

**MINUTES
MILWAUKIE CITY COUNCIL WORK SESSION
JULY 5, 2011**

Mayor Ferguson called the work session to order at 5:00 p.m. in the City Hall Conference Room.

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

Staff Present: City Manager Bill Monahan, City Attorney Tim Ramis, City Recorder Pat DuVal, Planning Director Katie Mangle, Assistant Planner Li Alligood, and Associate Planner Brett Kelver

City Manager's Report

The group discussed the resolution extending the public area requirement (PAR) grant and the ban-the-bag proposal. The Neighborhood District Association (NDA) leadership had made an overture to Council to meet outside the monthly work session for a more open and frank discussion.

Mr. Monahan discussed board and commission terms and term limits. Staff will contact two individuals whose applications will not be entertained. He also discussed specific language regarding no people from the same household on the Budget Committee and Planning Commission. Citizens will be encouraged to apply for other boards and commissions that had openings.

Ms. Mangle reviewed the light rail project management and station building, the Street Surface Maintenance Program, and efforts related to Dark Horse redevelopment.

Mayor Ferguson announced the City Council would meet in executive session pursuant to ORS 192.660(2)(h) to consult with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to occur at 5:34 p.m. The City Council would resume its work session upon completion of the executive session.

Mayor Ferguson resumed the work session at 6:03 p.m.

Joint Meeting with Design and Landmarks Committee

Members present: Greg Hemer, Jim Perrault, and Becky Ives. Not Present: Patty Wisner and Chantelle Gamba.

Ms. Alligood described the role of the Design and Landmarks Committee (DLC). Its current focus was on design and identifying and refining the City's character. Members were continuing to increase their knowledge of urban design and following the Committee's 2011-2012 work plan.

Mr. Hemer said the Committee had gone through the first round of façade grant applications. The group was reviewing light rail as it went through downtown and advising the Planning Commission on some features.

Mr. Perrault felt the most notable work was with the Mayer Reed group to preserve the integrity of the downtown.

Ms. Ives said the group went to the Milwaukie Museum to review materials and collect information. She found the work on the historic properties inventory very interesting. The Committee were looking for images of historic properties and hoped to help the Museum acquire a scanner at some time.

Ms. Alligood distributed copies of the work that had been done on historic properties to date.

Mr. Hemer said for 2011 – 2012 the Committee was going to review the Kellogg Lake Bridge, Riverfront Park, historic properties, code revisions related to the downtown, south downtown implementation plan, and residential development standards

Mayor Ferguson asked what the timeline was and steps for the Kellogg Lake Crossing review.

Ms. Mangle replied the DLC review portion was of the structure in the downtown zone. They were expecting the application in the next couple of weeks, DLC discussion in August, a formal design review meeting at the end of October, and a full Planning Commission in November.

Councilor Chaimov encouraged the group to continue education on Milwaukie history and particularly helping the Museum. He asked what the City Council could do to help.

Mr. Hemer replied that Council could support a Historic Commission to review and guide renovation of some of the historic buildings in Milwaukie. The thought would be to combine the DLC and Historic Commission with two Commission meetings annually.

Councilor Miller liked the idea of designating historic buildings as well as historic trees.

Councilor Hedges agreed with comments about preserving history. Milwaukie has not seemed to keep its older buildings. He asked how the DLC considered citizen opinion.

Mr. Hemer answered the five members of the Committee reflected a diversity of interests. Their meetings were open to the public, and the Committee encouraged community participation.

Mr. Perrault described how the Committee listened at the light rail open houses and conveyed what they heard to the project architects and engineers. In that situation, the Committee was the mouthpiece for the public.

Ms. Ives said the open houses were informational, and she felt she had a good grasp of what various groups were saying. She had been focused on landscape, but now her mind was really opened up to architecture as well.

Councilor Loomis observed there were many historic properties in the City, but few people knew about them.

Councilor Hedges asked what the Museum needed.

