



# CITY OF MILWAUKIE

## AGENDA

November 13, 2018

### PLANNING COMMISSION

City Hall Council Chambers  
10722 SE Main Street  
[www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

- 1.0 Call to Order - Procedural Matters** — 6:30 PM
- 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: City Hall Council Chambers Remodel (continued from 10/23/18)  
Applicant/Owner: City of Milwaukie  
Address: 10722 SE Main St  
File: HR-2018-001  
Staff: Vera Kolas, Associate Planner
  - 5.2 Summary: Housekeeping 2018 Code Amendments Round 3  
File: ZA-2018-004  
Staff: Vera Kolas, Associate Planner
- 6.0 Worksession Items**
  - 6.1 Summary: Comprehensive Plan Update Project update  
Staff: David Levitan, Senior Planner
- 7.0 Planning Department Other Business/Updates**
- 8.0 Planning Commission Committee Updates and Discussion Items** — This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 Forecast for Future Meetings:**
  - November 27, 2018 1. TBD
  - December 11, 2018 1. TBD

## 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@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov). Thank You.
- 2. PLANNING COMMISSION MINUTES.** Approved PC Minutes can be found on the City website at [www.milwaukieoregon.gov](http://www.milwaukieoregon.gov).
- 3. CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at [www.milwaukieoregon.gov/meetings](http://www.milwaukieoregon.gov/meetings).
- 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. TIME 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:**

Kim Travis, Chair  
John Henry Burns, Vice Chair  
Adam Argo  
Joseph Edge  
Sherry Grau  
Greg Hemer

#### **Planning Department Staff:**

Denny Egner, Planning Director  
David Levitan, Senior Planner  
Brett Kelder, Associate Planner  
Vera Koliass, Associate Planner  
Mary Heberling, Assistant Planner  
Alicia Martin, Administrative Specialist II



# CITY OF MILWAUKIE

**To:** Planning Commission

**Through:** Dennis Egner, Planning Director

**From:** Vera Koliás, Associate Planner

**Date:** November 6, 2018, for November 13, 2018, Public Hearing

**Subject:** **File:** HR-2018-001; DR-2018-002; CSU-2018-016  
**Applicant:** Tracy Orvis, DiLoreto Architecture  
**Owner(s):** City of Milwaukie – Damien Farwell, Fleet and Facilities Supervisor  
**Address:** 10722 SE Main St  
**Legal Description (Map & Tax Lot):** 1S1E36BB02500  
**NDA:** Historic Milwaukie

---

## **ACTION REQUESTED**

Approve application HR-2018-001 and adopt the recommended Findings and Conditions of Approval found in Attachments 1 and 2. This action would allow for the renovation of the fire bay at City Hall, including replacement roll up doors and the construction of a new ADA accessible door and access at the rear of the building.

## **BACKGROUND INFORMATION**

The current council chambers in Milwaukie City Hall are proposed to be moved into the existing garage bay in the same building. The space will be updated to accommodate the necessary functional requirements of a civic space, including upgrades to meet current energy code as well as acoustical and security needs. The proposed work requires historic resources review, community service review, and downtown design review.

### **A. Proposal**

The applicant is seeking land use approval to alter the structure in order to convert the existing fire bay into a new City Council chamber. The proposal includes the following:

1. Addition of an accessible entrance at the rear of the building
2. Replacing the existing roll up doors with new roll up doors

3. Replacing the existing wood windows in the fire bay with new fiberglass clad wood windows
4. Replacing the existing swing door on the south façade with a new entry door
5. Providing new exterior lighting above both swing doors

The project requires approval of the following applications:

1. HR-2018-001: Exterior alteration of a landmark
2. DR-2018-002: Downtown Design Review
3. CSU-2018-016: Minor modification to a Community Service Use

The applicant submitted revised materials on November 2 and November 5, 2018 to address the DLC and SHPO comments, including a new proposed replacement window that more closely matches the original windows.

## **B. Land Use Review**

On October 23, 2018, the Planning Commission held a hearing on these applications, during which the Design and Landmarks Commission (DLC) also provided comments on the proposal. Of particular concern was the proposal to replace the fire bay windows with fiberglass windows. It was also discussed that the Commission should wait to render a decision until the State Historic Preservation Office (SHPO) provided their review.

The applicant submitted additional materials to Planning staff on November 2, 2018, which was submitted to the DLC for discussion at their November 5, 2018 meeting. The DLC revised and discussed the materials and provided the following comments:

- Recommended that the applicant provide a drawing that showed the original window with the proposed window superimposed on top to better illustrate the differences between the two.
- Recommended that the applicant provide a drawing or photograph of the original wood window with the replacement window side by side to better illustrate the differences between the two.
- Insulated wood replacement windows are the preferred option.
- Recommended that the applicant consult with a contractor from SHPO's list when soliciting cost estimates for repair.
- Locating the bollards at the edge of sidewalk is preferred to prevent parking at the edge of the sidewalk.
- Recommended that the fire pole be cut to accommodate the use of the room, but remain in its original location as a reminder of the original use of the space as a fire bay. The remaining sections of the pole can be displayed with an informational plaque describing the history of City Hall.

## CONCLUSIONS

### A. Staff recommendation to the Planning Commission is as follows:

1. Approve the Historic Resource review, Community Service Use, and Downtown Design Review applications. This will result in the newly configured fire bay and installation of new roll up garage doors, an accessible entrance, and replacement of existing windows and an entry door.
2. Adopt the attached Findings and Conditions of Approval.

## CODE AUTHORITY AND DECISION-MAKING PROCESS

The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC).

- MMC 19.304 Downtown Zones
- MMC 19.403 Historic Preservation Overlay
- MMC 19.904 Community Service Use
- MMC 19.907 Downtown Design Review
- MMC 19.1006 Type III Review

This application is subject to Type III review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In Type III reviews, the Commission assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public meeting.

The Commission has 4 decision-making options as follows:

- A. Approve the application subject to the recommended Findings.
- B. Approve the application with modified Findings and Conditions of Approval. Such modifications need to be read into the record.
- C. Deny the application upon finding that it does not meet approval criteria.
- D. Continue the hearing.

The final decision on these applications, which includes any appeals to the City Council, must be made by January 4, 2019, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

## COMMENTS

Notice of the proposed changes was given to the following agencies and persons: City of Milwaukie Engineering, Building, and Public Works Departments, Clackamas Fire District #1,

the Milwaukie Historical Society, and the Historic Milwaukie Neighborhood District Association (NDA).

## ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	PC Packet	Public Copies	Packet
1. Findings in support of approval	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conditions of approval	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. SHPO review letter dated October 26, 2018	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. Applicant's additional materials received November 2, 2018.			
a. Narrative email	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Site Plan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Proposed floor plans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Window comparison - sections	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e. Proposed fire pole options	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
f. Comparative elevations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comparative spreadsheet	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. SHPO response to revised materials – email received November 5, 2018.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

Early PC Mailing = paper materials provided to PC at the time of application referral.

PC Packet = paper materials provided to PC 7 days prior to the hearing.

Public Copies = paper copies of the packet available for review at City facilities and at the PC meeting.

Packet = packet materials available online at <https://www.milwaukieoregon.gov/bc-pc/planning-commission-19>.

**Recommended Findings in Support of Approval  
Master File #HR-2018-001; City Hall fire bay renovation**

Sections of the Milwaukie Municipal Code not addressed in these findings are found to be inapplicable to the decision on this application.

1. The applicant, Tracy Orvis on behalf of the City of Milwaukie, has applied for approval to alter the historic structure at 10722 SE Main St. This site is in the Downtown Mixed Use (DMU) Zone. The master land use application file number is HR-2018-001.
2. The current council chambers in Milwaukie City Hall are proposed to be moved into the existing garage bay in the same building. The space will be updated to accommodate the necessary functional requirements of a civic space, including upgrades to meet current energy code as well as acoustical and security needs. The scope of work includes replacing the existing wood windows in the garage bay with new energy efficient wood windows, replacing the existing garage doors with new energy efficient garage doors, replacing the existing swing door on the south façade, creating a new second accessible exit from the garage bay, and providing new exterior lighting above both swing doors.
3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
  - MMC 19.304 Downtown Mixed Use Zone
  - MMC 19.403 Historic Preservation Overlay
  - MMC 19.904 Community Service Use Review
  - MMC 19.907 Downtown Design Review
  - MMC 19.1006 Type III Review

The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public review meeting with the Design and Landmarks Committee was held on October 1, 2018. Public hearings were held on October 23 and November 13, 2018, as required by law.

4. MMC 19.304 Downtown Zones
  - a. MMC 19.304.3 Uses

MMC Table 19.304.3 establishes the uses that are allowed in the various downtown sub-zones, which allows Community Service Uses (CSUs) as a Limited Use.

*The building at the subject property is currently used by the City of Milwaukie as a city hall, including city offices on the first floor and city offices, council chambers, and meeting spaces on the second floor.*

*The City considers facilities that were established prior to CSU regulations in 1984 but were otherwise properly permitted and meet the definition for CSUs provided in MMC 19.904.2 to be*

*de facto* CSUs. MMC 19.904.2.A specifically includes government office buildings such as city halls in its definition of CSUs.

*The site has been in use as a city hall since it was constructed in 1939. The site has had subsequent site and use modifications that have been approved under applicable Community Service Overlay (CSO) or Community Service Use (CSU) code provisions (the most recent was CSU-2018-014). Therefore, the Milwaukie City Hall is considered a de facto CSU. This standard is met.*

b. MMC 19.304.4 Development Standards

MMC 19.304.4 establishes standards for new development projects in the downtown zones.

*This site is an existing governmental building; no changes are proposed that are affected by the development standards. This standard does not apply to the proposal.*

5. MMC 19.403 Historic Preservation Overlay

MMC 19.403 provides standards and procedures for review of applications related to identified historic resources.

*The subject property is identified on the City historic and cultural resources inventory as a Significant resource; therefore the regulations in MMC 19.403 apply.*

a. MMC 19.403.5 Alteration and Development

- (1) MMC 19.403.5.A requires review for any exterior alteration of a landmark deemed "Significant" in the City historic inventory.

*The subject property is designated a "Significant" historic resource and the proposed improvements are for minor exterior alterations. The proposed improvements are subject to review under the provisions of MMC 19.403.*

- (2) MMC 19.403.5.B requires that an application for exterior alteration of a landmark be submitted to the Planning Director, in such form and detail as prescribed by the Director. Applications that do not meet the requirements for projects subject to administrative approval as per MMC 19.403.5.C shall follow the Type III review process outlined in MMC 19.1006.

*An application with sufficient detail has been submitted for Type III review. This standard is met.*

- (3) MMC 19.403.5.D provides for approval of alteration requests that do not qualify for administrative approval.

*The proposed improvement replaces the existing fire bay doors (which were installed in 2013) with new energy efficient and secure doors that have the same appearance as the current doors as well as the installation of a new accessible entrance near the rear parking lot. Because the addition of a new accessible entrance does not meet the standards for administrative approval, the application has been combined under a Type III review, per MMC 19.1006.*



(4) MMC 19.403.5.E establishes approval criteria for alterations to landmarks.

*The proposed improvements have been evaluated against the relevant approval criteria as follows:*

(a) Retention of Original Construction

*The proposal minimizes alterations to the exterior façade while striving to meet current building and energy code requirements. For example, to provide a code-required accessible second exit, a new door will be placed within the width of an existing window opening and will be custom sized to work with existing window proportions. This alteration is located at an interior corner at the rear of the building, away from primary street-facing facades.*

*The garage doors were replaced in 2013 but do not meet energy code, acoustical, and security requirements for the proposed use. The proposal includes replacing the doors with new insulated doors that match the clear glazing of the current and original garage doors. To address privacy and security issues, an interior curtain track will be hung so that a solid curtain can be drawn during sensitive proceedings. The goal for the project is to replace the existing wood garage doors with new wood garage doors with insulated glazing and perimeter seals. The wood would be painted to match the existing garage doors and trim. If wood doors that meet energy code are not available, however, then the doors would be made of another material (such as insulated metal) that would be painted to match the existing doors.*

*The proposed improvement will not alter any remaining historic features or qualities of the landmark. This criterion is met.*

(b) Building Height

*No changes to existing building height are proposed. This criterion is not applicable.*

(c) Horizontal Additions

*No additions are proposed. This criterion is not applicable.*

(d) Windows

*This proposal includes replacing the existing wood windows affected by the scope of work (5 total, not including the 2 roll up garage doors) with new fiberglass clad wood windows that closely match the existing windows and meet current energy code. This criterion is met.*

(e) Restoration Possible

*If desired in the future, the proposed second exit door and its associated landing and ramp could be removed. The window and portion of wall affected by the proposed second exit could be replaced. Further restoration in the future would not be precluded. This criterion is met.*

(f) Signs and Lighting

*The proposal includes new exterior lighting above both exterior swing doors. The existing door on the south elevation has a vertical rectangular security fixture above it. The proposal would replace it with a small cylindrical downlight in a dark bronze finish to*

*match other exterior fixtures. The same fixture is proposed above the new exit door, and given its small size, puts more focus on the building itself and on the existing historic fixtures at the main entrance.*

*New signage is proposed that will direct visitors to the accessible entrance to Council Chambers, which is the door located on the south façade of the building. There is one sign proposed to the right of the garage doors as well as one adjacent to the accessible entrance. The signage will meet code requirements and will match existing signage present on the building to the greatest extent possible.*

*This criterion is met.*

**(g) Time Period Consistency**

*The proposal matches existing materials and finishes currently present on and around the building exterior. The proposed new garage doors reference both the current and original garage doors and seek to blend them and create doors that are relevant to the building's history while meeting both code and functional needs of the space within. This criterion is met.*

**(h) Visual Integrity/Style**

*The proposed improvements will not diminish any of the distinctive stylistic features that remain on the building. No distinctive stylistic features, primary structural elements, or examples of skilled craftsmanship are affected by the proposed design. Modifications made to the existing window to create a second accessible exit have been proposed with the existing window proportions in mind, and all materials selected correspond to existing building materials. The proposal is respectful of the existing building while still meeting current code requirements. This criterion is met.*

**(i) Replacement or Additional Materials**

*No features are in need of repair at this time. In order to meet current energy code, the existing wood windows are proposed to be replaced with new energy efficient wood windows with as close to the same appearance as possible. The garage doors are proposed to be replaced with new doors that reference the panel proportions, glazing, and materials of the currently installed doors. The new ADA exit door, landing, and sloped walkway are treated with similar materials and style as adjacent exits. This criterion is met.*

**(j) Buffering**

*No new use is proposed. This is a shifting of existing uses within the existing building footprint. This criterion is not applicable.*

*The proposed improvements meet the applicable standards of MMC 19.403.*

**6. MMC Section 19.904 Community Service Uses**

MMC Subsection 19.904.5.C authorizes the Planning Director's approval of minor modifications to an approved community service per Section 19.1004 Type I Review, provided that such modification:

- a. Does not increase the intensity of any use.

*The existing Council Chambers and conference room are located on the 2nd floor of City Hall. The conference room has been converted into much needed office space for 4-6 staff. The existing garage bay on the 1st floor of City Hall is currently underutilized, serving as overflow storage for events. The proposed project relocates Council Chambers to the garage bay, thus freeing up the Council Chambers space on the 2nd floor for additional office use. Currently, at peak meeting time, which is the most intense use of the building, both the Council Chambers and the conference room are used. At peak meeting times with the proposed configuration, only the fire bay would be used for meetings, streamlining the use of the building during peak use to one space. No new uses are proposed. The intensity of use of the building will remain virtually the same; the proposed use of the fire bay as the new Council Chambers, along with the additional new workspaces on the 2nd floor will have a neutral effect on the overall use of the building.*

- b. Meets all requirements of the underlying zone relating to building size and location and off-street parking and the standards of Title 19.

*The proposed modification does not affect any standards of the underlying zone for the existing site.*

- c. Does not result in deterioration or loss of any protected natural feature or open space, and does not negatively affect nearby properties.

*The subject property does not include any mapped natural resources and will not affect any nearby properties.*

- d. Does not alter or contravene any conditions specifically placed on the development by the Planning Commission or City Council.

*No changes to any of the conditions of any prior approvals will occur as part of the proposed project.*

- e. Does not cause any public facility, including transportation, water, sewer and storm drainage, to fail to meet any applicable standards relating to adequacy of the public facility.

*The proposed project does not cause any public facility to fail to meet applicable standards relating to the adequacy of the public facility.*

*As proposed, the applicable standards of MMC 19.904 are met.*

#### 7. MMC 19.907 Downtown Design Review

- a. Per MMC 19.907.2, the standards for downtown design review are applicable to minor exterior alterations to buildings in the downtown zones.

*The proposed roll up door replacement, which is less than 25% of the surface area of the street-facing wall, is a minor exterior alteration to an existing building in the Downtown Mixed Use (DMU) zone and is therefore subject to the standards for downtown design review as provided in MMC 19.907. The addition of an accessible entrance to the rear of the building is an exempt*

*activity, as it is needed to bring the building into compliance with the Americans with Disabilities Act.*

- b. MMC 19.907.3.B.1 requires that exterior alterations that meet the list of projects in Subsection 19.907.2.B be processed with Type I review.

*The proposed improvement includes replacing the garage roll up doors, which is less than 25% of the surface area of the street-facing wall, and has been reviewed in accordance with the Type I Downtown Design Review process. This criterion is met.*

- c. MMC 19.907.5.A establishes the approval criteria for Type I Downtown Design Review.

