

**MINUTES
MILWAUKIE CITY COUNCIL WORK SESSION
MARCH 1, 2011**

Mayor Ferguson called the work session to order at 5:06 p.m. in the City Hall Council Chambers.

Council Present: Mayor Jeremy Ferguson, Council President Greg Chaimov, and Councilors Dave Hedges, Joe Loomis, and Mike Miller

Staff Present: City Manager Bill Monahan, City Recorder Pat DuVal, Planning Director Katie Mangle, Resource and Economic Development Specialist Alex Campbell.

City Manager's Report

Mr. Monahan reviewed the possible upcoming Budget Committee meeting dates. At the March 2 study session City Council would review the City Manager goals. He distributed an analysis of City website activity and noted 96 contacts had been made.

Mr. Monahan reported on Library Expansion project and formation of a task force.

Councilor Miller would like to meet the new people applying for boards and commissions and asked if background checks were done.

Mr. Monahan strongly encouraged applicants to attend the City Council meeting when appointments were made. The City did not do background checks on board and commission volunteers.

Mr. Monahan discussed photo radar report for the past year and the City Council goal adoption process.

Annual Joint Work Session with the Planning Commission

Planning Commissioners present: Jeff Klein, Lisa Batey, Chris Wilson, Russ Stoll, Mark Gamba, and Scott Churchill.

Ms. Mangle said one of the biggest accomplishments was an update to the bylaws, which had not been updated since 1998. She discussed their work program outlined in the staff report. There three main areas of responsibilities were holding land use hearings; residential development standards project; and helping strategize on regional plans. She discussed the need for dialogue with the Planning Commission to address Council goals and getting feedback on the work plan.

The Commission attended two meetings per month and did "homework" on weekends. They have had a few extra meetings including sub-committee meetings this month to go over code amendments. They also conduct site visits as needed.

Councilor Hedges said he would like more consultation with the neighborhood associations before codes are written so they can provide input.

Ms. Batey said they try to get information out to the neighborhoods through the referrals, and she thought staff did a good job of communicating. People may or may not attend the Planning Commission meetings.

Councilor Hedges said that was his point. People should not have to attend the Planning Commission meetings; they should provide input prior to the meetings.

Mr. Wilson noted there had been extensive outreach on residential design standards.

Mr. Gamba added there were Neighborhood District Association (NDA) members on the sub-committee.

Ms. Batey said the NDAs had actual land use committees for outreach purposes, but getting them engaged did not always happen.

Mr. Klein agreed that was something to work on and discussed the importance of training. He felt there would be an advantage to drawing from NDA land use committees when there was a Planning Commission vacancy.

Councilor Chaimov thanked the Commissioners for their good work. He referred to p. 2 of the staff report and the chart with the planning department work allocation. Did that match with what the Planning Commission thought staff should be doing? Or should we be focusing more effort in other areas?

Ms. Batey replied it was elastic and might change. It was what was being done currently and was not what they were saying is ideal.

Mr. Klein said it was 50/50 on dealing with land use, development policy and long-range planning vs. applications that came in.

Mr. Gamba felt if staff could spend more time on long-range planning it would add future stability to the course of the City.

Councilor Chaimov asked which issues listed in part B had the highest priority.

Mr. Churchill responded the sign code. There were major holes in the sign code. Main issues were around LED lighting and large electronic visual distractions. Many people do not want it to look like McLoughlin Boulevard south, which it could without changes to the sign code. Another key issue was commercial area planning and right-zoning for certain areas and adjustments for a better transition.

Councilor Chaimov asked if that tied into the 20-minute neighborhood issue.

Mr. Gamba responded that was driving his interest in working on that goal.

Mr. Klein observed there is a vision but until they are on paper it was difficult. Things dealing with the sign code were painful and took a lot of political will. It was important to have a dialogue between Council and Planning Commission regarding these difficult issues.

Ms. Batey added commercial areas were not just about 20-minute neighborhoods and several applications had come in over the years showing the lack of flexibility.

Councilor Miller said when looking at the commercial area including Murphy and MacFarlane how can we plan when they are privately-owned and no applications have been received.

Ms. Mangle replied the City needed to involve the property owners. Both of these sites were Brownfields and had physical problems. In addition, the zoning in those areas made development difficult. They want to take a step back and look at site in context including areas challenged with transportation issues. Waiting for applications to come in put the City in a reactionary mode and as a result opportunities could be missed.

CITY COUNCIL WORK SESSION – MARCH 1, 2011

DRAFT MINUTES

Page 2 of 4

Mr. Gamba added they were trying to be proactive and fix some of the problems through zoning.

