

Packet Copy

MILWAUKIE PLANNING COMMISSION
MINUTES
TUESDAY, JUNE 28, 1994

COMMISSION PRESENT

Carolyn Tomei, Vice Chair
Bill Johnson
Gordon Jones
Debi Linn
Don Trotter

STAFF PRESENT

Maggie Collins,
Community Dev. Dir.
Jim Crumley,
Associate Planner
Shirley Richardson,
Hearings Recorder

COMMISSIONERS ABSENT

Patricia Lent
Scott McClure

1.0 CALL TO ORDER

Vice Chair Tomei called the meeting to order at 6:35 p.m.

2.0 PROCEDURAL QUESTIONS

There was no audience present tonight.

3.0 CONSENT AGENDA

3.1 PLANNING COMMISSION MINUTES - June 28, 1994

Minutes were deferred until the next meeting.

4.0 PUBLIC COMMENT -- None.

5.0 PUBLIC HEARINGS

5.1 Applicant: City of Milwaukie
Property Owner: N/A
Location: N/A
Proposal: Flaglot/Variance/Subdivision Criteria Changes

Vice Chair Tomei opened the public hearing to modify the variance and flag lot sections of the Milwaukie Subdivision Ordinance and to modify sections of the Milwaukie Zoning Ordinance pertaining to height and density variances. She asked if there were any conflicts of interest or ex-parte contacts to declare. There were none.

Jim Crumley reviewed the Staff Report on amendments to the Zoning Ordinance and Subdivision Ordinance. These changes have been discussed at several meetings. ZA-94-05 is providing follow-up to the process of inserting the new variance criteria within the Subdivision Ordinance and also providing a housekeeping amendment within the flag lot section of the Subdivision Ordinance. The purpose of these changes is to make the Subdivision Ordinance consistent with the Zoning Ordinance in terms of variance findings.

A second change is on access requirements in the Subdivision Ordinance. This change will assist in meeting the Comprehensive Plan goal of providing infill opportunities. A shared access road with a double panhandle will remain at 30 feet. A single access strip is reduced from 20 feet to 15 feet with 12 feet of improved surface. Sections pertaining to the improvements and fire use of the access strips will defer those decisions to the Fire Marshall so the City and Applicant can negotiate the improvements without having to go to the Planning Commission for a variance.

Jim Crumley reported that there is a change in wording on Section 17.32-2 B, First sentence, "...for the full width..." to "... for the full length..." Discussion followed on the revised draft. Changes from the last meeting were explained to the Commissioners.

QUESTIONS FROM THE COMMISSIONERS

Gordon Jones asked what standards were used for the access strip. **Jim Crumley** reported that the roadway would have to support a 50,000 lb. fire vehicle. There are no curbs or sidewalks. The paving is reviewed by the Public Works Department when a building permit is applied for. If the roadway is diverting water, it has to be picked up and put into a storm system. The roadway may have to be crowned and designed to a drainage plan.

Bill Johnson asked for clarification on the 30-foot requirement. If the applicant is required to have a 30-foot easement and 20 feet of it is paved, what happens to the other ten feet. **Jim Crumley** reported that the other ten feet is used for utilities, landscaping, or fencing.

Vice Chair Tomei noted that there were no people testifying in favor or opposition to this application. She then closed the public testimony portion of the hearing and went into deliberations. She opened discussion on the recommendation for variance changes.

Don Trotter moved to recommend to City Council approval of ZA-94-05 based on the findings provided within the Staff Report with a wording change in Section 1B. **Gordon Jones** seconded. MOTION CARRIED 5-0.

6.0 CONSIDERATION ITEMS

- 6.1 Applicant: City of Milwaukie
Property Owner: City of Portland
Location: Elk Rock Island
Proposal: Resource Management Plan

Vice Chair Tomei opened discussion on the review of the Draft Elk Rock Island Natural Area Management Plan. **Maggie Collins** explained that the reason this issue is being brought before the Planning Commission is to bring together a management plan that could be adopted by both the City of Portland and the City of Milwaukie for the management of Elk Rock Island. Elk Rock Island is currently owned by the City of Portland. It is located within unincorporated Clackamas County, but is accessed through Spring Park within the City of Milwaukie. To protect and enhance the natural features of the island, the City of Portland Park and Recreation Bureau has prepared a draft management plan to be implemented by Portland, Milwaukie and the North Clackamas Parks and Recreation District.

The first draft was prepared two years ago after several discussions to review the fate of Elk Rock Island. The revised draft management plan encourages the development of a master plan for Spring Park and Elk Rock Island. Elk Rock Island would be used for passive recreational uses. Spring Park would be upgraded to include a neighborhood oriented playground area, improved parking, and improved access to Elk Rock Island.

The Cities of Portland and Milwaukie, and North Clackamas Parks and Recreation District would be asked to adopt the management plan. The City of Portland would then initiate an annexation for Elk rock Island into the City of Milwaukie so that service issues are addressed. All three jurisdictions would cooperate in the upgrade of park facilities.

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Mr. Jim Sjulín, Portland Parks Representative, was asked to attend the meeting tonight. He was not scheduled to talk until 8:00; and it was 7:10 p.m. The Commission decided that go ahead with comments on the draft Management Plan.

The following changes were made to the draft management plan:

- A CSO designation be used in the Park since the 40-mile loop is different from a recreation facility.
- Page 22, change "...NR (natural resource) overlay zone." to "...NR (natural resource) overlay and CSO (Community Service Overlay) zone."

Vice Chair Tomei complimented Jim Sjulín on work well done on the revised draft of the management plan. Commission consensus was to direct Staff to use this management plan as a basis for a Comprehensive Plan Amendment.

7.0 OLD BUSINESS - None.

8.0 OTHER BUSINESS

8.1 Planning Commission Sub-Committee Reports

Parking Committee. **Don Trotter** reported that their committee has collected information and would like to have Staff review the information for a draft ordinance at the next meeting. **Maggie Collins** stated that Debbie Bischoff, Senior Transportation Planner, would be assigned to this project.

8.2 Community Development Report

Maggie Collins reported that the appeal period for the decision last meeting on the flag lot application, VR-94-01 and MLP-94-01, ends this Friday, July 1, 1994. To date, no appeal has been filed.

Maggie Collins reported that negotiations have been going on between the City and Mr. Britton for a piece of property on McLoughlin Blvd.

Maggie Collins reported that the vision project events are over. The Steering Committee will expand into a Policy Committee. This Committee will take the information gathered from the vision projects and make comparisons and conclusions.

CITY OF MILWAUKIE PLANNING COMMISSION MEETING
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Maggie Collins reported that space re-allocation had been going on in their office. She asked that the Commissioners be patient while the Staff settles in.

Commission Concerns:

Move to City Hall. **Don Trotter** reported that improvements are being made at City Hall. He asked if this will mean that the Planning Commission will soon be moving to there. **Maggie Collins** stated that she has not received any information from the City Manager. She will let the Commissioners know as soon as it is available.

Dark Horse. **Maggie Collins** reported that the current arrangement is temporary. Staff will follow up to see if they are in compliance.

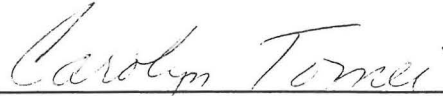
Jughandle Sidewalk. **Carolyn Tomei** reported that the sidewalk was completed.

Mill End Store Parking Lot. **Jim Crumley** reported that some improvements have been made but the landscaping is still not in compliance. Staff is working on enforcement on this application.


Brod & McClung. **Jim Crumley** reported that the company has decided not to pursue the parking lot request. The landscaping is in place and they are now in compliance.

- 9.0 NEXT MEETING: July 12, 1994
- 9.1 CSC-94-01/NR-94-03/S-94-01/VR-94-03 (RCM Construction)
- 9.2 PC Sub-Committee Worksessions
- 9.3 CD Report

Bill Johnson moved to adjourn the meeting of June 28, 1994. **Gordon Jones** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 7:25 p.m.



Carolyn Tomei, Vice Chair



Shirley Richardson, Hearings Reporter

PC Packet

AGENDA
MILWAUKIE PLANNING COMMISSION
Milwaukie Center, 5440 S.E. Kellogg Creek Dr.
Tuesday, June 28, 1994, at 6:30 p.m.

- 1.0 Call to Order
- 2.0 Procedural Questions
- 3.0 Consent Agenda
 - 3.1 Planning Commission Minutes: June 14, 1994
 - 3.2 City Council Minutes: June 7, 1994 (upon approval by Council)
- 4.0 Public Comment

This is an opportunity for the public to comment on any item not on the agenda.
- 5.0 Public Hearings (see Public Hearing Procedure on reverse)
 - 5.1 Applicant: City of Milwaukie
Property Owner: N/A
Location: N/A
Proposal: Flaglot/Variance/Subdivision Criteria Changes
- 6.0 Consideration Items
 - 6.1 Applicant: City of Milwaukie
Property Owner: City of Portland
Location: Elk Rock Island
Proposal: Resource Management Plan
- 7.0 Old Business - None
- 8.0 Other Business
 - 8.1 Planning Commission Sub-Committee Reports
 - 8.2 Community Development Department Report
- 9.0 Next Meeting: July 12, 1994
 - 9.1 CSC-94-01/NR-94-03/S-94-01/VR-94-03 (RCM Construction)
 - 9.2 PC Sub-Committee Worksessions
 - 9.3 CD Report

The Milwaukie Planning Commission welcomes your interest in these agenda items. Feel free to come and go as you please.

Milwaukie Planning Commission Mission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan.

Public Hearing Procedure

1. Staff Report
2. Correspondence
3. Applicant's presentation
4. Public testimony from others in support of application
5. Comments or questions from interested persons who are neither proponents nor opponents
6. Public testimony from those in opposition to the application
7. Questions from the Planning Commission
8. Rebuttal testimony from Applicant
9. Closing of public hearing
10. Commission discussion/action

The Planning Commission's decision on these matters may be subject to further review or be appealed to the City Council. For further information, contact the Milwaukie Community Development Department office at 652-4410.