Ms. Alligood replied a scanner would be very helpful in order to digitize old photos.

Mr. Hemer recognized Ms. Alligood, Mr. Asher, Ms. Shanks, and Ms. Mangle as excellent City employees.

Natural Resource Overlay

Mr. Kelter said the City Council public hearing on this amendment was scheduled for July 19. He asked if the Council had identified any issues at this point.

Councilor Hedges said his biggest concern was grandfathering-in existing homeowners. To require people to get permits to do work on their property went against his beliefs.

Ms. Mangle explained none of the regulations were triggered by existing conditions. The code would be triggered, however, if someone wanted to engage in an activity such as big changes to landscaping, a new use, or new development

Mr. Kelder explained there were two types of resources: water quality resource (WQR) and habitat conservation areas (HCA). The Code was clear about not requiring someone to restore an existing property, a lawn for example, as long as there was no development. Another example was repairing a retaining wall. If an owner did a certain amount of small work, there could be some limited requirements. The proposal was to keep it simple and not charge a review fee for small projects. Regulations already existed in the WQR area. He reviewed some of those exemptions and allowances in the HCA including tree removal. WQR rules right now were very protective of trees and somewhat restrictive on what can be done. They had written in lower level reviews for small projects with a lower fee and an easier process to make it less onerous for property owners.

Councilor Hedges did not believe people living next to the creek should be treated differently than other property owners. Those people purchased properties when certain regulations were in effect, and now the City wants to amend the Code. He felt that those people should be grandfathered in until a new owner came along. For him, it was a matter of fairness.

Ms. Mangle said location did matter for these regulations. The focus was on riparian areas and habitat viability. The region identified these areas to focus on sustaining and restoring habitat, and the regulations apply only to those areas.

Mr. Kelder commented on tracking ownership. Staff wants to make the process easy and at no cost to the property owner.

Councilor Loomis asked how the HCA was defined.

Mr. Kelder provided a map of the WQR and HCA and noted detailed maps were available on the City website and at the Planning Department office.

Councilor Miller asked if replacement trees had to be native.

Mr. Kelder responded that they did not have to be native but could not be a nuisance tree.

Councilor Chaimov said for purposes of the presentation at the public hearing, he thought it would be helpful to have a set of hypotheticals to give a concrete picture of what these amendments meant to property owners.

Ms. Mangle described the notification process. The public involvement plan had been very focused on property owners to keep them informed of what is going on.

Councilor Loomis asked if there were any hypotheticals included in the notifications or was it simply a notice.

Ms. Mangle replied they had tried to be clear about the new regulations, and up to 25 people had attended open houses where they could ask specific questions about their properties. There was a mixed reaction depending on the homeowner.

Councilor Miller asked how these regulations compared with those of the County.

Ms. Mangle replied it was similar with the exception that the County had a tree protection policy. Clackamas County based its code on Metro Titles 3 and 5 and had adopted more of a wholesale approach.

Councilor Loomis had concerns about gardening restrictions.

Ms. Mangle reviewed the landscaping and gardening language; it allowed for the addition of a garden or play area not exceeding another 150 square feet. The amendments did not impact existing gardens. Minor disturbances would be allowed under the new rules.

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Minutes

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Mr. Kelter said in general the rule did not want to see people removing native vegetation to put in lawns and other things. The rules applied to public and private property as long as was not right-of-way.

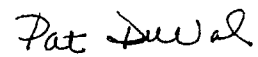
Councilor Loomis asked about the moving of the boat ramp at Riverfront Park.

Ms. Mangle responded it fully met all of the requirements. The boat ramp had already gone through the process and was permitted.

Mr. Monahan said this item was on the July 19 agenda, and any additional questions should be sent to Ms. Mangle or Mr. Kelter by Monday. Staff responses to those questions would be posted on the website. Time was also available during the July 19 work session for any final clarification prior to the hearing.