Mr. Klein discussed redevelopment rather than development and stress on the infrastructure. Can something be done to make a better environment? Yes. The City can make it known it was open to different types of zoning. Until the City owns property it cannot decide what goes there.

Mr. Miller noted strict zoning was limiting, so there should be some flexibility.

Mr. Churchill commented there were some key transitional parcels that affected the neighborhoods. We need to do a little forward thinking without being too idealistic.

Ms. Mangle added the code was sending mixed messages and not just on the two sites mentioned.

Mayor Ferguson recognized Mr. Klein for his tenure as Chair and thanked him for his hard work and also acknowledged Ms. Batey as the incoming Chair. He was interested to hear how the Commission would prioritize the projects and how those fit with the City Council goals. He was interested in Natural Step training. He addressed the goal to improve communication between the Planning Commission and Design and Landmarks Committee as well as the City Council and was pleased to see interest in working on the sign code. He added sustainability should be an element of all the City Council goals.

Ms. Batey asked if Council had gotten complaints about signs.

Councilor Loomis replied he had not.

Mayor Ferguson got one call about the digital sign.

Councilor Miller got one call comparing the gas station sign with the large digital sign.

Mr. Gamba explained that was the difference with a downtown sign.

Mr. Klein added it was important to get feedback from Council on the Commission's vision.

Mr. Churchill said signs were important in a visual environment. Most successful communities have strong sign codes. The City was playing catch-up relating to the sign code, but the effort will pay off in the long run.

Ms. Mangle said the plan for the sign code was to do it in 2 phases. Phase 1 was electronic billboard designs, and Phase 2 was taking a comprehensive look at signs of all sizes.

Councilor Chaimov said his personal view on signs was that he did not mind or notice billboards. The lighted signs with pictures that move struck him as dangerous and a potential distraction to drivers. He saw it more as an issue of safety than as a function of land use.

Mr. Churchill commented on statistics related to moving signs.

Mr. Miller thanked the Commissioners for all of their hard work.

Mayor Ferguson discussed the benefits of a team building session.

Ms. Mangle said there was a suggestion of Natural Step training. There had not been a training budget for the Planning Commission.

Mr. Gamba said Natural Step training was \$1,000 for a group of 8 or so. It seemed worthwhile.

Mr. Klein commented Mart Hughes did a wetland review which was the single most influential outside study group on which he had participated.

Ms. Mangle asked how communication between the City Council and Planning Commission might be improved.

Councilor Chaimov suggested a joint study session in September to share information on major projects.

Metro Council Update

Metro Councilor Carlotta Collette discussed the Opt-In program, storefront program to improve the look and feel of Main Street and Brownfield grants for Milwaukie at the Cash Spot and ODOT building. Ground would be broken for the Trolley Trail this spring, and the in-water work for the light rail bridge would begin this summer. She discussed changes on the Metro Council, adoption of the Regional Transportation Plan, and the elephant reserve at Roslyn Lake

Mayor Ferguson adjourned the work session at 6:44 p.m.

Respectfully submitted,



Pat DuVal, City Recorder

WORK SESSION

**MILWAUKIE CITY COUNCIL
WORK SESSION
MARCH 1, 2011**

MILWAUKIE CITY HALL

Conference Room
10722 SE Main Street

WORK SESSION – 5:00 p.m.

A light dinner will be served

Discussion Items:

	<u>Time</u>	<u>Topic</u>	<u>Presenter</u>	<u>Page #</u>
1.	5:00 p.m.	City Manager's Report	Bill Monahan	
2.	5:30 p.m.	Annual Joint Work Session with the Planning Commission	Katie Mangle and Planning Commissioners	1
3.	6:45 p.m.	Adjourn		

Information

Executive Session: The Milwaukie City Council may meet in executive session pursuant to ORS 192.660(2). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

Public Notice

- The Council may vote in work session on non-legislative issues.
- The time listed for each discussion item is approximate. The actual time at which each item is considered may change due to the length of time devoted to the one previous to it.
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.
- The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities (ADA). If you need special accommodations, please call 503.786.7502 or email ocr@ci.milwaukie.or.us at least 48 hours prior to the meeting.



To: Mayor and City Council

Through: Bill Monahan, City Manager
Kenneth Asher, Community Development and Public Works Director

From: Katie Mangle, Planning Director

Subject: Annual Discussion of Planning Commission Work Plan

Date: February 17, 2011 for March 1, 2011 Work Session

Action Requested

None. Section 2.10.050 of the Milwaukie Municipal Code requires that the Commission “prepare an annual work plan which will have elements of the City vision and City Council goals”, and that the work plan “be discussed with and approved by the City Council in a joint work session”.

