

CITY COUNCIL MEETING  
February 17, 1976  
7 p.m.

COUNCIL CHAMBERS

1262nd Meeting

The one thousand two hundred sixty-second meeting of the Council of the City of Milwaukie, Oregon, was held on the 17th day of February, 1976, with the following councilpersons present:

C. Iervin Englund	Jerry N. Hutchison
Charles E. Swan (entered at 8:25 p.m.)	Mayor Bill Hupp
Joy Burgess	

Also present:

Myer Avedovech, City Manager Pro Tem	Dave Phelps, Administrative Asst.
Cyrus Nims, Planning Director	Dave Nemo, Administrative Asst.
J. Wayne Daigle, Dir. of Public Works	Jan Mandaville, N.C. Coordinator
Al Jones, Acting Fire Chief	Michelle Eaton, Secretary Pro Tem

The invocation was given by the Rev. Wayne Allen, Milwaukie United Church of Christ, and the pledge of allegiance was recited, led by Mayor Hupp.

CONSENT CALENDAR

- a) Approval of minutes - February 2 and 9 Council meetings
- b) Report on Lamplighter street sign
- c) Public Works Director's memo re 21st and Adams Railroad Crossing
- d) Response letters to Weikum and Woods
- e) Western Environmental Trade Association letter to CRAG re goals and objectives
- f) YAP minutes
- g) Copy of letter to County Commissioners from Shirley Brown
- h) Thank you letter from Tri-County Local Government Commission
- i) City-County Caucus meeting notice
- j) Public Works Director's memo re railroad crossing status
- k) Article from American City Magazine on labor relations
- l) Copy of letter to John Haase re neighborhood councils
- m) Copy of letter from Edward L. Hardt, Oregon State Highway Division, to City Manager

Councilwoman Burgess asked to have items c, f, g, i, and j removed from the consent calendar, and Mayor Hupp asked the same for items a and b.

IT WAS MOVED by Hutchison, seconded by Burgess, to adopt the consent calendar, with the exception of items a, b, c, f, g, i and j. MOTION CARRIED unanimously, and so ordered.

- d) Council has received copy of letters to Veronica Weikum and Sharon Woods from the Mayor thanking them for support of Milwaukie Police Department and their recording system for phone calls.
- e) Council has received copy of letter dated February 2 from Lynn Engdahl, Executive Director of Western Environmental Trade Association regarding Draft No. 2 of CRAG Goals and Objectives and Land Use Framework Plan.
- h) Council has received copy of letter dated February 5 from A. M. Rich, Staff Director of Tri-County Local Government Commission, expressing appreciation for City's contribution to the Commission and asking for ideas and input.
- k) Council has received copy of article by Joanne B. Winslow from American City Magazine entitled "Binding Arbitration Debated at Stormy Labor Conference."
- l) Janet H. Mandaville, Neighborhood Council Coordinator, has written letter dated February 10, to John Haase, informing him his name had been removed from consideration for the Executive Board as per his request.
- m) Council has received copy of letter dated February 10 from Edward L. Hardt, Regional Engineer, Oregon State Highway Division, stating their request to build a sidewalk on the east side of the Milwaukie Expressway between Harrison and Monroe Streets has been approved, with work scheduled as soon as weather permits.

PROCLAMATION - FREEDOM WEEK

Mayor read proclamation naming February 17 through February 24, 1976, as Freedom Week. Bob Gary, President of Metro-Milwaukie Sertoma Club, presented a framed copy of the Bill of Rights and Declaration of Independence to be displayed in the Council Chambers, and a "76 Official Bennington Flag" to be displayed above the City Hall during Freedom Week.

