on June 11 and voted unanimously to approve the modification.
- DR-2024-002 (primary file), CSU-2024-004, WG-2024-001, NR-2024-002: A Type III application to construct an addition to the existing Water Environment Services (WES) Administration Building at the Kellogg Creek wastewater treatment facility (11525 SE McLoughlin Blvd). The project will expand the conference room; relocate the locker rooms, lunchroom, and laundry from the Chemical Building; and plant native trees and shrubs as mitigation for permanent disturbance of a portion of the habitat conservation area (HCA) on the site. The application includes requests for minor modifications to the existing community service use and Willamette Greenway approvals for the site. The application was referred for review and comment on June 5, public notice will be mailed on June 18, and a public hearing with the Planning Commission is scheduled for July 9.

### **Land Use/Development Review**

- MLP-2024-001: A Type II application to partition the property at 13200 SE Where Else Ln. The proposed partition will place the existing house on its own lot and leave the remaining property to the north to be further divided or otherwise developed to meet minimum density in the future. The natural resource area to the south will be placed in an undevelopable tract. The required public notice mailing and referral was sent on May 3, and the notice of decision was issued on June 10.
- MHL-2024-001: A Type II application for a middle housing land division at 2908 SE Olsen St. The proposed division would put each dwelling unit of a detached triplex onto its own lot. The property currently has the original single detached dwelling and an accessory dwelling unit. The third dwelling unit is in permit review. The required public notice mailing and

referral to other departments and agencies was mailed on June 10, with a deadline for comments on June 24. A notice of decision will likely be issued during the week of June 25.

- VR-2024-004: A Type II application for a fence variance at 5397 SE Rainbow Ln. The applicant has requested to increase the 6-ft maximum allowed fence height in their side and rear yard to 8 ft. If approved, the variance would allow the applicant to maintain an already built cedar fence that was attached to a pre-existing 8 ft tall chain link fence. The required public notice mailing and referral to other departments and agencies was mailed on June 7, with a deadline for comments on June 18. A notice of decision will likely be issued during the week of June 25.
- VR-2024-005: A Type II application for a fence variance at 2122 SE Sparrow St. The applicant is requesting to establish a 6 ft tall fence in a required front yard on an undeveloped flag lot. This exceeds the maximum fence height of 42 in in a front yard. The required public notice mailing and referral to other departments and agencies is scheduled to be mailed on June 18.

<sup>1</sup> Only land use applications requiring public notice are listed.

## BUILDING

<b>Permit data for</b>	<b>May</b>	<b>FY to Date:</b>
New single-family houses:	0	10
New ADU's	0	5
New Solar	5	66
Res. additions/alterations	6	61
Commercial new	0	3
Commercial Alterations	5	75
Demo's	1	4
Total Number of Permits issued:		1356
(includes fire, electrical, mechanical, plumbing, and other structural)		
Total Number of Inspections:		3698
Total Number of active permits:		1012

# ENGINEERING

## Capital Improvement Projects (CIP):

### **CIP 2018-A13 Washington Street Area Improvements**

Summary: This project combines elements of the SAFE, SSMP, Water, Stormwater, and Wastewater programs. SAFE improvements include upgrading and adding ADA compliant facilities along 27<sup>th</sup> Ave, Washington St, and Edison St. Street Surface Maintenance Program improvements are planned for Washington Street, 27<sup>th</sup> Avenue, and Edison Street. The Spring Creek culvert under Washington Street at 27<sup>th</sup> Avenue will be removed, and a new structure added. The water system along Washington Street will be upsized from a 6" mainline to an 8" mainline. The stormwater system along Washington Street will be upsized from 18" to 24" storm lines. The project is being designed by AKS Engineering and Forestry.

Update: Construction has started as of March 2024. Currently, storm pipework is being replaced within Washington and Madison Street.

### **CIP 2016-Y11 Meek Street Storm Improvements**

Summary: Project was identified in the 2014 Stormwater Master Plan to reduce flooding within this water basin. The project was split into a South Phase and a North Phase due to complications in working with UPRR.

Update: Contractor has completed installation of the pipeline between the Murphy Site and the Balfour Pond. The forebay and southern cell of the Balfour Pond have been excavated, and rock buttress installed. The City is coordinating with Union Pacific to construct a portion of the project in UPRR ROW between Kelvin and Roswell. The contractor is working with UPRR to gain UPRR approval for its shoring plans within UPRR ROW. Extended coordination has been required for this effort, delaying the work within the UPRR ROW. Once the coordination is complete, construction is anticipated to proceed from late July through August of 2024.