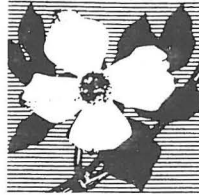
Milwaukie Planning Commissioners:

Patricia Lent, Chair
Carolyn Tomei, Vice Chair
Deborah Linn
Don Trotter
Gordon Jones
Bill Johnson
Scott McClure

Community Development Department Staff:

Maggie Collins, Community Development Director
Debbie Bischoff, Senior Transportation Planner
Dave Krogh, AICP, Associate Planner
Jim Crumley, Associate Planner
Jeanne Garst, Office Assistant
Marcia Hamley, Office Assistant
Shirley Richardson, Recording Secretary
Eileen Goldsmith, Intern
Mark Jonson, Intern
Diana Myrvang, Intern

CITY OF MILWAUKIE



COMMUNITY DEVELOPMENT
PUBLIC WORKS

6101 S.E. JOHNSON CREEK BLVD.
MILWAUKIE, OR 97206

TELEPHONE: 652-4410
FAX: 774-8236

*****MEMORANDUM*****

COMMUNITY DEVELOPMENT DEPARTMENT

June 28, 1994

TO: Milwaukie Planning Commission

THRU: Maggie Collins, Community Development Director

FROM: Dave Krogh, AICP, Associate Planner *Dave*

**RE: Review of Draft Elk Rock Island Natural Area Management Plan
(Worksession)**

Elk Rock Island currently is owned by the City of Portland, is located within unincorporated Clackamas County, but is accessed through Spring Park within the City of Milwaukie. To protect and enhance the natural features of the island, the City of Portland Parks and Recreation Bureau has prepared a draft management plan to be implemented by Portland, the City of Milwaukie, and the North Clackamas Park and Recreation District. This draft management plan covers the areas included by Spring Park, Elk Rock Island, and Elk Rock (which is opposite Elk Rock Island on the west side of the Willamette River). Milwaukie would only be involved with the portions including Spring Park and Elk Rock Island.

The draft management plan encourages the development of a master plan for Spring Park and Elk Rock Island, certain improvements and vegetative enhancements. Elk Rock Island would be used for passive recreational uses (primarily for natural resource preservation and observation activities). Spring Park would be upgraded to include a neighborhood oriented playground area, improved parking, and improved access to Elk Rock Island. The Cities of Portland and Milwaukie and the North Clackamas Parks and Recreation District would be asked to adopt the management plan. The City of Portland would then initiate an annexation for Elk Rock Island into the City of Milwaukie so that serviceability issues are addressed. All three jurisdictions would cooperate in the upgrade of park facilities.

The draft management plan and implementation schedule are attached for the Planning Commission's review. Staff will go over the plan on June 28 and have invited a Portland Parks representative to answer questions. If all concerns can be addressed, a public hearing will be scheduled for Planning Commission recommendation to the City Council. The Council would then consider adoption of the management plan by resolution. Upon annexation the management plan can be readopted as an ancillary document of the City of Milwaukie Comprehensive Plan.

Attachment: Draft Elk Rock Island Natural Area Management Plan

Elk Rock Island Natural Area

Management Plan

Final Draft
May 26, 1994

Prepared by
Portland Parks and Recreation
in cooperation with
City of Milwaukie
North Clackamas Parks District
Friends of Elk Rock Island Natural Area

ADDITIONAL EDITING NEEDED

Title Page

Correct edition date (keep it up to date).

Table of Contents

Correct page numbers (keep them up to date).

Chapter 1

History of Spring Park (page 3)

- stated purpose of Spring Park acquisition
- when property traded with Morterud
- year that first Spring Park master plan was completed

Chapter 5

Wording referring to current enforcement process in recommendation PS-5 needs to be confirmed by City Attorney. (page 31)

Implementation Schedule needs to be updated and correspond with numbered management actions.

Map and Appendix

Vegetation Community Map (Figure 1)(place at end of Chapter 2)

Michael Kay's bird list (Appendix A)(place at end of plan)

C:CHANGES.001

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Chapter 1: Background

Location and General Description

Elk Rock Island Natural Area consists of three publicly owned parcels and adjacent private land located along the Willamette River in Clackamas and Multnomah Counties. Elk Rock Island and Spring Park are located on the east side of the main channel of the river. Elk Rock is on the west side of the river.

Elk Rock Island is owned by the City of Portland and managed by Portland Parks and Recreation. The island is fifteen acres in size and is managed as a natural area, available for appropriate passive recreation uses. The island lies within unincorporated Clackamas County, south of the city limits of Portland and abutting the City of Milwaukie. The island is accessible by boat and by foot from the Milwaukie side except during high water periods.

Spring Park is owned by the City of Milwaukie and is managed by the North Clackamas Park District (NCPD). Spring Park is 6.87 acres in size and, like Elk Rock Island, is currently managed as a natural area. Spring Park also lies within Clackamas County but is within Milwaukie city limits.

Elk Rock is a prominent feature on the lower Willamette directly west of Elk Rock Island. A steep rock face, Elk Rock rises from the river at about 10 feet above sea level to nearly 270 feet at SW Riverside Drive (State Highway 43). The park portion of this feature is 3.08 acres. Elk Rock is in unincorporated Multnomah County south of Portland city limits. The park is owned by the City of Portland and managed as a natural area. A substantial portion of a 1,200 foot long railroad tunnel built through Elk Rock is within the park ownership.

Legal Description and Zoning

Elk Rock Island

Legal description as found on deed to the City of Portland is as follows:

That certain island in the Willamette River above the town of Milwaukie, Oregon, formerly known as Whitcomb Island, now called Rock Island, lying near the Southwest corner of the Lot Whitcomb's Donation Land Claim No. 38 in Township one (1) South of Range One (1) East of Willamette Meridian, containing fifteen (15) acres of land more or less.

Elk Rock Island is shown on Clackamas County maps as: 1S 1E 35, 100.

*Elk Rock Island Natural Area
Management Plan
May 26, 1994 final draft*

Elk Rock Island is zoned OSM (Open Space Management) by Clackamas County. This zone is applied to parks, public and private recreation areas including golf courses and school playgrounds, cemeteries, and unique natural areas dedicated to the public or preserved by easement.

Spring Park

Spring Park is composed of all of blocks 24, 25, and 27 (Robertson Addition); portions of lots 2, 4, 6, and 8 of block 16 (Robertson Addition); certain adjoining vacated streets; and a lot partitioned from private property and added to the park's southwest corner. Also described as tax lots 5900, 6000, 6100, 6200, 6300, 6400, 6500, and 6601, quarter corner DD, section 35, 1S, 1E.

Spring Park is zoned R5 with a nr (natural resource) overlay. In addition, the Milwaukie Comprehensive Plan includes Spring Park in the Willamette Greenway.

Elk Rock

Tax lot 10, Section 35, 1S, 1E. Quarter section map 4231. Tax account 99135-0100.

Elk Rock is zoned by Multnomah County as R-30 (30,000 sq. ft. minimum single family residential) with CS (Community Service), WRG (Willamette River Greenway), and partial FW (Floodway) overlay zones.

Private Property

Adjacent private property to the north and south of Spring Park also have significant natural resource value. These areas are functionally part of the Elk Rock Island Natural Area. The property includes portions of tax lot 3100, quarter corner DA, section 35, 1S, 1E; portions of tax lots 2800, 2900, 3000, 3100, 3200, 3300, 6600, 6700, and 6800 (outside Milwaukie city limits), quarter corner DD, section 35, 1S, 1E. Of these lots that are inside Milwaukie city limits, all are zoned R5 with a nr overlay.

*Elk Rock Island Natural Area
Management Plan
May 26, 1994 final draft*

Park History

The Peter Kerr family gave Elk Rock Island to the City of Portland in 1940, with the requirement that the island "be used solely as a public park or playground, or for public park or public playground purposes, for the use and enjoyment of the public generally". A deed transferring Elk Rock Island from the Kerr family to the City of Portland was executed on November 30, 1940. Portland City Council authorized the acceptance of the island by ordinance 74751, passed on December 27, 1940. Deed was recorded on January 8, 1941. Both the deed and the ordinance designated the island as Peter Kerr Park. The Kerr family formally dedicated the island on Peter Kerr's 93rd birthday, October 29, 1954.

A history of Elk Rock Island was written by Milwaukie resident Esther K. Watson in 1984. Ms. Watson's document provides a pre-park history for the island.

Spring Park was purchased by the City of Milwaukie from Hilda Keller in 1971. A grant from the Federal Land and Water Conservation Fund was combined with City funds to purchase the land for _____. A park master plan was completed in 19__, but no park development has occurred. In 1980, the City of Milwaukie vacated much of Lark St. (aka 6th St.) on the south edge of Spring Park. In 19__, to correct an encroachment problem, Milwaukie traded a .25 acre portion of the vacated street to the property owner to the south, with the City acquiring approximately .36 acres adjacent to the Willamette River. The south boundary, as adjusted, was re-surveyed in 1988-89 (Gaylord) and iron rods were found at all corners.

Elk Rock, on the west side of the Willamette, was also given to the City of Portland by the Peter Kerr family. The deed transferring the property was executed on June 2, 1955, and recorded on June 28, 1955 (book 1730, pages 251-252). The deed conditioned that the property "shall be used solely as a public park... and that (it) shall be known as 'Peter Kerr Park'." The deed also references an earlier conveyance of a portion of Elk Rock to The Oregon and California Railroad Co. (recorded July 21, 1922; book 886, page 210).

Development of Management Plan

In 1989, an effort was made by interested citizens and by parks department staff from the cities of Portland and Milwaukie to develop a management plan for Spring Park and Elk Rock Island. The management plan was to address park problems and to establish policy direction ensuring adequate protection of natural resources. Public meetings were held in Milwaukie City Hall to collect citizen input, and a plan was drafted in early 1990. The draft management plan was submitted for review to the Milwaukie Planning Commission. Staffing shortages forced a delay in finalization and approval of the plan until 1994.