SEWAGE TREATMENT PLANT TREE COMMITTEE REPORT

Ted Havlicek, Chairman of the Sewage Treatment Plant Tree Committee, presented a report and recommendation concerning the plantings at the Kellogg Treatment Plant, and further requested that he be removed from participation in any City committees. The Mayor requested that Mr. Havlicek serve the remainder of his term on the Budget Committee. IT WAS MOVED by Burgess, seconded by Hutchison, that the City Council accept the Sewage Treatment Plant Tree Committee's report and direct staff to take the necessary actions to follow through in this matter. MOTION CARRIED unanimously, and so ordered. The Committee recommended the following: 1) That all poplar trees in the 200 foot easement along McLoughlin Blvd. be removed and that the remaining (approximately 65 in number) poplar trees now to the south of the STP also be removed; 2) That along the 200 foot easement general plantings of evergreen-type shrubs be randomly planted to follow the flow of the fence line and be an average height of 10 to 12 feet, and that a more dense screening be provided so as to screen out certain areas, i.e. service areas, as per understanding with Perron Partnership; and 3) That the Riverfront Development Committee take under immediate consideration the removal of some or all of the existing arborvitae near the McLoughlin Blvd. monument as an aspect of the Riverfront Comprehensive Plan, and in timely conjunction with the overall landscape planning effort at the STP.

DDJ309

RIVERFRONT DEVELOPMENT COMMITTEE REPORT

J. Earl Jones outlined participation by staff, committee members and other public agencies, noted that funding had been approved for the boat launch, and gave history of committee's efforts. Cy Nims displayed copy of map entitled "Milwaukie Waterfront Preliminary Development Concepts" and distributed copies of "Riverfront and Parks Planning and Improvement" dated February 13 and "Discussion Draft of Proposed Willamette Greenway Zone" dated February 13. IT WAS MOVED by Burgess, seconded by Hutchison, that the City Council adopt the Concepts as the interim guide for riverfront improvement and for use in seeking financial assistance, and also as a beginning plan for use to be presented to consultants in the future. MOTION WAS WITHDRAWN, with consent of second, and so ordered. It was noted that this item will be placed on a future Council agenda for action, after the Council has had adequate time for study.

(Meeting recessed at 8:15 p.m. and reconvened at 8:25 p.m. with all present. Mr. Swan entered meeting at 8:25 p.m.)

DOWNTOWN IMPROVEMENT REPORT

Irwin Adams presented slides of the Santa Cruz, California, experience in revitalization of downtown accomplished by: 1) enactment of a strong sign ordinance; 2) restoration of old buildings; 3) plantings; and 4) creation of a mall. Mr. Adams presented Mr. Hutchison with a copy of "Revitalization of Downtown," the text that explains the program. Frank Peccia, Milwaukie Hardware, presented information from the merchant's viewpoint during the revitalization program in Santa Cruz.

NEIGHBORHOOD COUNCIL APPOINTMENTS

The following names were submitted for consideration for Neighborhood Council Area No. 1 Executive Board: Darryl Altman, Joanne Baker, Bob Gudgel, Ella Gudgel, Virginia Hill, Walter Huber, Eleanor Kryder, Clair Kuppenbender, Anne Nickel,

Kathleen Orlando, Forrest Sandberg, Mrs. Harvey Sargent, and Donna Smith. Council members announced their priority preference, one through seven, on the candidates as follows: Englund: Nickel, Huber, Smith, Kuppenbender, Orlando, Altman, B. Gudgel. Swan: Orlando, Altman, Smith, B. Gudgel, Nickel, Kuppenbender, Baker. Hupp: Sargent, B. Gudgel, Nickel, Baker, Kuppenbender, Altman, Orlando. Burgess: Huber, Nickel, B. Gudgel, Smith, Altman, Sargent, Baker. Hutchison: Orlando, Altman, Nickel, Huber, Smith, B. Gudgel, Kuppenbender. Huber and Smith were tied for fifth and sixth, with fifth position being a regular, and sixth being an alternate. Council members announced their priority preference, one and two, as follows: Englund: Huber, Smith. Swan: Huber, Smith. Hupp: Huber, Smith. Burgess: Huber, Smith. Hutchison: Smith, Huber. Mayor announced the following appointments to Neighborhood Council Area No. 1 Executive Board: Anne Nickel, Bob Gudgel, Kathleen Orlando, Darryl Altman, Walter Huber; alternates: Donna Smith and Clair Kuppenbender.