(1) Compliance with Title 19

*As addressed in Finding 4, the proposed improvement complies with the applicable standards for downtown zones, as provided in MMC 19.304. As addressed in Finding 5, the proposed improvement complies with the applicable standards for historic resources, as provided in MMC 19.403. As addressed in Finding 6, the proposed improvement complies with the applicable standards for modifications to community service uses, as provided in MMC 19.904. No other standards in Title 19 are applicable to the proposed improvement.*

(2) Compliance with applicable design standards in Section 19.508 and any prior land use approvals

*The proposed improvements have been reviewed against the relevant design standard for ground floor windows and doors, which requires a minimum of 50% glazing. The building was constructed before this standard was in place, and had a percentage of glazing of 42% as originally built (ground floor façade with an area of 1,230 sq ft and 520 sq ft of glazing). Therefore, the percentage of glazing on the original structure is legally nonconforming.*

*The proposal includes replacement of the existing roll-up doors with doors that provide needed security and privacy, as well as meet energy code requirements. The proposed doors are intended to blend design with utility, given the new use of the fire bay, and the need for increased security and energy efficiency. The proposed replacement roll-up doors will match the amount of glazing of the current garage doors as well as the original garage doors and will result in no decrease in glazing on the ground floor.*

*The proposed improvements meet the approval criteria of MMC 19.907.5.A Type I Downtown Design Review.*

8. The application was referred to the following departments and agencies on September 7, 2018:

- Milwaukie Building Division
- Milwaukie Engineering Department
- Milwaukie Public Works Department
- Clackamas County Fire District #1
- Historic Milwaukie Neighborhood District Association Chairperson and Land Use Committee

- Milwaukie Historical Society

No comments were received as of the date of these findings.

## ATTACHMENT 2

### **Recommended Conditions of Approval Master File #HR-2018-001; City Hall fire bay renovation**

1. The applicant shall submit a Type I Development Review application with final plans for construction of the improvements. The final plans shall address the following:
  - a. Final plans submitted for development permit review shall be in substantial conformance with plans approved by this action, which are the plans stamped received by the City on September 6, 2018 and revised on November 2, 2018, except as otherwise modified by these conditions.



Oregon  
Kate Brown, Governor

Parks and Recreation Department  
State Historic Preservation Office  
725 Summer St NE Ste C  
Salem, OR 97301-1266  
Phone (503) 986-0690  
Fax (503) 986-0793  
www.oregonheritage.org



October 26, 2018

Ms. Vera Kalias  
City of Milwaukie  
Planning  
6101 SE Johnson Creek Blvd  
Milwaukie, OR 97206

RE: SHPO Case No. 18-1578  
City of Milwaukie, City Hall Fire Bay Renovation Project HR-2018-001  
Replace windows and doors, add accessible entrance  
10722 SE Main St, Milwaukie, Clackamas County

Dear Ms. Kalias:

We have reviewed the materials submitted on the project referenced above, and we concur with the determination that the Milwaukie City Hall building is eligible for listing in the National Register of Historic Places. We have reviewed the proposed scope of work, as well as the comments provided by the Design & Landmarks Committee (DLC) by memo dated October 12, 2018.

Generally-speaking, we find that the proposed changes to the roll-up garage doors (replacement matching current glazing pattern, with interior curtain to provide additional privacy and energy efficiency), door replacement on the south elevation and related new concrete sidewalk, the rear alteration of an existing window to provide door access, and ADA ramp all will resulting no adverse effect to the historic building.

We do, however, have concerns around the window replacement, especially when considered as the precedent that will be followed across the whole of the building. Neither of the proposed replacement windows (the wood replacement and the fiberglass replacement) are good matches for the existing windows, and replacement of the existing windows with either of these choices may result in an adverse effect, especially if used across the building. We highly recommend further exploration of either more appropriate replacement windows, or repair of the existing windows, as recommended by the DLC. Such repair would include removal of the existing windows, so that the noted water infiltration issue can be addressed, and any rotten elements of the windows can be repaired or replaced in-kind without replacing the whole window. The existing windows appear to be able to be adapted for double-glazing as well, providing the energy efficiency desired. There are several professional wood window preservation and repair specialists in the Portland area that may be able to provide proposals. We provide that list, appended to this letter. The contractors provided should be able to advise on the feasibility of such an approach.

Once the Planning Commission has adopted a course of action and final scope of work, please provide our office with the revised plan, and we will provide our review at that time. Please feel free to contact me if you have any questions, comments or need additional assistance.

Sincerely,

Jason Allen, M.A.



Historic Preservation Specialist  
(503) 986-0579  
jason.allen@oregon.gov

cc: Tracy Orvis, Di Loreto Architecture



## Window Repair Tradespeople in Oregon

### **Albany**

Vintage Window Restoration, Chris Gustafson  
Phone: 541-730-0236  
Email: [vintagewindow.chris@gmail.com](mailto:vintagewindow.chris@gmail.com)

### **Ashland**

Treiger Fine Woodworking, Jay Treiger  
Phone: (541) 482-6749

### **Astoria**

Pacific Window Restoration, Katie Rathmell  
Phone: 503-741-5389  
Email: [765kjr@gmail.com](mailto:765kjr@gmail.com)

### **Eugene**

Willamette Window Restoration, Julie Whalen  
Phone: 541-514-8417  
Email: [Julie@willamettewindowrestoration.com](mailto:Julie@willamettewindowrestoration.com)

### **Lake Oswego**

MCM Construction, Tim Mather  
Phone: 503-699-9600  
Email: [info@mcmbuild.com](mailto:info@mcmbuild.com)

Green Window Restoration, Alan Green  
Phone: 503-699-4912 or 310-923-5446  
Email: [greenwindowrestoration@gmail.com](mailto:greenwindowrestoration@gmail.com)

### **Oregon City**

Chosen Wood Window Maintenance, Inc., Vern Forrest  
Phone: 503-266-3830  
Email: [chosen9@canby.com](mailto:chosen9@canby.com)

## Portland

### **East Portland Sash & Carpentry Company**

**Phone:** 503-453-6301

**Email:** [sashrepair@gmail.com](mailto:sashrepair@gmail.com)

Jeffrey Franz

Phone: 503-234-9641

Email: [jeffy97214@yahoo.com](mailto:jeffy97214@yahoo.com)

### **Fresh Air Sash Cord Repair Inc. *Old Windows that Work!*, Patty Spencer**

Phone: 503-284-7693

Email: [info@freshairsash.com](mailto:info@freshairsash.com)

Old House Painting & Restoration, Judy Henninger

Phone: **(971) 226-0613**

**Email:** [judy@paintrlady.com](mailto:judy@paintrlady.com)

Viridian Window Restoration LLC, Garen Horgen

Phone: 503-922-2022

Email: [info@viridianwindow.com](mailto:info@viridianwindow.com)

Well Hung Windows, Dennis Godfrey

Phone: (503) 235-2493

Email: [dennis@wellhungwindows.com](mailto:dennis@wellhungwindows.com)

## ATTACHMENT 4



**From:** Tracy Orvis [<mailto:torvis@diloretoarchitecture.com>]

**Sent:** Friday, November 02, 2018 4:57 PM

**To:** Vera Kolas <[KolasV@milwaukieoregon.gov](mailto:KolasV@milwaukieoregon.gov)>; Damien Farwell <[FarwellD@milwaukieoregon.gov](mailto:FarwellD@milwaukieoregon.gov)>

**Subject:** RE: City Hall Window Comparison

Hi Vera,

Attached are the revised drawings. Here is a summary of the items addressed as part of this package:

- **Potential locations for relocated fire pole.** We provided two option locations, one vertically oriented at the east wall (front of chambers) and one horizontally oriented on the south wall. Both options include informational signage detailing the history of the space and the building.
- **Bollards.** We will provide 8 total bollard locations, 4 at the sidewalk and 4 at the driveway midpoint. The bollards will be removable so they can be located either at the sidewalk or driveway midpoint depending on what's going on at City Hall (day-to-day operations vs. public event). This will allow for maximum flexibility while still providing needed security.
- **Windows.** We looked further into the fiberglass window option and updated the window profiles of the original windows, existing replacement windows, and fiberglass windows to allow for comparison. We confirmed with the manufacturer that wood trim could be adhered to the fiberglass window frame without voiding the warranty.

A drawing of the south elevation has been provided showing 2 original first floor windows and 1 proposed fiberglass window on the first floor, and 4 existing replacement windows on the 2<sup>nd</sup> floor. This drawing will hopefully convey that, in context, the visual differences between the windows are minimal.

A table will be provided detailing sizes of various window components on all three systems, also making reference to custom wood windows as an option. It will include a cost comparison of both fiberglass and custom wood windows as well with a list of costs not included.

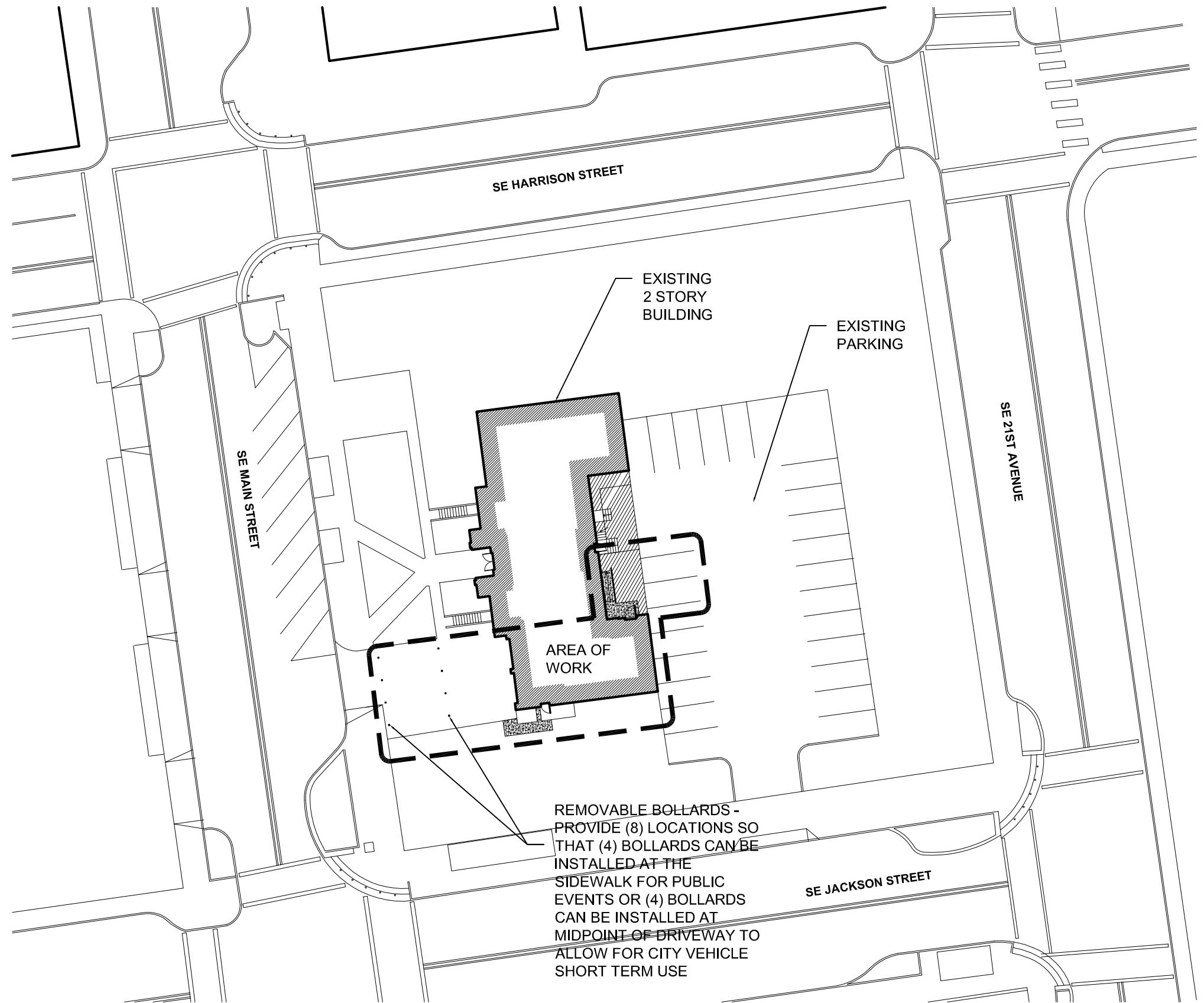
*Verbiage from Damien:*

*From both the comparison spreadsheet and studying the windows in person, my own criteria for acceptable would be: no single measurement exceed 25% deviation, and overall deviation not exceed 20%. There are certain deviations that I would deem more critical (muntin width) and others less critical (minor setback differences).*

I hope this is enough information to help the DLC come to a decision.

Thanks,  
Tracy

Tracy Orvis, Architect, LEED AP  
**di loreto** ARCHITECTURE, llc  
200 NE 20<sup>th</sup> Avenue, Suite 200  
Portland, OR 97232  
(p) 503.736.9979



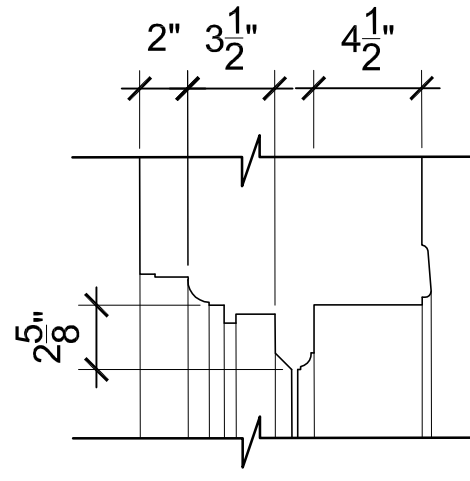
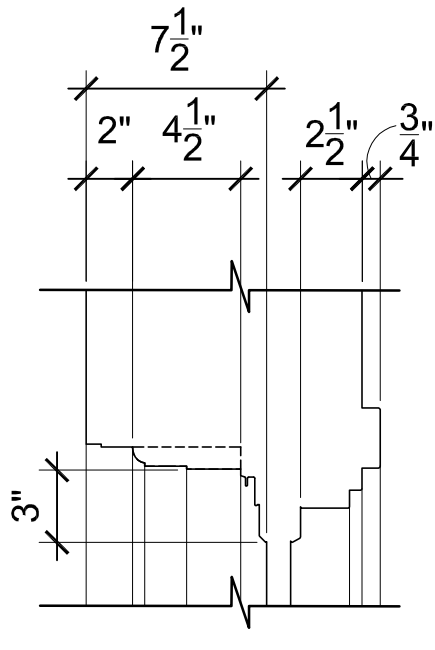
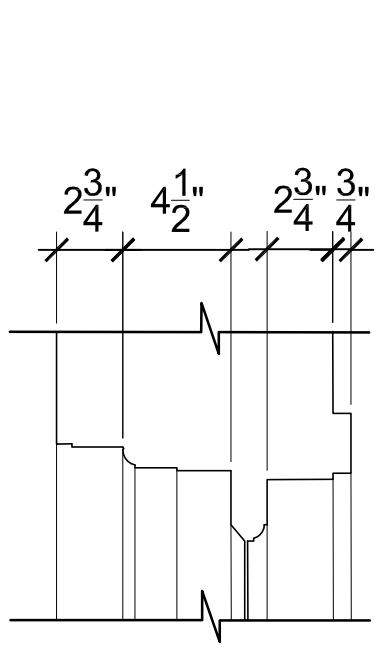
**di loreto**ARCHITECTURE, llc  
 200 Northeast Twentieth Avenue, Suite 200  
 Portland, Oregon USA 97232-3021  
 www.diloretoarchitecture.com  
 Telephone: 503/736-9979  
 Fax: 503/736-9975

**MILWAUKIE CITY HALL**  
 ALTERATIONS FOR RELOCATED COUNCIL CHAMBERS  
 10722 SE MAIN STREET  
 MILWAUKIE, OREGON 97222

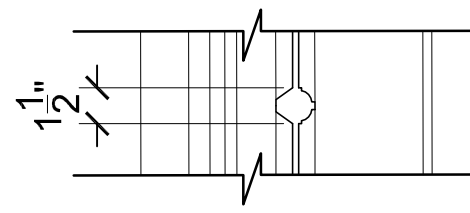
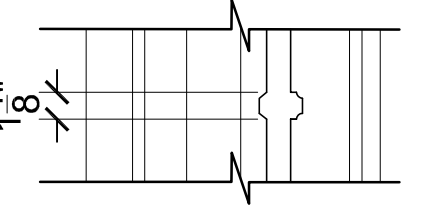
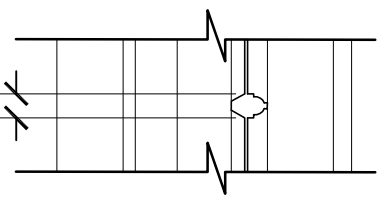
SCALE: 1" = 40'-0"

SITE PLAN  
**DR1**  
 18017 09.05.18  
 REV 2 11.02.18

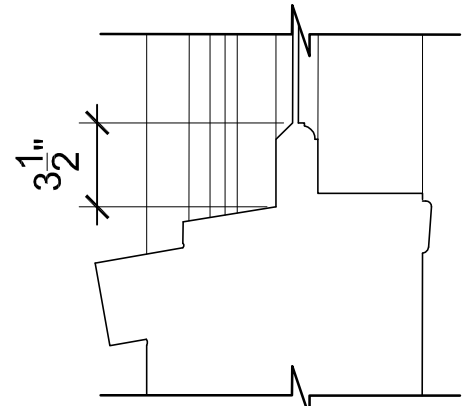
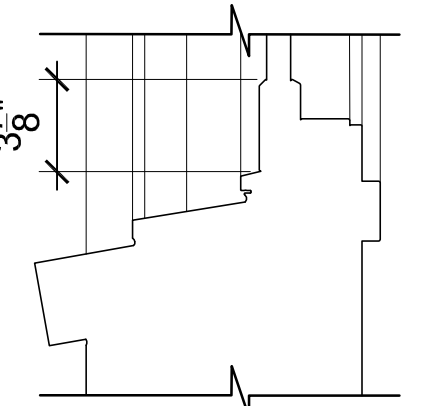
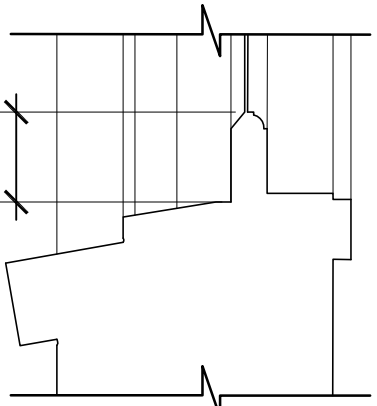
HEAD



