

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, March 27, 2012
6:30 PM**

COMMISSIONERS PRESENT

Lisa Batey, Chair
Nick Harris, Vice Harris
Chris Wilson
Mark Gamba
Scott Churchill
Russ Stoll
Clare Fuchs

STAFF PRESENT

Katie Mangle, Planning Director
Ryan Marquardt, Associate Planner
Li Alligood, Assistant Planner
Justin Gericke, City Attorney

COMMISSIONERS ABSENT

1.0 Call to Order – Procedural Matters*

Chair Batey called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

***Note:** The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.ci.milwaukie.or.us/meetings>.*

2.0 Planning Commission Minutes

3.0 Information Items

Katie Mangle, Planning Director, introduced the new member of the Planning Commission, Shaun Lowcock.

4.0 Audience Participation –This is an opportunity for the public to comment on any item not on the agenda. There was none.

5.0 Public Hearings

- 5.1 Summary: Residential Development Standards *continued from 3/13/12*
Applicant: City of Milwaukie
File: ZA-11-03
Staff: Li Alligood and Ryan Marquardt

Chair Batey opened the public hearing for ZA-11-03 and read the conduct of continued legislative hearing into the meeting record.

Ms. Mangle noted the Commission would review and discuss the list of topics and issues received from the Commissioners, provide direction to staff, and staff would be available to provide background and further information as requested.

The list of issues discussed was as follows:

Commercial Uses as Conditional Uses in Residential Zones – The Commission agreed that further discussion and outreach regarding this topic was needed. It was decided to keep the current policy and defer this part of the proposal.

Cottage Clusters in Single-Family Residential Zones – Staff clarified that since cottage clusters use was a type of multi-family use, it was grouped with the multi-family discussion. Allowing cottage clusters in SFR zones had not been discussed previously within the scope of the project and to add it would require significant adjustments and outreach.

Although the Commission supported cottage clusters, they understood how density change would occur within lower density zones and agreed not to include allowing cottage clusters in lower density zones.

Single-Family Residential Design Standards

- Expansion Threshold – Currently, a 300sf addition of new façade did not trigger review and design standards requirements.

The Commission directed staff for the proposal to read: an addition of less than 75sf addition, no windows were required; a 75-200sf addition would require 15% windows for the addition; an equal or greater to 200sf addition full design standards would apply, including articulation, 15% window requirement, and main entrance standards.

- Articulation Menu – The Commission directed staff to expand the articulation standards list.

Required Vegetation of Required Front Yard – The Commission directed staff to increase the proposed 30% minimum to 40% minimum landscaping for the required front yard setback area.

Buy America – Staff noted that applying this standard would be difficult to administer. The Commission agreed that it was a great idea but may not belong in the zoning code. They agreed to send a letter of support to City Council and table it as a future project as more fine-tuning work needed to be done.

Garage Door Width – The proposed width was 50% linear measurement and staff noted the general standard in the city was between 35 to 40%, so 50% would be sufficient. The Commission directed staff to look at impacts of decreasing the proposal to 40% and allowing for a 2-car garage and a variance up to 50%.

Eyes on the Street Variance – Agreed to keep as proposed with 15% window requirement of façade which included doors and 50% of garage door windows.

Chair Batey assured that this project in no way was creating increased density or changing zoning.

Accessory Structures

- Tarps/Temporary Materials Structures – Staff noted that currently, temporary structures were allowed to be seen from the right-of-way or in the front yard for a 3-month period. If it was not removed after 3 months, the code compliance process would begin. If they were not viewable from the street, they were not regulated. This issue was more of a policy question for the Commission and City Council.

The Commission directed staff to bring back a proposal for an outright ban, with a refined definition of temporary structures and an exception for greenhouses.