### **CIP 2022-W56 Harvey Street Improvements**

Summary: The project includes water improvements and stormwater improvements on Harvey Street from 32nd Avenue to the east end, on 42nd Avenue from Harvey Street to Johnson Creek Boulevard, 33rd Avenue north of Harvey Street, 36th Avenue north of Harvey Street, Sherry Street west of 36th Avenue, 41st Street north of Wake Court, and Wake Court. Sanitary sewer work will be done on 40th Avenue between Harvey Street to Drake Street. The project also includes the installation of an ADA compliant sidewalk on Harvey Street from 32nd Avenue to 42nd Avenue and 42nd Avenue from Harvey Street to Howe Street. Roadway paving will be done throughout the project area.

Update: Century West Engineering was contracted for the design in July 2023. The project is currently at 90% design. The Public Works department has reviewed the 60% design and submitted comments to Century West Engineering. Another open house will be scheduled after completion of design.

### **CIP 2021-W61 Ardenwald North Improvements**

Summary: Project includes street repair on Van Water Street, Roswell Street, Sherrett Street, 28<sup>th</sup> Avenue, 28<sup>th</sup> Place, 29<sup>th</sup> Avenue, 30<sup>th</sup> Avenue, and 31<sup>st</sup> Avenue with a shared street design for bicycles, pedestrians, and vehicles. The sidewalk will be replaced on the north side of Roswell Street between 31<sup>st</sup> and 32<sup>nd</sup> Avenue. Stormwater catch basins in the project boundary will be upgraded, the water system will be upsized on 29<sup>th</sup> Avenue, 30<sup>th</sup> Avenue, 31<sup>st</sup> Avenue, and

Roswell Street, and there will be wastewater improvements on 28<sup>th</sup> Avenue, 29<sup>th</sup> Avenue, and 31<sup>st</sup> Avenue to address multiple bellies and root intrusion to reduce debris buildup.

Update: Work is progressing on 100% design. Staff anticipates bidding the project this winter.

### **CIP 2022-A15 King Road Improvements**

Summary: King Road (43<sup>rd</sup> Avenue to city limits near Linwood Avenue) SAFE/SSMP Improvements will replace existing sidewalk and bike lane with a multi-use path, improve stormwater system, replace water pipe, and reconstruct roadway surface.

Update: Additional storm improvement scope was added to the project. Existing condition investigations have been conducted. A meeting is scheduled to discuss design options.

### **Waverly Heights Sewer Reconfiguration**

Summary: Waverly Heights Wastewater project was identified in the 2010 Wastewater System Master Plan. The project may replace approximately 2,500 feet of existing clay and concrete pipe.

Update: Authorization for the design contract with Stantec was approved by the Council on August 1, 2023. An engineering services agreement was executed with Stantec on Sept. 19, and the design effort was kicked off in early October of 2023. A flow monitoring program was initiated in October, and will continue through the wet season, concurrent with design. A public engagement plan was prepared in Fall of 2023, and a first set of informational material was mailed out to neighbors in the area in November, along with permit of entry forms. Stantec commenced with early site investigations in December of 2023, completed 30 percent design in January 2024, and is proceeding with the 60 percent design. In March of 2024, the design team met with select residents on properties that may be more impacted from the project (i.e. properties that might require spot repairs or open trenching). A public open house was held on May 9<sup>th</sup>, 2024, at City Hall.

### **Monroe Street Greenway**

Summary: The Monroe Street Greenway will create a nearly four-mile, continuous, low-stress bikeway from downtown Milwaukie to the I-205 multi-use path. Once complete, it will serve as the spine of Milwaukie's active transportation network connecting users to the Max Orange Line, Max Green Line, Trolley Trail, 17<sup>th</sup> Avenue Bike Path, I-205 path, neighborhoods, schools, and parks. Funding grants through ODOT and Metro will allow the city to complete our 2.2-mile section of the Monroe Greenway from the Trolley Trail to Linwood Ave.

#### Segment Update:

East Monroe Greenway (37<sup>th</sup> to Linwood): Staff have come to an agreement with ODOT and contracted CONSOR for the design. A Kick-off meeting has occurred, and the site is being surveyed. An Open-House was hosted on February 29<sup>th</sup> for all of the Monroe Greenway, ODOT's Highway-224 project, the City's TSP, and Kellogg Creek Restoration and Community Enhancement Project. The City received a lot of positive feedback for moving forward with the project and requests for speed mitigation and intersection controls.

Monroe Street & 37<sup>th</sup> Avenue (34<sup>th</sup> to 37<sup>th</sup>): This segment is complete. It was constructed as part of the private development of the 7 Acres Apartments.

Western Monroe Greenway (Downtown to 34<sup>th</sup>): The city has come to an agreement with ODOT on an IGA that will transfer \$1.55 M in STIP funding to the city to construct this segment of the

Monroe Street Greenway. The City has signed the IGA and is awaiting an ODOT signed copy. City staff has also contracted with 3J Consulting to negotiate work at the railroad crossings. The city will also contract a survey team to aid 3J.

