

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, APRIL 26, 2016
6:30 PM**

COMMISSIONERS PRESENT

Sine Adams, Chair
Shaun Lowcock, Vice Chair
Shane Abma
Adam Argo
Greg Hemer

STAFF PRESENT

Denny Egner, Planning Director
David Levitan, Senior Planner
Keith Liden, Temporary Planner
Dan Olsen, City Attorney

COMMISSIONERS ABSENT

Shannah Anderson
Scott Barbur

1.0 Call to Order – Procedural Matters

Chair Adams 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.milwaukieoregon.gov/meetings>.*

2.0 Planning Commission Minutes – There were none.

3.0 Information Items

Denny Egner, Planning Director, noted City Council had adopted a No Cause Eviction regulation and declared a housing emergency based on the increasing difficulty to find affordable housing in Milwaukie. The No Cause Eviction regulation required landlords to provide a 90-day notice to evict a tenant without cause.

Mr. Egner first introduced the new Senior Planner, David Levitan.

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: 55th Ave Partition
Applicant/Owner: Trisha Clark, NW Planning/Joseph Taylor, Wildcard Investments LLC
Address: 10722 SE 55th Ave
File: MLP-2015-004, VR-2016-001
Staff: Keith Liden

Chair Adams called the hearing to order and read the conduct of quasi-judicial hearing format into the record.

Commissioner Hemer declared that he had assisted at the Linwood Neighborhood District Association (NDA) meeting with reading the proposal and answered questions for the group.

Keith Liden, Temporary Planner, presented the staff report via PowerPoint. He reviewed the proposal that involved dividing the existing lot into two parcels; the variance request was for the minimum rear yard setback and minimum lot size for Parcel 1 with the setback within the subject property. Staff recommendation was for approval for both the partition and variance, with a condition for a minimum 7,000 sq ft lot size and allow for a further reduction of the rear yard setback to 5 ft. He reviewed the decision-making options and comments received.

Chair Adams called for the applicant's testimony.

Trisha Clark, PO Box 230121 Portland OR 97281, represented the property owner. She summarized the changes that have occurred with the application including the parcel orientation and roadway access, and noted that the need for a variance was not indicated at the preapplication conference. She described other details regarding stormwater management and easements.

Chair Adams closed the public testimony.

It was moved by Commissioner Hemer and seconded by Commissioner Argo to approve MLP-2015-004, VR-2016-001 for 10722 SE 55th Ave with the findings and conditions as amended. The motion passed unanimously.

6.0 Worksession Items

- 6.1 Summary: Comprehensive Plan Visioning Update
Staff: David Levitan

David Levitan, Senior Planner, introduced himself and gave an overview of the project to update the Comprehensive Plan (Comp Plan). The current Comp Plan was adopted in 1989 and has had minor revision since. Conditions have changed in the city and City Council directed staff to begin a 3-year process to update the Comp Plan. Currently, several technical studies were being done, an Economic Opportunities Analysis, Housing Needs Analysis, and a Buildable Lands Inventory, to guide the process. He described the intent and process of each study, and the advisory groups involved. The next step would be to develop a Community Vision and Action Plan. A Request for Proposals was currently posted.

Mr. Levitan noted that Council directed staff to develop a Community Vision and Action Plan over the next year. The Vision would be an aspirational document and the Action Plan would detail how the City would achieve the vision. There would be extensive community outreach and involvement, including an advisory group. He described the relationship between the Vision and the Comp Plan.

Mr. Egner noted that the Action Plan was broader than only a land use document; it included direction such as neighborhood outreach, public safety, resilience-related issues, etc., that would involve different departments as well. He added the City had received a grant for the North Milwaukie Industrial Area project, a project that would also feed back into the Comp Plan process.

Mr. Levitan asked for direction from the Commission on if the Vision Project Advisory Group should transition into the Comprehensive Plan Review Committee, as the current Comp Plan called for creating the latter group during a major update. He also asked if the Commissioners had suggestions on potential outreach methods for the visioning process. He noted that it was important to establish a diverse and representative public outreach program for the community.

Staff answered questions from the Commission and the group discussed the advisory groups, the project's timeline, review of the RFP, and previous visioning work through other projects.

6.2 Summary: Marijuana Business Code Amendments
Staff: Denny Egner

Mr. Egner noted the hearing for the code amendments was scheduled for May 24. He reviewed the draft amendments which included regulations for the different types of marijuana businesses that the Oregon Liquor Control Commission (OLCC) regulates as well as home recreational and medicinal grow sites. The regulation that required medicinal marijuana dispensaries to be located 1,000 ft apart would apply to recreational retail outlets as well. The proposal allowed for testing labs and research facilities in office and industrial zoned areas. An addition to be made was regarding odor control. Any production or processing facilities and warehousing would be allowed in the industrial and manufacturing zones. He reviewed other items included in the amendments such as energy use for lighting for grow sites, colocation of production and retail, and home occupation standards for home medical grow sites.

Mr. Egner answered questions from the Commission about warehousing, production, and processing.

7.0 Planning Department Other Business/Updates

8.0 Planning Commission Updates and Discussion Items

Commissioner Hemer noted that May 7th was the Milwaukie plant sale day, with plant sales at the Ledding Library Pond House, Annie Ross House, Oak Lodge and Oak Grove garden clubs, and at the Milwaukie Historic Museum. There also would be a book sale at the museum.

9.0 Forecast for Future Meetings:

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| May 10, 2016 | 1. Cancelled |
| May 24, 2016 | 1. Public Hearing: WG-2016-001 11906 SE 19 th AVE
2. Public Hearing: Marijuana Business Code Amendments |

Meeting adjourned at approximately 8:33 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Shane Abma, Chair for
Sine Bone, Chair