Staff is seeking feedback from Council on whether the draft work plan outlined in this report adequately aligns with Council’s draft goals.

History of Prior Actions and Discussions

July 2009: The Planning Commission last met with City Council to do this type of review.

Background

The Planning Commission serves the City by “reviewing and advising on matters of planning and zoning, according to the provisions of the Comprehensive Plan; Zoning Ordinance, and other planning implementation documents” (MMC 2.16.010). It does this by deciding land use and development applications, developing long-range plans,

and proposing updates and amendments to the Milwaukie Municipal Code and Comprehensive Plan.

Planning Department staff work closely to support the Planning Commission’s work plan. However, the Commission’s work plan comprises only a portion of the Planning Department’s work program and responsibilities. In summary the time of the City’s five Planning staff is currently allocated as follows:

2011 Planning Department Work Allocation	
Development Review Services (Current Planning and Permitting)	30% of workload (varies greatly depending on applications received)
Representing City on regional committees, staffing Planning Commission, DLC, Council	10%
Supporting capital project and community development projects (including Light Rail)	20%
Land Use and Development Policy	35%
Long Range Planning	5%

A. Accomplishments in 2009-10

During the past year, the Planning Commission has had many accomplishments, including the following:

- Held 11 public hearings on land division, land use, and legislative applications. No decisions were appealed to Council.
- Prepared one major code amendment package for Council adoption – 19.500 Off-Street Parking Code, which Council adopted in April 2009.
- Developed code amendments related to the Land Use and Development Review Process Tune-up project. This project represents significant progress on work first identified by the Commission in 2004. These amendments will be presented to Council for adoption in March 2011.
- Developed the code and map amendments needed for the City to comply with Metro Functional Plan Title 13, the Natural Resource Overlay project. These amendments will be presented to Council for adoption in April 2011.
- Completed the first significant update to the Commission Bylaws since 1998.
- Held one training for Planning Commissioners on the land use process and holding effective public hearings.
- Advised staff on upcoming policy changes, select administrative review decisions, and long range planning projects.

In addition, the Commission discussed a wide variety of topics in work session, including:

- The Portland - Milwaukie light rail project
- The Johnson Creek Watershed Council's work
- Comprehensive Plan update
- The South Downtown concept plan
- Restructuring of the development review fee schedule
- Strategy for addressing electronic signs

As evidenced by previous work programs, there is a long list of potential projects for the commission and staff. The proposed work plan for the coming fiscal year fulfills the Commission's responsibilities for long-term and current planning. Council should provide feedback to the Commission on whether this work plan sufficiently conforms with Council's draft goals.

Planning Commission Draft Work Plan for 2011-12

At its meeting on February 8, 2011, the Commission prepared a list of priorities for the coming fiscal year. The plan is derived from a combination of state, regional, and City requirements; "wish lists" developed over the past four years; priorities outlined in the 2009 Code Assessment; and recent Commission discussions.

A. Work Program already identified or in process:

- 1. Conduct public hearings and make decisions on Type III applications.**
These decisions may include, but are not limited to, community service uses, variances, zone changes, conditional uses, subdivisions, and partitions. With this task, the Commission reacts to applications made to the City by other parties, and operates within the rules set by the Zoning Code and ORS.
- 2. Residential Development Standards Project** – Lead the community to develop a coherent vision and new code for all residential development. This long-range planning and code amendment project has been on the Commission's work plan for many years, and is a top priority to complete during the next year. It was identified in 2009 as a priority for the Commission and City Council, and is now underway. During its recent goal-setting session, members of Council requested that this project be a focus of the Council – Commission discussion during the March 1 meeting.
- 3. Maintain compliance with the Metro Regional Functional Plan** – The City is required by the Metro Regional Functional Plan to comply with regional transportation and land development policies. As the Functional Plan is

updated, the Planning Commission is responsible for developing a strategy for compliance and working with staff to carry out projects that result in compliance within two years.

Metro Council adopted a range of new policies in December 2010. Over the next two years, the City will be required to comply with new policies in four areas. The coming year will involve developing a strategy to comply with the following.

- Update the Transportation System Plan to comply with the new Regional Transportation Plan
- Minor amendments to our industrial zones to comply with Title 4 of the Functional Plan (Industrial lands).
- Title 6 (Centers, Main Streets and Corridors)
- Title 1 (Housing)

B. Work Program to be discussed and developed

The Commission prepared its draft work plan without the benefit of Council's draft goals; however, staff is presenting the work plan within that context to help frame the discussion during the joint meeting.

PROJECT: Begin the Commercial Areas planning and regulatory improvements

Council's Goal: This project is related to Council's second draft goal related to economic development.