*Elk Rock Island Natural Area
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May 26, 1994 final draft*

The management plan addresses important issues related to natural resource protection, public use, and provision of public safety services.

The draft plan was revised slightly in content and form in early 1994, and is scheduled for review by the North Clackamas Park District, the Milwaukie Planning Commission and City Council, and Portland City Council.

NOTE. To avoid confusion between the island and the steep rock escarpment on the west side of the river, both of which are officially named "Peter Kerr Park", this document generally refers to the island area as Elk Rock Island and the escarpment as "Elk Rock".

Chapter 2: Natural Resources

Natural resources existing in the Elk Rock Island natural area are significant. This chapter provides an overview of natural resources and identifies issues related to each resource area. Chapter 2 reviews geology, vegetation communities and habitat, and rare and unusual plant resources.

Geology

The predominant bedrock geology of the Elk Rock Island and Spring Park consists of Waverly Heights Basalt which is describe fully on the *Geologic Map of the Lake Oswego Quadrangle* (GMS-59, Oregon State Dept. of Geology).

Waverly Heights Basalt is particularly interesting due to its age. Formed in the mid and late Eocene Period (between 36.6 and 52 million years ago), the rock substantially predates the more common Columbia River Basalts of the Miocene Period (10 to 25 million years ago). Elk Rock Island is of particular interest to geologist because the Waverly Heights Basalt is well exposed. It should be noted that Waverly Heights Basalt does exist in a substantial way in the Lake Oswego/Tryon Creek area, but there it is largely overtopped with mineral soils.

The relative hardness of the Waverly Heights Basalt explains why Elk Rock Island exists. The later and softer basalts were more easily eroded by the Willamette River, leaving the intrusion of Waverly Heights Basalt in the line of the river, creating the island and the narrows to the west.

Spring Park is part Waverly Heights Basalt and part mixed alluvium deposits of a relatively recent period.

The Elk Rock escarpment is composed of two mid-Miocene Period basalts.

Management Implications

The geology is unique in the Portland area and offers a significant opportunity for interpretation and education. Because of its unique character, the exposed rock areas should be protected from undue human impacts. Public information produced for the site and for distribution should include, at minimum, geological highlights and suggestions for use that avoid impacts.

Soils overtopping the bedrock are relatively thin. Erosion problems should be prevented or controlled as soon as they appear.

Vegetation Communities and Habitat

Vegetative community and structural diversity are the key to Elk Rock Island's importance as a wildlife habitat area. Seven habitat associations (vegetative communities) have been identified.

1. **Basalt Floodplain.**
2. **Emergent Wetland.** *An area inundated or saturated by surface or ground water that under normal conditions supports wetland obligate vegetation dominated by grasses and forbs.*
3. **Mesic Upland Forest.** *A forest dominated by upland plants requiring moderate soil moisture, being poorly adapted to either drought or waterlogged conditions.*
4. **Riparian.** *The "interface (zone) between terrestrial and aquatic ecosystems". Also, of or pertaining to riverbanks, streambanks, or lakeshore.*
5. **Rock Face.**
6. **Willamette Valley Grassland.**
7. **Xeric Upland Forest.** *A forest dominated by upland plants with some drought tolerance.*

Each of these associations provide food, cover, roosting, wintering, and summer breeding habitat for numerous species of birds, mammals, reptiles, amphibians, and invertebrates. It is the combination of these communities (habitat types) in addition to proximity to the Willamette River, adjacent riparian areas along the river, Lake Oswego uplands, and isolation from major development, that contribute to the richness and diversity of plant and animal species. Monthly bird surveys have been conducted since August of 1985; 61 different species of birds have been observed. (Michael Kay, 1985-89, Appendix A). Plant surveys have been conducted for the past ten years (Mart Hughes). Several endemic (*generally found in a certain geographic area*) and threatened plant species are known to grow on the island.

The vegetation communities are located on the Vegetation Community Map, figure 1.

Basalt Floodplain

This large expanse of Waverly basalt is seasonally flooded, with little to no vegetation present during the dry times of the year. However, small wet season pools provide habitat for some aquatic plants and invertebrates. The exposed rocks provide habitat for killdeer and other shorebird species.

Emergent Wetland

The portions of Spring Park north of the trail form a wetland basin surrounded by a riparian forest. The soils have been heavily compacted and adjacent land use has probably altered the hydrology, limiting water level fluctuations. *Phalaris arundinacea* (reed canarygrass), an exotic species, is the dominant plant species. It out-competes many of the native wetland plant species such as *Iris sp.* (water iris), *Typha latifolia* (cattail), *Juncus spp.* (rushes) *Carex spp.* (sedges), and *Salix lasiandra* (willow). *Lythrum salicaria* (purple loosestrife), determined to be a noxious weed by the Oregon Department of Agriculture, is starting to establish within the wetland basin. Because it quickly dominates native emergent vegetation communities, and substantially reduces habitat diversity, it is considered very detrimental.

The emergent wetland, particularly the reed canarygrass, is excellent mosquito habitat.

There are two wetland areas on the west side of Elk Rock Island. The larger of the two, to the south, adjacent to the old boat slip, is vegetated with *Juncus effusus* (soft rush), *Mentha sp.* (pennyroyal), *Bidens repens* (beggar's tick), and *Chenopodium sp.* (lamb's quarters) along the river silt littoral, with *Salix lasiandra* (willow) and *Phalaris arundinacea* (reed canarygrass) occupying the higher slopes. *Lythrum salicaria* (purple loosestrife), an invasive exotic plant, is a problem in this area.

Mesic Upland Forest

The interior of Elk Rock Island is dominated by *Pseudotsuga menziesii* (Douglas fir) and *Acer macrophyllum* (bigleaf maple) with an understory of *Symphoricarpos albus* (snowberry), *Gaultheria shallon* (salal), and *Berberis aquifolium* (tall Oregon grape). *Lilium columbianum* (Columbia lily), *Trillium ovatum* (trillium), and *Smilacina racemosa* (false solomon's seal) are typical groundcover species of the forested area.

There are five major exotic plants that grow within the forested interior of Elk Rock Island that warrant mention: *Hedera helix* (English ivy), *Rubus discolor* (Himalayan blackberry), *Ilex aquafolium* (English holly), *Vinca major* (periwinkle) and *Clematis* (Virgin's bower). All five are in great density, especially the English ivy, and warrant special management, as they appear to be replacing native vegetation.

The forest composition on the northeastern end of Elk Rock Island changes slightly from that of the interior. *Populus trichocarpa* (black cottonwood), *Fraxinus latifolia* (Oregon white ash), *Crataegus douglasii* (Douglas hawthorn), and *Rosa sp.* (rose) are the dominant plant species.

*Elk Rock Island Natural Area
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Riparian

This is a *Populus trichocarpa* (black cottonwood) dominated community with *Salix lasiandra* (willow) and *Fraxinus latifolia* (Oregon ash) of secondary importance. *Rubus discolor* (Himalayan blackberry), *Equisetum spp.* (horsetail), *Urtica dioica* (stinging nettle), and *Symphoricarpos albus* (common snowberry) are the major components of the understory.

Rock Face

The rock faces of Elk Rock on the west side of the Willamette River and the northwest corner and south end of Elk Rock Island are sparsely vegetated with a combination of mosses, lichens, ferns, and other shallow-rooted plant species. Here, *Sedum spathulifolium* (stonecrop) and *Spiraea betulifolia* (birch-leaf spirea), plants that generally grow in warm, dry habitats, are found growing with *Polypodium glycyrrhiza* (polypody) and several moss species indicative of moister shadier environments. This combination of plants is unusual within the Portland Metropolitan area. *Cytisus scoparius* (Scot's broom) and *Populus trichocarpa* (black cottonwood) are establishing.

Willamette Valley Grassland

The grasslands located on the western portion of Spring Park and the south and southwest portions of Elk Rock Island are remnants of the once common Willamette Valley Grassland. *Bromus carinatus*, *Festuca magulana*, and *Agrostis alba* are native grass species found growing within the Park. Human disturbance has impacted the vegetative community, affecting the plant species composition. Plant species are predominantly exotic (not originally from this area, often out-competing native plants) rather than native. Exotics are frequently indicative of disturbance. *Senecio jacobaea* (tansy ragwort) and *Daucus carota* (Queen Anne's Lace) are exotics found here.

Xeric Upland Forest

The xeric upland forest, found on the southern and northwestern portions of the island, is dominated by *Quercus garryana* (Oregon white oak) and *Arbutus menziesii* (Pacific madrone) with some *Acer macrophyllum* (big leaf maple), and *Rhus diversiloba* (poison oak). *Brodiaea congesta* and *Brodiaea hyacinthina* (brodiaea), *Iris tenax* (iris) are flowering plants found in the understory. Some *Cytisus scoparius* (Scot's broom) an exotic species is beginning to establish. This vegetative community is uncommon in the Portland Metropolitan area, more commonly found in Southwestern Oregon.

Rare and Unusual Plants

Several plants rare or unusual in the Portland metropolitan area can be found in the Elk Rock Island Natural Area. In particular, several native wildflower species grow on Elk Rock Island. Little is known about vegetation on the Elk Rock escarpment on the west side of the river. What has been observed is discussed below.

Several plants not rare or threatened, but no longer commonly seen in the Portland-Vancouver landscape, grow on the island. These include *Taxus brevifolia* (Western or Pacific yew), *Lilium columbianum* (Tiger lily), *Brodiaea* sp. (cluster lily), *Goodyera oblongifolia* (Rattlesnake plantain).