SENIOR CITIZEN ADVISORY COUNCIL APPOINTMENTS

The following names were submitted for consideration for five available positions on the Senior Citizen Advisory Council: Jean Elie, Sara Hite, Alice Measure, Marion Merriman, Eleanor Nellor, Forrest Sandberg, Ed Wilkin, with Mrs. Burgess adding Mabel McCoy. Council members announced their priority preference, one through eight, on the candidates as follows: Englund: Wilkin, Hite, Sandberg, Merriman, McCoy, Nellor, Elie, Measure. Swan: Abstained. Hupp: Wilkin, Sandberg, Hite, Merriman, Elie, Nellor, Measure, McCoy. Burgess: Elie, Sandberg, Hite, Merriman, Wilkin, McCoy, Nellor, Measure. Hutchison: Sandberg, Measure, Merriman, Elie, Wilkin, Nellor, Hite, McCoy. Mayor announced that Jean Elie, Marion Merriman, Sara Hite, Forrest Sandberg, and Ed Wilkin were appointed to the Senior Citizen Advisory Council. Terms of office were drawn by lot as follows: 3 year terms: Jean Elie, Floyd Martin, Nova Young; 2 year terms: Lester Hess, Marion Merriman, Forrest Sandberg; 1 year terms: Ed Wilkin, Sara Hite, Art Johnson.

CORRESPONDENCE

1. Betty Stephens, 3323 S. E. Filbert, has written Council expressing interest in being appointed to the Parks and Recreation Commission. Council asked for staff report on names available for appointment to the Commission by the next meeting.
2. Councilwoman Burgess has received notice of public hearing on Draft 2 of CRAG Goals and Objectives and Land Use Framework Plan to be held February 19 at 7:30 p.m. at the Western Forestry Building, 4033 S. W. Canyon Road.

NEIGHBORHOOD COUNCIL INTERVIEWS

Interviews for Neighborhood Council Executive Boards will be March 17, at 7:00 p.m., tentatively scheduled for Linwood School Library. Staff will confirm the location of the interviews.

CRAG GOALS AND OBJECTIVES AND LAND USE FRAMEWORK PLAN: DRAFT 2

Council has received memo dated February 12 from Planning Director regarding Draft 2 of CRAG Goals and Objectives and Land Use Framework Plan. IT WAS MOVED by Hutchison, seconded by Burgess, that staff be directed to forward the information contained in the Planning Director's memorandum to the City Manager dated February 12 to CRAG for their consideration. MOTION CARRIED unanimously, and so ordered. Councilwoman Burgess noted that she will transmit the information to Larry Rice on Friday, February 20.

MILWAUKIE'S ESTIMATED 1975 POPULATION: SAMPLE COUNT

Council has received memo dated February 9 from Assistant Planner regarding Milwaukee's estimated 1975 population. Staff was directed to research all fiscal aspects of this reduction in population, including revenue sharing, League dues, CRAG dues, etc. It was the CONSENSUS that this report will be put on the next agenda.

ORDINANCE NUMBER 1332 - AMENDING SIGN ORDINANCE

Planning Commission has written memo, dated February 12, 1976, concerning proposed amendments to the Sign Ordinance: 1) to exempt signs for annual events sanctioned by the City Council from obtaining sign permits; and 2) to allow temporary signs for special sales and community events, with certain restrictions, to be allowed and exempt from obtaining sign permits. IT WAS MOVED by Hutchison, seconded by Englund, to read Ordinance Number 1332 (AN ORDINANCE AMENDING ORDINANCE NUMBER 1310, AN ORDINANCE REGULATING THE CONSTRUCTION, ERECTION, MAINTENANCE, ELECTRIFICATION, ILLUMINATION, TYPE, SIZE, NUMBER AND LOCATION OF SIGNS IN AREAS OUTSIDE THE PUBLIC RIGHT OF WAY IN THE CITY OF MILWAUKIE, OREGON) the first time by title only. MOTION CARRIED unanimously, and so ordered. IT WAS MOVED by Hutchison, seconded by Burgess, to read Ordinance 1332 the second time by title only. MOTION CARRIED unanimously, and so ordered. IT WAS MOVED by Hutchison, seconded by Burgess, to adopt Ordinance 1332. Ordinance 1332 was put on its passage with the following roll-call vote: AYES: Englund, Swan, Burgess, Hutchison and Hupp. NOES: None. Ordinance 1332 passed the Council and was so declared by the Mayor.