- Improvements to Commercial area zoning and a revisiting/ updating of the Downtown zoning policies were identified by the Commission and Council as priorities in the 2009 Smart Growth Code Assessment.
- In 2009, the City received a grant for this project from Metro. However, funding has been delayed by a lawsuit regarding Metro's Construction Excise Tax, the grant funding source. Pending Council approval of local funding and staff availability, this project will be developed over the coming year to include:
 - Vision and revised code for neighborhood-oriented commercial areas (particularly 32nd and 42nd Avenues)
 - Planning for redevelopment of the central commercial area, particularly the Murphy and McFarland sites
 - Downtown Plan and code refresh

- Consideration of forming an urban renewal district to implement the community's plans

PROJECT: Review and update Title 14 - Sign Code

Council Goal: This project is not directly related to Council's goals, but would support the broader goals related to improving the identity of Milwaukie's commercial areas and improving livability in the neighborhoods.

The Commission has discussed pursuing this project in two phases:

- Phase I: Update the City's regulations for electronic and moving signs. Many Commissioners feel strongly that the City's policies regarding electronic signs are urgently in need of revision.
- Phase II: Improve aesthetic standards for signs throughout the City of Milwaukie. The Commission unanimously agrees that the City should also begin a project to review and update the size and aesthetic standards throughout the community.

PROJECT: Work with Council to develop a strategy for updating the Milwaukie Comprehensive Plan.

Council Goals: This project is related to Council's fourth draft goal related to the City's boundaries, since the UGMA policies are in the Comprehensive Plan.

The state-mandated Periodic Review of Milwaukie's 1989 Comprehensive Plan has been delayed indefinitely. The City needs to develop a strategy for updating the Plan to address local needs, and create a plan and strategy for a strong and healthy Milwaukie over the next twenty years. One of the many key questions for the City will be how to address the unincorporated areas beyond its border, and how to coordinate with the City on service provision to these areas.

PROJECT: Light rail station area planning

Council Goals: This project is related to Council's second goal related to economic development.

The Planning Commission will participate in the design of the light rail project, which will complete final design and begin permitting over the next year. Undertake long-range planning to consider how the City can make the most of the increased transit service to be provided by the Tacoma and Lake Road stations.

PROJECT: Sustainability

Council Goals: This project is not directly related to Council's goals.

Develop the Commission's understanding of sustainable development practices and plan for Milwaukie's response to forthcoming requirements to reduce greenhouse gas emissions.

PROJECT: Improve communication between Planning Commission and City Council

Council Goals: This project is related to Council's second goal for improved communication with other City groups.

In addition to a greater awareness of each group's work and Council's expectations, the Commissioners are interested in having joint meetings more frequently (than once per year).

PROJECT: Trainings for Commissioners

Council Goals: This project is not directly related to Council's goals.

Commissioner trainings over the next year may include:

- Oregon's land use system
- Holding effective public hearings
- Long range and development planning – Why do we plan?
- Wetlands and natural resources tour and training
- Natural Step

Planning Commission Bylaws

The Planning Commission undertook a significant update of its bylaws last year, and Council adopted them in March 2010 (Resolution # 19-2010). The Commission

reviewed this document in February 2011, and did not identify any further changes to be made at this time.

Concurrence

The Planning Commission and Director of Community Development and Public Works have reviewed the draft work program for consistency and efficiency.

Fiscal Impact

The work program outlined in this report will require a commitment of fiscal and staff resources. The proposed budget for fiscal year 2011-12 provides budget resources to support the work identified in Work Plan section “A”, and some of the items listed in Work Plan section “B”. It is unlikely that all of the projects listed in section B could be completed in the coming year without consultant assistance. Specifically, progress on the Commercial Areas planning project would require additional funding to hire consultants with expertise in development planning and feasibility, market analysis, and architectural modeling. This funding could be provided through City resources or the pending Metro Construction Excise Tax grant which the City was awarded in 2010.

Staff will organize and provide in-house training to the Planning Commission. However, participation in training opportunities such as the Natural Step program is not included in the proposed Planning Department budget for fiscal year 2011-12, and would require additional funding.

Work Load Impacts

The Planning staff will support the Planning Commission’s work to accomplish the priorities listed above. It is unlikely that all of the projects listed in section B could be completed in the coming year without additional volunteer work by the Commissioners. Specifically, progress on the Sign Code policy revisions will require extensive outreach to property owners, which the Commissioners could lead. Staff work on applications and planning projects will be balanced with on-going efforts to provide timely and clear information to the public, support the Community Development work program and other City Council goals, and serve the City’s public involvement processes.

Alternatives

Council may direct the Commission to refine this work program or address other goals and issues.