Monroe Street & Highway-224 Intersection: This project has now been combined with a larger project which will mill and overlay Highway-224 from 17th Avenue to Rusk Road. The city will design and replace the underlying water main by October 2024 and ODOT will proceed to construction in the Fiscal Year 2026. An Open-House was hosted on February 29<sup>th</sup> for all of the Monroe Greenway, ODOT's Highway-224 project, the City's TSP, and Kellogg Creek Restoration and Community Enhancement Project. The City received concerns regarding the development of Highway-224 and Monroe Greenway pushing traffic from Monroe Street onto Penzance Street.

### **Kellogg Creek Restoration and Community Enhancement Project**

Summary: Project to remove the Kellogg Creek dam, replace the McLoughlin Blvd. bridge, improve fish passage, and restore the wetland and riparian area. City of Milwaukie staff are part of the project Leadership Team, Core Technical Team, and the Technical Advisory Committee. The Leadership Team and Core Technical Team both meet monthly. In addition to city staff, these groups include staff from North Clackamas Watershed Council (NCWC), Oregon Department of Transportation (ODOT), and American Rivers. The Technical Advisory Committee (TAC) for the Kellogg Creek Restoration & Community Enhancement Project involves all collaborative partners that include the Confederated Tribes of the Warm Springs Indian Reservation of Oregon, the Confederated Tribes of Grand Ronde, Clackamas Water Environment Services, Metro, North Clackamas Parks and Recreation District, Oregon Department of Environmental Quality, Oregon Department of Fish and Wildlife, Oregon Division of State Lands, the Native Fish Society, and the Natural Resources Office of Governor.

Update: The project team submitted a Joint Permit Application (JPA) for sediment sampling activities, which was under review during March by the Oregon Dept of State Lands, US Army Corps of Engineers, and Oregon Dept of Environmental Quality. This work is critical as the results of the sampling effort are necessary to inform the overall Kellogg Project permit pathway and advance Project design beyond the conceptual level.

### **Traffic / Parking Projects, Issues**

None.

### **Right-Of-Way (ROW) Permits (includes tree, use, construction, encroachment)**

Downtown Trees and Sidewalks

Update: Staff have a contract with AKS; working on what type of design works best now and in the future with both the trees and sidewalks & curbs.

### **Private Development – Public Improvement Projects (PIPS)**

1600 Lava

Update: This development on Lava drive will add a new 13-unit multi-family building. Public improvements for this project include a new sidewalk, an ADA ramp, and minor street widening. Building permits have been issued and on-site construction has begun. Public improvement site plans are currently under review.

#### Hillside

Update: Hillside currently has permits and site plans in review for all three buildings to be constructed under phase I. City staff is meeting with the developer on a weekly basis to ensure the project moves smoothly. Public improvements for this development include new roadway alignment, new sidewalk, ADA ramps, and new asphalt paving. Work is expected to begin onsite in June of this year.

#### Seven Acres Apartments (formerly Monroe Apartments) – 234 units

Update: Seven Acres has completed construction and is currently occupied. Public improvements for this development included a new bike path and sidewalk from Oak Street and Monroe Street to 37th Avenue and Washington Street. Public improvements are currently under warranty and will receive a final inspection after a one-year period before shifting over to the City for ownership.

#### Henley Place (Kellogg Bowl redevelopment)- 175 units

Update: All street work has been completed; construction is in the final stages of the punch-list and cleanup phase.

#### Elk Rock Estates – 5 lot subdivision at 19<sup>th</sup> Ave & Sparrow St.

Update: All public improvements have been completed; the project is in the punch-list and cleanup phase. The land use entitlements have recently expired, so they will need to go back through the process to build units.

#### Shah & Tripp Estates – 8-lot subdivision at Harrison Street and Home Ave.

Update: Design plans have been approved. Waiting for developer to schedule a pre-construction meeting.

#### Jackson / 52<sup>nd</sup> – 5-unit development.

Update: Project is actively under construction. Public improvements such as the sewer main extension have been installed, however staff are waiting on developer to schedule testing. The remainder of the improvements will take place after the townhouses are constructed. Staff and developer have agreed on a development agreement to have the developer pave Jackson Street from Home to 52<sup>nd</sup> Ave. and be reimbursed for areas outside of their responsibility. All work is expected to be completed by August.

#### Walnut Estates

Update: Walnut estates has completed the majority of their construction and is currently in the final punch-list and cleanup phase. Public improvements for this development include new sidewalk, storm water facilities, and a new asphalt roadway. Once the final work is completed, this development will enter the one-year warranty period.

#### Bonaventure Senior Living – 170-units

Update: ROW permit has been issued and public improvements are currently under construction.

