



## MILWAUKIE PLANNING

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# What to do with a land use notification

The land use notification process plays a crucial role in fostering transparency and community involvement in decisions that shape our built environment. As somebody interested in their community, it is essential to be aware of why these notifications are sent and how you can participate effectively in the review process. By understanding the purpose behind these notifications and taking appropriate action, you can make a meaningful contribution to the decision-making process that directly impacts the land use in your community.

## Why We Send Notifications

Notifications regarding land use changes are sent to inform residents and stakeholders about proposed developments or alterations in land use regulations. State laws and the Milwaukie Municipal Code include detailed procedures for notifying relevant stakeholders based on the application's review type (discussed more below). The purpose is to ensure that all interested parties can provide feedback, express concerns, and offer support for the proposed changes. This notification process is designed to facilitate an open dialogue between decision-makers and the community, allowing for a more inclusive and comprehensive decision-making process.

## What to Do with Notifications

Upon receiving a land use notification, it is essential to review the provided information carefully. Take the time to understand the nature of the proposed change, its potential impact on the community, and the relevant deadline for submitting feedback or attending public hearings. Consider discussing the notification with your neighborhood district association, or relevant stakeholders to gather diverse perspectives and insights. If you have concerns or questions, reach out to the Milwaukie Planning Division contact listed on the notification under *Staff Contact*. For Type III applications and above, there will be a public meeting, attending public meetings or hearings related to the proposed land use changes can provide an opportunity to engage directly with decision-makers and express your views.

## Focus on the Approval Criteria

It is essential to review the approval criteria listed on the notification to gain a comprehensive understanding of the scope of the review process. Decision-makers can only evaluate a proposal based on the established approval criteria. It is crucial to recognize that not every aspect of a proposal is open for debate or discussion. By carefully examining the approval criteria, you can confine your comments and feedback to the available evidence and the specific factors that decision-makers will consider. This approach ensures that your engagement is effective and directly addresses the relevant aspects of the proposal. By aligning your input with the approval criteria, you can provide valuable insights and contribute to a more focused and informed decision-making process.

## Taking an Active Role in Shaping Land Use Decisions

If you're passionate about shaping the overall direction of land-use decisions in your community, it is crucial to take a proactive approach by engaging with the City's comprehensive planning work and other longer-term policy-oriented projects. These initiatives lay the foundation for future parcel-specific land-use decisions and provide an opportunity to influence the broader vision and goals of your community. Contact Planning Staff if you'd like to know more about upcoming or ongoing policy projects.

### **Accessing Application Materials on the City Website**

The notification you receive will include a link to an application webpage posted on the city's website (the link is located at the bottom of the first page). There, you can access essential resources related to the proposal, such as the applicant's application materials (such as site plans), allowing you to review the specifics of the proposal in detail. Additionally, you will find a copy of the land use notification you received. In the case of a public hearing, the website will also host the staff report, which summarizes the staff's analysis of the proposal based on the established approval criteria. This report, posted one week before the public hearing, provides valuable insights and a comprehensive evaluation of the proposal's compliance with the criteria. Utilizing these resources empowers you to make informed decisions and contribute effectively to the land-use decision-making process.

### **Key Concepts for Decoding Land Use Notifications**

1. Understanding the Milwaukie Municipal Code

The Milwaukie Municipal Code serves as the comprehensive guidebook for all rules and regulations related to development and land-use review procedures within the city. It outlines the specific requirements and procedures that govern land-use decisions. When receiving a land use notification, referring to the applicable sections of the Milwaukie Municipal Code will provide essential information and context for understanding the proposal and the review process. The applicable code sections are listed on the notification under *Applicable Criteria*. The code can be accessed at [https://library.qcode.us/lib/milwaukie\\_or/pub/municipal\\_code](https://library.qcode.us/lib/milwaukie_or/pub/municipal_code).

2. Zoning and Development Standards:

Zoning plays a fundamental role in land use decisions. The Milwaukie Municipal Code assigns specific zoning designations to different areas within the city. Each zoning designation defines permitted uses and sets development standards, including requirements related to setbacks, building heights, lot coverage, parking, and other relevant factors. By referring to the zoning regulations associated with the proposed project, you can better understand the specific constraints and guidelines that shape the development within a particular area.

3. Types of Review and their Implications:

The type of review assigned to a project is typically determined by its complexity and potential impact on the community. Understanding the different types of review is crucial for comprehending the notification process and the level of public engagement involved. The type of review can determine who receives notifications, who makes the final decision, whether there will be a public hearing, and how to provide comments or feedback. By identifying the specific type of review associated with a proposal (I-V), you can tailor your involvement and input accordingly, ensuring effective participation in the decision-making process. The review type is listed at the top of each notification and listed under *Applicable Criteria*. On the next page, Table 1 summarizes the differences between the reviews.

**Table 1. Differences in Review Types**

	<b>Type I</b>	<b>Type II</b>	<b>Type III</b>	<b>Type IV</b>	<b>Type V</b>
<b>Notice</b>	No notice is provided	Yes	Yes	Yes	Yes
<b>Who's Noticed?</b>	N/A	NDA & Properties within 300 feet	NDA & Properties within 300 feet	NDA & Properties within 300 feet	Who gets notified depends on the proposal.
<b>Comments</b>	No comments	Written comments – must comment within 14 days of notice mailing	Public Hearing Testimony (Written <u>or</u> in person)	Public Hearing Testimony (Written <u>or</u> in person)	Public Hearing Testimony (Written <u>or</u> in person)
<b>Decision Maker</b>	Planning Manager	Planning Manager	Planning Commission	City Council	City Council
<b>Public Hearing?</b>	No hearing	No hearing	Yes	Yes	Yes
<b>Appeal to</b>	Planning Commission	Planning Commission	City Council	Oregon Land Use Board of Appeals	Oregon Land Use Board of Appeals
<b>Example(s)</b>	Land use approval extension	Fence height	Vacation rental/building height	Planned developments	Amendments to zoning code

**Tips for Writing Testimony for a Proposal**

- Review the notification and accompanying materials to understand the approval criteria.
- Focus your testimony on addressing the specific approval criteria.
- Provide relevant evidence, facts, data, or personal experiences to support your points.
- Be clear, concise, and organized in presenting your testimony.
- Stay focused on how the proposal aligns or diverges from the established criteria.
- Contact Milwaukie Planning staff with questions and for help.

**Tips for Providing Testimony In Person**

- Introduce yourself and any relevant affiliations or expertise.
- Clearly state your position on the proposal and its alignment with the approval criteria.
- Structure your remarks around the specific factors outlined in the notification, applicant materials, and staff report.
- Support your points with evidence, such as examples, studies, or expert opinions.
- Remain respectful, concise, and mindful of the time allotted for testimony.