- Barns – The Commission agreed to leave as proposed but directed staff to investigate ways to limit barns to agricultural uses.
- Rooftop Wind Systems – The Commission agreed to leave as proposed but asked staff to bring back pictures of examples.
- Rain Cisterns – The Commission agreed to leave as proposed.
- Guest House – Staff clarified ‘guest houses’ as dwelling units without kitchens and should not be occupied on a permanent basis. The Commission agreed to leave as proposed.
- Minimum Setbacks for Accessory Structures – Discussed the impacts of accessory structures with small setbacks. Staff reminded that 5ft was the current side setback for the primary structure. Commission directed staff to return with pictures or examples of large structures in rear yards.

Multifamily Amenities

- The topic was prompted by comments from Jean Baker. The Commission agreed to review her comments and the current code and proposal before discussing options further.

Commissioner Gamba moved to continue the public hearing for legislative application ZA-11-03 to April 10, 2012. Commissioner Fuchs seconded the motion, which passed unanimously.

6.0 Worksession Items – None

7.0 Planning Department Other Business/Updates

7.1 Office Elections

Commissioner Gamba moved to continue the current Planning Commission leadership. Vice Chair Harris seconded the motion, which passed unanimously.

8.0 Planning Commission Discussion Items

Commissioner Churchill asked for further clarification regarding the new position of Planning Commission alternate.

Chair Batey thanked Commissioner Stoll for his insight and tenure on the Planning Commission.

Commissioner Fuchs noted she met with the Portland State University students and walked the corridors identified in the Neighborhoods Main Street project, and the tour was productive.

9.0 Forecast for Future Meetings:


Ms. Mangle noted that on April 10, Mr. Marquardt will provide a brief update on the Neighborhoods Main Street project.

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|----------------|---|
| April 10, 2012 | 1. Worksession: North Clackamas Park North Side Master Plan <i>tentative</i> |
| April 24, 2012 | 1. Public Hearing: CSU-12-01 5555 SE King Rd Royalton Place Signage |

Meeting adjourned at approximately 9:48 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Lisa Batey, Chair



AGENDA

MILWAUKIE PLANNING COMMISSION Tuesday March 27, 2012, 6:30 PM

**MILWAUKIE CITY HALL
10722 SE MAIN STREET**

- 1.0 Call to Order - Procedural Matters**
- 2.0 Planning Commission Minutes** – Motion Needed
- 3.0 Information Items**
- 4.0 Audience Participation** – This is an opportunity for the public to comment on any item not on the agenda
- 5.0 Public Hearings** – Public hearings will follow the procedure listed on reverse
 - 5.1 Summary: Residential Development Standards *continued from 3/13/12*
Applicant: City of Milwaukie
File: ZA-11-03
Staff: Li Alligood and Ryan Marquardt
- 6.0 Worksession Items**
- 7.0 Planning Department Other Business/Updates**
 - 7.1 Officer Elections
- 8.0 Planning Commission Discussion Items** – This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 Forecast for Future Meetings:**
 - April 10, 2012 1. Worksession: North Clackamas Park North Side Master Plan *tentative*
 - April 24, 2012 1. Public Hearing: CSU-12-01 5555 SE King Rd Royalton Place Signage

Milwaukie Planning Commission 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

1. **PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email planning@ci.milwaukie.or.us. Thank You.
2. **PLANNING COMMISSION MINUTES.** Approved PC Minutes can be found on the City website at www.cityofmilwaukie.org
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at www.cityofmilwaukie.org
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
5. **TME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

Public Hearing Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Commissioners.

1. **STAFF REPORT.** Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** Prior to the close of the first public hearing, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.