### **Document Administration**

#### Master Plans

Summary: WSC is preparing the Stormwater System Plan.

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Emma Sagor, Acting City Manager

**Reviewed:** Jana Hoffman, Library Manager, and  
Gabriela Santoyo Gutierrez, Equity & Inclusion Coordinator

**From:** Brent Husher, Library Director

**Subject:** **Library Strategic Plan 2024-2027**

**Date Written:** June 7, 2024

**ACTION REQUESTED**

Council is asked to review and provide feedback for the Milwaukie Ledding Library's strategic plan.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

The Library does not currently have a strategic plan in place. The previous plan focused on building a new library, which has been accomplished.

Although Council has not recently discussed strategic planning specifically for library operations, it has discussed the citywide strategic plan, *Milwaukie Momentum*. This library specific plan aims to integrate *Milwaukie Momentum* into library planning.

The Library Board has had numerous conversations on this topic and completed a special work session on April 8, which focused on prioritizing the most important elements of a new strategic plan.

Library Staff and Acting City Manager Emma Sagor participated in a workshop on May 1 to consider elements of a new strategic plan and tactics designed to further the goals outlined in the plan.

On June 10, the Library Board approved the plan.

**ANALYSIS**

By developing a strategic plan for the Library, we sought to:

- Prioritize actions, relieving stress on funds, space and staff
- Demonstrate the Library's commitment to supporting the overall work of the city
- Demonstrate the Library's commitment to collaborating with the Libraries of Clackamas County (LINCC)

The plan is focused around three priorities:

1. **Improving library services** to remove barriers, recognizing that not everyone is served equally and have different needs.
2. **Improving organizational health and sustainability** so that the team and partners are able to leverage capacity and training to support each other.
3. **Integrating the Library fully into *Milwaukie Momentum***, the city's overarching strategic plan.



## **Library Fines & Fees**

One strategy particularly worth noting is the proposed elimination of library overdue fines. This is the easiest way to remove unnecessary barriers to service. However, it also has modest budget implications, especially considering recent conversations about city revenues and expenses in future years.

The library currently assesses fees in three major ways: *daily overdue fines* for materials returned after a due date; *replacement costs* for materials damaged, lost or assumed lost; and *printing and copying fees*.

The plan aims to eliminate daily overdue fines by fiscal year (FY) 2026. However, community members will still be charged replacement costs and printing and copying fees.

Replacement costs and printing and copying fees are designed to recoup real costs of real service, but daily overdue fines are based on philosophies that argue it is a library's job to teach responsibility. Many modern libraries have done away with this approach, specifically because of equity issues and the staff costs of managing such a program. In the metro area, no libraries in Washington County, Multnomah County, and Fort Vancouver Libraries in Washington State charge daily overdue fines. Libraries in Clackamas County are the outlier.

In Clackamas County, fines are set locally by each city through fee schedules, and the elimination of daily overdue fines is the direction that collaborating libraries are working towards. By supporting this strategic plan, Council and the Library Board are leading in this area.

## **BUDGET IMPACT**

Most of this strategic plan is budget neutral, as the work is about reconfiguring how the library delivers service, and how services and resources are focused. But several items do potentially impact future budgets.

Eliminating daily overdue fines will reduce revenue. In April 2024, \$915 was paid in for daily overdue fines. Using April as proxy for the year, this suggests less revenue of \$10,980 annually.

Improving services could include purchasing holds pickup lockers (like Amazon lockers) or library outreach vehicles (think bookmobiles or sprinter vans). Lockers cost from \$20,000 and a bookmobile from \$200,000. Beyond city resources, outside partnerships might be needed to make these options work financially.

Ensuring library positions have internal pay equity with similar city positions may cost more, providing staffing levels remain constant. This process would need to be part of an HR sponsored initiative.

## **CLIMATE IMPACT**

None.

## **EQUITY IMPACT**

Eliminating fines is eliminating barriers to library service. Eliminating barriers to library services may be assisting Milwaukians most in need.

The American Library Association (ALA) states in its [Resolution on Monetary Library Fines as a Form of Social Inequity](#), “that monetary library fines create a barrier to the provision of library and information services.”

David Sye writes in [Why Have Libraries Gone Fine-free The Past Few Years](#), that “libraries provide a significant social benefit to low-income patrons, since it allows them to access a wide variety of materials and services without having to spend additional funds. Fines, therefore, create an additional obstacle to library access that can be harder for those patrons to overcome compared to other borrowers.”

This plan focuses and prioritizes improving services in underserved parts of our community, and to underrepresented members of our community. It centers on intentionality of inclusion and belonging both internally and externally. Further, it continues the work of fostering relationships with city departments and community partners that add value or support to our collective work, including social services outreach in the library. Collectively, this approach has a major impact on equity.