Delphinium leucophaeum, the White Rock Larkspur, was reported to have been observed on the Elk Rock escarpment on the west side of the Willamette River. This species is considered threatened throughout its range and is a candidate for federal and state protection. Currently it has "Category 2" status with for federal listing which means more information is needed by US Fish & Wildlife. Its preferred habitat is on moist rocky cliffs.

The above delphinium was also reported to possibly be *Delphinium pavonaceum*, a Willamette Valley species and also a candidate species for federal and state protection. It has "Category 1" status, meaning there is sufficient information for the federal list.

A plant of the Saxifrage Family has also been reportedly observed on Elk Rock Island. It is described as having yellow flowers. It is not known if it is a *Saxifraga* species or if it is a related genera. Possibilities include *Sullivantia oregana* and *Bolandra oregana*. Both are yellow flowering members of the Saxifrage Family. *Sullivantia* has "Category 2" status for the federal list, and both are candidate for the state list.

One *Pinus ponderosa* (Ponderosa pine) has been observed on the island. It is unknown whether it occurred naturally or if it was planted.

The unusual and rare wildflower species found on the island are relatively small populations and are exposed to human impacts (e.g., trampling, digging, picking). English ivy also poses a threat as it is approaching the south end of the island where the Tiger lilies and *Goodyera* are located. The northwest corner of the island provides a rock face which should be protected for its plant habitat value.

Because of its inaccessibility and unique conditions, the Elk Rock escarpment on the west side of the river may have value for growing managed populations of rare plant species.

Chapter 3: Public Use

Chapter 3 consists of a description of the existing uses and facilities of Elk Rock Island Natural Area, a discussion about what types and levels of use are appropriate, and an itemization of opportunities and needs which help define what could be done to facilitate appropriate public use.

Current Uses

Existing uses include hiking, exploration and play, observation of nature, bicycling, camping, dog exercising, fishing, picnicking, relaxation or escape from the urban environment, enjoyment of river related scenery, pleasure boating, and social gatherings (parties).

All uses are very evident during the spring and summer months and decrease by varying degrees during fall and winter. Hiking, observation of nature, dog exercising, fishing, and escape from the urban environment tend to be more year-round in nature.

Organized or programmed use is relatively light. The site is used for adult education by the Portland Parks Bureau (summer tours only), Portland Audubon Society, the John Inskeep Environmental Learning Center, and the Washington Park Zoo.

There is also some use of the island by elementary and secondary education programs. Notable in this regard are classroom tours by the North Clackamas School District and tours and work parties by Catlin Gable Middle School.

Regular non-programmed users tend to come from the immediate neighborhood. Occasionally visitors come from elsewhere in the Portland-Vancouver region to enjoy the river setting or to appreciate the island's natural resources. Some visitors from outside the immediate neighborhood adopt the island as their favorite place to escape the urban environment and make relatively frequent return visits.

Current Use Issues

Uses that degrade or threaten natural resources, that conflict with more appropriate uses, or that conflict with the surrounding neighborhood include the following:

Bicycling. A problem both in Spring Park and on Elk Rock Island due to the resulting trail system damage and erosion. Mountain bikes have also been observed off trails and pose a serious threat to exposed rocky areas and vegetation.

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Camping. As observed at Peter Kerr Park (island), the problems associated with camping include litter, public health due to lack of toilet facilities, threat from fire, negative visual impacts, concern for personal safety, and damaged vegetation.

Child's Play. The island is attractive to youngsters of upper elementary and middle school age as a place to explore and play on an unsupervised basis. Many play activities can impact natural resources. For example, off-trail traffic may cause erosion, disturb wildlife, or damage vegetation; fort building often involves cutting or breaking of woody vegetation. Occasionally impact from play is substantial. In 1994, several sizable trees were cut down for no apparent reason. The majority of child's play likely originates from the local neighborhood.

Dogs. The park area is used as an exercise area for dogs to some extent. Uncontrolled or unleashed dogs are a significant threat to wildlife. This form of use should be discouraged.

Gang Activity. Gang activity has been observed since 1991. It has been sporadic but it has serious effects. Gang presence has been marked by graffiti which is unsightly and frequently includes anti-social or racial-cultural bias. Evidence or reputation of gang activity, even on a sporadic basis, makes most other visitors uncomfortable. Gang activity can easily displace other more appropriate uses. Already mentioned as a problem associated with social gatherings, graffiti has been and is potentially a very serious problem on the island. Efforts by volunteers since 1988-89 to remove graffiti have thus far successfully dealt with this problem.

Gunfire. Gunfire occurs on a sporadic basis. This activity is threatening to other visitors, is unsafe due to proximity of development, and disturbs wildlife.

Horses. Horses are sometimes ridden to Elk Rock Island. The trail system is too easily damaged by horses and the natural area is too small for horseback riding. Horses often go off trail and when this happens vegetation damage can occur.

Off-Trail Traffic. Off-trail use by pedestrians and bicyclists is evident by visible impacts to the exposed rock areas. This impact is gradual but quite serious in that once damaged, exposed rock outcroppings will not recover. In addition, an increasing number of small trails are developing in the forested area. This results in additional erosion and additional disturbance to wildlife.

Parties. A problem especially during the summer months beginning in evenings and continuing late at night, parties create problems with litter, broken glass, graffiti, and disturbance of wildlife and nearby residents. Typically, underage consumption of alcohol occurs. Related is a fire threat problem due to bonfires and use of fireworks.

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River Litter. Actually a "given" with the site rather than a problem created by park users, substantial amounts of river-borne litter are regularly deposited onto riverbanks and beaches. Plastics, styrofoam, and natural and dimension wood are major components of the river-borne litter.

Trespass. More a potential problem than a reported one at this stage. No information is available and no fences are present to let park visitors know when they are on public property rather than private.

Current Facilities

Provided at Spring Park and Elk Rock Island is a largely unimproved trail system which provides access to and through Spring Park from S.E. 19th and Sparrow and to and around Elk Rock Island.

Parking consists of available street-side parking near the 19th and Sparrow St. entrance. A "no parking/tow zone" has been established immediately next to the entrance.

The entrance itself is undeveloped and marked only by a rough sign, a garbage can, and bollards and chain to deter horses, bicycles, and motorized vehicles.

On the west side of Elk Rock Island there is an inlet suitable for boat landing. Concrete steps provide convenient access to the island from watercraft, but the facility is otherwise unimproved.

There are no benches, rest-rooms, or other improvements of any kind. No on-site interpretive information is provided.

Current Facility Issues

Trail System. The trail system through Spring Park is wet and steep in places making access difficult. This alignment also impacts the wetland area in Spring Park. The route across the basalt floodplain between Spring Park and Elk Rock Island is unclear and difficult which results in impacts over a wider than needed portion of this crossing area. Although improved in 1989, some sensitive rock and vegetation areas at Elk Rock Island are impacted by existing trail routes. Several unofficial routes stem from the main trail system to beach areas, to overlooks, and to fishing spots. These unofficial routes are not maintained and are not well defined, resulting in a wider area of impact.

Overhead Powerlines. An easement for overhead utility lines crosses through Spring Park and creates what may be an avoidable aesthetic detraction. An alternate route should be found which would provide the needed utility service and eliminate what is primarily an aesthetic liability.

Appropriate Uses

The physical, biological, and scenic resources at Elk Rock Island Natural Area are exceptional. These are the assets that offer the greatest opportunity for appropriate recreational and educational uses. Only those uses that do not conflict with or degrade these resources should be allowed. Generally this means that uses should be passive, causing little impact to sensitive resources and requiring few facilities.

Examples of appropriate use at Elk Rock Island Natural Area are escaping the urban environment, enjoying scenic views, observing nature, hiking, fishing, informal picnicking, and education. Given the site's limited size and facilities provided, these forms of use are appropriate for individuals and small groups. The area is not well suited to large groups due to parking limitations and the condition of the trail system.

Some canoeing occurs in the vicinity. Although impacts are acceptable and light, canoeing should not be encouraged at this location, nor should facilities for canoeing be developed. River traffic (commercial and recreational) is heavy and canoeists should be encouraged to recreate elsewhere.

A significant issue for the area is level of use. Even if all occurring uses were appropriately passive, high numbers of users could degrade natural resources. How much use is too much is difficult to define. For this reason it is important to determine and monitor types and levels of use, and to monitor sensitive resources that may be impacted by use. If a relationship between unacceptable impact and type or level of use is found, then use should be controlled or curtailed.

An exception to the above is the upland area at east end of Spring Park. This area is adjacent to a residential area and would be suitable for development for neighborhood park uses. For example, a neighborhood park landscape and small playground could be developed. Such development should be supportive of management objectives for the adjoining natural area. A native plant buffer should be planted between the upland and wetland areas. A trailhead with an interpretive sign and trail improvements into the natural area should be part of the development plan.

Appropriate Use Opportunities

The location is quickly accessible from all of Milwaukie, from southeast and much of southwest Portland, and from northern Clackamas County. Except for intermittent high water in late winter and early spring, one can walk to the island at any time. It is clear that there are opportunities to attract more users and to better accommodate desired uses while protecting natural resources.

It should be noted that the promotion of appropriate use is a helpful strategy for the discouragement of other, more destructive, uses. Opportunities for increasing uses with little or no impact on resources are discussed below.

Active Recreation. An earlier assessment done by the City of Milwaukie had determined that there was a local neighborhood need for a children's playground at Spring Park. A small playground could be developed at the east end of Spring Park without negatively impacting natural resource values. If developed, the playground should be easily visible from the right-of-way, should be separated by a fence from the railroad, and should be designed to blend with the site using natural materials (e.g., boulders, timbers). This area is not large enough to support active sports, nor would such use be compatible with the education and passive recreation opportunities noted above. It is recommended that North Clackamas Park District consider this opportunity, perhaps within the context of a new Master Plan for Spring Park.