Milwaukie Planning Commission:

Lisa Batey, Chair
Nick Harris, Vice Chair
Scott Churchill
Chris Wilson
Mark Gamba
Russ Stoll
Clare Fuchs

Planning Department Staff:

Katie Mangle, Planning Director
Susan Shanks, Senior Planner
Brett Kelter, Associate Planner
Ryan Marquardt, Associate Planner
Li Alligood, Assistant Planner
Alicia Martin, Administrative Specialist II



MILWAUKIE

Dogwood City of the West

To: Planning Commission

Through: Katie Mangle, Planning Director

From: Li Alligood, Assistant Planner
Ryan Marquardt, Associate Planner

Date: March 20, 2012, for March 27, 2012, Public Hearing

Subject: File: ZA-11-03, CPA-11-04

File Types: Zoning Ordinance Amendment, Comprehensive Plan Amendment

Applicant: Katie Mangle, Planning Director, City of Milwaukee

ACTION REQUESTED

Continue the public hearing for application ZA-11-01. Take additional public testimony if presented, hold deliberations, and provide direction to staff regarding desired revisions.

BACKGROUND INFORMATION

On February 28, 2012, the Planning Commission opened the public hearing on the application. The Commission heard presentations from staff, took public testimony, and continued the public hearing to March 13, 2012. At the March 13, 2012, public hearing, the Commission heard a presentation from staff and took additional public testimony. The Commission closed the public testimony portion of the hearing but agreed to hear additional testimony if more people come forward at the next meeting. The Commission continued the hearing to March 27, 2012, and did not direct staff to prepare any revisions to the proposed amendments.

Commissioners are encouraged to contact staff in advance of the hearing with any questions or requests for additional information for the March 27 hearing.

COMMENTS

The following is a summary of the comments received by the City since the March 13, 2012, public hearing. See Attachment 1 for further details. Staff will continue to collect comments and will provide them to the Commission at the March 27 public hearing.

- **Justin Wood, Government & Builder Relations Manager, Home Builders Association of Metro Portland:** Concerns about the impact of design standards on housing variety.

ATTACHMENTS

Attachments are provided only to the Planning Commission unless noted as being attached. All material is available for viewing upon request.

1. Public Comments (attached)

Alligood, Li

From: Justin Wood <justinw@hbapdx.org>
Sent: Monday, March 19, 2012 10:05 AM
To: Alligood, Li
Subject: RE: HBA - Design Standard Comments

Li, please submit this as my statement to the planning commission –

In reviewing the testimony from the last planning commission meeting, I believe Mr. Smelser has made a good case for several changes that should be considered. I believe the setbacks and floor area ratios are generally acceptable and consistent with neighboring jurisdictions. However, design standards in many cases hamper the ability to create a variety of housing choices in a neighborhood. Many of the beautiful older neighborhoods throughout our area were built with no design standards whatsoever and this allowed us to have a diverse neighborhood without cookie cutter homes side by side. Typically the more design standards placed on new homes, the harder you will make it for a diversity of housing stock. I would caution the City to be careful in the amount of design standards it implements, as it will eliminate variety and choice.

After talking some more with Mr. Smelser today, he brings up a very good point. If there are 4 options and a new home must choose 2 – a front balcony and a bay window are far more expensive than a front porch or a 2' offset. So basically every home will choose the porch and offset as it will be the most cost effective option. This further illustrates the point regarding having all homes look the same.

Thanks,

Justin Wood

Government & Builder Relations Manager
Home Builders Association of Metro Portland
(503) 684-1880
(503) 684-0588 fax
(503) 997-7966 cell

Your HBA membership could be worth thousands! Being an HBA member means getting huge discounts on employee health insurance, fuel, cell phones and more. Your membership doesn't just pay for itself. It can pay you back. [Click here](#) to find out how to get the most from your HBA membership.

Connect with us on [Facebook](#), [Twitter](#), and [LinkedIn](#)!

From: Alligood, Li [mailto:AlligoodL@ci.milwaukie.or.us]
Sent: Monday, March 19, 2012 8:43 AM
To: Justin Wood
Subject: RE: HBA - Design Standard Comments

Hi Justin,

I'm not at liberty to revise your comment, but if you would like to revise it yourself I would be happy to share them with the Planning Commission.

Thanks,