#### **WORKLOAD IMPACT**

Minimal.

#### **COORDINATION, CONCURRENCE, OR DISSENT**

This strategic plan draft was developed in collaboration with library staff, the Library Board, and department directors.

#### **STAFF RECOMMENDATION**

Support the Milwaukie Ledding Library Strategic Plan

#### **ALTERNATIVES**

None.

#### **ATTACHMENTS**

1. Strategic Plan

# Milwaukie Ledding Library Strategic Plan

2024-2027

## PRIORITY 1: IMPROVING LIBRARY SERVICE AT THE POINT OF NEED

The library serves more than 40,000 community members within its service area, both inside Milwaukie as well as portions of unincorporated Clackamas County. This priority focuses on delivering services beyond the building and to areas underserved by the existing library location.

- Develop and apply an equity lens for library sponsored programs, participation in community events, and delivering library services and resources outside of the physical library (outreach) *(MM)*.
- Develop plan to improve services in underserved areas *(MM)*.
- Reduce barriers to access: *(MM)*
  - By FY26 ensure Milwaukie's Ledding Library is fine free
  - Review and revise policies and procedures representing barriers to access
  - Implement student card for K-12 public school students in the service area so all students have access to a library card

## PRIORITY 2: IMPROVING ORGANIZATION HEALTH AND SUSTAINABILITY

Ensure all who serve and work in the library are engaged in creating and sustaining a healthy and supportive environment. The library will work smarter together with staff and partners to leverage organizational capacity and training to support this priority.

- Build capacity for members of the Library Board, Ledding Library of Milwaukie Foundation and Friends of the Ledding Library to support on-going library advocacy work
- Ensure strong working relationships between the library and Friends of the Ledding Library, Ledding Library of Milwaukie Foundation and Library Board
- Continue investing in an organizational culture that prioritizes all employees feeling engaged and heard *(MM)*
- Ensure library positions have internal pay equity with similar city positions *(MM)*
- Evaluate staff and operational capacity to successfully carry out current and planned library programming, services and outreach *(MM)*
- Foster relationships with city departments and community partners that add value or support our collective work *(MM)*
- Establish a training plan focused on helping library staff succeed and improve confidence in the changing work of public libraries *(MM)*

## PRIORITY 3: INTEGRATING MILWAUKIE MOMENTUM (CITY'S STRATEGIC PLAN)

As a department of the City of Milwaukie, the Ledding Library is committed to implementing the city-wide strategic priorities detailed in Milwaukie Momentum. Library tactics detailed above that align to Milwaukie Momentum are indicated with *(MM)*.

WS 1. 6/18/24  
Presentation

# Library Strategic Plan

2024-2027



# Purpose

- Relieve stress on funds, space & staff
- Demonstrates Library's support:
  - for the work of the city
  - Collaboration with Libraries of Clackamas County (LINCC)
- Direction to say yes and no



# Priorities

- Improve services by removing barriers
- Improve organizational health by leveraging capacity and training
- Integrate into Milwaukie Momentum



# Potential Budget Impacts

- Elimination of daily overdue fines
  - Overview of the types of fees
- Potential new service with holds pick-up lockers and/or bookmobile
- Pay equity for library positions and similar city positions



# Equity Impacts

- Focus efforts:
  - Engage with critically underserved, underrepresented and marginalized community members
  - Prioritize support for key multicultural community events and programs
  - Eliminate daily overdue fines





# Equity Impacts

- Improve services in underserved areas:
  - Potentially install lockers in 1-3 locations
  - Pilot pop-up service and program events
  - Investigate and plan for bookmobile or other library vehicle



# Organizational Health

- Ensure employees are engaged and felt heard
- Develop service plan:
  - Core services
  - Hours and programs
  - Floor staffing / floorplan



# Organizational Health

- Establish a training plan to help staff succeed and build confidence:
  - Develop additional person-in-charge skills
  - De-escalation training
  - Increase proactive engagement
  - Review & Update Library Code of Conduct



# Questions



June 18, 2024

Library Strategic Plan

# Contact Us

Brent Husher

Library Director

[husherb@milwaukieoregon.gov](mailto:husherb@milwaukieoregon.gov)



June 18, 2024

Library Strategic Plan

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council

**Date Written:** June 11, 2024

**Reviewed:** Joseph Briglio, Acting Assistant City Manager, and  
Adam Moore, Parks Development Coordinator

**From:** Emma Sagor, Acting City Manager

**Subject:** **Parks goal update**

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**ACTION REQUESTED**

Council is asked to receive a report on progress made since the last update on its parks goal and provide directions on next steps they would like to see the city take related to this goal.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

Previous staff reports prepared in [August 2022](#) (page 26) and [August 2023](#) (page 26) provide a comprehensive history of the city's discussions on parks and park governance.

