

CITY OF MILWAUKIE
MINUTES OF PLANNING COMMISSION
SPECIAL MEETING

October 6, 1980

Members in Attendance:

Leo Bauman
Bob Gudge
Bob Kennedy
Jim Lots
Don Trotter, President

Member Excused: George Cathey

Also Present:

Steve Hall, Director of Public Works
Topaz Faulkner, Assistant Planning Director
Jon Stein, Assistant Planner
Pat Bullock, Secretary

Member unexcused: Tom Bond

1. CALL TO ORDER

The October 6, 1980, special meeting of the Milwaukie Planning Commission was called to order at 6:33 p.m. by Chairman Don Trotter.

The purpose of the meeting is to consider deleting 15 words from the City Comprehensive Plan in Objective 5, Housing Choice, Planning Concept. The phrase is:

"... as well as reducing the potential impact on homeowners currently residing in the areas to be rezoned."

This phrase was added after the Metro review of the Comprehensive Plan by the consulting firm with John Spencer being the principal in charge.

Topaz Faulkner reported that the request for this deletion came up at the September 4 L.C.D.C. meeting that she and Steve Hall attended and there was a lengthy discussion at that time. The objection was raised by two different groups. Primarily, however, the L.C.D.C. was considering their (L.C.D.C.) staff's report which indicated a concern that these 15 words implied the potential of discretionary action by the City. This could result in citizens believing that they could come in and object to a rezoning based on subjective impact. The L.C.D.C. was very concerned that this could become a de facto standard involved in the rezoning process. If it did, we would be in violation of Housing Goal 10. The amendment process to delete these words would avoid any possible misunderstandings on the part of citizens as well as the potential for discretionary action.

Steve Hall said part of the problem is defining what are adequate facilities. Including the standards we have, that were accepted by L.C.D.C., we have set criteria that gives us a general idea or a concept of what adequate facilities are and guidelines for upzoning and, also, allowing the landowner the option of upzoning when they so desire.

Don Trotter reported that the letter from the L.C.D.C. report on the Comp Plan stated that there were two ways that the City can eliminate L.C.D.C.'s objections to it: one was to rezone immediately and the other was to develop a rezoning process. At that point in time, the City opted to follow through with the parcel by parcel rezoning process. The City added a paragraph under the planning concept which indicated that the City of Milwaukie will not immediately zone all high density land for maximum development.

The City Council has already adopted a method in the Comp Plan for rezoning as facilities become available and applications are submitted by landowners. The main discussion tonight is whether we want to delete that sentence which L.C.D.C. feels gives us some arbitrary way of denying upzoning.

The property that is affected is all residential. It is, in part, the residential area now known as the Hillside ROC area.

Topaz reported that the discussion now concerns the housing goal and the higher density areas indicated on the Comp Plan. The commercial aspect has never come up in the discussions. Kellogg Creek is one of the major areas discussed in Salem by L.C.D.C. There are some smaller parcels of land along Harrison, Monroe, and in the Ardenwald area that would be increased in density. All parcels will be rezoned from low and medium density to high density on a case by case basis. Also, one large parcel next to Waverly Greens, that is currently R-10, would be upzoned to high density.

Bob Gudgeal expressed concern as to whether or not we should allow L.C.D.C. to dictate this sort of thing.

Trotter stated that he didn't see where deleting the 15 words had any impact on the upzoning process. In his opinion, it deletes potential ambiguities. The City still has the criteria based on adequate facilities.

Lotz stated that, if we have a hearing for a rezoning, which we will have to have, people will come up and say that it is a narrow street, traffic hazard, etc., and by the current wording, we will say that this doesn't have anything to do with the impact on the residential area.

Trotter replied that he did think that would apply as we do say in our criteria that adequate public facilities exist or can be provided in accordance with City plans and standards. It would have to be full width public streets to be an adequate public facility. If not, then the comment from the neighbors would be a reason to deny the rezoning.

Steve Hall reminded the members that the Comp Plan has been through extensive hearings, notification throughout the city, public meetings, neighborhood councils, and that was the time for people to comment. A lot of people did and there were a lot of discussions where changes were made. Neighborhoods and individuals have had their changes to comment and the Comp Plan has gone through


3 years of public hearing and input. The Comp Plan has essentially set the zoning potential in concrete with the exception of the criteria that Don Spoke about. These 15 words are not in the criteria but are actually in the planning concept. It is an individual point of "how far do you go with public input before you have had enough." The City has been through long, arduous hearings.

Trotter reminded the Commission that the words had been added since May. So, therefore, there has been really very little input from the public on this particular statement because the attendance at the public hearing was very small. There was only one lady there and she was concerned that they were rezoning areas rather than establishing criteria for rezoning. Once the Commission explained the purpose of the hearing, she got up and left. The public input the Commission has had was prior to the insertion of this sentence.

IT WAS MOVED by Bob Kennedy and SECONDED by Bob Gudgeal to recommend to the City Council to delete the 15 words as written.

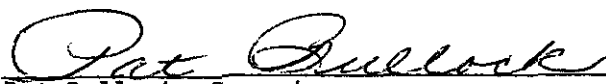
MOTION CARRIED UNANIMOUSLY.

The meeting was adjourned at 6:55 p.m.



Donald L. Trotter, President

ATTEST:



Pat Bullock, Secretary