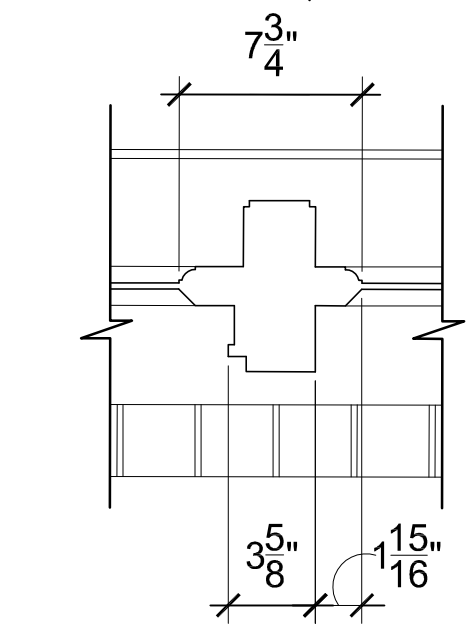
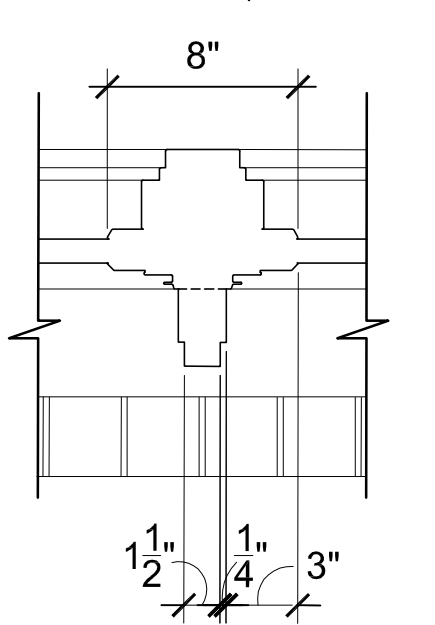
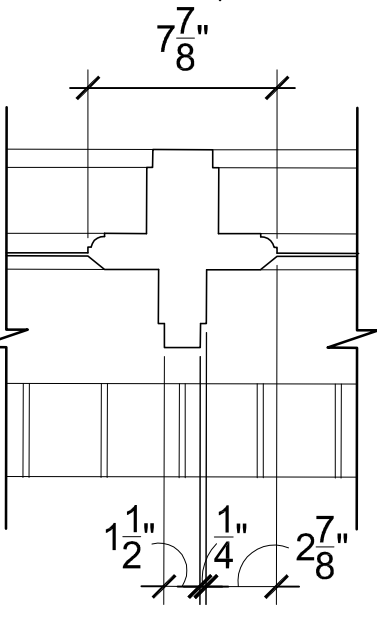
MUNTIN



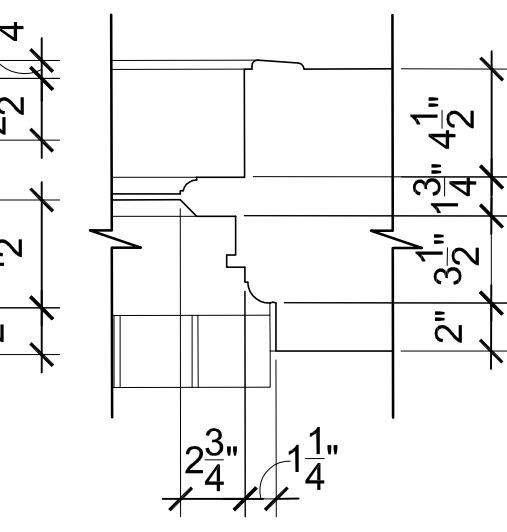
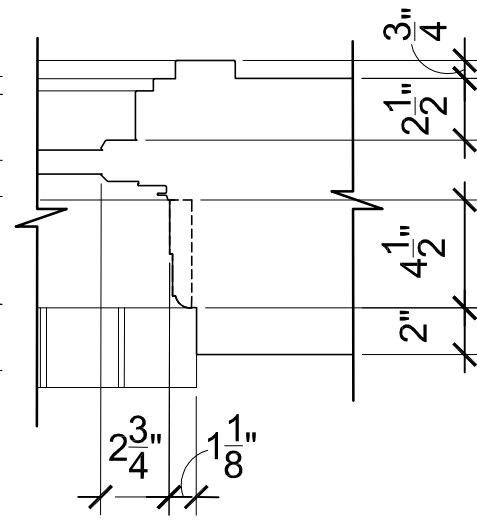
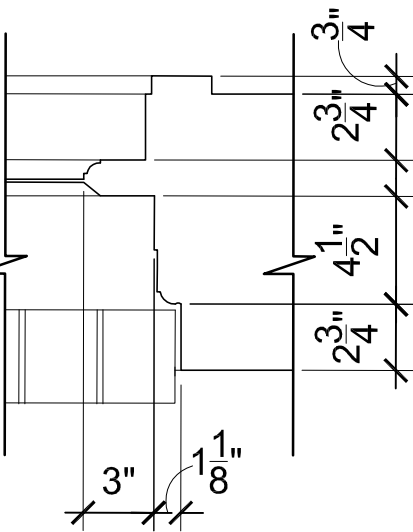
SILL



MULLION



JAMB



ORIGINAL WOOD WINDOWS

MILGARD ESSENCE FIBERGLASS CLAD WOOD REPLACEMENT WINDOWS

EXISTING BUILDING WINDOWS

di loreto ARCHITECTURE, llc

200 Northeast Twentieth Avenue, Suite 200  
Portland, Oregon USA 97232-3021  
www.diloretoarchitecture.com  
Telephone: 503/736-9979  
Fax: 503/736-9975

# MILWAUKIE CITY HALL

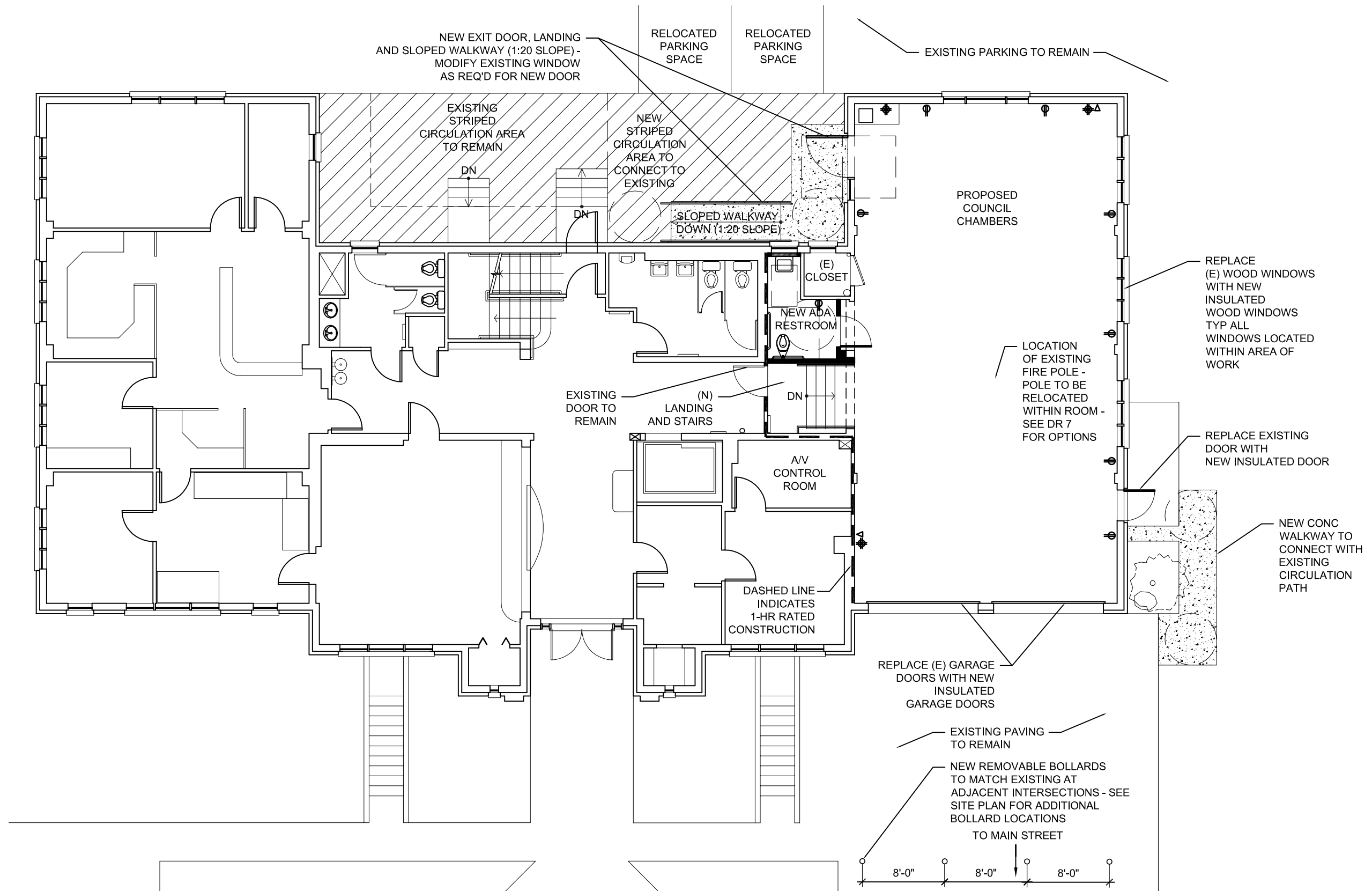
ALTERATIONS FOR RELOCATED COUNCIL CHAMBERS  
10722 SE MAIN STREET  
MILWAUKIE, OR 97222

WINDOW JAMB PROFILES

# DR6

SCALE: 1-1/2" = 1'-0"

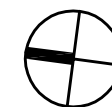
REV 3 11.02.18



**di loreto**ARCHITECTURE, llc

200 Northeast Twentieth Avenue, Suite 200  
 Portland, Oregon USA 97232-3021  
 www.diloretoarchitecture.com  
 Telephone: 503/736-9979  
 Fax: 503/736-9975

**MILWAUKIE CITY HALL**  
 ALTERATIONS FOR RELOCATED COUNCIL CHAMBERS  
 10722 SE MAIN STREET  
 MILWAUKIE, OREGON 97222



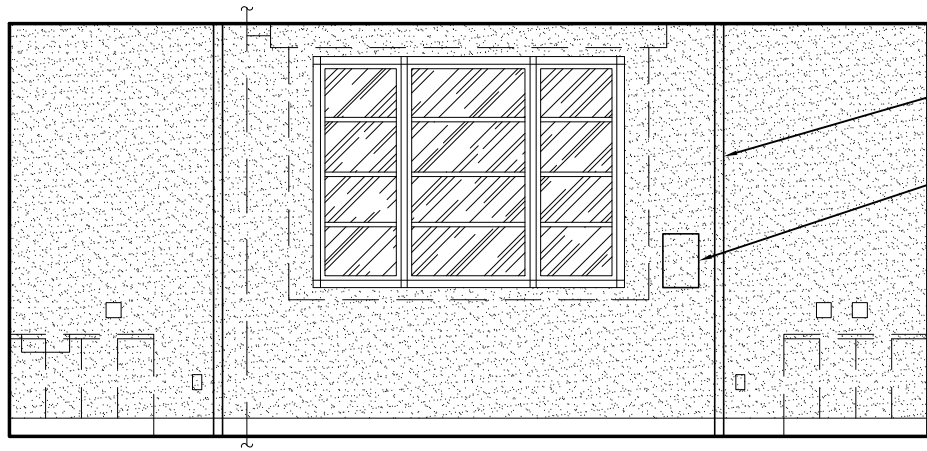
SCALE: 1" = 10'-0"

FLOOR PLAN

**DR3**

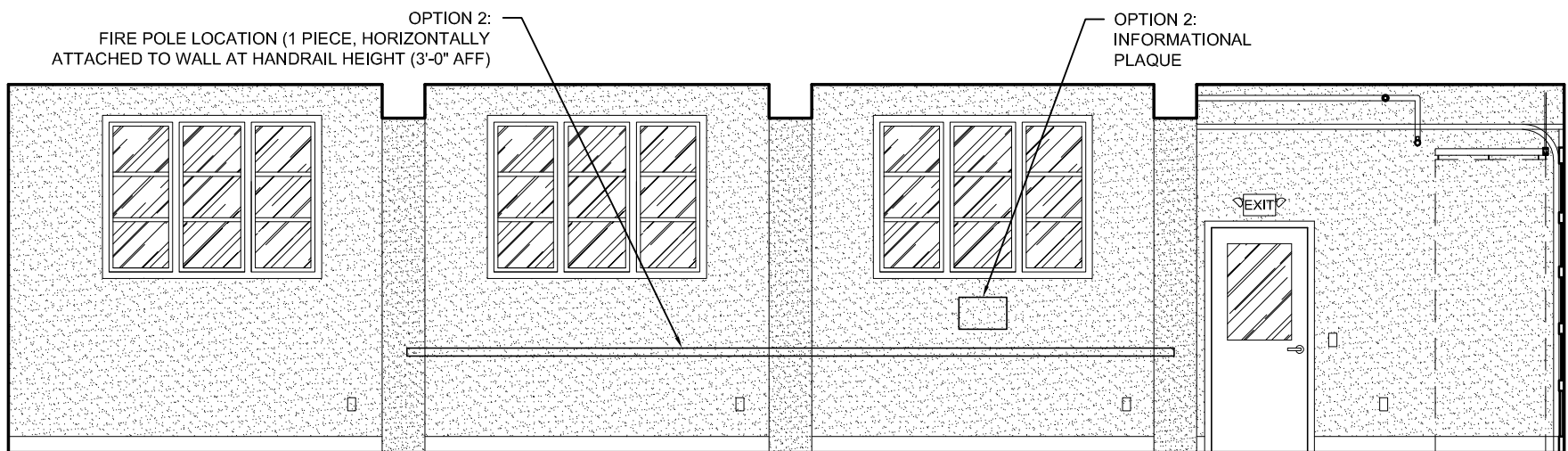
18017 09.05.18

REV 2 11.02.18



OPTION 1:  
FIRE POLE LOCATION (2 PIECES, VERTICALLY  
ATTACHED TO WALL TO EITHER SIDE OF WINDOW)

OPTION 1:  
INFORMATIONAL  
PLAQUE



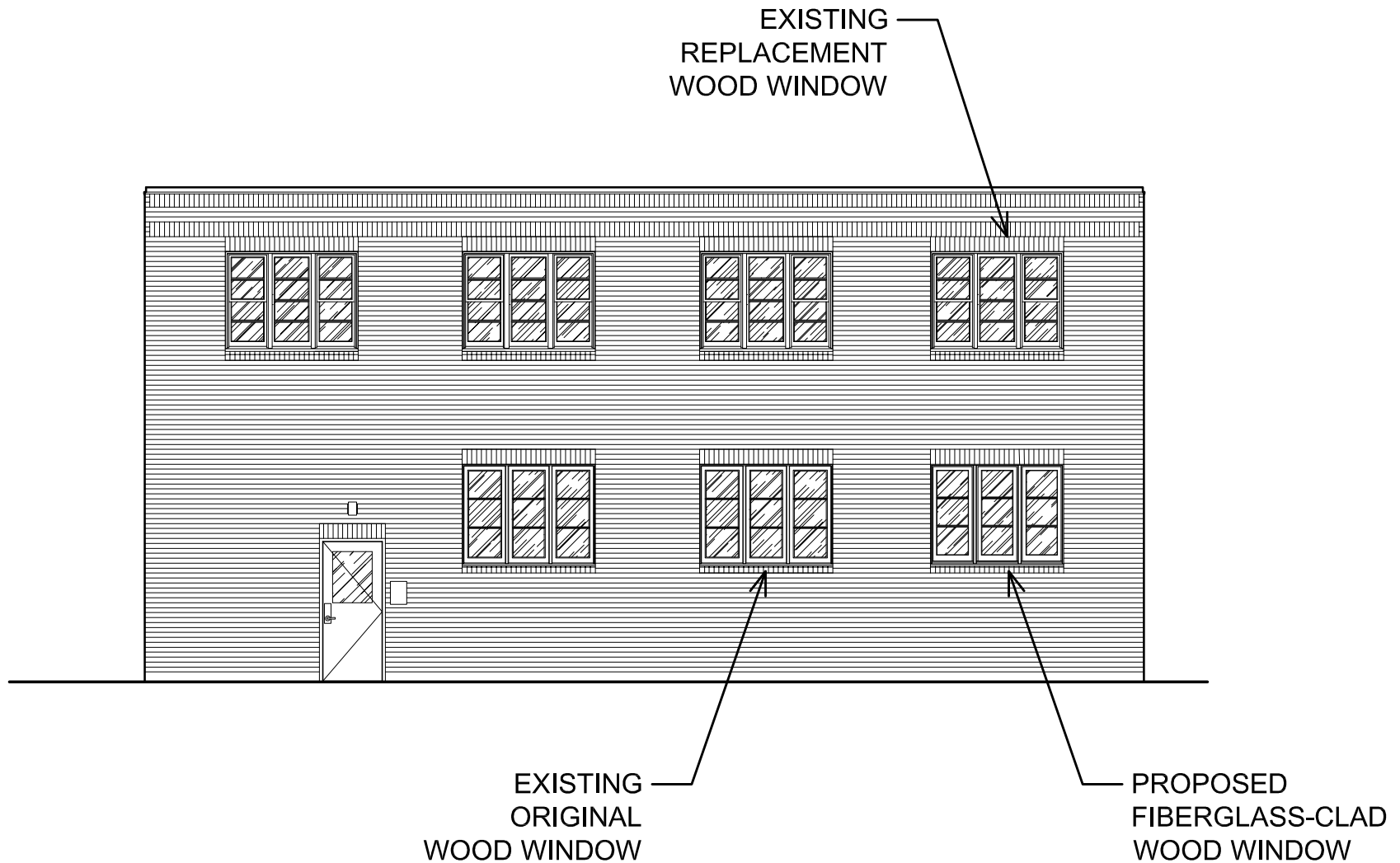
OPTION 2:  
FIRE POLE LOCATION (1 PIECE, HORIZONTALLY  
ATTACHED TO WALL AT HANDRAIL HEIGHT (3'-0" AFF))