[April 18, 2023](#): Council discussed whether to adopt parks as a third Council goal for 2023-2024. Council approved three goals of climate action; equity, justice and inclusion; and parks by resolution [4:1].

On May 16, 2023, the circuit court ruled that the withdrawal method agreed to by the city and North Clackamas Parks and Recreation District (NCPRD) in the 2008 intergovernmental agreement (IGA) was beyond their legal authority under state law.

On June 21, 2023, the city appealed the circuit court decision to the Oregon Court of Appeals.

**ANALYSIS**

This update will provide the latest status and seek direction around three-subtopics of the Council's parks goal: park governance, neighborhood park development, and Milwaukie Bay Park.

**Parks Governance**

The staff report prepared for the [August 2023](#) Council regular session contains a detailed analysis of the history of NCPRD and the city and provided the legal context and financial considerations of the city leaving the district.

In May 2023, the circuit court ruled that Milwaukie cannot leave NCPRD by Council vote, but must follow the process outlined in Oregon Revised Statute (ORS) 198, which requires approval of a petition from the NCPRD Board of Directors with the possibility of a district-wide vote should their decision be referred to the voters.

The city appealed the circuit court decision on June 21, 2023. The city is currently awaiting the result of that appeal.

## Neighborhood Park Development

Progress continues on the construction of Scott, Bowman-Brae, and Balfour parks. Construction began in March, led by Paul Brothers, Inc, and dozens of community members attended a kick-off event in Balfour Park on March 9, 2024.

Construction is slated to conclude in fall 2024. The city is planning ribbon cutting events for all parks once they are open to the public, and more information will be shared on these events in the coming weeks.

## Milwaukie Bay Park

Staff work on Milwaukie Bay Park has largely been stagnant since 2022. Prior to that, the following steps were taken:

- Significant planning work and the first two phases of Milwaukie Bay Park's development (then called Milwaukie Riverfront Park) were completed between 1998 and 2015. More information can be found on the [city's website](#).
- In 2020, city staff met with NCPRD to negotiate a financial contribution from the city to the Milwaukie Bay Park construction project. The city approved that IGA promptly and forwarded it to the County.
- In 2021, County Commissioner Paul Savas proposed, and the Commission approved, placing a hold on budget line items for Milwaukie Bay Park until the county had "a Cooperative IGA with the City of Milwaukie" and "System Development Charge (SDC) funding [is] discussed with the District Advisory Committee (DAC)."
- Former Mayor Mark Gamba and Commissioner Savas held subsequent negotiations to fund the construction of Milwaukie Bay Park, beginning on July 7 and lasting until October 7, 2021. Those negotiations produced two agreements – an IGA to construct Milwaukie Bay Park and an amended funding IGA outlining a financial commitment from both parties to fund the park. The construction IGA included the following language, added to address the county's concern that the city may leave the district and not allow NCPRD residents full access to Milwaukie Bay Park on the same terms as city residents: *"Should a party terminate the agreement and after termination the City assumes operation and maintenance of the park and does not operate Milwaukie Bay Park with access for all NCPRD residents on the same terms (equal use rights for district and city residents) for a period of 25 years from park completion City shall pay the prorated Development Costs of NCPRD, and return funds to any entity granting funds for the Project consistent with the grant agreement."*
- The city quickly adopted both agreements in November 2021, with a June 2022 sunset clause to allow for the project to continue without further price escalations. The Commission approved the construction IGA that November but did not approve the funding IGA.
- Between fall 2021 and spring 2022, the funding IGA was removed from Commission agendas, despite receiving approval from the NCPRD DAC. On March 31, 2022, the Commission approved the funding agreement contingent on the execution of a third IGA (known as the updated Master IGA). Among other deficiencies the draft of the Master IGA provided to the city removed prior language allowing the city to leave the district at any time.
- These unsuccessful discussions led the city to seek validation of the terms in the 2008 IGA in order to determine the legal process by which the city could leave NCPRD.

- Communication has largely been frozen while the city’s validation action remains on appeal.

Milwaukie Bay Park remains in NCPRD’s latest [2024-25 budget](#), including \$1.57 million in SDC transfers and \$323,570 in general fund dollars. The project has also secured significant grant funding—including \$370,000 in state grants, \$1.5 million in Metro grants, and \$520,000 from the Land and Water Conservation Fund. These funds, and sunk costs already incurred to develop the 50% construction designs, are at risk of being returned if progress is not made on the park soon. In a recent meeting with the acting city manager, the NCPRD director noted a need to provide an update to the grantors by July 2024 to remain in good standing.

The park design drawings are currently at 50% complete, and the previous construction estimate of \$9.3 million 2022 has likely increased substantially due to recent inflation.