Botanical Resource Sanctuary. The unique plant habitat offered by the Elk Rock escarpment on the west side of the Willamette provides an opportunity for the development of a botanical sanctuary for appropriate threatened and endangered plant species. The inaccessible nature of the site is a significant supportive factor due to the low probability of human disturbance. The Berry Botanic Garden is a participating organization in the Center for Plant Conservation, and is responsible for developing and carrying out strategies for the preservation of threatened and endangered (T & E) plant species in the Pacific Northwest. These strategies include managing cultivated populations of T & E species and reintroduction of species to the wild. Since the Berry Botanic Garden is located in Dunthorpe not far from the escarpment, the development of a sanctuary for managed populations or as a reintroduction site may be feasible.

Environmental Education. The quality, diversity, and unique character of the natural resources present a significant opportunity for environmental education. Other possibilities include the interesting historic aspects of the island and the scarcity of high quality natural resource sites in the region due to their elimination and degradation.

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The distinct vegetation communities, the range of topography, and the wetland and riparian resources, provide one of the most varied wildlife habitats on a single site in the Portland metropolitan region.

The relatively small size of the site would support presentation of interpretive information similar to constructed displays at zoos and botanic gardens. A significant amount and broad range of interpretive information could be developed to support the use of the site as an outdoor classroom.

Passive Recreation. To date the levels of use from passive forms of recreation have not been problematic and it is believed that the area could support additional passive use. Hiking, observing nature, scenic viewing, and fishing are generally very low impact uses. Participants are at least somewhat aware of impacts they may be creating and generally take care to minimize those impacts. Even these low impact forms of recreation should be monitored.

The site provides an outstanding opportunity for interpretation of natural resources. Resource interpretation could be done in a variety of non-intrusive ways and could substantially enrich the passive recreation experience.

Appropriate Use Needs

The following list of needs has been developed to identify what could be done to encourage appropriate uses (and to discourage inappropriate uses). Generally these are ideas for improvements in public information, facilities, services, and citizen involvement.

Consistent regulations. Enforcement of a consistent set of codes for both Elk Rock Island and Spring Park.

Citizen Involvement. Active citizen involvement through the Friends of Elk Rock Island Natural Area and through other means.

Curriculum Development. Curriculum development for featuring important natural resource elements.

Facilities and Furnishings. Carefully designed and well placed park facilities and furnishings (e.g., trails, signs, benches, bicycle racks, parking). Facilities that support inappropriate uses or inappropriate levels of use should not be provided (e.g., picnic tables, highway signs).

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Interpretive Tours. Regular organized tours which introduce the public to the parks' functions and values.

On Site Information. On-site interpretive information that provides orientation, explains natural resources, and encourages appropriate use.

Outreach. Regular outreach to local school districts, community colleges, universities, and environmental education providers within the Portland metro region.

Printed Information. Publications featuring information on the natural resource assets (brochures, interpretive guides).

Specific recommendations are included in Chapter 5.

Chapter 4: Public Services

Chapter 4 analyzes services provided by North Clackamas Parks District and by Portland Parks and Recreation, and services provided by Police and Fire agencies from Portland, Milwaukie, Oak Grove, and Clackamas County.

Parks and Recreation

Current Parks and Recreation Services

The North Clackamas Parks District has limited staff time available for management of Spring Park. The Parks District provides custodial maintenance (e.g., litter removal) through a scheduled "route stop" during the spring and summer and on a request basis at other times of the year.

The Portland Parks and Recreation also has limited staff time available for management of Peter Kerr Park. The park is included as a "route stop" by personnel assigned to the Westmoreland District in Southeast Portland. Frequency of visits increase during the summer when the Westmoreland District has more personnel available. Duties are limited to litter and garbage removal and some vegetation control. In addition, Natural Resources Program staff address specific problems and work with volunteers on organized work parties that do thorough clean-ups or remove invasive exotic vegetation (e.g., English ivy, Scot's broom, purple loosestrife, and English holly).

During recent years, an Oregon Youth Conservation Corps (OYCC) crew has worked part time at Peter Kerr Park. The crew removed litter, reconstructed trails, and worked at controlling unwanted vegetation (English ivy and purple loosestrife). The OYCC crews have been supervised by Portland Parks.

Both parks agencies have also taken good advantage of Alternative Community Service labor available to public agencies from local court systems.

Volunteers have provided assistance since the summer of 1988. Work parties draw a small crew for 2 to 4 hour periods. Typical tasks are litter removal, graffiti removal, and vegetation control. An informal citizen volunteer group known as "The Friends of Elk Rock Island Natural Area" has been active since 1988, and has been responsible for organizing volunteer work parties.

With the current level of assistance from neighborhood volunteers, parks staff is able to provide adequate routine property and resource management services.

Parks and Recreation Service Issues

Management areas not well addressed by parks agencies are inter-agency coordination, natural resource monitoring, natural resource enhancement, and environmental education and resource interpretation.

Interagency Coordination and Public Involvement. The management of Spring Park and Peter Kerr Park should be guided by an adopted management plan. The plan should be kept current. The Natural Resource Program at the Portland Parks and Recreation and the North Clackamas Parks District should share the lead in subsequent revisions of the Plan.

The management process should continue as an open process where policies and specific management actions are deliberated with public input. Both parks agencies should recognize and support the activities of the Friends of Elk Rock Island Natural Area.

Monitoring. A comprehensive monitoring program should be developed which establishes base line information on the status (well-being) of the natural resource inventory. The monitoring program would periodically check the condition of those resources, providing a means for identifying problems and a basis for future management recommendations.

Special attention should be given to the impacts noted on the natural resources resulting from human use of the parks. Identification of problems and recommendations for their correction should be made quickly through the monitoring program.

Resource Enhancement. An active program of natural resource enhancement program should be established. This program should be guided by resource enhancement recommendation made by the management plan.

In recent years, matching grants for resource enhancement projects have been available from the US Fish and Wildlife Service through Metro Greenspaces. This source can be combined with summer youth employment programs to accomplish small scale restoration efforts.

When technical advice is needed, the Wetlands Technical Advisory Committee (WTAC), a volunteer committee made up of natural resource technicians and specialists, could advise on resource management issues, and could assist with the location of funding sources to accomplish resource enhancement projects.

Environmental Education/Resource Interpretation. An interpretive program should be supported by the parks agencies with assistance from small grants and volunteers. For example, interpretive signs can be placed if funding is shared among parks agencies and grant or gift sources. With encouragement and support from parks agencies, guided walks could be lead by volunteers. Organizations such as Portland Audubon should be encouraged to continue to provide guided tours.

Generally, environmental education programs should be facilitated rather than delivered directly by parks agencies. Local schools should be provided basic information about natural resources at the park, and teachers should be invited to use the site as an outdoor classroom.

Park Facility Planning. Even though park facilities needs are relatively modest, there is no plan or program to make improvements. A facility improvement plan is especially needed at Spring Park. An updated master plan, consistent with management plan recommendations, is needed to specify improvements and spur implementation.

Police and Fire

Current Police and Fire Services

Milwaukie Police and Fire provide adequate services to Spring Park which is located within the City of Milwaukie. Nearby residents simply call "911" to access these services.

Elk Rock Island, since it is in unincorporated Clackamas County, is outside the service area of the City of Milwaukie. In addition, since the City of Portland owns the island, the City of Milwaukie expects that Portland Police should provide police services. Oregon Revised Statute 226.010 provides that Portland Police may enforce Portland City Codes on Portland Park property outside Portland City Limits.

As a practical matter, 911 calls for police from the local neighborhood go to Milwaukie's 911. Callers are then referred to a Portland Police number. When callers honestly report typical problems (e.g., a teenage party on the island) as a non-emergency, service is not provided within a reasonable time-frame. Generally, service response time from Portland for this kind of call is a matter of hours. There have been instances of no response at all. At other times, Milwaukie Police have responded after checking with Portland. Sometimes both Portland and Milwaukie respond.

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Clackamas County River Patrol will respond if requested by either Milwaukie or Portland Police.

Delays in police response are a serious problem. Late responses made after darkness are more hazardous and less effective. Late response to situations involving alcohol provide an opportunity for problems to become more difficult to deal with.

Fire protection services to Spring Park are provided by Milwaukie. Fire protection to Elk Rock Island are provided by both Milwaukie and Portland. The Portland fire boat and the Oak Grove Fire District fire boat are available to respond to Elk Rock Island, and to portions of Spring Park.

Police and Fire Service Issues

Police Response to Elk Rock Island. Police services are adequate for Spring Park, but are very inadequate for Elk Rock Island. Police response to Elk Rock Island needs to be quicker and more reliable. Neighboring residents need a single 911 service number that works for both Spring Park and Elk Rock Island.

Jurisdiction problems aside, Elk Rock Island is a difficult location to provide police services. The island can only be reached on foot and the walk is nearly 1/4 mile in length. After dark, police service is hazardous and less effective. Back-up from nearby police agencies should be available and provided when needed.

Consistent Regulations. A common set of regulations should be established for application at both Spring Park and Elk Rock Island. Police agencies should not need to be familiar with differing regulations.

Fire Protection. Fire protection services appear to be adequate for both Spring Park and for Elk Rock Island. However, response plans or memos of understanding among agencies should be developed and kept current at all times.

Chapter 5: Recommendations

This chapter consolidates management recommendations that protect and enhance natural resources with recommendations that ensure and support appropriate use. The recommendations are provided in two forms. First, policies are recommended that, if approved by Milwaukie, Portland, and NCPD, will provide consistent and efficient management. The policies will also protect natural resources, reduce conflicts between user groups, and between users and the local neighborhood. Second, specific management actions are recommended that will protect and enhance natural resources. Other recommended actions will support appropriate uses. Finally, the recommended policies and actions are summarized in an implementation plan that indicates one or more responsible parties and relative priority.

The management plan recognizes that before policies or actions can be implemented, adoption is required by City of Milwaukie, North Clackamas Parks District, and by City of Portland.

Policies

The following policies are recommended for all of Elk Rock Island Natural Area, defined as Spring Park, Elk Rock Island, and Elk Rock on the west side of the Willamette River.