ORDINANCE NUMBER 1333 - AMENDING ZONING ORDINANCE

Planning Commission has written memo, dated February 10, concerning proposed amendments to the Zoning Ordinance: 1) To allow fences, walls and plantings in yards other than along lot perimeters, with certain limitations to prevent obstruction of clear vision areas and limit height; and 2) to revise the requirements for Planned Developments. IT WAS MOVED by Hutchison, seconded by Burgess, to read Ordinance Number 1333 (AN ORDINANCE AMENDING ORDINANCE NUMBER 1316, AN ORDINANCE REGULATING THE USE OF LAND AND STRUCTURES IN MILWAUKIE, OREGON, AND ESTABLISHING ZONES FOR THAT PURPOSE) the first time by title only. MOTION CARRIED unanimously and so ordered. It was noted that on page 3, Section 9, the words "owner-application" should be changed to "owner-applicant." There was discussion on including a bonding requirement, but the bonding requirements of the State and those contained in the Subdivision Ordinance were deemed adequate. IT WAS MOVED by Burgess, seconded by Hutchison, to read Ordinance 1333 the second time by title only. MOTION CARRIED unanimously, and so ordered. IT WAS MOVED by Hutchison, seconded by Englund, to adopt Ordinance 1333. Ordinance 1333 was put on its passage with the following roll-call vote: AYES: Englund, Swan, Burgess, Hutchison, and Hupp. NOES: None. Ordinance 1333 passed the Council and was so declared by the Mayor.

ORDINANCE NUMBER 1334 - AMENDING INTERIM SITE DESIGN ORDINANCE

Planning Commission has written memo, dated February 10, concerning proposed amendments to the Interim Site Design Ordinance to require design review for areas designated as Open Space or Scenic Preservation in the Comprehensive Plan, areas designated as Planned Developments on the Zoning map, projects within a designated Willamette Greenway area, and mobile home parks permitted as conditional uses. IT WAS MOVED by Hutchison, seconded by Burgess, to read Ordinance 1334 (AN ORDINANCE AMENDING ORDINANCE NUMBER 1326, AN ORDINANCE ADOPTING INTERIM SITE DESIGN REGULATIONS FOR THE CITY OF MILWAUKIE, OREGON) the first time by title only. MOTION CARRIED unanimously, and so ordered. IT WAS MOVED by Hutchison, seconded by Burgess, to read Ordinance 1334 the second time by title only. MOTION CARRIED unanimously, and so ordered. IT WAS MOVED by Hutchison, seconded by Burgess, to adopt Ordinance 1334. Ordinance 1334 was put on its passage with the following roll-call vote: AYES: Englund, Swan, Burgess, Hutchison and Hupp. NOES: None. Ordinance 1334 passed the Council and was so declared by the Mayor.

ORDINANCE NUMBER 1335 - AMENDING MORATORIUM ORDINANCE

Assistant Planner has written memo, dated February 11, regarding confusion in the text of Section 4 of Ordinance 1330. IT WAS MOVED by Burgess, seconded by Englund, to read Ordinance 1335 (AN ORDINANCE AMENDING ORDINANCE NUMBER 1330, AN ORDINANCE ESTABLISHING A MORATORIUM ON DEVELOPMENT IN AREAS WHERE A POTENTIAL CONFLICT EXISTS

DDJ309

BETWEEN THE COMPREHENSIVE PLAN MAP AND THE ZONING MAP) the first time by title only. MOTION CARRIED unanimously, and so ordered. IT WAS MOVED by Burgess, seconded by Englund, to read Ordinance 1335 the second time by title only. MOTION CARRIED unanimously, and so ordered. IT WAS MOVED by Burgess, seconded by Englund, to adopt Ordinance 1335. Ordinance 1335 was put on its passage with the following roll-call vote: AYES: Englund, Swan, Burgess, Hutchison and Hupp. NOES: None. Ordinance 1335 passed the Council and was so declared by the Mayor.

SET DATE FOR PUBLIC HEARING - APPEAL ON VR-75-16

Council has received letter dated February 9 from Dieringer's Properties and letter dated February 13 from Douglas J. White, Jr., attorney representing Dieringer's Properties, stating that both parties wish to have the public hearing on this appeal of Planning Commission denial of requested parking variance set for a date no earlier than April 19. Staff was directed to set hearing sometime after April 19.