Staff are seeking direction from Council on the following questions related to Milwaukie Bay Park:

- Is Council supportive of city staff working collaboratively with NCPRD staff to try to move this project forward, preserve the grant funding already acquired, and explore further grant opportunities?
- Is Council supportive of staff exploring ways urban renewal funding could help accelerate development of Milwaukie Bay Park?
- Is Council supportive of staff attempting to re-engage with NCPRD staff to negotiate terms on the Milwaukie Bay Park construction and funding IGAs, and a maintenance IGA for all city parks? If staff’s attempt to re-engage with NCPRD is successful, what parameters or specific outcomes does Council want staff to advocate for?

### **BUDGET IMPACT**

The neighborhood parks projects are proceeding on time and on budget. Funding for the parks development coordinator position is set to run out at the end of December 2024. Without clear direction on next steps, the city has not programmed significant dollars for future parks work. Depending on the outcome of the appeal and future decisions about whether to leave the parks district, the city may need to consider how to fund parks operations and maintenance costs. Estimates prepared in 2023 suggested operating expenses in fiscal year (FY) 2025/2026 would be approximately \$3.4 million.

### **WORKLOAD IMPACT**

Staff have spent significant time analyzing alternatives and supporting negotiations with NCPRD over the last several years. Staff are seeking direction from Council on next steps to ensure staff time is spent on the highest priorities of the Council moving ahead. If Council directs staff to advance efforts on Milwaukie Bay Park, city management will need to consider how to accommodate that workload.

### **EQUITY IMPACT**

Access to parks and open space is a significant factor in physical and mental well-being. It is critical in park planning and development that accessibility is considered so these benefits can be enjoyed by all, and particularly benefit those who have experienced barriers or limited access historically. This includes people living on low-incomes, Black, Indigenous, and People of Color (BIPOC) individuals, and people living with disabilities. The neighborhood parks development



projects have specifically focused on equitable engagement to amplify voices of those traditionally underrepresented in planning efforts.

### **CLIMATE IMPACT**

Parks development and management is intrinsically connected to climate adaptation and resilience. Parks are spaces where tree canopies can be preserved and expanded, heat islands can be mitigated, pollinators can be supported, and natural resources can be preserved.

### **COORDINATION, CONCURRENCE, OR DISSENT**

The content of this staff reports as well as previous reports on this topic have been developed in partnership with the city attorney, public works, and strategic engagement team.

### **STAFF RECOMMENDATION**

Staff recommend Council direct staff to re-engage with NCPRD staff to try to advance Milwaukie Bay Park.

### **ATTACHMENTS**

1. None.

**WS 2. 6/18/24  
Presentation**

# **Parks Goal Update**

June 18, 2024



# Three areas of focus

- NCPRD relations and validation action
- Neighborhood park development
- Milwaukie Bay Park



# Validation action update

- **July 2022:** Milwaukie filed validation petition to clarify procedure for leaving the district
- **May 2023:** Circuit court ruled Milwaukie must follow process outlined in ORS 198 to leave the district
- **June 2023:** City appealed decision
- **September 2023:** Conversation with County Chair and Commissioner to discuss a way forward
- **October 2023:** NCPRD directors instate a “pause on future discussions with the city” until pending litigation is resolved
- City currently awaiting result of appeal



# Neighborhood park development



Scott Park



Bowman-Brae  
Park



Balfour Park



# Milwaukie Bay Park

- 50% construction designs completed in 2021
- IGA status:
  - **Funding IGA:** Adopted by the city in Nov. 2021, sunset in June 2022
  - **Construction IGA:** Adopted by the city in Nov. 2021, sunset in June 2022
  - **Master / Cooperative / Maintenance IGA:** First adopted in 1990, last amended in 2020; last draft update provided to the city in 2022
    - 2022 draft update removed language allowing city to leave the district under ORS 222.254
    - Not approved by city
    - Current IGA does not reflect all recently added/improved parks



# Milwaukie Bay Park – Potential Funding

Description	Funding By NCPRD and Milwaukie (as identified in most recent budgets)
Intergovernmental grants (NCPRD budget)	
<i>Oregon P&amp;R Local Government Grant Program</i>	\$750,000
<i>Federal Land and Water Conservation Fund</i>	\$1,046,125
<i>Metro RFFA</i>	\$658,027
SDCs – Zone 1	\$1,576,430
NCPRD General Funds	\$323,570
Milwaukie Urban Renewal Area funding	\$1,000,000
Milwaukie General Fund dollars	\$0
Metro Local Share - Milwaukie	\$750,000
Metro Local Share - NCPRD	\$3,000,000*
Parks Foundation	\$40,000
<b>Total Project Funds</b>	\$9,144,152
Construction price, 2022 dollars	<b>\$9,369,000</b>
<b>Balance - Funds needed</b>	<b>\$(224,848)</b>
Construction price, 2024 dollars	<b>\$10,047,316</b>
<b>Balance - Funds needed</b>	<b>\$(396,591)</b>