- Policy 1. Elk Rock Island Natural Area.** In order to readily and obviously communicate an essential part of the overall goal and to promote appropriate uses, Spring Park and Peter Kerr Park shall retain their names but, together with Elk Rock on the west side of the Willamette River, shall be collectively known as and promoted as "Elk Rock Island Natural Area". The names Spring Park, Peter Kerr Park, and Elk Rock may continue to be used on park maps and other published information, and should be used when referring to discrete areas within Elk Rock Island Natural Area.
- Policy 2. Prohibited Traffic.** Horses, bicycles, and motorized vehicles (except as needed by parks maintenance and emergency services personnel) shall not be permitted within Elk Rock Island Natural Area except at designated parking areas. A possible exception could be made for horses and bicycles on a Willamette Greenway Trail located on or through Elk Rock on the west side of the Willamette River.
- Policy 3. Fires and Fireworks.** Fireworks and unauthorized fires shall not be permitted in the Elk Rock Island Natural Area.

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- Policy 4.** **Alcohol.** Possession and/or consumption of alcoholic beverages shall not be permitted in Elk Rock Island Natural Area.
- Policy 5.** **Pets.** Pets should be discouraged, but when present must be leashed at all times. Pet wastes must be removed.
- Policy 6.** **Park Hours.** Hours for public use of Elk Rock Island Natural Area shall be from 5 a.m. to dusk.
- Policy 7.** **Park Development.** All development (including trails, signs) in the Elk Rock Island Natural Area shall be constrained by appropriate local land use regulations which provide an appropriate and adequate level of protection for natural resources and natural resource values identified at Spring Park, Peter Kerr Park (Elk Rock Island), and Elk Rock (on the west side of the Willamette River). Additional development should not occur in wetland areas and in the sensitive area on the southwest corner of Peter Kerr Park (Elk Rock Island). With the possible exception of a Willamette Greenway Trail (through the railroad tunnel), development should not occur on Elk Rock. The upland portion at the east end of Spring Park may be developed, but a 50 foot buffer is needed at the west end of the upland to protect the adjacent wetland to the west.
- Policy 8.** **Incorporation of Elk Rock Island.** Elk Rock Island (Peter Kerr Park) should be incorporated into the City of Milwaukie in order to provide efficient Police and Fire protection services. City of Portland shall continue to own and manage Peter Kerr Park. Until a more appropriate "open space" or "community use" base zone is developed by the City of Milwaukie, the **R10** base zone should be applied with a **nr** (natural resource) overlay zone. The Milwaukie comprehensive plan should indicate that Elk Rock Island is within the Willamette Greenway.

Management Actions

Upon adoption of the Management Plan, the following recommended actions should be pursued by City of Milwaukie, City of Portland Parks and Recreation, and the North Clackamas Parks District. Due to financial and staffing limitations, the parks agencies should be assisted by citizen volunteers and by grant sources.

Recommended management actions are organized in the following way:

- Natural Resource
- Public Facilities
- Public Information
- Public Service

Natural Resource Management Actions

General and specific management actions are recommended to protect and enhance natural resources. Specific recommendations are organized by area and habitat type.

General Recommendations

- NR-1. Resource Monitoring.** A comprehensive inventory of natural resources and natural resource values should be developed and maintained. Tracking quantity and quality of resources provides critical information needed for development of effective policies and actions intended to protect and enhance resources.
- NR-2. Geographic Information System (GIS).** Computerized mapping and information systems are in place at Metro and under development in Portland. GIS should be used to record and track information related to property ownership, land use, topography, vegetation, and other natural resources.

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Elk Rock Island (Peter Kerr Park)

Emergent Wetland

- NR-3.** Plant native plants and eradicate loosestrife. Introduce *Sagittaria latifolia* (wapato) at the two wetlands adjacent to the Willamette River. These areas are good potential wapato habitat. Introduce other wetland plant species (rush and sedge species) to promote diversification of wetland system. Eradicate *Lythrum salicaria* (purple loosestrife).

Mesic Forest

- NR-4.** Burn understory. Burning the understory of this forest component will remove or repress English ivy, blackberry, English holly, clematis, and other weedy growth, and promote growth of native understory currently being suppressed by these weedy species. Vines on trees will have to be hand cut near the base of trees. Native shrubs and trees will need to be planted in the understory after burning.

Riparian

- NR-5.** Remove blackberries. Remove Himalayan blackberries from riparian areas and promote growth of native plants having higher wildlife habitat value (e.g., Douglas hawthorne, rose).

Rockface

- NR-6.** Eradicate Scot's broom and reduce cottonwood. Eradicate (by hand) Scot's broom and reduce cottonwood along west end of Elk Rock Island. Some cottonwood are okay, but too many will shade out more xeric species growing on the rocks.

Willamette Valley Grassland

- NR-7.** Burn grassland. A controlled burn will suppress shrub growth in grassland. Maintaining the grassland community promotes structural and species diversity in conjunction with other vegetative communities and open space values. Until burn program is established, Scot's broom and Himalayan blackberries should be controlled by other methods.

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- NR-8.** Seed with native grasses and forbs. Plant a "butterfly meadow" to enhance invertebrate and butterfly populations that will, in turn, provide feeding opportunities for higher organisms (e.g., birds and mammals). This will also increase aesthetic value of this area. (Seeding must be coordinated with controlled burning recommended above.)

Xeric Forest

- NR-9.** Reroute Elk Rock Island trail. Reroute Elk Island trail to avoid the southwestern point where large Pacific madrone is growing. Obliterate small, unauthorized trails. Trail system of island is otherwise adequate, spreading out visitors and impacts.
- NR-10.** Eradicate Scot's broom. Eradicate (by hand) Scot's broom from the xeric forest area.

Spring Park

Emergent Wetland

- NR-11.** **Eradicate reed canarygrass and purple loosestrife in wetland area.** Purple loosestrife is listed by the Oregon Department of Agriculture as a noxious weed. It is known to form dense stands within wetlands, limiting native species diversity. While the purple loosestrife population is small, manual removal would be feasible, but delay may require other methods of eradication. Several methods of eradication are being researched (burning, flooding, black plastic, hand application of water soluble Rodeo).
- NR-12.** **Fluctuate water levels in wetland area.** Seasonal fluctuations of water levels may be a method to discourage growth and dominance of reed canarygrass, purple loosestrife, and other undesirable exotic plant species, and encourage native plant and animal diversity. If compatible with aforementioned objectives, managed water level fluctuation could also suppress mosquito populations. Fluctuations in water levels may be achieved by creating and maintaining a hole in the berm between the channel and the wetland area. Tidal fluctuations within the Willamette River and the channel need to be checked to determine whether there is sufficient water.
- NR-13.** **Plant native wetland species.** After eradication of undesired species within wetland, re-vegetate with native wetland grass, sedge, and forb species.

Riparian

- NR-14.** **Remove blackberries.** Remove Himalayan blackberries from alongside trail to Elk Rock Island and replace with native plants (e.g., Douglas hawthorne, rose).
- NR-15.** **Reroute or boardwalk the trail to Elk Rock Island.** Reroute trail to avoid passing through wetland area. Or, construct a boardwalk across the edge of the wetland. The current trail through the wetland significantly impacts the wetland community.

Public Facilities Management Actions

To accommodate appropriate uses at desired levels, some facilities are recommended. Facility improvements should correspond to the desired types and levels of appropriate uses. The importance and relatively fragile nature of the natural resources at Spring Park and Elk Rock Island require that facility improvements have low resource impact. Since many of the recommendations are for Spring Park, the development of a *Spring Park Master Plan* is advised to determine the size, number, style, and precise location of improvements and to avoid conflict with natural resources.

- PF-1.** **Access.** Improvements to enable appropriate access to Spring Park and Elk Rock Island are needed. No improvements for public access to the Elk Rock escarpment on the west side of the Willamette River are proposed, but access for its use as a botanical sanctuary would need to be arranged.
- PF-2.** **Parking.** Parking is needed to accommodate typical high season use levels and to avoid impacts to the residential neighborhood. Parking should include accommodation for visitors in wheelchairs. Parking should be situated to accommodate enforcement.
- PF-3.** **Entrance.** An entrance that is attractive and informative is needed to invite visitors onto the site and encourage them to use the park area in an appropriate manner. Should be unambiguous for the first-time visitor and visible from the parking area or right-of-way.
- PF-4.** **Trails.** A trail system that enables visitors to use the park in the appropriate manner except during high water is needed. Trails at Spring Park should be of sufficient width and easy grade (5% maximum) to accommodate visitors confined to wheelchairs. Trails at Peter Kerr Park should be no greater than moderate grade (12% maximum). Re-routing or redesign of trails to minimize impacts to sensitive areas (wetlands, exposed rock face, and xeric forest) should be completed. No bridge is needed between Spring Park and Elk Rock Island.
- PF-5.** **Park Furnishings.** Park furnishings such as benches and garbage cans should be available in minimal numbers and in appropriate locations at Spring Park. Public rest-rooms, picnic tables and drinking fountains are not needed.

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Management Plan
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- PF-6. Playground.** An earlier assessment done by the City of Milwaukie had determined that there was a local neighborhood need for a children's playground at Spring Park. If alternate locations cannot be found, a small playground could be developed at the east end of Spring Park without negatively impacting natural resource values. If developed, the playground should be easily visible from the right-of-way, should be separated by a fence from the railroad, and should be designed to blend with the site using natural materials (e.g., boulders, timbers).
- PF-7. Fencing/Screening.** Fencing along the south edge of Spring Park is needed to indicate the property line between park and adjoining private property. To minimize visual impact, the western portion of the south property line should be indicated by a post-and-cable system rather than fencing. And as just mentioned, fencing would be needed between Spring Park and the railroad line if a playground is developed. Native plants should be planted next to fencing to screen fences from view.