OPTION 2:  
INFORMATIONAL  
PLAQUE

**di loreto**ARCHITECTURE, llc  
200 Northeast Twentieth Avenue, Suite 200  
Portland, Oregon USA 97232-3021  
www.diloretoarchitecture.com  
Telephone: 503/736-9979  
Fax: 503/736-9975

**MILWAUKIE CITY HALL**  
**ALTERATIONS FOR RELOCATED**  
**COUNCIL CHAMBERS**  
10722 SE MAIN STREET  
MILWAUKIE, OREGON 97222  
SCALE: 1/4" = 1'-0"

FIRE POLE  
LOCATION OPTIONS  
**DR7**  
18017 11.02.18



**di loreto**ARCHITECTURE, llc  
 200 Northeast Twentieth Avenue, Suite 200  
 Portland, Oregon USA 97232-3021  
 www.diloretoarchitecture.com  
 Telephone: 503/736-9979  
 Fax: 503/736-9975

**MILWAUKIE CITY HALL**  
 ALTERATIONS FOR RELOCATED  
 COUNCIL CHAMBERS  
 10722 SE MAIN STREET  
 MILWAUKIE, OREGON 97222

SCALE:  $\frac{1}{8}'' = 1'-0''$

SOUTH ELEVATION  
 WINDOW TYPES  
**DR8**  
 18017 11.02.18



**Window Dimensions in Inches**

	Original Window	Proposed Window	%	Existing Replacement	%	Custom Wood	%
Setback	4.5	4.5	0	3.5	22	5*	11
Bottom Rail height	3.75	3.875	3	3	20		0
Stile Width	3	2.75	8	1.75	42		0
Top rail height	2.875	3	4	2.675	10		0
Vert Divider width	2	2	0	3.675	84		0
Muntin width	1	1.125	12	1.5	50	1.125	12
Summed % deviation			27		228		23
<b>% of total measurements</b>			<b>4%</b>		<b>38%</b>		<b>4%</b>

Custom vs Proposed

Difference, inches
0
-0.125
0.25
-0.125
0
-0.125

**Window Costs in Dollars, South Window**

	Proposed Window	Custom Wood	Differential
Purchase price	2043	4940	2897
Install cost	4000	4000	0
Paint	50	500	450
Custom Trim	200	0	-200
Total Cost Installed	6293	9440	3147
Expected Life	40	15	-25
Maint Cost/year	157	629	472
Yearly Maint.	50	500	450
Lifecycle cost/yr	207	1129	922
<b>Cost 8 windows per year</b>	<b>1659</b>	<b>9035</b>	<b>7376</b>

Difference in cost per year per window is significant (\$922), not included: time to manage and contract maintenance and replacement.

In wood windows there is greater risk of seal failure, resulting in air and water intrusion due to expansion and contraction.

What is the criteria used to determine if a window design is acceptable?

Which quantifiable difference between these two designs justifies an additional yearly cost of \$922 per window?

\*Custom wood windows are made to consistent depth. Variations of wall thickness result in varied setback regardless of window choice.

**Vera Kolias**

---

**From:** ALLEN Jason \* OPRD <Jason.Allen@oregon.gov>  
**Sent:** Monday, November 05, 2018 3:41 PM  
**To:** Vera Kolias  
**Subject:** RE: City Hall Window Comparison - Milwaukie

Hi Vera,

I consulted with Joy Sears, our technical specialist, who has EXTENSIVE experience with historic window repair and with reviewing historic window repair/replacement proposals against the Secretary of the Interior's Standards for the Treatment of Historic Properties (the guiding documents for implementation of historic preservation projects). Our thoughts are as follows:

1. The proposal still does not include any cost analysis for repair, which is the first preference in historic preservation. Repair of the window ensures a perfect match (because it is the same window), and repair can replace elements of the window that are rotten, while preserving the rest of it. It is very possible that repair could end up being more cost effective than replacement of any kind. We don't know without an estimate prepared by a historic window repair contractor. Significant energy efficiency can be achieved with interior or exterior storm windows.
2. Between the two replacement windows, the better choice appears to be the fiberglass clad wood window (Milgard Essence), because although the mullion is significantly wider (nearly 5-inches, compared to about 3-inches) on the interior, the exterior mullion profile is within about 1/8-inch of the original. The difference in the interior is not ideal, but the exterior conformance to the original is more important in this case. It also sits within the opening in a more suitable position, where the "existing building windows" sit forward of the original position, affecting the overall texture.

We very strongly suggest at least getting an estimate from one or two preservation-trained window repair specialists prior to making a decision. It wouldn't seem to harm anything to at least obtain a price-point for comparison.

Cheers,  
-Jason

Jason M. Allen, M.A.  
Historic Preservation Specialist  
Survey and Inventory Program Coordinator  
Oregon State Historic Preservation Office  
725 Summer St. NE, Ste. C  
Salem, OR 97301-1266  
503.986.0579  
Jason.allen@oregon.gov

---

**From:** Vera Kolias [mailto:KoliasV@milwaukieoregon.gov]  
**Sent:** Monday, November 05, 2018 8:29 AM  
**To:** ALLEN Jason \* OPRD  
**Subject:** FW: City Hall Window Comparison - Milwaukie  
**Importance:** High

Good morning Jason,

The applicant has submitted additional information – see below and attached – to respond to the issues raised by DLC and SHPO. The DLC will be reviewing this tonight at their meeting. The continued Planning Commission hearing is next Tuesday, November 13<sup>th</sup>. Is there any way we can get your review feedback before the 13<sup>th</sup>? Otherwise, we may run into having to continue the public hearing again, further delaying the project.

Please let me know what you need from me.

Thanks,  
Vera

**VERA KOLIAS, AICP**

Associate Planner  
503.786.7653  
City of Milwaukie  
6101 SE Johnson Creek Blvd • Milwaukie, OR 97206

---

**From:** Tracy Orvis [<mailto:torvis@diloretoarchitecture.com>]

**Sent:** Friday, November 02, 2018 4:57 PM

**To:** Vera Kolias <[KoliasV@milwaukieoregon.gov](mailto:KoliasV@milwaukieoregon.gov)>; Damien Farwell <[FarwellD@milwaukieoregon.gov](mailto:FarwellD@milwaukieoregon.gov)>

**Subject:** RE: City Hall Window Comparison

Hi Vera,

Attached are the revised drawings. Here is a summary of the items addressed as part of this package:

- **Potential locations for relocated fire pole.** We provided two option locations, one vertically oriented at the east wall (front of chambers) and one horizontally oriented on the south wall. Both options include informational signage detailing the history of the space and the building.
- **Bollards.** We will provide 8 total bollard locations, 4 at the sidewalk and 4 at the driveway midpoint. The bollards will be removable so they can be located either at the sidewalk or driveway midpoint depending on what's going on at City Hall (day-to-day operations vs. public event). This will allow for maximum flexibility while still providing needed security.
- **Windows.** We looked further into the fiberglass window option and updated the window profiles of the original windows, existing replacement windows, and fiberglass windows to allow for comparison. We confirmed with the manufacturer that wood trim could be adhered to the fiberglass window frame without voiding the warranty.

A drawing of the south elevation has been provided showing 2 original first floor windows and 1 proposed fiberglass window on the first floor, and 4 existing replacement windows on the 2<sup>nd</sup> floor. This drawing will hopefully convey that, in context, the visual differences between the windows are minimal.

A table will be provided detailing sizes of various window components on all three systems, also making reference to custom wood windows as an option. It will include a cost comparison of both fiberglass and custom wood windows as well with a list of costs not included.

*Verbiage from Damien:*

*From both the comparison spreadsheet and studying the windows in person, my own criteria for acceptable would be: no single measurement exceed 25% deviation, and overall deviation not exceed 20%. There are certain deviations that I would deem more critical (muntin width) and others less critical (minor setback differences).*

I hope this is enough information to help the DLC come to a decision.



# CITY OF MILWAUKIE

**To:** Planning Commission  
**Through:** Dennis Egner, Planning Director  
**From:** Vera Kalias, Associate Planner  
**Date:** November 6, 2018, for November 13, 2018, Public Hearing  
**Subject:** 2018 Code Amendments: Round 3

---

## **ACTION REQUESTED**

Open the public hearing for application ZA-2018-004. Discuss the proposed amendments, take public testimony, and provide direction to staff regarding any desired revisions to the proposed amendments. Recommend City Council approval of application ZA-2018-004 and adoption of the recommended Findings of Approval found in Attachment 2. This action would allow for the adoption of amendments to the Milwaukie Zoning Ordinance.

## **HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

**[June 19, 2018](#)**: City Council held a public hearing and adopted housekeeping code amendments (ZA-2018-001). A number of proposed amendments were held to be considered in a follow-up round of code amendments.

The Planning Commission was scheduled to hold a worksession on **[July 10, 2018](#)**, but the meeting was canceled.

**[July 17, 2018](#)**: City Council held a worksession to discuss the proposed code amendment package.

**[August 21, 2018](#)**: City Council held a second worksession to discuss the proposed code amendment package.

**[August 28, 2018](#)**: The Planning Commission held a worksession to discuss the proposed code amendment package.

## **BACKGROUND INFORMATION**

Over the course of several years, Planning Department staff has been tracking issues with current zoning code language and has made recommendations for amended language. These items have been identified through a variety of means, including:

- questions about specific code language that have been raised by the public on multiple occasions and that are not easily answered;

- code interpretation applications; and
- onerous land use review procedures for specific types of small development proposals,

To date, there are over 100 individual items on the "code fix" list.

The Planning Department brought packages of "housekeeping" code amendments in 2016 (ZA-2016-002) and in June 2018 (ZA-2018-001). Housekeeping amendments are clarifications or minor tweaks, and are not intended to affect the meaning or intent of existing regulations. The current package of proposed code amendments includes some simple housekeeping corrections, but primarily involve more significant changes, including changes in policy. Several of the proposed changes were held over from the last package of housekeeping code amendments.

The current package of proposed code amendments includes the following: (Please refer to Attachment 1 for draft language):

1. Revising the definitions of "public park", "livestock", and "live/work unit":
  - The proposed definition of public park removes a reference to the City Community Services Department which no longer exists.
  - The proposed definition of livestock clarifies that this term refers to animals such as goats, sheep, etc. that are not kept as pets. This is related to the proposed language regarding agricultural uses in the residential zones.
  - The proposed definition of live/work unit provides flexibility in the design of live/work units. The current code language essentially requires that these units are multi-story. The change is related to a proposed revision for live/work design and development standards.
2. Revising live/work standards:
  - The proposed language includes language that allows live/work units to be either multi-story or single-floor units to provide flexibility in their design.
3. Revising the regulations for agricultural uses in residential zones;
  - The proposed language clarifies that livestock animals are different from animals kept as pets.
4. Revising a number of sections that include various iterations of personal/business services as permitted uses within zoning districts, to provide consistency throughout the code;
5. Modifying the odor control standards for marijuana businesses;
  - The proposed language responds to a conflict with the Oregon Building Code and removes specific mechanical and ventilation requirements from the zoning code.
6. Revising the landscaping standard for multi-family development;
  - The proposed language allows non-native trees that are not nuisance trees to be planted, rather than requiring only native trees, to provide flexibility in species selection.
7. Amending the maximum height and height variance language in the DMU zone;

- The proposed language corrects an inconsistency between the table of standards and Figure 19.304-4 as well as accounts for the permitted height bonus numerical standards.
8. Revising access standards;
    - The proposed language allows for a modification to the access spacing standards for driveways and intersections rather than requiring a Type III Variance. The modification process is already outlined in Title 12 and is under the authority of the Engineering Director.
  9. Creating a new code section regulating seasonal and temporary uses;
    - The proposed language creates a process for review and approval of temporary uses, such as parking for construction workers and boat rentals at Milwaukie Bay Park. This type of permit does not currently exist in the municipal code.
  10. Allowing signs for historic property identification;
    - The proposed language creates an exemption for signs for historic properties and heritage trees, including standards for the signs and what qualifies as an historic property.
  11. Banners and temporary signs;
    - The proposed language would disallow banner-type signs to be used as permanent wall signs in an effort to require higher quality signage. The proposed language also includes a 6-month time limit for temporary signs; no time limit currently exists. If the signage is related to a permitted temporary use, then the 6-month timeframe would not apply (e.g. construction signs).
  12. Requiring businesses that are closed to remove signs;
    - The proposed language requires that signs for businesses that have closed must be removed within 6 months. The purpose is to reduce clutter as well as confusion when signs are still up for businesses that no longer exist.
  13. Creating a new code section for green building standards;
    - The proposed language creates a new section for green building standards as identified for building height bonuses in the GMU, NMU, and NMIA zones as well as the local approval criteria for the Vertical Housing Development Zone. The proposed language revises current standards to include a requirement for energy efficiency.
  14. Revising the permitted uses in the Manufacturing zone;
    - The proposed language would allow repair and service shops for personal vehicles in the Manufacturing zone.
  15. Adding language specific to vacation rentals in the standards governing conditional uses;
    - The proposed language includes standards for vacation rentals, including a requirement for a building inspection and notification to neighbors.
  16. Revising the standards for street layout and connectivity;

- The proposed language changes the standard for dead-end streets (“closed-end street system”) such that a cul-de-sac with no more than 20 units could be built off a dead-end-street. The current language would not permit this. The amendment provides opportunity for additional development.
17. Revising the review process for wireless communication facilities, including a list of exemptions;
    - The proposed language further clarifies the permitting process for wireless communication facilities, including a list of exemptions, reflecting a ruling by the Federal Communications Commission. The proposed language also adds references to Title 21, alerting applicants to other city code requirements such as franchise agreements, as well as other revisions recommended by the ROW/Contracts Coordinator.
  18. Revising a standard for Accessory Dwelling Units (ADUs);
    - The proposed language regarding allowing 1 ADU per single family home (as opposed to only one per lot) is a requirement of Senate Bill (SB) 1051.
  19. Revising parking lot landscaping standards;
    - The proposed language changes the spacing of trees from 1 tree for every 40 lineal ft to every 30 lineal ft and also adds a requirement for a minimum tree canopy within 10 years. The proposed language is intended to result in species selection and plantings that provide better shade in parking areas.
  20. Clarifying language related to boundary changes.
    - The proposed language clarifies that a boundary change within an approved subdivision requires a subdivision replat.
  21. Revising the timeframe for notification of code and plan amendments to Metro to coincide with their 35 day requirement prior to the first evidentiary hearing, rather than the existing 45 days outline in City code.
  22. Adding references to the 100-day deadline for decisions for certain affordable housing developments, per SB 1051.

## KEY ISSUES

### **Is the proposed revised language relative to Green Building Standards sufficient and the right approach when allowing a height bonus for environmentally responsible construction?**

The current zoning code includes green building standards as height bonuses in 3 different zones: NMIA, GMU and DMU. The proposed code creates a new code section where green building standards are established. This provides uniformity and simplification in the code by referencing one code section wherever green building standards are applicable. This also streamlines any future amendment process by requiring only one code section to be updated as

needed, rather than language in each affected zone. This new language would also apply to local approval criteria for the Vertical Housing Development Zone.

The current code language provides a height bonus for buildings that receive certification at any level under an American National Standards Institute (ANSI) approved green building rating system (e.g. LEED, Earth Advantage, or Green Globes certified). This language has been criticized by some for not requiring higher standards of building performance, particularly in energy use. The challenge in proposing new standards is to balance a desire for high performing buildings while also not creating a barrier to new development due to the high cost of this type of construction. Green buildings can be built without a rating and certification system, but it is important to identify programs that provide a certification process so that staff can administer the review without having to be experts in the program or other performance standards. The proposed language increases the minimum requirements to receive the height bonus, offering a choice between LEED Silver certification (50-59 points) or confirmation of participation in the Energy Trust of Oregon's (ETO) Path to Net Zero program. These two programs align with the City's goals of reduction in energy use in new buildings, as well as other aspects of green building.

#### Summary of LEED

LEED includes a set of rating systems for the design, construction, operation, and maintenance of green buildings and is based on a system of 110 possible base points across 6 credit categories: "Sustainable Sites", "Water Efficiency", "Energy and Atmosphere", "Materials and Resources", "Indoor Environmental Quality", and "Innovation in Design".