Mayor Ferguson adjourned the work session at 7:09 p.m.

Respectfully submitted,



Pat Duval, City Recorder

WORK SESSION

**MILWAUKIE CITY COUNCIL
WORK SESSION**

JULY 5, 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	

EXECUTIVE SESSION – 5:30 p.m.

The Milwaukie City Council will meet in executive session pursuant to ORS 192.660(2)(h) to consult with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.

2.	6:00 p.m.	Resume work session: joint meeting with Design and Landmarks Committee	Li Alligood	1
3.	6:45 p.m.	Adjournment		

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

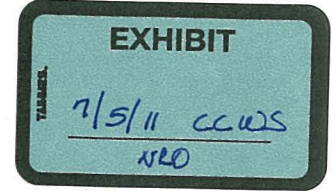
- The Council may vote in work session on non-legislative issues.
- The time listed for each discussion item is approximate. The actual time at which each item is considered may change due to the length of time devoted to the one previous to it.
- The Council requests that all pagers and cell phones 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.



MILWAUKIE
Dogwood City of the West

7/5/11

Memorandum



To: Mayor and City Council

Through: Bill Monahan, City Manager

From: Katie Mangle, Planning Director
Brett Kolver, Associate Planner

Date: July 1 for July 5, 2011 Work Session

Re: Key Issues for Natural Resource Amendments

On June 14, 2011, the Milwaukie Planning Commission voted to recommend that City Council adopt the proposed amendments to the natural resource provisions of the City's Zoning Code and Comprehensive Plan. The proposal is scheduled for a public hearing by Council on July 19, 2011.

In preparation for the July 19 hearing, Council has asked staff to provide a summary discussion of the issues that have generated the most debate in the Commission's public hearings. The following topics are the ones most likely to surface in public testimony on July 19:

1. Whether the Proposal Provides Adequate Regulatory Exemptions for Residential Properties.
2. Whether the Proposal Makes it Too Difficult to Remove Trees or is Not Protective Enough.
3. Whether the Proposed Subsidy of Application Fees is Adequate Compensation for the Burden Borne by WQR/HCA Property Owners.
4. Whether the "Prohibited Activities" Language is Unintentionally or Unnecessarily Restrictive.
5. Whether the Natural Resource Regulations Should Apply in Public Rights-of-Way.

Below, staff briefly describes these issues and presents some points and counterpoints, concluding with a summary of the Planning Commission recommendation for each.

1. Whether the Proposal Provides Adequate Regulatory Exemptions for Residential Properties.

Planning Commissioner Stoll and a few property owners believe that developed residential properties should get a break from the new rules that pertain to habitat conservation areas (HCAs). They hold that, on property developed with a single-family home at the time the new code is adopted, no Natural Resource (NR) review would be necessary for HCA disturbance if the activity does not require a land use application or other permit (e.g., building, grading, or erosion control). Such an exemption would allow some small-scale activities within HCAs that would otherwise be regulated, such as tree removal, excavations up to 500 sq ft, and construction of small structures that do not require a building permit. The Title 13 model code provided by Metro included this exemption, and they believe the City code should incorporate it as well.

The other Commissioners believe that the current proposal includes a wide array of exemptions for many of the ordinary activities that might disturb HCAs, such as maintenance of existing landscaping, routine repair and maintenance of existing structures, removal of downed trees, new disturbances up to 500 sq ft for residences, restoration projects, and establishment and maintenance of trails. The

Commission believes that the primary aim of the current proposal is to strike a fair balance of ensuring that the community's natural resources are protected without overregulation. With that in mind, the other Commissioners were reluctant to give free rein to remove trees and vegetation without any oversight.

