

MINUTES OF THE JOINT MEETING
OF THE
CITY COUNCIL AND PLANNING COMMISSION
June 14, 1979

Councilmembers in attendance

Allen Manuel, Mayor
Joy Burgess
Anne Nickel
Bob Ewald
Mel Paulson

Planning Commission members in attendance

Mark Landis, President
Tom Foeller, Vice President
Louie Monetti
Tom Bond
Jim Lotz

Members absent: Bob Kennedy, Bob Gudgel

Staff in attendance

Jon Stein, Assistant Planner
Myer Avedovech, City Attorney
Janet Call, Secretary

In attendance

John Spencer, Consultant, Wilsey & Ham

CALL TO ORDER

The June 14, 1979 joint meeting of the City Council and Planning Commission was called to order by Planning Commission President Mark Landis at 7:04 p.m. It was moved by Foeller, seconded by Burgess, to adjourn the meeting at 9:30 p.m. Motion carried unanimously by those present.

I.1 VARIANCE CRITERIA

John Stein reported on the criteria the city uses now, from the Zoning Ordinance, as well as the criteria used by Clackamas County and the City of Gresham. Points brought up in the discussion included:

- a. Flexibility of the criteria for granting a variance.
- b. Flexibility of staff to grant certain types of small insignificant variances.
- c. Have staff do a survey of the types and magnitude of variances granted in the past and submit sample to Planning Commission and City Council for review at a joint work session.
- d. Research other zoning ordinances and criteria for granting a variance.
- e. Examine criteria for areas that are unnecessary and may need to be modified; add one or two criteria if necessary for unique circumstances.
- f. Examine changing notification of public hearings for variances to a distance greater than the present 250 ft.
- g. Change the present criteria to more simple, understandable, clear language.

I.2 HOME OCCUPATION POLICY

Jon Stein reported that the Planning Commission felt that the Zoning Ordinance provided enough tools to adequately deal with the home occupation policy.

It was the consensus of the Council and Commission that it was not necessary to adopt any policies that staff should use to deal with this matter, particularly as it relates to a tow truck operation. The Council requested that they receive policies adopted by the Planning Commission, labeled as Planning Commission policies, so that they may become more aware of criteria the Commission is using in addition to the Zoning Ordinance.

Meeting was recessed at 8:30 p.m. and reconvened at 8:40 p.m.

I.3 WILLAMETTE GREENWAY BOUNDARY

Jon Stein reported on the proposal being considered to include Kellogg Lake into the Willamette Greenway Boundary, indicating that this step does not change the zoning of the property, but only provides for the possibility of obtaining Greenway funding for property acquisition. Anne Nickel stressed the point that this proposal should be considered for the benefits it will provide to the community, not just the funding availability. It was pointed out that once Greenway status is achieved, the city cannot use condemnation as a means for procuring property or access easements. The Greenway Boundary status automatically implies certain uses for the property on Kellogg Lake; some felt once a Greenway Boundary was achieved, a WG zone specification would be soon following. Concern was expressed about the fact that if WG Boundary were imposed, thus destroying condemnation possibility, the city would not be able to get a 10" water line through that area without full cooperation of property owners. It was felt that before any decisions were to be made on a WG Boundary inclusion, the questions on the water line access needed to be answered. The Council and Commission requested that the issue be studied further by staff and before any recommendations on a boundary change be made to LCDC.

I.4 ANNEXATION POLICY

Jon Stein reported on the present annexation policy adopted by the Planning Commission and the need for some direction from the City Council on future annexations. It was pointed out that annexing residential property is not cost effective in the long run. For every dollar the City spends on services it only receives 70 cents in return. The 30-cent deficiency is made up by other residents and businesses. This cost factor raised the question from several members why the city is so eagerly receiving annexation petitions when there is no economic benefit in return. Questions were raised on the type of property (industrial or residential) most advantageous for the city to annex. Myer Avedovech and John Spencer explained the four types of annexation procedures, noting that the triple majority method is more often used in Milwaukie. Staff presented an interim boundary plan, which would allow the city to favorably accept annexation petitions from property owners whose property is west of a line, in an attempt to straighten the east boundary of Milwaukie. It was consensus of the City Council and Planning Commission to accept this as an interim plan, and to hold a meeting on June 21, 1979 at 7:00 p.m. to discuss annexation in more depth.

I.5 LIGHT RAIL

A letter from Anne Nickel related to a meeting of North Clackamas governmental bodies and community groups on Light Rail was discussed.

The meeting was adjourned at 9:30 p.m.