Buildings can qualify for four levels of certification (see Attachment 2 a):

- Certified: 40–49 points
- Silver: 50-59 points
- Gold: 60-79 points
- Platinum: 80 points and above

#### Summary of ETO Path to Net Zero Program: (see Attachment 2 b)

ETO is a nonprofit organization committed to delivering clean, affordable energy to 1.6 million utility customers. It is described as a resource for customers, providing information, cash incentives and technical assistance to help them invest in energy-saving or renewable energy projects. They coordinate their services with the utilities of their funding customers: Portland General Electric, Pacific Power, NW Natural, Cascade Natural Gas and Avista. Net-zero buildings have the potential to create as much energy as they consume over the course of each year.

The basic approach for a Path to Net Zero project is to design and construct a building by focusing on two key areas: the Energy Use Intensity, EUI, of the building and initial design strategies for fundamental building systems.



Energy Trust’s Path to Net Zero supports the entire design and construction process, from project kick-off through completion and occupancy. Funding incentives are provided via direct funding and technical assistance.

## ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	PC Packet	Public Copies	E-Packet
1. Ordinance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
a. Recommended Findings in Support of Approval	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Draft code amendment language (underline/strikeout)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Green Building	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
a. LEED checklist	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. ETO Path to Net Zero program webpage	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

PC Packet = paper materials provided to Planning Commission 7 days prior to the meeting.

Public Copies = paper copies of the packet available for review at City facilities and at the Planning Commission meeting.

E-Packet = packet materials available online at <https://www.milwaukieoregon.gov/bc-pc/planning-commission-19>.



**COUNCIL ORDINANCE No.**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING TITLE 11 MISCELLANEOUS PERMITS, TITLE 12 STREETS, SIDEWALKS, AND PUBLIC PLACES, TITLE 14 SIGNS, TITLE 17 LAND DIVISION, AND TITLE 19 ZONING TO MAKE MINOR CHANGES TO SELECT SECTIONS FOR THE PURPOSE OF CLARIFICATION AND IMPROVED EFFECTIVENESS (FILE #ZA-2018-004).**

**WHEREAS**, the proposed amendments to Titles 11, 12, 14, 17, and 19 make changes and clarifications that will more effectively communicate and implement existing policy; and

**WHEREAS**, legal and public notices have been provided as required by law; and

**WHEREAS**, on November 13, 2018, the Milwaukie Planning Commission conducted a public hearing, as required by MMC 19.1008.5 and adopted a motion in support of the amendment; and

**WHEREAS**, the Milwaukie City Council finds that the proposed amendments are in the public interest of the City of Milwaukie.

**Now, Therefore, the City of Milwaukie does ordain as follows:**

Section 1. Findings. Findings of fact in support of the amendments are adopted by the City Council and are attached as Exhibit A.

Section 2. Amendments. The Milwaukie Municipal Code is amended as described in Exhibit B (Titles 11 Miscellaneous Permits, 12 Streets, Sidewalks, and Public Places, 14 Signs, 17 Land Division, and 19 Zoning underline/strikeout version), and Exhibit C (Titles 11 Miscellaneous Permits, 12 Streets, Sidewalks, and Public Places, 14 Signs, 17 Land Division, and 19 Zoning clean version).

Section 3. Effective Date. The amendments shall become effective 30 days from the date of adoption.

Read the first time on \_\_\_\_\_, and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
Mark Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Scott Stauffer, City Recorder

---

Justin D. Gericke, City Attorney

**Recommended Findings in Support of Approval  
File #ZA-2018-004, Code Fix Amendments**

Sections of the Milwaukie Municipal Code not addressed in these findings are found to be inapplicable to the decision on this application.

1. The applicant, the City of Milwaukie, proposes to amend various regulations that are contained in Title 11 Miscellaneous Permits, Title 12 Streets, Sidewalks, and Public Places, Title 14 Sign Ordinance, Title 17 Land Division, and Title 19 Zoning Ordinance of the Milwaukie Municipal Code (MMC). The land use application file number is ZA-2018-004.
2. The purpose of the proposed code amendments is as a collection of “housekeeping” amendments – clarifications or minor tweaks – that are not intended to affect the meaning or intent of existing regulations; they are not intended to be a change in policy. The amendments are located in several titles of the municipal code:
  - Title 11 – Miscellaneous Permits – create a process for review and approval of temporary uses.
  - Title 12 – Streets, Sidewalks, and Public Places – allow for a modification to access spacing standards.
  - Title 14 – Signs – disallow banner-type signs to be used as wall signs; regulate temporary signs with a 6-month time limit; create an exemption for signs identifying historic properties; clarify that signs for businesses that have closed must be removed within 6 months.
  - Title 17 – Land Division – clarify that a boundary change within an approved subdivision requires a subdivision replat.
  - MMC 19.201 – Definitions – revise the definitions of “public park”, “livestock”.
  - MMC 19.202.4.E – revise the density calculation language to reflect a recent code interpretation (CI-2017-001)
  - MMC 19.300 – various sections - the permitted use “Personal-service-oriented” is amended to read “Personal/business services” so that the use is consistently named throughout the code.
  - MMC 19.301 and 302 – Low and Medium Density Zones – clarify the difference between livestock and animals as household pets on single family properties.
  - MMC 19.303.4 – Detailed Development Standards – minor correction to a typo regarding FAR
  - MMC 19.304 – Downtown Zones – correct a mathematical error in Table 19.304.2 regarding building height; correct an inconsistency between the table of standards and Figure 19.304-4.

- MMC 19.304.5 – Detailed Development Standards - eliminate the requirement for a 6-ft step back as a development standard and keep it as a design standard in MMC 19.508 (including a clarification in 19.508).
  - MMC 19.308 – Community Shopping Commercial Zone – Add indoor recreation to the list of permitted uses.
  - MMC 19.309 – Manufacturing Zone – allow the repair and service of personal vehicles as a permitted use.
  - MMC 19.505.3 – Multi-family housing – replace the requirement for native trees with trees that are not a nuisance species for on-site tree plantings. Natural Resources – various minor clarification revisions
  - MMC 19.505.6 – clarify that live/work units can be multi-story or single-floor units.
  - MMC 19.509 – Marijuana Business Standards – remove language that conflicts with ORS 455.040.
  - MMC 19.510 – Green Building Standards - create a new section related to green building standards for height bonuses. Reference corrections are made to correspond to this new section.
  - MMC 19.600 – Off-Street parking – revisions to planting requirements.
  - MMC 19.708 – Transportation Facility Requirements – revision to allow additional development off a dead-end street.
  - MMC 19.904 – Community Service Uses – various amendments to the standards for wireless communication facilities to reflect a ruling by the Federal Communications Commission and add references to Title 21 reflecting franchise agreements.
  - MMC 19.905 – Conditional Uses – add standards for vacation rentals.
  - MMC 19.910 – add language allowing one accessory dwelling unit (ADU) per single family home, which is a requirement of SB 1051.
  - MMC 19.911 – Variances – clarify that a building height variance in the DMU would be an option for developments that are proposed to exceed the allowed building height with height bonuses, or that do not elect to use height bonuses
  - MMC 19.1000 – Review Procedures – revisions to related to Metro notification to coincide with their recent changes to requirements; add references related to ORS 197.311, which addresses the new requirements for expedited review of qualifying affordable housing projects.
3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
- MMC 19.902 Amendments to Maps and Ordinances
  - MMC 19.1000 Review Procedures

4. The application has been processed and public notice provided in accordance with MMC Section 19.1008 Type V Review. A public hearing was held on November 13 and December 20, 2018, as required by law.
5. MMC 19.902 Amendments to Maps and Ordinances
  - a. MMC 19.902.5 establishes requirements for amendments to the text of the zoning ordinance. The City Council finds that these requirements have been met as follows.

- (1) MMC Subsection 19.902.5.A requires that changes to the text of the land use regulations of the Milwaukie Municipal Code shall be evaluated through a Type V review per Section 19.1008.

*The Planning Commission held a duly advertised public hearing on November 13, 2018. A public hearing before City Council is scheduled for December 18, 2018. Public notice was provided in accordance with MMC Subsection 19.1008.3.*

- (2) MMC Subsection 19.902.5.B establishes the approval criteria for changes to land use regulations of the Milwaukie Municipal Code.
  - (a) MMC Subsection 19.905.B.1 requires that the proposed amendment be consistent with other provisions of the Milwaukie Municipal Code.

*The proposed amendments have been coordinated with and are consistent with other provisions of the Milwaukie Municipal Code. The amendments are clarifying in nature and are minor adjustments to policy.*

- (b) MMC Subsection 19.902.5.B.2 requires that the proposed amendment be consistent with the goals and policies of the Comprehensive Plan.

*Only the goals, objectives, and policies of Comprehensive Plan that are listed below are found to be relevant to the proposed text amendment.*

- (i) The Goal statement of the Economic Base and Industrial/Commercial Land Use Element reads as follows:

To continue to support and encourage the development of a broad industrial base in the City, and to encourage the expansion of service facilities in the community.

Objective #2 – Employment Opportunity states:

To continue to support a wide range of employment opportunities for Milwaukie citizens.

*The proposed amendments:*

- *Add indoor recreation to the list of permitted uses in the Community Shopping Commercial Zone and add service and repair of personal vehicles to the list of permitted uses in the Manufacturing Zone.*

Objective #6 – Commercial Land Use states:

To encourage new commercial uses to locate within designated commercial areas of the City, in order to take maximum advantage of existing access and public facilities serving these areas.

*The proposed amendments:*

- *Add indoor recreation to the list of permitted uses in the Community Shopping Commercial Zone and add service and repair of personal vehicles to the list of permitted uses in the Manufacturing Zone.*

(ii) Historic Resources Element – Objective #2, Policy #4 states:

Encourage appropriate memorialization of historic sites, objects, or structures through signs or plaques which convey the historic significance of a resource.

*The intent of the proposed amendments to the sign code is to exempt appropriate identifying signage for historic sites and properties from a sign permit, which may encourage their installation.*

(iii) Energy Conservation Element – Goal statement:

To conserve energy by encouraging energy efficient land use patterns and transportation systems, and by encouraging the construction industry and private homeowners to participate in energy conservation programs.

Objective #3 – Construction states:

To encourage the construction industry to construct energy efficient residential, commercial and industrial facilities.

*The intent of the proposed amendment to green building standards is to require a higher level of sustainable design and construction in new developments that seek height bonuses. Buildings that are more efficient and perform better than required by the building code are encouraged, using a height bonus as an incentive.*

(iv) Residential Land Use and Housing Element - Objective #5 – Housing Choice states:

To continue to encourage an adequate and diverse range of housing types and the optimum utilization of housing resources to meet the housing needs of all segments of the population.

*The intent of the proposed amendment to the standards for live/work units is to provide flexibility in the development of these types of units and remove prescriptive requirements. The amendment addressing SB 1051 would allow one ADU per single-family home or lot, which provides additional opportunities for the development of ADUs. The amendment addressing*

*ORS 197.311 complies with the requirement that qualifying affordable housing projects are reviewed within 100 days, rather than 120 days.*

- (c) MMC Subsection 19.902.5.B.3 requires that the proposed amendment be consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies.

*The proposed amendments were sent to Metro for comment. Metro did not identify any inconsistencies with the Metro Urban Growth Management Functional Plan or relevant regional policies.*

- (d) MMC Subsection 19.902.5.B.4 requires that the proposed amendment be consistent with relevant State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule.

*The proposed amendments were sent to the Department of Land Conservation and Development (DLCD) for comment. DLCD did not identify any inconsistencies with relevant State statutes or administrative rules.*

*The proposed amendments are found to be consistent with the Transportation Planning Rule for the following reason. The proposed text amendment does not impact the transportation system given that the amendments are clarifying in nature and do not create the opportunity for any more vehicle trips than are currently allowed by other similar uses in each respective zone.*

- (e) MMC Subsection 19.902.5.B.5 requires that the proposed amendment be consistent with relevant federal regulations.

*Relevant federal regulations are those that address land use, the environment, or development in the context of local government planning. Typically, regulations such as those set forth under the following acts may be relevant to a local government land use process: the Americans with Disabilities Act, the Clean Air Act, the Clean Water Act, the Endangered Species Act, the Fair Housing Act, the National Environmental Policy Act, the Religious Land Use and Institutionalized Persons Act, and the Resource Conservation and Recovery Act. None of these acts include regulations that impact the subject proposal or that cannot be met through normal permitting procedures. Therefore, the proposal is found to be consistent with federal regulations that are relevant to local government planning.*

6. MMC 19.1000 establishes the initiation and review requirements for land use applications. The City Council finds that these requirements have been met as follows.
- a. MMC 19.1001.6 requires that Type V applications be initiated by the Milwaukie City Council, Planning Commission, Planning Director, or any individual.
- The amendments were initiated by the Planning Director on June 20, 2018.*
- b. MMC Section 19.1008 establishes requirements for Type V review. The procedures for Type V review have been met as follows:



- (1) Subsection 19.1008.3.A.1 requires opportunity for public comment.

*Opportunity for public comment and review has been provided. The City Council had a worksession on the proposed amendments on July 17, 2018 and August 21, 2018. The Planning Commission had a worksession about the proposed amendments on August 28, 2018. The current version of the draft amendments has been posted on the City's website since October 12, 2018. On October 12, 2018 staff emailed NDA leaders with information about the Planning Commission hearing and a link to the draft proposed amendments.*

- (2) Subsection 19.1008.3.A.2 requires notice of public hearing on a Type V Review to be posted on the City website and at City facilities that are open to the public at least 30 days prior to the hearing.

*A notice of the Planning Commission's November 13, 2018, hearing was posted as required on October 12, 2018. A notice of the City Council's December 18, 2018 hearing was posted as required on November 16, 2018.*

- (3) Subsection 19.1008.3.A.3 requires notice be sent to individual property owners if the proposal affects a discrete geographic area or specific properties in the City.

*The Planning Director has determined that the proposal affects a large geographic area.*

- (4) Subsection 19.1008.3.B requires notice of a Type V application be sent to the Department of Land Conservation and Development (DLCD) 35 days prior to the first evidentiary hearing.

*Notice of the proposed amendments was sent to DLCDC on October 9, 2018.*

- (5) Subsection 19.1008.3.C requires notice of a Type V application be sent to Metro 45 days prior to the first evidentiary hearing.

*Notice of the proposed amendments was sent to Metro on September 28, 2018.*

- (6) Subsection 19.1008.3.D requires notice to property owners if, in the Planning Director's opinion, the proposed amendments would affect the permissible uses of land for those property owners.

*Notice to individual property owners in the North Milwaukie Industrial Area, the Downtown Mixed Use Zone, and the General Mixed Use Zone regarding the new Green Building Standards in MMC 19.510 was sent on October 8, 2018.*

- (7) Subsection 19.1008.4 and 5 establish the review authority and process for review of a Type V application.

*The Planning Commission held a duly advertised public hearing on November 13, 2018 and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on December 18, 2018 and approved the amendments.*

## Underline/Strikeout Amendments

### TITLE 11 MISCELLANEOUS PERMITS

#### 11.05 TEMPORARY USES, PERMITS, AND REGULATIONS

##### 11.05.010 Uses

Approval may be granted for structures or uses which are temporary or seasonal in nature, such as:

- A. Seasonal sales uses on private property and on land owned by the City of Milwaukie. These activities include, but are not limited to, the sale of produce, rental of recreational equipment, provision of recreational lessons, or sale of products at a park owned by the City of Milwaukie.
- B. Temporary real estate offices;
- C. Construction parking;
- D. Construction trailers;
- E. Construction offices;
- F. Other temporary uses similar to those listed above as determined by the City Manager

Approval may be granted provided such uses are consistent with the intent of the underlying zoning district and comply with other provisions of this code. These activities are intended to be in use for a limited duration and shall not become a permanent part of a site.

##### 11.05.020 Application and Fee

An application for a temporary use shall be filed with the City and accompanied by the fee specified in the adopted fee schedule. The applicant is responsible for submitting a complete application which addresses all review criteria. Temporary use permits shall be subject to the requirements set forth in this section.

##### 11.05.030 Permit Approval

###### A. Findings of Fact

A temporary use permit (TUP) may be authorized by the City Manager or designee provided that the applicant submits a narrative and detailed site plan that demonstrates that the proposed use:

1. Generally does not have negative impacts and is not inconsistent with the standards and limitations of the zoning district in which it is located;
2. Meets all applicable City and County health and sanitation requirements;
3. Meets all applicable Uniform Building Code requirements; and
4. On-site real-estate offices, construction offices, and construction trailers shall not be approved until land use approval and building permits, if applicable, have been issued.

###### B. Time Limits

The temporary use or structure shall be removed upon expiration of the temporary use permit, unless renewed by the City Manager or designee.

1. Temporary construction offices, construction trailers, and real estate offices shall not be issued for a period exceeding one (1) year. The applicant may request a renewal for additional time to allow completion of the project provided that the applicant provides a narrative describing the need for additional time and an anticipated date of project completion.
2. Other temporary uses, that are not temporary events per MMC 11.04, shall be issued a permit for up to one (1) year to accommodate the duration of the proposed temporary use.

Renewals may be provided as follows:

- a. A renewal permit may be obtained for a period of one (1) year after providing a narrative describing how the use will remain temporary and how the use is not and will not become permanent.
- b. A temporary use permit shall not be renewed for more than three (3) consecutive years; however, a renewal may be obtained annually for uses that do not exceed a four-month period of time per year.

**C. Conditions**

In issuing a temporary use permit, the City Manager or designee may impose reasonable conditions as necessary to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to the following:

1. Increased yard dimensions;
2. Fencing, screening or landscaping to protect adjacent or nearby property;
3. Limiting the number, size, location or lighting of signs;
4. Restricting certain activities to specific times of day; and
5. Reducing the duration of the temporary use permit to less than one (1) year.

**D. Revocation**

Any departure from approved plans not authorized by the City Manager or designee shall be cause for revocation of applicable building and occupancy permits. Furthermore if, in the City's determination, a condition or conditions of TUP approval are not or cannot be satisfied, the TUP approval, or building and occupancy permits, shall be revoked.