- **State grant** expires next month; next round of grant submittals in April 2025
- **Federal grant** requires close out by Oct. 2026
- **Metro grant** requires agreement for tribal engagement by Sept.
- NCPRD: next official update with grant partners in July 2024



# Milwaukie Bay Park – Potential Funding

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Intergovernmental grants (NCPRD budget)	
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<b>Balance - Funds needed</b>	<b>\$(396,591)</b>



- URA money currently earmarked for Trolley Trail and Dogwood Park
  - Could increase to ~\$2.5 M based on increment availability, with MRC approval
- General Fund allocation removed in this budget





# Questions for Council input

- Should city staff work collaboratively with NCPRD staff to try to move Milwaukie Bay Park forward?
- Should staff explore ways urban renewal funding could help accelerate development of Milwaukie Bay Park?
- Should staff attempt to re-engage with NCPRD staff to negotiate terms on MBP construction and funding IGAs, and a maintenance IGA for all city parks?
  - What parameters or specific outcomes does Council want staff to advocate for?



# Contact Us

Emma Sagor

Acting City Manager

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## COUNCIL STAFF REPORT

**To:** Mayor and City Council  
Emma Sagor, Acting City Manager

**Reviewed:** Peter Passarelli, Public Works Director

**From:** Courtney Wilson, Urban Forester  
Brett Kelper, Senior Planner

**Subject:** **Tree Code Amendments**

**Date Written:** June 5, 2024

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### ACTION REQUESTED

Council is asked to review and consider adopting proposed amendments to Milwaukee Municipal Code (MMC) Title 16 (Tree Code) and Fee Schedule.

### HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

November 17, 2020: Council adopts the public tree code.

2021. Following three work sessions in August 2021, the Planning Commission held three public hearings on the proposed housing and tree code amendments ([October 12](#), [October 26](#), and [November 9](#)) and voted 5-2 to recommend approval of the amendments with specific revisions and recommendations.

2022. Following work sessions in [December](#) and [January](#), Council held seven public hearings in early 2022 on the tree and housing code implementation process and draft code language ([January 18](#), [February 1](#), [February 15](#), [March 15](#), [March 29](#), and [April 5](#)).

[April 19, 2022](#): Council voted 5-0 to adopt the residential tree code.

[April 4, 2023](#): Staff updated Council on tree code implementation and provided an overview of the proposed tree code amendments for council discussion.

[July 18, 2023](#): Staff provided an overview of additional proposed tree code amendments for council discussion.

[March 5, 2024](#): Staff provided an overview of additional proposed tree code amendments for council discussion.

### ANALYSIS

Please refer to the [March 5, 2024](#) staff report for a detailed review of the project background and the policy mandate related to private residential tree preservation.

### Summary of Residential Tree Code

Before the adoption of the residential tree code in April 2022, only trees in the public right-of-way (ROW) or on city-owned property required permits before removal. To meet the city's goal of a 40 percent tree canopy, as identified in the [Climate Action Plan](#) (CAP), the [Urban Forest Management Plan](#) (UFMP), and the 2020 [Comprehensive Plan](#) policies, it was determined that trees on private residential property were a conservation priority as canopy over private

property accounted for the majority of Milwaukie canopy cover. Residential tree code was included in the [2021-2022 Comprehensive Plan implementation process](#) to complement the new housing code, with the final residential tree code being adopted in April 2022 and implemented in May 2022. Adoption and ongoing community outreach and education on the new tree code included direct mailings, website overhauls, new informational materials and handouts, and integration of the natural resources division into existing development review processes.

Through implementation, staff have identified code revisions that would improve clarity of code language, streamline implementation, and assist in enforcement of the adopted code and permitting program as originally intended. Reorganizing the tree code has been proposed to improve readability. The Tree Board section of the code has been moved to Title 2 (Administration and Personnel). Definitions were also changed to align with the zoning code and to further clarify existing definitions.

#### **BUDGET IMPACT**

None.

#### **CLIMATE IMPACT**

Tree preservation and canopy expansion is critical for climate mitigation and adaptation in Milwaukie. Tree code is essential to tree protection, and the proposed revisions will help ensure optimal ongoing implementation.

#### **EQUITY IMPACT**

None.

#### **WORKLOAD IMPACT**

Code revisions could reduce workload for administration and enforcement of tree code for public works and code enforcement staff.

#### **COORDINATION, CONCURRENCE, OR DISSENT**

Public works natural resources staff worked with code compliance and planning staff on the proposed code revisions.

#### **ATTACHMENTS**

None.