Public Information Management Actions

As with the needed facility improvements, information about the site is recommended to encourage appropriate uses. Information provided should assist with orientation, provide positive cues for appropriate use, and provide natural resource information including information on wildlife, wildlife habitat, geology, plants, and riparian factors. Information on the Willamette River Greenway is also recommended.

Information presented should be consistent with information that is presented for other Portland area natural resource sites. This can be accomplished through the use of similar graphic styles and materials. Where possible maps should be used that provide a greater context and a connection with other resources.

Some on-site information should be developed which will enrich visitors who may not have encountered any other information about the site.

- PI-1.** **Kiosk.** A general information kiosk should be located near the entrance to the natural resource area. Should include a map, cues for behavior, greenway information, and general information about the natural resources at the site.

- PI-2.** **Trail Signs.** Small directional signs at some trail junctions should be provided which indicate the name of the trail and/or a destination. Trail signs might also remind users that trails are for pedestrians only.

- PF-3.** **Points of Interest.** Signs at key points of interest could be provided which call the visitors attention to significant natural resource features. These signs could also be related to other information available about the resource.

In addition to on-site information, other information pieces could be developed for distribution. This would provide the means for more in-depth information and the means for reaching potential park users.

- PI-4.** **Brochure.** A brochure could be developed which describes Spring Park and Peter Kerr Park, provides access information, and a map. It could also provide information about the Friends organization and volunteer opportunities.

- PI-5.** **Map.** A map should be developed which clearly indicates the access points, trails (with length and accessibility noted), and major points of interest.

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- PI-6.** **Self-Guided Tour.** A self-guided tour could be developed which would enrich the experience of the unaccompanied visitor. The self-guided tour could take the form of either a booklet or a tape or both. Tapes could be available from the local library.
- PI-7.** **Study Guide.** Study guides could be developed for Spring Park and Peter Kerr Park to assist teachers as the site is used for outdoor classroom purposes.

Public Service Management Actions

- PS-1. Park Agency Cooperation.** Continued cooperation between NCPD and Portland Parks and Recreation is recommended. The management plan should be used by both agencies to provide consistent policies and efficient services. The management plan's implementation schedule should be updated annually and the plan itself should be reviewed on a periodic basis.
- PS-2. Volunteer Participation.** Citizen participation should be encouraged as a means to accomplish many of the recommendations included in the management plan. Appropriate roles for volunteer and related non-profit organizations such as the Friends of Elk Rock Island Natural Area, the Portland Audubon Society, and scouting and school groups should continue and, if possible, expand. Volunteers should be encouraged to provide interpretive services; to assist with clean-ups, trail maintenance, and vegetation management; to assist with resource monitoring; and, if possible, to assist with fundraising for improvements recommended by the management plan.
- PS-3. Police Response.** Improved response by police agencies is recommended. Until Elk Rock Island is incorporated into the City of Milwaukie, a memo of understanding among Portland, Milwaukie, and Clackamas County police and 911 agencies should be developed to increase the speed and certainty of response. Should Elk Rock Island be incorporated into Milwaukie, cooperation among agencies should continue by memo of understanding.
- PS-4. Fire Protection.** Continued cooperation among fire protection agencies is encouraged. Response plans should be reviewed to ensure that all of Elk Rock Island Natural Area is adequately covered. The feasibility of prescribed burns should be pursued in conjunction with natural resource management recommendations.
- PS-5. Park Codes.** A park code system that can be efficiently enforced is recommended. A schedule of fines or bail system should be considered and, if feasible, implemented in order to avoid the costly and ineffective current system requiring arraignment and charge by the District Attorney in the District Court.

Implementation Schedule

Policy No.	POLICIES	Responsible Party	Priority	Schedule
1	Elk Rock Island Natural Area	Portland Parks, Milwaukie, NCPD	High	Effective upon plan adoption
2	Prohibited Traffic	"	"	"
3	Fire and Fireworks	"	"	"
4	Alcohol	"	"	"
5	Pets	"	"	"
6	Park Hours	"	"	"
7	Park Development	"	"	"
8	Incorporation of Elk Rock Island	Portland Parks, Milwaukie	"	1994-95

Implementation Schedule

Action No.	NATURAL RESOURCE MANAGEMENT ACTIONS	Responsible Party	Priority	Schedule
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<i>General Recommendations</i>				
NR-1	Resource Monitoring	Portland Parks, NCPD	High	1995 and ongoing
NR-2	Geographic Information System (GIS)	Portland Parks, NCPD, Metro	High	1995

<i>Elk Rock Island (Peter Kerr Park)</i>				
EMERGENT WETLAND				
NR-3	Plant Native Plants & Eradicate Loosestrife.	Portland Parks	High	
MESIC FOREST				
NR-4	Burn Understory	P Parks, Milwaukie Fire Dept.	Med.	
RIPARIAN				
NR-5	Remove Blackberries	Portland Parks	Med.	
ROCKFACE				
NR-6	Eradicate Scot's Broom & Reduce Cottonwood	Portland Parks	High	
WILLAMETTE VALLEY GRASSLAND				
NR-7	Burn Grassland	P Parks, Milwaukie Fire Dept.	Med.	June 1995, 98, 01
NR-8	Seed with Native Grasses and Forbs	Portland Parks	Med.	Fall 1995, 98, 01

Implementation Schedule

Action No.	NATURAL RESOURCE MANAGEMENT ACTIONS	Responsible Party	Priority	Schedule
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<i>Elk Rock Island (Continued)</i>				
XERIC FOREST				
NR-9	Reroute Elk Rock Island Trail	Portland Parks	Med.	
NR-10	Eradicate Scot's Broom	Portland Parks, Friends	High	1995 and ongoing

<i>Spring Park</i>				
EMERGENT WETLAND				
NR-11	Eradicate reed canarygrass and purple loosestrife in wetland area	NCPD	High	
NR-12	Fluctuate water levels in wetland area	NCPD	Med.	
NR-13	Plant native wetland species	NCPD	Med.	
RIPARIAN				
NR-14	Remove blackberries	NCPD	Med.	
NR-15	Reroute or boardwalk the trail to Elk Rock Island	NCPD	High	After Spring Park Master Plan

Implementation Schedule

Action No.	PUBLIC FACILITIES MANAGEMENT ACTIONS	Responsible Party	Priority	Schedule
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PF-1	Access	NCPD		
PF-2	Parking	NCPD, Portland Parks	Med.	
PF-3	Entrance	NCPD	High	
PF-4	Trails	NCPD, Portland Parks	High	
PF-5	Park Furnishings	NCPD	Med.	
PF-6	Playground	NCPD	Low	After Master Plan and within 10 years
PF-7	Fencing/Screening	NCPD	High	Interim

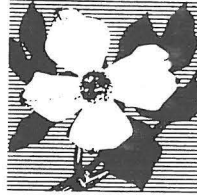
Implementation Schedule

Action No.	PUBLIC INFORMATION MANAGEMENT ACTIONS	Responsible Party	Priority	Schedule
PI-1	Kiosk	NCPD, Portland Parks	High	1995-97
PI-2	Trail Signs	NCPD, Portland Parks	High	1995-96
PI-3	Points of Interest	NCPD, Portland Parks	Low	2000-2010
PI-4/5	Brochure/Map	NCPD, Portland Parks	High	1995-96
PI-6	Self-Guided Tour	NCPD, Portland Parks	Med.	1996-98
PI-7	Study Guide	Portland Parks, NCPD, North Clackamas School District	Med.	1998-2000

Implementation Schedule

Action No.	PUBLIC SERVICE MANAGEMENT ACTIONS	Responsible Party	Priority	Schedule
PS-1	Park Agency Cooperation		High	
PS-2	Volunteer Participation		High	
PS-3	Police Response		High	
PS-4	Fire Protection		High	
PS-5	Park Codes		High	

CITY OF MILWAUKIE



COMMUNITY DEVELOPMENT
PUBLIC WORKS

6101 S.E. JOHNSON CREEK BLVD.
MILWAUKIE, OR 97206

TELEPHONE: 652-4410
FAX: 774-8236

CITY OF MILWAUKIE

COMMUNITY DEVELOPMENT DEPARTMENT

June 28, 1994

TO: Planning Commission Members

THRU: Maggie Collins, Community Development Director

FROM: Dave Krogh, AICP, Associate Planner *Dave*

RE: Public Hearing for Legislative Amendments to Revise Zoning and Subdivision Ordinances (ZA-94-05)

REQUESTED ACTION

That ZA-94-05, a legislative proposal to modify the variance and flag lot sections of the Milwaukie Subdivision Ordinance and to modify sections of the Milwaukie Zoning Ordinance pertaining to height and density variances be recommended to the City Council for approval based on findings included within the attached adoption ordinance.

BACKGROUND

The Planning Commission has already adopted new variance criteria within the Zoning Ordinance as part of ZA-94-01. ZA-94-05 is providing follow-up to that process and also providing a housekeeping amendment within the flag lot section of the Subdivision Ordinance to bring it into compliance with Uniform Fire Code provisions.

The Planning Commission held a public worksession for ZA-94-05 on June 14, 1994, and authorized this matter for public hearing on June 28.

RECOMMENDATION

That the Planning Commission recommend approval of ZA-94-05 to the City Council based on findings provided within the attached adoption ordinance.

EXHIBIT

1. Adoption Ordinance and Amended Language

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBER 1712, THE ZONING ORDINANCE, AND AMENDING ORDINANCE NUMBER 1440, (TITLE 17 OF THE MILWAUKIE MUNICIPAL CODE) THE SUBDIVISION ORDINANCE (ZA-94-05).