---

**TITLE 12 STREETS, SIDEWALKS, AND PUBLIC PLACES**

**CHAPTER 12.16 ACCESS MANAGEMENT**

**12.16.040 ACCESS REQUIREMENTS AND STANDARDS**

**C. Accessway Location**

**4. Distance from Intersection**

To protect the safety and capacity of street intersections, the following minimum distance from the nearest intersecting street face of curb to the nearest edge of driveway apron shall be maintained. Where intersecting streets do not have curb, the distance shall be measured from the nearest intersecting street edge of pavement.

Distance from intersection may be modified with a modification as described in MMC 12.16.040.B.2.

---

## TITLE 14 SIGN ORDINANCE

### CHAPTER 14.04 GENERAL PROVISIONS

#### 14.04.030 DEFINITIONS

Sign, Banner. “Banner sign” means a sign of lightweight fabric or similar material that can be mounted ~~both on a permanent or temporary basis.~~ A banner sign may not be used as a wall sign. ~~provided appropriate wall sign standards are met.~~

Sign, Wall. “Wall sign” means any sign painted on, attached to, or installed against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall, the angle of said wall not to exceed thirty degrees from the vertical. Wall signs may not project more than 12 inches from the wall to which they are attached. Painted wall decorations which include a message are considered to be wall signs. Banners and similar signs may not be used as wall signs.

---

### CHAPTER 14.16 SIGN DISTRICTS

#### 14.12.010 Exempted Signs

- B. Temporary signs which are nonilluminated, have an overall face area not exceeding 16 ~~square feet,~~ are not permanently installed, and are intended to be located on property for short durations of time. Such signs may include, but are not limited to, real estate lease and sales, political signs, building permits, public hearing notices, ~~construction signs,~~ garage sale, open house, special event, holiday, and similar signs. Temporary signs shall be removed within 6 months. Temporary signs for construction projects may be maintained for the duration of the project. ~~a reasonable period of time.~~
- N. Signs or tablets, (including names of buildings and the date of erection) when cut into any masonry surface or constructed of bronze or other similar durable noncombustible surface, that meet the following requirements:
1. Not to exceed 2 sq ft for wall signs and placed no higher than 6 ft above ground level; or,
  2. 2 sq ft and no taller than 3 ft for a monument sign; and
  3. This exemption is limited to:
    - a. historic properties as listed in Appendix A of the Milwaukie Comprehensive Plan; or
    - b. any building that is shown to be at least 50 years old; or
    - c. a City-identified heritage tree; or
    - d. an historic site recognized and acknowledged by the City Council or a duly appointed city commission or committee.

Except when installed within a park, only 1 sign per property is permitted. The sign may not be installed in the public right-of-way unless permitted as an encroachment within the public right-of-way per MMC 12.14.

---

## CHAPTER 14.28 REMOVAL OF SIGNS IN VIOLATION

### 14.28.010 ABANDONED SIGN

#### A. Time Limit

Abandoned signs and sign structures shall be removed within 180 days of the time that a sign is no longer used on the structure. Signs for businesses that have closed must be removed within 6 months of the business closure.

---

## TITLE 17 LAND DIVISION

### CHAPTER 17.12 APPLICATION PROCEDURE AND APPROVAL CRITERIA

#### 17.12.020 APPLICATION PROCEDURE

Table 17.12.020 Boundary Change Review Procedures			
Boundary Change Action	Type I	Type II	Type III
<b>1. Lot Consolidation Other Than Replat</b>			
a. Legal lots created by deed.	X		
<b>2. Property Line Adjustment</b>			
a. Any adjustment that is consistent with the ORS and this title.	X		
b. Any adjustment that modifies a plat restriction.		X	
<b>3. Partition Replat</b>			
a. Any modification to a plat that was decided by the Planning Commission.			X
b. Parcel consolidation.	X		
c. Actions not described in 3(a) or (b).		X	
<b>4. Subdivision Replat</b>			
a. <u>Any modification to a plat affecting 4 or more lots.</u>			X

---

## TITLE 19 ZONING

### CHAPTER 19.200 DEFINITIONS AND MEASUREMENTS

#### 19.201 DEFINITIONS

~~“Abutting” means sharing a common boundary or property line. to reach or touch, to touch at the end or be contiguous with, to join at a border or boundary, and/or to terminate on. Abutting properties include properties across a street or alley.~~

"Adjacent" means touching; across a public right-of-way from; across an easement from; across a stream or creek from.

"Livestock" means domestic animals, such as cattle, horses, sheep, hogs, or goats, raised for home use (such as meat, milk, or shearing) or for profit.

"Live/work unit" means a dwelling unit where residential and nonresidential spaces are combined and where the dwelling unit is the principal residence of the business operator/proprietor. ~~Nonresidential spaces are typically located on the ground floor and residential spaces are located on upper floors.~~

"Personal/business services" means the provision of services to individuals or businesses. Typical uses include laundromats/dry cleaners, tanning salons, barbers, beauty salons, shoe repair, copy centers, secretarial services, pet grooming and pet day care, and blueprint services.

"Public park" means a park, playground, swimming pool, reservoir, or athletic field within the City which is under the control, operation, or management of the City of Milwaukie ~~Community Services Department.~~

---

## CHAPTER 19.300 BASE ZONES

### 19.301 LOW DENSITY RESIDENTIAL ZONES

#### 19.301.3 Use Limitations and Restrictions

- A. Agricultural or horticultural uses are permitted, provided that the following conditions are met.
1. Retail or wholesale sales associated with an agricultural or horticultural use are limited to the allowances for a home occupation per Section 19.507.
  2. Unless raised as a household pet, livestock, other than usual household pets, are not shall not be housed or kept within 100 ft of any dwelling not on the same lot, nor on a lot less than one acre, nor having less than 10,000 sq ft per head of livestock.
  3. Poultry kept for the production of meat or for commercial sale of eggs are not housed or kept within 100 ft of any dwelling not on the same lot, nor on a lot less than 1 acre. Poultry kept for other purposes are not subject to these limitations and are allowed per Subsection 19.503.1.C.
  4. Livestock shall be properly and humanely caged or housed, and proper sanitation shall be maintained at all times.
  5. All livestock food shall be stored in rodent-proof receptacles.
- 

### 19.302 MEDIUM AND HIGH DENSITY RESIDENTIAL ZONES

#### 19.302.3 Use Limitations and Restrictions

- A. Agricultural or horticultural uses are permitted, provided that the following conditions are met.
1. Retail or wholesale sales associated with an agricultural or horticultural use are limited to the allowances for a home occupation per Section 19.507.

**Proposed Code Amendment**

---

2. Unless raised as a household pet, livestock, other than usual household pets, are not shall not be housed or kept within 100 ft of any dwelling not on the same lot, nor on a lot less than 1 acre, nor having less than 10,000 sq ft per head of livestock.
  3. Poultry kept for the production of meat or for commercial sale of eggs are not housed or kept within 100 ft of any dwelling not on the same lot, nor on a lot less than 1 acre. Poultry kept for other purposes are not subject to these limitations and are allowed per Subsection 19.503.1.C.
  4. Livestock shall be properly and humanely caged or housed, and proper sanitation shall be maintained at all times.
  5. All livestock food shall be stored in rodent-proof receptacles.
- 

**19.303 COMMERCIAL MIXED-USE ZONES**

**19.303.2 Uses**

<b>Table 19.303.2 Uses Allowed in Commercial Mixed-Use Zones</b>			
Uses and Use Categories	GMU	NMU	Standards/Additional Provisions
<b>Commercial<sup>3, 4</sup></b>			
<p><u>Personal/business services Personal-service-oriented</u></p> <p><u>Personal/business services Personal-service-oriented firms</u> are involved in providing consumer services.</p> <p>Examples include hair, tanning, and spa services; pet grooming; photo and laundry drop-off; dry cleaners; and quick printing.</p>	P	P	

---

19.303.3 Development Standards

Table 19.303.3 Commercial Mixed Use Zones—Summary of Development Standards			
Standard	GMU	NMU	Standards/ Additional Provisions
<b>B. Development Standards</b>			
1. Minimum floor area ratio	0.5:1	0.5:1	<b>Subsection 19.303.4.A</b> Floor Area Ratio
2. Building height (ft)			<b>Subsection 19.303.4.B</b> Building Height
a. Base maximum	45	45	<b>Section 19.510</b> Green Building Standards
b. Maximum with height bonus	57–69	Height bonus not available	<b>Subsection 19.911.7</b> Building Height Variance in the General Mixed Use Zone

19.303.4 Detailed Development Standards

The following detailed development standards describe additional allowances, restrictions, and exemptions related to the development standards of Table 19.303.3.

A. Floor Area Ratio

1. Intent

The floor area ratio (FAR) is a tool for regulating the intensity of development. Minimum FARs help to ensure that the intensity of development is controlled. In some cases, FAR densities are provided for provision of a public benefit or amenity to the community.

2. Standards

- a. The minimum floor area ratio in Table 19.303.3 applies to all nonresidential building development.

~~The base maximum building height in the GMU Zone is 3 stories or 45 ft, whichever is less. Height bonuses are available for buildings that meet the standards of Subsection 19.303.4.B.3.~~

- b. Required minimum floor area ratio shall be calculated on a project-by-project basis and may include multiple contiguous parcels. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FAR.

~~Buildings in the GMU Zone shall provide a step back of at least 15 ft for any street-facing portion of the building above the base maximum height as shown in Figure 19.303.4.B.2.b.~~

- c. If a project is to be developed in phases, the required FAR must be met for the land area in the completed phase(s), without consideration of the land area devoted to future phases.

3. Exemptions



The following are exempt from the minimum FAR requirement:

- a. Parking facilities.
- b. Public parks and plazas.

### B. Building Height

#### 1. Intent

Maximum building height standards promote a compatible building scale and relationship of one structure to another.

#### 2. Standards

- a. The base maximum building height in the GMU Zone is 3 stories or 45 ft, whichever is less. Height bonuses are available for buildings that meet the standards of Subsection 19.303.4.B.3.
- b. Buildings in the GMU Zone shall provide a step back of at least 15 ft for any street-facing portion of the building above the base maximum height as shown in Figure 19.303.4.B.2.b.
- c. The maximum building height in the NMU Zone is 3 stories or 45 ft, whichever is less. No building height bonuses are available in the NMU Zone.

#### 3. Height Bonuses

To incentivize the provision of additional public amenities or benefits beyond those required by the baseline standards, height bonuses are available for buildings that include desired public amenities or components, increase area vibrancy, and/or help meet sustainability goals.

A building in the GMU Zone can utilize up to 2 of the development incentive bonuses in Subsection 19.303.4.B.3.a. and ~~3.b~~ Section 19.510, for a total of 2 stories or 24 ft of additional height, whichever is less. Buildings that elect to use both height bonuses for a 5-story building are subject to Type III review per Subsection 19.911.7 Building Height Variance in the General Mixed Use Zone.

##### a. Residential

New buildings that devote at least 1 story or 25% of the gross floor area to residential uses are permitted 1 additional story or an additional 12 ft of building height, whichever is less.

##### b. Green Building

Project proposals that receive approvals and certification as identified in Section 19.510 are permitted 1 additional story or an additional 12 ft of building height, whichever is less.

~~Project proposals that receive certification (any level) under an ANSI-approved green building rating system (e.g., LEED, Green Globes, or Earth Advantage) are permitted 1 additional story or an additional 12 ft of building height, whichever is less.~~

##### c. Building Height Variance

Additional building height may be approved through Type III variance review, per Subsection 19.911.7 Building Height Variance in the General Mixed Use Zone.

**19.304 DOWNTOWN ZONES**

**19.304.2 Uses**

<b>Table 19.304.2 Uses Allowed in Downtown Zones—Uses</b>			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
<b>Commercial</b>			
<del>Personal/business services Personal-service-oriented</del> <del>Personal/business services Personal-service-oriented firms</del> are involved in providing consumer services.  Examples include hair, tanning, and spa services; pet grooming; photo and laundry drop-off; dry cleaners; and quick printing.	P/CU	N	<b>Subsection 19.304.3.A.3</b> Commercial use limitations  <b>Section 19.905</b> Conditional Uses

**19.304.4 Development Standards**

<b>Table 19.304.4 Downtown Zones—Summary of Development Standards</b>			
Standard	DMU	OS	Standards/ Additional Provisions
<b>A. Development Standards</b>			
1. Building height (ft) a. Minimum b. Maximum	25  <del>45-69</del> <del>35-65</del>  (height bonus available)	None  15	<b>Subsection 19.304.5.B</b> Building Height  <b>Figure 19.304-4</b> Base Maximum Building Heights  <b>Subsection 19.304.5.I</b> Transition Measures  <b>Subsection 19.304.5.B.3</b> Height Bonuses  <b>Section 19.510</b> Green Building Standards

**19.304.5 Detailed Development Standards**

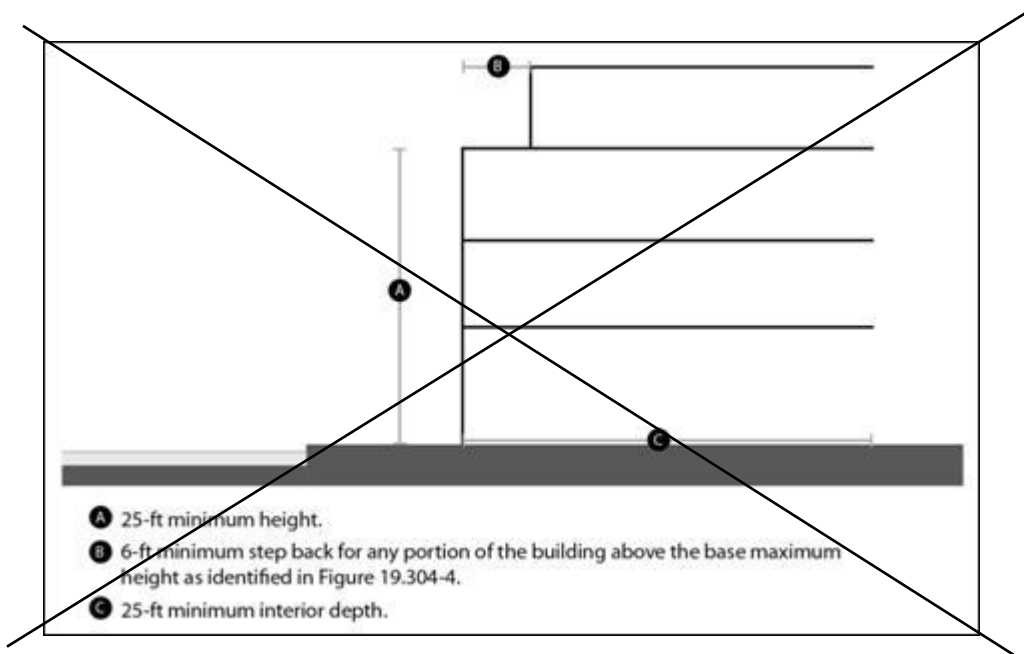
The following detailed development standards describe additional allowances, restrictions, and exemptions related to the development standards of Table 19.304.4.

**B. Building Height**

2. Standards

- d. Buildings shall provide a step back of at least 6 ft for any street-facing portion of the building above the base maximum height as identified in Figure 19.304-4.

**Figure 19.304.5.B.2  
Building Height Standards**



3. Height Bonuses

c. Green Building

Project proposals that receive approvals and certification as identified in Section 19.510 are permitted 1 additional story or an additional 12 ft of building height, whichever is less.

~~New buildings that receive certification (any level) under an ANSI-approved green building rating system (e.g., LEED, Earth Advantage, or Green Globes certified) are permitted 1 additional story or an additional 12 ft of building height, whichever is less.~~

~~Height bonus eligibility shall be verified at the time of building permit submittal and shall be contingent upon submittal of green building certification. The height bonus may be binding under a development agreement and height bonus awards may be revoked, and/or other permits or approvals may be withheld, if the project fails to achieve certification.~~

---

**19.306 LIMITED COMMERCIAL ZONE C-L**

In a C-L Zone the following regulations shall apply:

### 19.306.1 Uses Permitted Outright

In a C-L Zone the following uses and their accessory uses are permitted outright:

- D. Personal/business services ~~Personal service business~~ such as a barber shop, tailor shop, or laundry and dry cleaning pickup station.
- 

### 19.307 GENERAL COMMERCIAL ZONE C-G

In a C-G Zone the following regulations shall apply:

#### 19.307.1 Uses Permitted Outright

In a C-G Zone the following uses and their accessory uses are permitted outright:

- D. Personal/business services ~~Personal service business~~ such as a barber shop, tailor shop or laundry, and dry cleaning pickup station;
- 

### 19.308 COMMUNITY SHOPPING COMMERCIAL ZONE C-CS

In a C-CS Zone the following regulations shall apply:

#### 19.308.1 Uses

Development shall be a community-scale shopping center.