Additional Points Supporting the Planning Commission Recommendation

- The suggested exemption would apply to most residential properties but not to all, setting one standard for properties developed prior to 2011 and another for infill development properties. It would also distinguish single-family residential uses from all others (multifamily, commercial, industrial, institutional), even though it is reasonable for all types of uses to share a proportional responsibility for protecting the community's natural resources.
- The suggested exemption would allow the unmitigated removal of trees and other vegetated cover in HCAs. Milwaukie is already one of only 6 or 7 jurisdictions among the 30 surveyed in the region that have no or very little regulation of tree removal on private property, and providing such a broad allowance for tree removal seems inconsistent with Council's goal of obtaining Tree City USA status for Milwaukie.
- Sidewalks and street trees are also community assets that individual property owners are responsible for in front of their property. The fact that some properties in Milwaukie have sidewalks while others do not is irrelevant to the need to keep them clear of snow and other obstacles that would make them unsafe or impossible to navigate. Properties with sidewalks bear a special burden for maintenance, as do properties with WQRs or HCAs.
- The Metro model code was designed for general use by jurisdictions across the region and establishes a baseline for compliance with regional and state regulations. Different jurisdictions in the region have different specific conditions—some areas are very rural in character or are on the urban fringe, where it might be difficult to administer or enforce the regulations. Other jurisdictions have excluded this particular exemption in order to make the new HCA regulations mesh with their existing rules for tree protection.

Counterpoints

- Water quality resources (WQRs) and HCAs are considered an asset for the whole community, but individual property owners are burdened with the restrictions designed to protect these resources. In recognition of this burden, residential property owners should have a "grandfathered" right to manage HCA trees and do other normal activities as they see fit.
- Property owners may be good stewards of the land and may not need regulations to guide their everyday actions. Most people who live along Milwaukie's creeks and wetlands do so because they value those resources, and they would not want to do anything to harm them. They should not have to jump through hoops just to do small projects.

Planning Commission Recommendation — The current proposal includes numerous exemptions that allow a wide range of everyday activities on all properties with HCAs. A broad exemption solely for single-family residential properties is not needed.

2. **Whether the Proposal Makes it Too Difficult to Remove Trees or Is Not Protective Enough.** Trees are a primary component of the vegetation that makes up WQRs and HCAs, and protecting them is critical for protecting water quality and conserving habitat. The current WQR regulations are very protective of trees, allowing trees within 50 ft of a stream or wetland to be removed only under certain limited conditions. If a tree presents an immediate emergency (e.g., being downed across a

power line or threatening to fall onto a house), it can be removed without any need for review. If a tree presents a potentially hazardous situation that is not an immediate emergency (e.g., being downed across a creek or dropping dead limbs), it can be removed with Type I review (\$150 fee, with a short timeline for review similar to a building permit). Beyond those options, proposals to remove WQR trees must go to the Planning Commission for approval.

Participants in the Advisory Group agreed that property owners need more options for managing the various situations that trees can present in WQRs and HCAs. The current proposal expands the options for tree removal. As proposed, the following situations would allow trees to be removed without further review:

- Tree is downed (by natural causes) and no earth disturbance to remove (leave the stump)
- Up to 3 nuisance trees per year, with minimal earth disturbance (less than 150 sq ft)
- Immediate emergency situation
- In conjunction with an approved natural resource management plan
- Major pruning within 10 ft of structures

Also, the following situations would require Type I review (similar to building permit, with replanting required on a one-to-one basis):

- Non-emergency hazard tree
- Dead, diseased, or dying and cannot be saved
- More than 3 nuisance-species trees per year
- Tree is downed but requires more than 150 sq ft of earth disturbance to remove
- Nuisance-species trees that require more than 150 sq ft of earth disturbance to remove
- Up to 3 non-nuisance, non-native trees anywhere but a Class A ("Good") WQR

However, some believe that the current proposal may be too permissive, especially within WQRs. Allowing up to 3 trees to be removed from one location in a given year can mean a significant reduction in tree canopy. And on the other end of the spectrum, some feel that no one should have to ever go to the Planning Commission for approval to remove a tree. They feel that the rules do not allow enough flexibility to consider particular situations and that it is unreasonable to pay so much to get a decision by the Commission.