RESOLUTION NUMBER 8-1976 - AMENDING FEE FOR ZONE CHANGE APPLICATIONS

Planning Commission has written memo, dated February 12, recommending that the fee for zone change applications be amended to include a charge for transcription of the Planning Commission hearing. IT WAS MOVED by Englund, seconded by Burgess, to read Resolution Number 8-1976 (A RESOLUTION AMENDING RESOLUTION NUMBER 65-1968 AND RESOLUTION NUMBER 8-1975 ESTABLISHING ZONING FEES AND SUBDIVISION FEES) by title only. MOTION CARRIED unanimously, and so ordered. IT WAS MOVED by Burgess, seconded by Englund, to adopt Resolution 8-1976. MOTION CARRIED unanimously, and so ordered.

RESOLUTION NUMBER 9-1976 - ESTABLISHING FEES FOR DESIGN REVIEW

Planning Department has written memo, dated February 12, recommending fees for design review. IT WAS MOVED by Hutchison, seconded by Burgess, to read Resolution Number 9-1976 (A RESOLUTION AMENDING RESOLUTION NUMBER 65-1968 AND SETTING FEES FOR DESIGN REVIEW) by title only. MOTION CARRIED unanimously, and so ordered. IT WAS MOVED by Hutchison, seconded by Burgess, to adopt Resolution 9-1976. MOTION CARRIED unanimously, and so ordered.

MEMO FROM PLANNING DEPARTMENT REGARDING WILLAMETTE GREENWAY

Council has received copy of memo from Planning Department, dated February 13, regarding boundaries for the Willamette Greenway. Cy Nims noted that we must have the final boundaries worked out with DOT by April 1. It was the CONSENSUS that staff could proceed with the boundaries indicated on the map and information received tonight as an interim measure, but to note that the Council is opposed to using the conditional use procedure in the Greenway area because of the difficulty in obtaining real estate financing.

CONSENT CALENDAR, ITEMS A, B, C, F, G, I AND J

a) Mayor Hupp requested that the minutes of February 2 be amended to include his requests for the following: staff report on amendment to the business license ordinance that would not allow the buyer of a business to inherit the business license; staff report on the financial impact on Milwaukie of Fire District 56's recent annexation; discussion on Council rules; and Councilwoman Burgess' proposal for a rule to be included that would preclude a Council member from expressing an opinion in a newspaper column, newspaper article, or letter to the editor before the Council has acted on it in an open Council meeting. IT WAS MOVED by Swan, seconded by Hutchison, to approve the minutes as amended to include the items mentioned by Mayor Hupp. MOTION CARRIED unanimously, and so ordered.

b) Council has received copy of memo to City Manager from Director of Public Works dated February 11 stating the street name change sign on Lamplighter

Street was completed on February 3, 1976. The Mayor asked for and received clarification on this item.

c) Council has received copy of memo to City Manager from City Engineer dated February 6 regarding 21st Avenue - Adams Street Railroad Crossing. Councilwoman Burgess raised questions regarding the alignment of Adams Street.

f) Council has received copy of the minutes of the Community Advisory Council meeting of January 22, 1976, for Youth Alternatives Program. Councilwoman Burgess asked if YAP needed the City's permission before expanding the operating hours. It was noted that the request for permission will be forthcoming.

g) Council has received copy of letter to Board of County Commissioners from Shirley Brown, Chairman, Clackamas County Library Board, dated February 5, 1976, submitting her resignation from the County Library Board of Trustees. Councilwoman Burgess requested that the staff direct a letter to Ms. Brown on behalf of the Council thanking her for her fine contribution and persevering efforts to try and build a unique County library system and that we in Milwaukie City government appreciate her efforts; however, we understand her frustrations and justification for submitting her resignation. It was the CONSENSUS that this letter be sent.

i) Council has received agenda for City-County Officials Monthly Meeting scheduled for Wednesday, February 18, at Sandy. Staff was instructed to notify Mayor Mel Haneberg that the Milwaukie Council has a conflict that evening and will not be able to be present at the meeting. It was suggested that Milwaukie host a meeting of this body after the Council Chambers are remodeled.

j) Council has received copy of memo from Director of Public Works to City Manager dated January 9 regarding railroad crossings status. Councilwoman Burgess questioned the use of the word "questionable" after the wig-wag control on Harrison Street on the Southern Pacific Wilksburg Spur. The Director of Public Works answered that a wig-wag signal is no longer a recognized signal.