- B. Such center may include the following additional uses:

1. Eating and drinking establishment;
  2. Financial institution;
  3. Entertainment use (theater, etc.);
  4. Personal/business services ~~Personal service businesses~~;
  5. Repair, service or maintenance of goods authorized in this district;
  6. Offices, clinics, or trade schools, provided no more than 15% of the total floor space of the center is devoted to such uses;
  7. Marijuana retailer subject to the standards of Subsection 19.509.1;
  8. Indoor recreation;
  9. Any other uses determined by the Planning Commission to be similar and compatible to the above-listed uses.
- 

### 19.310 BUSINESS INDUSTRIAL ZONE BI

#### 19.310.4 Limited Uses

- A. Limited retail or service uses may be allowed that primarily service the needs of BI Zone clients, employees, and businesses, as opposed to the general public. These uses, subject to the provisions of Subsection 19.310.4.B below, shall include:

3. Personal/business services ~~Personal service businesses~~ such as a barber, beauty parlor, tailor, dressmaking, shoe repair shop, self-service laundry, dry cleaning, photographer, instruction studios, or similar uses;

**19.309 MANUFACTURING ZONE M**

**19.309.2 Permitted Uses**

Permitted uses are limited to industrial uses meeting the following criteria:

H. The following uses are allowed outright and do not need to be part of a project involving an industrial use as described under Subsection 19.309.2.B

2. Repair and Service

This category comprises firms involved in repair and servicing of industrial, business, or consumer electronic equipment, machinery, and related equipment, products, or by-products. Examples include: welding shops; machine shops; tool, electric motor, and industrial instrument repair; sales, repair, or storage of heavy machinery, metal, and building materials; heavy truck servicing and repair; tire retreading or recapping; exterminators, including chemical mixing or storage and fleet storage and maintenance; janitorial and building maintenance services that include storage of materials and fleet storage and maintenance; fuel oil distributors; solid fuel yards; and large-scale laundry, dry-cleaning, and carpet cleaning plants. ~~Few customers come to the site, particularly not general public daily customers.~~ Auto service and repair shops for personal vehicles are not included in this category and are ~~not~~ allowed in the M Zone.

**CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS**

**19.505 BUILDING DESIGN STANDARDS**

**19.505.3 Multifamily Housing**

<b>Table 19.505.3.D Multifamily Design Guidelines and Standards</b>		
<b>Design Element</b>	<b>Design Guideline (Discretionary Process)</b>	<b>Design Standard (Objective Process)</b>
8. Landscaping	Landscaping of multifamily developments should be used to provide a canopy for open spaces and courtyards, and to buffer the development from adjacent properties. Existing, healthy trees should be preserved whenever possible. Landscape strategies that conserve water shall be included. Hardscapes shall be shaded where possible, as a means of reducing energy costs (heat island effect) and improving stormwater management.	<p>a. For every 2,000 sq ft of site area, 1 tree shall be planted or 1 existing tree shall be preserved. <u>Preserved tree(s) must be at least 6 inches in diameter at breast height (DBH) and cannot be listed as a nuisance species in the Milwaukie Native Plant List.</u>  <del>(1) New trees must be listed as native trees in the Milwaukie Native Plant List.</del>  <del>(2) Preserved tree(s) must be at least 6 in diameter at breast height (DBH) and cannot be listed as a nuisance species in the Milwaukie Native Plant List.</del></p> <p>b. Trees shall be planted to provide, within 5 years, canopy coverage for at least 1/3 of any common open space or courtyard. Compliance with this standard is based on the expected growth of the selected trees.</p> <p>c. On sites with a side or rear lot line that abuts an R-10, R-7, or R-5 Zone, landscaping, or a combination</p>

Table 19.505.3.D Multifamily Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
		<p>of fencing and landscaping, shall be used to provide a sight-obscuring screen 6 ft high along the abutting property line. Landscaping used for screening must attain the 6 ft height within 24 months of planting.</p> <p>d. For projects with more than 20 units:</p> <p>(1) Any irrigation system shall minimize water use by incorporating a rain sensor, rotor irrigation heads, or a drip irrigation system.</p> <p>(2) To reduce the "heat island" effect, highly reflective paving materials with a solar reflective index of at least 29 shall be used on at least 25% of hardscape surfaces.</p>

**19.505.6 Live/Work Units**

C. Use Standards

1. Any nonresidential use allowed in the base zone within which a live/work unit is legally located may be conducted on the premises of that live/work unit.
2. At least one of the employees of the commercial portion of the live/work unit must reside in the unit.
3. ~~If the live/work unit is multistory, t~~The ground floor of a live/work unit can be used for either commercial or residential purposes. When the ground floor is being used as part of the dwelling, the provisions of Subsection 19.508.4.E.5.e are not applicable.
4. A live/work unit is allowed instead of, or in addition to, a home occupation as defined by Section 19.201.

D. Development Standards

In addition to the standards of the base zone, live/work units shall comply with all of the following standards.

1. The nonresidential portion of the unit shall occupy at least 25% of the gross floor area.
2. ~~If the live/work unit is multistory, t~~The nonresidential portion of the building shall be located on the ground floor and the residential unit shall be located on the upper floors or to the rear of the nonresidential portion. Live/work units may be single-floor units, in which case a separation between the residential and nonresidential uses is not required.
3. Employees shall be limited to occupants of the residential portion of the building plus up to ~~3~~ 5 persons not residing in the residential portion.

~~E. Design Standards~~

- ~~1. Live/work units are subject to the design standards of Subsection 19.508.~~
- ~~2. The transitional entry standards of Subsection 19.505.5.C.2 do not apply to live/work units.~~

## 19.508 DOWNTOWN SITE AND BUILDING DESIGN STANDARDS

### 19.508.4 Building Design Standards

#### A. Building Façade Details

##### 1. Purpose

To provide cohesive and visually interesting building façades in the downtown, particularly along the ground floor.

##### 2. Nonresidential and Mixed-Use Buildings

The following standards apply only to nonresidential and mixed-use buildings.

##### a. Vertical Building Façade

Nonresidential and mixed-use buildings 2 stories and above shall provide a defined base, middle, and top.

##### (2) Middle

The middle of a building extends from the top of the building base to the ceiling of the highest building story. The middle is distinguished from the top and base of the building by use of building elements. The middle of the building shall be defined by providing all of the following elements:

- (a) Windows that comply with the standards of Subsection 19.508.4.E.
- (b) One of the following elements:
  - (i) A change in exterior cladding, and detailing and material color between the ground floor and upper floors. Differences in color must be clearly visible.
  - (ii) ~~Either~~ Street-facing balconies or decks at least 2 ft deep and 4 ft wide, or a 6-ft minimum building step back on the third floor or higher, for at least 25% of the length of the building.
- (c) A change in wall plane of not less than 24 in. deep and 24 in. wide. Breaks may include but are not limited to an offset, recess, window reveal, pilaster, pediment, coursing, column, marquee, or similar architectural feature.
- (d) Provide a step back of at least 6 ft for any street-facing portion of the building above the base maximum height as identified in Figure 19.304-4.

---

## 19.509 MARIJUANA BUSINESS STANDARDS

### 19.509.2 Security and Odor Control for Certain Marijuana Businesses

- A. The operation shall be entirely indoors, within a fully-enclosed, secure building meeting building codes adopted by the City of Milwaukie and all other applicable state regulations.
- B. Odor shall be managed ~~through the installation of activated carbon filters on exhaust outlets to the building exterior from any rooms used for~~ all production, processing, testing, research, and warehousing uses. A marijuana business shall use an air filtration and

ventilation system that ensures that all odors associated with the marijuana is confined to the licensed premises to the extent practicable. Negative air pressure shall be maintained within the rooms. Exhaust outlets shall be a minimum of 25 ft from a property line.

- C. ~~An alternative odor control system may be approved by the building official based on a report by a mechanical engineer licensed by the State of Oregon, demonstrating that the alternative system will control odor equally or better than the required activated carbon filtration system.~~

---

### **19.510 Green Building Standards**

Green building is the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building's life cycle from siting to design, construction, operation, maintenance, renovation, and deconstruction. For the purposes of height bonuses and/or meeting the local criteria for the Milwaukie Vertical Housing Development Zone, a green building shall be defined as a building that receives one of the following approvals:

- A. LEED Silver Certification; or  
B. Documentation from Energy Trust of Oregon's New Buildings program that confirms participation in the Path to Net Zero program offering.

Height bonus eligibility shall be verified at the time of building permit submittal and shall be contingent upon submittal of green building certification. The height bonus may be binding under a development agreement and height bonus awards may be revoked, and/or other permits or approvals may be withheld, if the project fails to achieve certification.

---

## **CHAPTER 19.600 OFF-STREET PARKING AND LOADING**

### **19.606.2 Landscaping**

B. General Provisions

4. Required trees shall be species that, within 10 years of planting, will provide a minimum of 20-ft diameter shade canopy. Compliance with this standard is based on the expected growth of the selected trees.

C. Perimeter Landscaping

The perimeter landscaping of parking areas shall meet the following standards which are illustrated in Figure 19.606.2.C.

2. Planting Requirements

Landscaping requirements for perimeter buffer areas shall include 1 tree planted per 30 40 lineal ft of landscaped buffer area. Where the calculation of the number of trees does not result in a whole number, the result shall be rounded up to the next whole number. Trees shall be planted at evenly spaced intervals along the perimeter buffer to the greatest extent practicable. The remainder of the buffer area shall be grass, ground cover, mulch, shrubs, trees, or other landscape treatment other than concrete and pavement.

---



## CHAPTER 19.700 PUBLIC FACILITY IMPROVEMENTS

### 19.708 TRANSPORTATION FACILITY REQUIREMENTS

- E. Street Layout and Connectivity
5. ~~Closed-end street systems~~ Streets with a permanent turnaround may serve no more than 20 dwellings.
- 

## CHAPTER 19.900 LAND USE APPLICATIONS

### 19.904 COMMUNITY SERVICE USES

#### 19.904.11 Standards for Wireless Communication Facilities

A. Applicability

The placement, construction, or modification of wireless communication facilities are subject to the provisions of this subsection. In addition, wireless communication facilities shall comply with all municipal codes, heretofore or hereafter amended.

C. Application Process

1. ~~Type I Review~~ Exemptions

The following are exempt from the provisions of this chapter, subject to any other applicable provisions of this code:

- a. Temporary WCF during an emergency declared by the City.
- b. Temporary WCF located on the same site as, and during the construction of, a permanent WCF for which appropriate permits have been granted.
- c. Licensed amateur (ham) radio stations.
- d. Satellite dish antennas 6 ft or less in diameter when located in nonresidential zones, and satellite dish antennas 3 ft or less in diameter when located in residential zones, including direct to home satellite services, when used as an accessory use of the property.

2. Type I Review

- a. Modification of WCFs involving the following activities are subject to Section 19.1004, provided that the proposal does not substantially change the physical dimensions of the support structure:
  - (1) Changing the number of antennas.
  - (2) Removal of existing transmission equipment.
  - (3) Replacement of existing transmission equipment.
- b. For the purposes of this section, a modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:
  - (1)a. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 ft, whichever is greater; for other eligible support structures, it increases the

height of the structure by more than 10% or more than 10 ft, whichever is greater;

(2)b. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 ft, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than 6 ft;

(3)e. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed 4 cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

(4)d. It entails any excavation or deployment outside the current site;

(5)e. It would defeat the concealment elements of the eligible support structure; or

(6)f. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment.

23. Type II Review

Placement, construction, or modification of WCFs not involving the construction of a new monopole, other than those activities described in Subsection 19.904.11.C.1, are subject to Section 19.1005 Type II Review, provided that the antennas and base equipment comply with the standards contained in this subsection. Also see Table 19.904.11.C.

34. Type III Review

All proposed new monopole towers, and projects exceeding the applicability for Type II review, are subject to Section 19.1006 Type III Review. Also see Table 19.904.11.C.

Table 19.904.11.C Wireless Communication Facilities—Type and Review Process				
Towers		WCFs Not Involving New Tower		
Zones	New Monopole Tower up to 100 Ft	Building Rooftop or Wall Mounted Antenna	Water Towers, Existing Towers, and Other Stealth Designs	On Existing Utility Pole in Row with or w/out Extensions
BI	III	P/I/II	P/I/II	P/I/II
M	III	P/I/II	P/I/II	P/I/II
M-TSA	III	P/I/II	P/I/II	P/I/II

## Proposed Code Amendment

C-N	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
C-G	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
C-L	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
C-CS	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
OS	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
DMU	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
GMU	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
NMU	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
R-1-B	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
R-1	N	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
R-2	N	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
R-2.5	N	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
R-3	N	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
R-5	N	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
R-7	N	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>
R-10	N	N	P/ <u>I</u> / <u>II</u>	P/ <u>I</u> / <u>II</u>

**III** = Type III review—requires a public hearing in front of the Planning Commission

**II** = Type II review—provides for an administrative decision

**I** = Type I review—provides for an administrative decision

**P** = Permitted    **N** = Not Permitted

### D. Application Submittal Requirements

In addition to the required submittal material the following must also be included with the application:

1. Applications for a WCF that will include a new monopole tower:
  - a. A narrative description of:
    - (1) Tower location;
    - (2) Design;
    - (3) Height;
    - (4) Antenna location and type for all planned antennas;
    - (5) Indication of the number of additional antennas the tower will be able to accommodate;
    - (6) Right-of-way license number;
    - (7) Type of service provided.
2. WCF Not Including a New Tower

- a. Detailed narrative description describing the proposed antenna location, design and height, the right-of-way license number, and the type of service provided.

F. Location and Size Restrictions

- 2. Height: maximum heights. Also see Table 19.904.11.C.

- d. For antennas on utility poles in the right-of-way, a one 15-ft extension is permitted to the original installation by the owner. The carrier may replace the existing pole with a new utility pole not to exceed 15 ft above the height of the pole that is to be replaced. Equipment cabinets shall be attached to the utility pole. Where this is not practicable, the base equipment shall be subject to requirements of Subsection 19.904.11.G.1.b.

G. Development Standards for All WCFs

- 9. Discontinued Use of and Removal of WCFs

- a. Any WCF not operated for a continuous period of 6 months shall be considered abandoned. The WCF owner is required to remove all abandoned facilities and base equipment within 90 days after notice from the City of Milwaukie.
- b. If the owner of the WCF cannot be located or is no longer in business, it shall be the responsibility of the landowner on whose property the WCF is located to remove the abandoned facility and base equipment.
- c. If the landowner is the City of Milwaukie, the City may invoice the owner of the WCF for the removal.

---

**19.905 CONDITIONAL USES**

**19.905.9 Standards Governing Conditional Uses**

H. Vacation Rentals

Operation of a vacation rental requires the following:

- 1. Prior to initial occupancy, the Building Official shall verify that building code and fire code standards are satisfied.
- 2. With annual filing of MMC Title 5 Business Tax, the operator shall send a notice to neighbors within 300 ft that includes the following information:
  - a. Property owner contact information;
  - b. Vacation rental operator and/or property manager contact information; and
  - c. City of Milwaukie Police nonemergency telephone number.

---

**19.910 RESIDENTIAL DWELLINGS**

**19.910.1 Accessory Dwelling Units**

D. Approval Standards and Criteria

- 1. An application for an accessory dwelling unit reviewed through a Type I review shall be approved if the following standards are met.

- a. An accessory dwelling unit is an allowed use in the base zones, and any applicable overlay zones or special areas, where the accessory dwelling unit would be located.
- b. The primary use of property for the proposed accessory dwelling unit is a single-family detached dwelling.
- c. One accessory dwelling unit per ~~lot~~ single family home or per lot is allowed.

---

**19.911 VARIANCES**

**19.911.6 Building Height Variance in the Downtown Mixed Use Zone**

B. Applicability

The Type III building height variance is an option for proposed buildings that exceed the base maximum building heights or stories and allowed height through bonuses specified in Figure 19.304-4 ~~and~~ or do not elect to use the height bonuses in Subsection 19.304.5.B.3 and Section 19.510.

---

**CHAPTER 19.1000 REVIEW PROCEDURES**

**19.1001 GENERAL PROVISIONS**

**19.1001.6 Applications**

B. Review of Multiple Applications

When multiple land use applications are required for a single proposal, the applicant may request, or the City may require, that the applications be processed concurrently or individually.

The City shall generally allow applicants the choice of having multiple applications for a single proposal processed concurrently or individually. The City may require that applications be reviewed concurrently for proposals where a review of an application(s) would be difficult without the context of the other applications related to the proposal. Alternatively, the City may require parts of an application to be processed separately in order to comply with the 120-day decision requirement (or the 100-day decision requirement for a project meeting all provisions of ORS 197.311) or to allow decisions on parts of a proposal to be made with a lower level of review.

C. Notice Requirements

1. Sign Notice

- a. Notice of Type II, III, and IV applications, and some Type V applications, shall be posted on the subject property by the applicant per Sections 19.1005-19.1008 respectively.
- b. Signs shall be posted in a location which is clearly visible to vehicles traveling on a public street and legible to pedestrians walking by the property. If

the sign is providing notice of a public hearing, the sign shall include the date, time, and place of the hearing. The number and size of signs shall be appropriate given the size of the property, the number of street frontages, and the functional classification of surrounding streets. The City shall provide the applicant at least 1 sign and instructions for posting. An affidavit of posting shall be submitted by the applicant prior to the issuance of the decision and made part of the case file.

c. If the affidavit of posting is not submitted on time or if the required number and type of notice signs are not posted for the required period of time, the City may require an extension of the 120-day decision requirement (or the 100-day decision requirement for a project meeting all provisions of ORS 197.311), delay the decision, and/or postpone or continue the public hearing on the application as necessary. The applicant will be required to repost the notice signs as necessary to meet the requirements of Sections 19.1005-19.1008 respectively.

### **19.1001.7 Decisions**

#### **C. 120-Day Decision Requirement**

The City shall take final action on land use actions subject to ORS 227.178, including resolution of all local appeals, within 120 days after the application has been deemed complete, unless the applicant provides a written statement consenting to an extension of the 120-day decision requirement. The total of all extensions, except as provided for mediation per ORS 227.178(11), shall not exceed 245 days.

---

### **19.1004 TYPE I REVIEW**

#### **19.1004.5 Type I Decision**

Written notice of the decision for Type I applications shall be provided to the applicant and property owner of record. The decision shall be issued with sufficient time to allow the appeal authority for a Type I application to issue a final decision within 120 days from when the application was deemed complete. The final decision for an affordable housing application, as defined in and subject to all of the provisions of ORS 197.311, shall be issued within 100 days from when the application was deemed complete.