Additional Points Supporting the Planning Commission Recommendation

- Situations that do not fit into the Type I category would go to the Planning Commission for a decision. The current proposal includes a reduction of the Type III fee for these tree removal requests (from \$1,700 down to \$500), which acknowledges the potential hardship to property owners while continuing to protect trees in the most critical areas.
- The City will begin providing informational and educational materials so that property owners can learn more about the ecological benefits of trees, especially downed-and dead trees. Even where tree removal is allowed, property owners will know that there are options that could provide some ecological benefit without threatening the integrity of their site. For example, leaving large woody debris in the stream can be very beneficial for fish habit without necessarily creating a flood danger, depending on the particular site.

Counterpoints

- Those with a strong ecological perspective have said that even a dead or dying tree can have value as habitat and that it should not be so easy to take out a tree in a WQR or HCA just because it dies (since such scenarios provide a chance to improve the habitat and restore the natural resource area).

- Some feel that property owners should not be prevented from removing landscaped trees under any circumstances, especially if they are trees that the owners planted themselves and want to manage over time.

Planning Commission Recommendation — The current proposal identifies most of the common tree-removal situations that would come up for property owners and either makes them exempt from regulation or provides a Type I review option.

3. **Whether the Proposed Subsidies of Application Fees are Adequate Compensation for the Burden Borne by WQR/HCA Property Owners.**

The owners of properties containing WQRs and/or HCAs do bear some burden for protecting community assets. The current proposal includes a waiver of fees for several of the simple Type I land use applications that are likely to be most common—approval of construction management plans and natural resource management plans, verification of resource boundaries on the Natural Resource administrative map, and requests for tree removal. The proposal also includes a reduction of the Type III application fee for tree removal, from \$1,700 down to \$500.

Some, however, have argued that all application fees should be waived when WQRs and/or HCAs are involved, as acknowledgement that those property owners are maintaining a community asset in the form of a WQR or HCA.

Additional Points Supporting the Planning Commission Recommendation

- These particular applications should require relatively little effort from property owners to prepare, and they should be easy for staff to review quickly.
- By making it easy and free (or less expensive) to prepare these particular applications, the City recognizes the special burden that properties bear when they include WQRs and/or HCAs and provides some relief for certain applications.
- If the City wants to encourage property owners to do active restoration projects, it makes sense to waive the fee for creating a basic natural resource management plan.

Planning Commission Recommendation — The current proposal strikes the right balance of waiving some basic fees to provide some relief to property owners, while recognizing that other fees must be collected to cover the costs of review for larger projects that can have a significant impact on natural resources.

4. **Whether the "Prohibited Activities" Language is Unintentionally or Unnecessarily Restrictive.**

Rather than trying to identify and list every specific activity that is not allowed in WQRs and HCAs, the code is written to list all the activities that are allowed and to categorize them by the type of review they need. If an activity is not listed, then it is not allowed, similar to the structure of the various use zones. For example, the code doesn't list all the things not allowed in the R-7 zone; rather, it lists the few uses that are allowed. This is a different setup than for laws that state what particular things are illegal, with the understanding that everything else not listed is ok.

This is the language in question:

Title 19 Zoning is comprised of regulations that deal with the use of land; it does not extend into the broader realm of laws that regulate personal activities not related to land use and development. Given such limitations, the following activities are prohibited within WQRs and HCAs:

- A. *New structures, development, or landscaping activity other than those allowed by Section 19.402.*

Some have suggested that this code language is too restrictive and that it would effectively prohibit all kinds of everyday activities because they are not specifically mentioned as being allowed in the code.

Additional Points Supporting the Planning Commission Recommendation

- The zoning code does not regulate personal activities. The proposed regulations focus only on activities that could disturb a WQR or HCA.