IT WAS MOVED by Hutchison, seconded by Burgess, to accept the consent calendar. MOTION CARRIED unanimously, and so ordered.

#### OTHER BUSINESS

1. Council has received copy of memo from Ruth Green, Librarian, to Hal Schilling, dated February 13, 1976, regarding flag display information. It was noted that the "76 Official Bennington Flag" should be flown directly under the 50 star flag in place of the State flag during Freedom Week.

2. Council has received copy of letter to City Manager from Kent L. Taylor, City Administrator of Estacada, regarding support of library-related litigation, offering its name as a co-plaintiff and any informal assistance it can provide.

3. Council has received copy of article from the February 6 Oregonian, entitled "Utica Fires Unionized Employees."

4. Council has received copy of letter from Wallace A. Hibbard, River Programs, Oregon State Highway Division, dated February 11, stating there will be a meeting of the Governor's Willamette River Greenway Committee in Room 321 in the Capitol at 10:00 a.m., Friday, February 20.

5. Meeting for labor negotiations was set for February 23 at 7:00 p.m. Councilman Swan noted that he would not be present until 9:00 p.m.

6. Meeting for Budget Committee was set for March 8 at 7:00 p.m.

7. Councilwoman Burgess requested that Council set a work session on Council guidelines and procedures. It was the CONSENSUS to set the work session at the second meeting in March for sometime in April.

8. Council has received flyer announcing meeting on citizen participation in collecting environmental resource information to be used in developing the Comprehensive Plan to be held Thursday, February 26, 1976, at 7:30 p.m. at the Milwaukie Presbyterian Church, 2416 Lake Road.

9. Mayor Hupp requested that until the remodeling is completed in the Council Chambers, the newly acquired Bill of Rights and Declaration of Independence be protected.

DDJ309

PAYMENT OF BILLS

IT WAS MOVED by Hutchison, seconded by Burgess, that the bills listed for February 17, 1976, payment be approved for payment. MOTION CARRIED unanimously, and so ordered.

EXECUTIVE SESSION

Meeting adjourned at 11:20 p.m. to go into executive session, under ORS 192.660 (2) (a) to discuss labor negotiations.

Bill Hupp  
Bill Hupp, Mayor

ATTEST:

Michelle Eaton  
Michelle Eaton, Secretary Pro Tem

CITY COUNCIL AGENDA

February 17, 1976

7 p.m.

Z 1 1

COUNCIL CHAMBERS

1262nd Meeting

DDJ309

1. CALL TO ORDER
2. INVOCATION - Rev. Wayne Allen; Milwaukie United Church of Christ
3. PLEDGE OF ALLEGIANCE
4. CONSENT CALENDAR
  - a) Approval of minutes - February 2 and 9 Council meetings
  - b) Report on Lamplighter street sign
  - c) Public Works Director's memo re 21st and Adams RR crossing
  - d) Response letters to Weikum and Woods
  - e) Western Environmental Trade Assn. letter to CRAG re goals and objectives
  - f) YAP minutes
  - g) Copy of letter to County Commissioners from Shirley Brown
  - h) Thank you letter from Tri-County Local Govt. Comm.
  - i) City-County Caucus meeting notice
  - j) Public Works Director's memo re railroad crossing status
  - k) Article from American City Magazine on labor relations
  - l) Copy of letter to John Haase re neighborhood councils
  - m) Copy of letter from Edward L. Hardt, Oregon State Highway Division to City Manager
5. AUDIENCE PARTICIPATION
  - a) Proclamation - Freedom Week
  - b) Riverfront Development Committee
  - c) Irwin Adams - downtown improvements
  - d) STP tree committee
6. CORRESPONDENCE
  - a) Letter from Betty Stephens re Parks and Recreation Comm.
7. OLD BUSINESS
  - a) Neighborhood Council appointments
  - b) Senior Citizen Council appointments
  - c) Date for next Neighborhood Council interviews
  - d) Memo to City Manager from Planning Director re CRAG goals & objectives
8. CONSIDERATION
  - a) Milwaukie's estimated 1975 population - sample count
  - b) Ordinance No. \_\_\_\_\_ - amendment to sign ordinance
  - c) Ordinance No. \_\_\_\_\_ - amendment to zoning ordinance
  - d) Ordinance No. \_\_\_\_\_ - amendment to design review ordinance
  - e) Ordinance No. \_\_\_\_\_ - amendment to moratorium ordinance
  - f) Appeal on VR-75116
  - g) Resolution No. \_\_\_\_\_ - fees for zoning applications
  - h) Resolution No. \_\_\_\_\_ - amendment to design review fees
  - i) Memo from Planning Department, on Willamette Greenway
9. OTHER BUSINESS
10. PAYMENT OF BILLS
11. ADJOURNMENT
12. EXECUTIVE SESSION