WHEREAS, the Milwaukie City Planning Commission initiated this project in order to provide clear and objective standards to the Variance process, and

WHEREAS, it is the intent of the City Comprehensive Plan that implementation ordinances be consistent and meet the intent of the processes and policies supported by the Comprehensive Plan, and

WHEREAS, public hearings were held on this matter by the City Planning Commission on June 28, 1994, and by the City Council on _____, 1994,

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Findings. Findings of fact in support of the proposed amendments are as follows:

1. Planning text amendments must meet the criteria of Sections 904 and 905 of the City Zoning Ordinance. These criteria are addressed in subsequent findings.
2. Section 904.1A. requires:

Applicable requirements of Section 1003.

Section 1003 requires a completed application and site plan. An application is included in File ZA-94-05; however, since this is a legislative text amendment, no site plan is required.

2. Section 904.1B. requires:

Reasons for requesting the proposed text amendments.

The Milwaukie City Planning Commission initiated the process to revise the variance criteria because the criteria is subjective and often requires interpretation. This was completed as part of ZA-94-01. ZA-94-05 is intended to insert the new variance criteria within the Subdivision Ordinance for consistency, to amend the flag lot section to bring it into compliance with Uniform Fire Code provisions regarding turnarounds, and to eliminate references within the Zoning Ordinance to height and density variance references which were eliminated by ZA-94-01.

3. Section 904.1C. requires:

Explanation of how the proposed text amendment is consistent with other provisions of this Ordinance.

Ordinance No. _____

The proposed text amendments shown in Exhibit A and B. provide clearer and consistent language for zoning and subdivision variance processes, provide compliance with provisions for turnarounds within the Uniform Fire Code, and insure consistency of requirements within the overall text of the Zoning and Subdivision Ordinances.

4. Section 904.1D. requires the following be satisfied.

The approval criteria of Section 905.

These criteria are satisfied in subsequent findings.

5. Section 905.1A. requires:

The proposed amendment must conform to applicable Comprehensive Plan goals, policies, and objectives and be consistent with the provision of City ordinances.

Objective 2 of the Plan Review and Amendment Process Chapter within the Comprehensive Plan requires the Comprehensive Plan be implemented through appropriate ordinances and action.

Modifications to these sections of the Zoning and Subdivision Ordinances will have the effect of making the variance and flag lot processes more appropriate and easier to implement because of the use of clearer objectives and standards. This will reduce the possibility of conclusions or decisions that are discretionary in nature and make the decision process more understandable to both the public and decision makers.

By revising these sections, variance and flag lot processes will also be implemented "more appropriately," thus meeting the intent of Objective 2.

6. Section 905.1B. requires:

The anticipated development must meet the intent of the proposed zone, taking into consideration the following factors: site location and character of the area, the predominant land use pattern and density of the area, the potential for mitigation measures adequately addressing development effects, any expected changes in the development pattern for the area, the need for uses allowed by the proposed zone amendment, and the lack of suitable alternative sites already appropriately zoned for the intended use or uses. The Planning Commission and City Council shall use its discretion to weight these factors in determining the intent of the proposed zone.

The factors mentioned relate to a physical development proposal and are not applicable for a legislative text amendment.

Ordinance No. _____

7. Section 905.1C. requires:

The proposed amendment will meet or can be determined to reasonably meet applicable regional, State, or federal regulations.

Variations are not specifically addressed by regional, State, or federal regulations. However, court case records have held that local government processes must include "clear and objective standards." The primary intent of this amendment is to provide clarification to the variance process in the form of "clear and objective standards."

Secondarily, flag lot turnaround provisions within the Subdivision Ordinance are currently inconsistent with provisions within the Uniform Fire Code. The proposed changes eliminate inconsistencies.

8. Section 905.1D. requires:

The proposed amendment demonstrates that existing or planned public facilities and services can accommodate anticipated development of the subject site without significantly restricting potential development within the affected service area.

This criterion is not applicable as it relates to a specific development proposal rather than to a text amendment.

Section 2. Zoning Ordinance Text Amendments. The Zoning Ordinance text of Ordinance Number 1712 is amended as described in Exhibit A.

Section 3. Subdivision Ordinance Text Amendments. The Subdivision Ordinance Number 1440 (Title 17 of the Milwaukie Municipal Code) is amended as described in Exhibit B.

Read the first time on _____, 1994, and moved to a second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____, 1994.

Signed by the Mayor on _____, 1994.

Craig Lomnicki, Mayor

Ordinance No. _____

ATTEST:

Pat Duval, City Recorder

Approved as to form:

O'Donnell Ramis Crew & Corrigan
City Attorney

EXHIBIT A

1. To remove any remaining references to height and density variances consistent with amendments already taken as part of ZA-94-01. To accomplish this the following minor amendments are needed:
 - a. Remove "but higher structures may be permitted under the provisions of Section 707" from Section 306.3G within the R-2 Zone Section of the Zoning Ordinance.
 - b. Remove "The residential density may be increased...according to the provisions of Section 708" from Section 307.3A of the R-1-B Zone Section within the Zoning Ordinance.
 - c. Remove "but higher structures may be permitted under the provisions of Section 707" from Section 307.3G within the R-1-B Zone Section of the Zoning Ordinance.
 - d. Remove "but higher structures may be permitted under the provisions of Section 707" from Section 308.3G within the R-1 Zone Section of the Zoning Ordinance.
 - e. Remove "The residential density may be increased...according to the provisions of Section 708" from Section 309.3A of the R-O-C Zone Section within the Zoning Ordinance.
 - f. Remove "but higher structures may be permitted under the provisions of Section 707" from Section 309.3G within the R-O-C Zone Section of the Zoning Ordinance.
 - g. Remove "but higher structures may be permitted under the provisions of Section 707" from Section 311.3I within the C-L Zone Section of the Zoning Ordinance.
 - h. Remove "but higher structures may be permitted...under the provisions of Section 707" from Section 312.3I within the C-C Zone Section of the Zoning Ordinance.
 - i. Remove "but higher structures may be permitted...under the provisions of Section 707" from Section 313.3I within the C-G Zone Section of the Zoning Ordinance.
 - j. Remove "but higher structures may be permitted under the provisions of Section 707 provided solar access is not restricted for adjacent properties" from Section 324.6H within the BI Zone Section of the Zoning Ordinance.

1. To modify the variance process within the Subdivision process so that it is the same as that within the Zoning Ordinance (as modified by ZA-94-01). This can be accomplished by changing Section 17.44.020 within the Subdivision Ordinance as follows (**new language bold and capped**, deleted language struckover):

17.44.020. Variance-Application. When necessary, **the Community Development Director or the Planning Commission may authorize variances to standards within the Subdivision Ordinance following the criteria of Section 702 of the Zoning Ordinance. Process procedures shall be those of Section 1013 of the Zoning Ordinance. In granting a variance, the Planning Commission or Community Development Director may attach conditions which it finds necessary to lessen the impact of the variance on nearby property, protect the general welfare of the City, and achieve the purposes of this Ordinance.** ~~the Planning Commission may authorize variances to the requirements of this Ordinance, per Section 10.05(C), Minor Quasi-Judicial Review, of Ordinance 1712, the Zoning Ordinance. Application for a variance shall be made by petition of the subdivider, stating fully the grounds for the application. The petition shall be filed with the preliminary plat of the subdivision. Before a variance may be granted, the Planning Commission shall first determine:~~

- ~~A. That there are special conditions affecting the property that are not common to all property in that area;~~
- ~~B. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner and extraordinary hardship would result from strict compliance with these regulations because of the special conditions affecting the property.~~
- ~~C. That the variance complies with the spirit and intent of these regulations and will not be injurious to other property in the vicinity or otherwise detrimental to the public health, safety, or welfare.~~

Change flag lot provisions within the Subdivision Ordinance as follows:

1. Replace Section 17.32.040B with the following:

For any flag lot, the minimum width of the access strip will be fifteen feet, twelve feet of which must be paved for the full width of the access strip. The entire length of the access strip shall be kept clear of obstructions to access. These minimum standards may be increased if the Community Development Director determines such is necessary to guarantee adequate and safe access. A paved turnaround area, or other requirements intended to provide for emergency accessibility or reduced fire potential, may be required by the Fire Marshal to meet provisions of the Uniform Fire Code. In such a case, turnaround standards or other requirements of the Fire Marshal, shall be provided by the Fire Marshal.

2. Replace the third and fourth sentences of Section 17.32.040C (starting with the sentence "Within the joint access strip") with the following:

Within the joint access strip, a common driveway with a minimum paved width of twenty feet shall be provided which extends from the street to the deepest parcel. At the end of the joint access easement, a paved turnaround area, or other requirements intended to provide for emergency accessibility or reduced fire potential, may be required by the Fire Marshal to meet provisions of the Uniform Fire Code. In such a case, turnaround standards or other requirements of the Fire Marshal, shall be provided by the Fire Marshal.

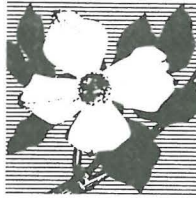
3. Modify the first sentence of Section 17.32.040D as follows:

Proposed flag lots shall be referred to the Public Works Department and the Fire Marshal's Office for review and recommendation or decision on appropriate improvements and other requirements to be provided by the applicant.

DK:MC:jpg

Note: **Bold/capped and overstruck versions will be prepared and provided, for both Exhibits A and B, at the public hearing of June 28, 1994.**

CITY OF MILWAUKIE



**COMMUNITY DEVELOPMENT
PUBLIC WORKS**

6101 S.E. JOHNSON CREEK BLVD.
MILWAUKIE, OR 97206

TELEPHONE: 652-4410
FAX: 774-8236

CITY OF MILWAUKIE

COMMUNITY DEVELOPMENT DEPARTMENT

**PLANNING COMMISSION WORK SESSION #2
June 28, 1994**

**SUBJECT: REZONING OF PROPERTY CURRENTLY UNDER COUNTY
ZONING REGULATIONS**

STAFF: JIM CRUMLEY, ASSOCIATE PLANNER

The rezoning project has been placed on temporary hold until conflicts with Section 206 of the Zoning Ordinance and potential conflicts the Comprehensive Plan and Growth Management Agreements have been resolved.