Counterpoints

- Some have suggested that this language structure seems antithetical to the nature of most other laws in the U.S., which focus on telling you what particular things you can't do instead of trying to list everything that you can do.

Planning Commission Recommendation — The structure and language of the current proposal are appropriately designed to regulate activities that could impact WQRs and HCAs, and are in keeping with the structure of the overall zoning code.

5. Whether the Natural Resource Regulations Should Apply in Public Rights-of-Way.

By design, the City's Zoning Ordinance does not directly regulate improvements and structures in public rights-of-way.¹ This includes the proposed NR regulations, which specifically exempt the right-of-way from NR review. However, some participants have suggested that it seems unfair that the proposed regulations apply to private properties but not the public right-of-way.

Additional Points Supporting the Planning Commission Recommendation

- The public right-of-way is not owned by the City; it is in public ownership and so is essentially a shared resource. The City is the primary entity responsible for managing and maintaining the public right-of-way, but property owners also have some responsibility (e.g., keeping sidewalks clear of snow and in good condition). Property owners who do land division or major development are usually required to make improvements in the right-of-way—as proposed, the regulations would not apply to that part of their project.
- This issue is not really about the City versus private property owners—it is about whether the proposed disturbance happens on real property (whether the Pond House, the light rail alignment, or a private residence) or in public right-of-way (like Harrison St or 19th Ave). When a project is on real property, the proposed rules would apply, regardless of whether it is owned by a public entity or a private individual; when a project is in the right-of-way, the proposed rules would not apply.
- The City has adopted a set of practices and standards for managing public works projects in the public right-of-way. In part, these standards help the City comply with the Clean Water Act, and they include rules for protecting trees and vegetation, regardless of whether there is a WQR or HCA designation.
- The City already protects trees located in the right-of-way (Chapter 16.32).
- For projects involving streets with WQR and/or HCA designations, the City's Public Works Standards allow flexible street design to better respond to specific site conditions. This could allow narrow streets where there is no need for wider streets that would disturb a larger area.

¹ From Milwaukie Municipal Code Subsection 19.107.7 – Improvements and structures in public rights-of-way are regulated by other rules, regulations, and ordinances maintained by the City and other road authorities, such as Chapter 19.700 [Public Facility Improvements], Public Works Standards, and the Transportation System Plan.

Counterpoints

- WQRs and HCAs in rights-of-way need as much protection as those on private property.

Planning Commission Recommendation — The fact that the proposed regulations would not apply to public right-of-way is in line with the rest of the Zoning Ordinance, and the exemption benefits individual property owners as well as public entities like the City. There are other standards in place that serve to protect natural resources in public rights-of-way.



2.

To: Mayor and City Council

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

From: Katie Mangle, Planning Director
Li Alligood, Assistant Planner

Date: June 28, 2011, for July 5, 2011, Worksession

Subject: Design and Landmarks Committee Work Program for 2011-12

ACTION REQUESTED

Review and discuss the 2011-12 Design and Landmarks Committee (DLC) Work Program.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

August 2009: Council met with the DLC to review the Committee's 2009-10 Work Program.

May 2007: Council met with the DLC to review the Committee's 2007-08 Work Program.

BACKGROUND

The proposed work program is a plan for fulfilling the DLC's responsibilities for advising the Planning Commission as established in Title 2 of the Milwaukie Municipal Code, as well as for pursuing other projects of interest to the DLC with limited staff and budget resources.

The DLC serves the City by advising the Planning Commission and City Council on urban design, architecture, and historic preservation activities. It does this by reviewing development proposals in downtown and completing projects regarding historic landmarks and education and outreach. The Committee is currently filled by the following members:

- Greg Hemer (Chair)
- Jim Perrault (Vice Chair)
- Chantelle Gamba
- Becky Ives
- Patty Wisner

The DLC meets monthly. Joint meetings with the Planning Commission occurred on March 17, 2011, and June 1, 2011.