8d

II  
1/27/76

City of Milwaukie  
M E M O R A N D U M

February 10, 1976

TO: City Council  
FROM: Planning Commission  
SUBJECT: Proposed Amendments to Interim Design Review Ordinance

After holding a public hearing on January 27, 1976, the Milwaukie Planning Commission voted to recommend approval of amendments to the Interim Site Design Regulations Ordinance to require design review for areas designated as Open Space or Scenic Preservation in the Comprehensive Plan, areas designated as Planned Developments on the Zoning map, projects within a designated Willamette Greenway area, and mobile home parks permitted as conditional uses.

Following is an excerpt of the Planning Commission minutes regarding the hearing:

*Hearing opened at 7:11 p.m., with notice published for two consecutive weeks in the Milwaukie Review. Staff report was given by Tim Holder. No correspondence was received, and no person appeared to speak regarding the proposed amendments. Hearing was declared closed at 7:15 p.m. IT WAS MOVED by Kennedy, seconded by Casale, to recommend to the City Council the following amendments to the Design Review Ordinance: Section 2. Site Approval Required: Add the following phrase at the end of the second sentence: "except as otherwise provided."; Section 2. Site Approval Required. Add the following sentence at the end of Section 2: "Any development in an area designated as Open Space or Scenic Preservation in the Comprehensive Plan, areas designated as Planned Developments on the Zoning map, projects within a designated Willamette Greenway area, and mobile home parks permitted as conditional uses are also subject to site review."; Section 5. Review: Add the following sentence at the end of the first sentence: "Any development in an area designated as Open Space or Scenic Preservation in the Comprehensive Plan, areas designated as Planned Developments on the Zoning map, projects within a designated Willamette Greenway area, and mobile home parks permitted as conditional uses shall be reviewed by the Planning Commission." MOTION CARRIED unanimously, and so ordered.*

The proposed amendments are attached for your review.

m

att

For February 17, 1976, Council agenda

8d0

ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NUMBER 1326, AN ORDINANCE ADOPTING INTERIM SITE DESIGN REGULATIONS FOR THE CITY OF MILWAUKIE, OREGON.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. That Section 2 of Ordinance 1326 is hereby amended by adding the following phrase at the end of the second sentence:

"except as otherwise provided."

Section 2. That Section 2 of Ordinance Number 1326 is hereby further amended by adding the following sentence at the end of Section 2:

"Any development in an area designated as Open Space or Scenic Preservation in the Comprehensive Plan, areas designated as Planned Developments on the Zoning map, projects requiring conditional use approval within an area designated Willamette Greenway, and mobile home parks permitted as conditional uses are also subject to site review."

Section 3. That Section 5 of Ordinance 1326 is hereby amended by adding the following sentence at the end of the first sentence:

"Any development in an area designated as Open Space or Scenic Preservation in the Comprehensive Plan, areas designated as Planned Developments on the Zoning map, projects requiring conditional use approval within an area designated Willamette Greenway, and mobile home parks permitted as conditional uses shall be reviewed by the Planning Commission."

Read the first time this 17th day of February, 1976, and moved to second reading by unanimous vote of the City Council.

Read the second time and adopted by the City Council this 17th day of February, 1976.

Signed by the Mayor this 17th day of February, 1976.

\_\_\_\_\_  
Bill Hupp, Mayor

ATTEST:

\_\_\_\_\_  
Dorothy E. Farrell, Recorder

Approved as to form:

\_\_\_\_\_  
Myer Avedovech, City Attorney