Accomplishments of 2009-10

During the 2010-2011 fiscal year, the DLC returned to full strength with two new appointed members and met almost every month. The group continued to strengthen relationships with the Planning Commission and clarified how the two bodies would work together effectively. The Committee participated in a staff-led design elements training in July and August 2011, which resulted in a deeper understanding of aspects of “good” design and a refined definition of “Milwaukie character.”

The Committee held one public hearing on a Design Review application in downtown; continues to provide direction on multiple light rail design issues; and has provided City staff with recommendations on the design of the TriMet operator restroom planned for downtown.

The DLC also hosted a light rail design open house in January 2011, and is the decision-making body for the Downtown Façade Improvement Program launched in May 2011. Beginning in June, the monthly DLC meetings became the forum for light rail-related design updates.

A small part of the Development Review Tune-up code amendment project was to improve the City’s procedures for holding design review meetings. The Committee discussed key changes over the course of two meetings and helped staff develop a set of procedures that are much more clear and provide for increased levels of public notice.

Work Program for 2011-12

The following is a summary of the projected DLC activities for 2011-12:

1. **Downtown Design Review.** For development proposals in Downtown zones, conduct public design review meetings to advise the Planning Commission on implementation of the Downtown Design Guidelines. Anticipated proposals for the coming year include:
 - Kellogg Lake bridge
 - TriMet operator restroom
2. **Post-Decision Limited Design Review.** Conduct design review meetings on development proposals when the Planning Commission has made design review a condition of approval or to assist with other City projects. Anticipated proposals to be reviewed in the coming year include:
 - Riverfront Park
3. **Historic Resources.** Review of Historic Landmarks alteration or demolition, and advise the Planning Commission on applications when City approval is required by Code. The Committee has expressed interest in increasing its role in historic preservation activities by establishing itself as a Historic Review Commission (HRC). Staff is supportive of this role; establishment of an HRC would be a key component of a project (that is currently inactive) to update the City’s outdated historic preservation ordinance. However, activating this project would have significant impacts on staff workload. See the Work Load Impact section below.
4. **Code Revision and Refresh Projects.** Participate in and advise the Planning Commission on code revisions relating to community design. Anticipated projects for the coming year include:

- Residential development standards project
 - Downtown code refresh project (part of the Commercial Core Enhancement Program)
 - South Downtown implementation
5. Committee Training. Continue to develop the group's understanding of the particular design elements that make Milwaukie unique. Share photos of different places and buildings for comparison and to stimulate discussion of preferred design characteristics. Committee members have begun to collect photos for future updates of the Design Guidelines document.
6. Public Education. Create resources that help the general public and potential developers understand the Milwaukie's history and key design elements. Current ideas include:
- Completion of a historic properties slideshow for the City web site.
 - Historic Reference Guide for Downtown – a resource document that helps future downtown development by providing historical information on existing and lost buildings and explaining the downtown context and character.

CONCURRENCE

The DLC, Director of Community Development and Public Works, and Planning Director have reviewed and concur with the draft work program.

FISCAL IMPACT

The work program will require a commitment of fiscal and staff resources. The adopted budget for FY 2011/2012 provides budget resources to support the work program, with the exception of a hearings reporter. The Planning Staff will continue to support monthly meetings of the DLC and their role in the City's design review and legislative processes. Staff will support training and other projects as resources allow.

WORK LOAD IMPACTS

Staff is committed to supporting this committee, and dedicates approximately 16 hours per month to preparing for and supporting the meetings. Staff will not be able to support many special DLC projects with the existing budget and staffing level. The proposed work program will not further increase the amount of staff time currently dedicated to supporting the DLC.

If Council directs the DLC and staff to pursue the establishment of a Historic Resource Commission and/or an update of the City's historic preservation ordinance, staff will need to discontinue the management of and assistance to the TriMet operator restroom in downtown Milwaukie in order to accommodate the revised work program.

ALTERNATIVES

None.

ATTACHMENTS

None.