---

### **19.1005 TYPE II REVIEW**

#### **19.1005.5 Type II Decision**

A. The decision shall be issued with sufficient time to allow the appeal authority for a Type II application to issue a final decision within 120 days from the date that the application was deemed complete. The final decision for an affordable housing application, as defined in, and subject to all of the provisions of ORS 197.311, shall be issued within 100 days from when the application was deemed complete.

**19.1006 TYPE III REVIEW**

**19.1006.3 Type III Public Notice**

B. Metro Notice

For Zoning Map amendments, the City shall provide notification to Metro at least ~~45~~ 35 days prior to the initial evidentiary hearing on adoption.

**19.1006.5 Type III Decision**

A. The decision shall be issued with sufficient time to allow the appeal authority for a Type III application to issue a final decision within 120 days from the date that the application was deemed complete. The final decision for an affordable housing application, as defined in, and subject to all of the provisions of ORS 197.311, shall be issued within 100 days from when the application was deemed complete.

---

**19.1007 TYPE IV REVIEW**

**19.1007.3 Type IV Public Notice**

B. Metro Notice

For Zoning Map or Comprehensive Plan map amendments, the City shall provide notification to Metro at least ~~45~~ 35 days prior to the initial evidentiary hearing on adoption.

**19.1007.5 Type IV Decision**

A. The Planning Commission shall serve as the recommendation authority for Type IV applications.

B. The Planning Commission shall conduct an initial evidentiary hearing and provide a recommendation to the City Council with sufficient time to allow the City Council to issue a final decision within 120 days from the date that the application was deemed complete. The final decision for an affordable housing application, as defined in, and subject to all of the provisions of ORS 197.311, shall be issued within 100 days from when the application was deemed complete.

---

**19.1008 TYPE V REVIEW**

**19.1008.3 Type V Public Notice**

C. Metro Notice

Notice of a Type V application shall be mailed to Metro at least ~~45~~ 35 days prior to the initial evidentiary hearing on adoption.

---

## **19.1009 PUBLIC HEARINGS**

### **19.1009.11 Continuance of Hearing**

#### **A. Receipt of Additional Materials**

All evidence, testimony, or documents relied upon by the applicant shall be submitted to the City and made available to the public. If additional evidence, testimony, or documents is provided by any hearing participant, the hearing body may allow a continuance or leave the record open for at least 7 days to allow other parties a reasonable opportunity to respond. The hearing body may ask the applicant to consider granting an extension of the 120-day decision requirement (or the 100-day decision requirement for a project meeting all provisions of ORS 197.311) if a delay in proceedings could impact the ability of the City to take final action on the application, including resolution of any local appeals.

#### **E. 120-Day Decision Requirement**

Except for Type V applications, a continuance or extension granted pursuant to Subsection 19.1009.11 shall be subject to the limitations of the 120-day decision requirement (or the 100-day decision requirement for projects meeting the provisions of ORS 197.311) unless the continuance or extension is requested or agreed to in writing by the applicant.

### **19.1009.12 Decision**

A. Following the close of the public portion of the hearing, the hearing body shall approve, conditionally approve, or deny the application. If the hearing is an appeal, the hearing body shall affirm, reverse, or remand the decision that is on appeal. Remanding the decision to a prior hearing body requires that there is adequate time, pursuant to Subsection 19.1001.7.C for the prior hearing body to issue a decision and for the City to issue a final decision if the decision resulting from the remand is appealed.

B. A final local decision on a Type I, II, III, or IV land use application shall be made within 120 days from the date the application was deemed complete (or within 100 days for a project meeting all provisions of ORS 197.311), except that, with the agreement of the hearing body and the applicant or appellant, the processing of a matter under consideration may be extended per Subsection 19.1001.7.C.

---

## **19.1011 DESIGN REVIEW MEETINGS**

### **19.1011.1 Responsibility of City for Design Review Meetings**

The City shall:

A. Schedule land use applications for design review before the Design and Landmarks Committee at the earliest available scheduled meeting. If the Design and Landmarks Committee is unable to schedule a design review meeting with sufficient time for the Planning Commission to hold a public hearing in compliance with the 120-day decision requirement (or within 100 days for a project meeting all provisions of ORS 197.311), one of the following shall occur:



1. The applicant may extend the 120-day decision requirement (or the 100-day decision requirement for a project meeting all provisions of ORS 197.311) per Subsection 19.1001.7.C in order to accommodate Design and Landmarks Committee review of the application.
2. If the applicant does not extend the 120-day decision requirement (or the 100-day decision requirement for a project meeting all provisions of ORS 197.311), the Planning Director shall prepare the design review recommendation in lieu of the Design and Landmarks Committee. The Planning Director's recommendation shall satisfy the requirement of Subsection 19.907.6.

**19.1011.9 Continuance of Meeting**

- A. A design review meeting may be continued if the Planning Director determines that there is sufficient time to hold a continued meeting before the Design and Landmarks Committee and a public hearing before the Planning Commission within the required 120 days or if the applicant waives the 120-day decision requirement (or the 100-day decision requirement for a project meeting all provisions of ORS 197.311) per Subsection 19.1001.7.C.
-

Credit	Integrative process	1	POSSIBLE: 1
--------	---------------------	---	-------------

<b>LOCATION &amp; TRANSPORTATION</b>		POSSIBLE: 16	
Credit	LEED for Neighborhood Development location	16	
Credit	Sensitive land protection	1	
Credit	High priority site	2	
Credit	Surrounding density and diverse uses	5	
Credit	Access to quality transit	5	
Credit	Bicycle facilities	1	
Credit	Reduced parking footprint	1	
Credit	Green vehicles	1	

<b>SUSTAINABLE SITES</b>		POSSIBLE: 10	
Prereq	Construction activity pollution prevention		REQUIRED
Credit	Site assessment	1	
Credit	Site development - protect or restore habitat	2	
Credit	Open space	1	
Credit	Rainwater management	3	
Credit	Heat island reduction	2	
Credit	Light pollution reduction	1	

<b>WATER EFFICIENCY</b>		POSSIBLE: 11	
Prereq	Outdoor water use reduction		REQUIRED
Prereq	Indoor water use reduction		REQUIRED
Prereq	Building-level water metering		REQUIRED
Credit	Outdoor water use reduction	2	
Credit	Indoor water use reduction	6	
Credit	Cooling tower water use	2	
Credit	Water metering	1	

<b>ENERGY &amp; ATMOSPHERE</b>		POSSIBLE: 33	
Prereq	Fundamental commissioning and verification		REQUIRED
Prereq	Minimum energy performance		REQUIRED
Prereq	Building-level energy metering		REQUIRED
Prereq	Fundamental refrigerant management		REQUIRED
Credit	Enhanced commissioning	6	
Credit	Optimize energy performance	18	
Credit	Advanced energy metering	1	
Credit	Demand response	2	
Credit	Renewable energy production	3	
Credit	Enhanced refrigerant management	1	
Credit	Green power and carbon offsets	2	

<b>MATERIAL &amp; RESOURCES</b>		POSSIBLE: 13	
Prereq	Storage and collection of recyclables		REQUIRED
Prereq	Construction and demolition waste management planning		REQUIRED
Credit	Building life-cycle impact reduction	5	
Credit	Building product disclosure and optimization - environmental product declarations	2	
Credit	Building product disclosure and optimization - sourcing of raw materials	2	
Credit	Building product disclosure and optimization - material ingredients	2	
Credit	Construction and demolition waste management	2	

<b>INDOOR ENVIRONMENTAL QUALITY</b>		POSSIBLE: 16	
Prereq	Minimum IAQ performance		REQUIRED
Prereq	Environmental tobacco smoke control		REQUIRED
Credit	Enhanced IAQ strategies	2	
Credit	Low-emitting materials	3	
Credit	Construction IAQ management plan	1	
Credit	IAQ assessment	2	
Credit	Thermal comfort	1	
Credit	Interior lighting	2	
Credit	Daylight	3	
Credit	Quality views	1	
Credit	Acoustic performance	1	

<b>INNOVATION</b>		POSSIBLE: 6	
Credit	Innovation	5	
Credit	LEED Accredited Professional	1	

<b>REGIONAL PRIORITY</b>		POSSIBLE: 4	
Credit	Regional priority	4	

**TOTAL** 110

40-49 Points	50-59 Points	60-79 Points	80+ Points
CERTIFIED	SILVER	GOLD	PLATINUM



## Get on the Path to Net Zero

**When it comes to energy efficiency, there's no greater target.**

Net-zero buildings have the potential to create as much energy as they consume over the course of each year. They're the result of imagining, designing and building in a completely new way. Talk with Energy Trust to help make it happen.

To design and construct a Path to Net Zero building, project teams first establish a clear energy-efficiency target and a plan of approach. We make this goal-setting process as simple as possible by focusing on two key areas: the Energy Use Intensity, EUI, of the building and initial design strategies for fundamental building systems.

Energy Trust's Path to Net Zero supports the entire design and construction process, from project kick-off through completion and occupancy.

### Net Zero Early Design Assistance

#### Incentive Details

Project Kick-Off Meeting	A New Buildings outreach manager will meet with the project team to establish an initial Energy Use Intensity, EUI, target and energy-efficient design strategies.
Early Design Assistance	Up to \$10,000 to offset the cost of a design charrette
Construction Document Review	Energy Trust will review construction documents to ensure they align with the target and strategies set during kick-off and planning.

---

## Technical Assistance

Energy Trust will pay up to 75 percent of the cost of energy studies, up to \$50,000. Studies may include, but are not limited to:

- ♦ Early design shoebox modeling
  - ♦ Computational fluid dynamics, CFD, analysis
  - ♦ Daylighting studies
  - ♦ Energy modeling
  - ♦ Commissioning design review
- 

## Solar Ready

### Incentive Details

---

Solar Feasibility	Up to \$1,700 to determine the solar potential of your building
-------------------	---

---

Solar Ready Design	Up to \$15,000 to build to Energy Trust solar ready standards if you can't install solar panels at the time of construction
--------------------	---

---

Solar Installation	Up to \$60,000 to install a solar electric system
--------------------	---

---

## Installation Incentives

- ♦ Modeled savings: \$0.40 per kWh, \$1.20 per therm
  - ♦ Standard and/or special measure incentives
- 

## Completion and Post-Occupancy

### Incentive Details

---

Functional Testing (required)	Up to \$0.15/sq. ft., up to \$40,000
-------------------------------	--------------------------------------

---

Energy Metering	Up to 50 percent of the cost of energy metering, up to \$40,000
-----------------	---

---

## Net-Zero Certification

Energy Trust can provide \$2,000 for net-zero certification from the International Living Future Institute, ILFI.



# CITY OF MILWAUKIE

**To:** Planning Commission  
**Through:** Dennis Egner, Planning Director  
**From:** David Levitan, Senior Planner  
**Date:** November 6, 2018, for November 13, 2018 Worksession  
**Subject:** Planning Commission Input on Comp Plan Block 2 Policies

---

## **ACTION REQUESTED**

Staff is currently developing goal and policy language for the four Block 2 topic areas – Parks and Recreation, the Willamette Greenway, Natural Hazards, and Climate Change and Energy – based on input from the Town Hall, Online Open House, and Comprehensive Plan Advisory Committee (CPAC). Staff is requesting that the Planning Commission review and comment on specific topics and language that they would like incorporated into the drafts that will be reviewed by the CPAC at their December 3 meeting.

## **History of Prior Actions and Discussions**

- [October 10, 2017](#): Staff presented the proposed work program for the Comprehensive Plan Update, which is centered around the sustainability filters and “super actions” that were developed as part of the Community Vision.
- [February 13, 2018](#): Staff updated the Planning Commission on the first two CPAC meetings and upcoming public engagement efforts, including the April 4 Town Hall.
- [May 22, 2018](#): The Planning Commission provided feedback on the Block 1 policies.
- [June 26, 2018](#): The Planning Commission provided additional feedback on the Block 1 policies, which were subsequently “pinned down” by the City Council on August 7.
- [August 14, 2018](#): Staff solicited Commission feedback on the proposed scope of the Comprehensive Plan’s housing policy work, which has since been shifted to its own work track.
- [October 23, 2018](#): Staff provided an update on the Block 2 work, the proposed housing track, and the October 15 Town Hall.

## BACKGROUND

Block 2 of the Comprehensive Plan Update includes four topics - Parks and Recreation, the Willamette Greenway, Natural Hazards, and Climate Change and Energy. These topics were the focus of the October 15 Town Hall, which was attended by approximately 100 Milwaukie community members, and the Online Open House, which saw 216 unique visitors between October 11 and October 28. An engagement summary report (Attachment 1) has been prepared that summarizes the major trends/findings from the Block 2 public outreach.

The Comprehensive Plan Advisory Committee (CPAC) is scheduled to hold a total of five meetings for the Block 2 topics. The [third meeting](#) took place on November 5, and saw CPAC members provide feedback on a list of staff questions and goal/policy recommendations that were included in a set of reference worksheets (Attachment 2). CPAC members were generally in agreement with staff's policy recommendations (included on pages 3, 7, 11, and 15 of Attachment 2).

Staff is currently reviewing the CPAC's input, and will be presenting a list of draft goals and policies for the four Block 2 topics for them to review at their December 3 meeting. The anticipated schedule for the remainder of Block 2 is as follows:

- November 13: Planning Commission work session (this meeting)
- November 19: Technical Advisory Group (TAG) review of early goal/policy language (the TAG is comprised primarily of Department Heads)
- December 3: CPAC review of draft goals and policies
- December 11: Planning Commission work session (review post-CPAC policies)
- December 18: City Council work session on draft goals and policies
- January 7: CPAC recommendation to City Council on goals and policies
- January 15: City Council adopts resolution "pinning" down Block 2 goals and policies

This meeting is intended to gather input from the Commission on policy language that they would like to ensure is incorporated into the draft goals and policies, based both on community input and priorities that they have heard as well as issues that have arisen during their review of land use applications. In addition to Attachments 1 and 2, staff has included comments provided by Commission Edge on October 18 (Attachment 3), which provide a very thorough rundown of the types of subject matter that needs to be included in the policies.

Staff will share any progress that it makes on the draft goal and policy language during the November 13 work session.

### Questions for Commission

1. Are their specific topics or policies that you want to make sure are covered in any of the four Block 2 topic areas?

**ATTACHMENTS**

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	PC Packet	Public Copies	E- Packet
1. Block 2 Engagement Report	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. CPAC Meeting 8 Reference Sheets	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. October 18 Comments from Commissioner Edge	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

PC Packet = paper materials provided to Planning Commission 7 days prior to the meeting.

Public Copies = paper copies of the packet available for review at City facilities and at the Planning Commission meeting.

E-Packet = packet materials available online at <https://www.milwaukieoregon.gov/bc-pc/planning-commission-19>



**OUR PLAN**  
FROM **VISION** TO **ACTION**

CITY OF MILWAUKIE | COMPREHENSIVE PLAN UPDATE

# Comprehensive Plan Update Block 2 Community Engagement Summary Report

Prepared for



**CITY OF MILWAUKIE**

Prepared by



enviroissues



## Table of Contents

<b>Overview .....</b>	<b>1</b>
<b>Methods and reach .....</b>	<b>1</b>
<b>Key findings and take-aways .....</b>	<b>4</b>
<b>Who we heard from .....</b>	<b>7</b>
<b>Topic-specific feedback.....</b>	<b>11</b>
Parks and recreation .....	11
Willamette Greenway .....	17
Natural hazards.....	21
Energy and climate change .....	26
<b>Conclusion and next steps .....</b>	<b>28</b>

DRAFT

## Overview

The City of Milwaukie is updating its Comprehensive Plan in 2018 and 2019. In October 2018, the City conducted community outreach related to four topic areas, called “Block 2 topics” within the planning process. Block 2 topic areas included:

- Parks and recreation
- Willamette Greenway
- Energy and climate change
- Natural hazards

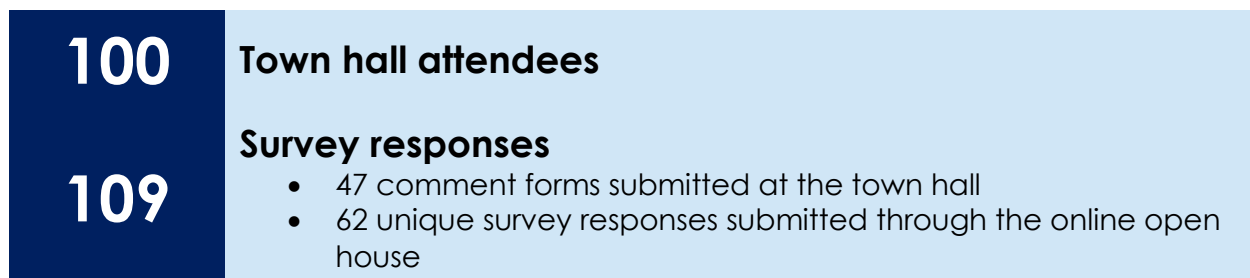
Staff consulted the community through an Online Open House made available October 10 – 28 and a community town hall that took place on Monday, October 15 from 6 – 8 p.m. in the Waldorf School gymnasium.

This report summarizes the community feedback received during these outreach efforts. The results of the outreach will be used to inform the Comprehensive Plan Advisory Committee (CPAC) and Milwaukie planning staff as they develop Comprehensive Plan policies for these topic areas.

## Methods and reach

The objectives of the Block 2 outreach included informing the community about the Block 2 topics and related opportunities and considerations, as well as garnering feedback on key questions to inform policy development. Community members had the opportunity to learn about the Block 2 topics and provide feedback through round-table discussions at the October 15 town hall and through an outreach survey, provided via a comment form at the town hall and via the online open house. Figure 1 summarizes the number of community members reached through these outreach efforts.

Figure 1: Reach of Block 2 outreach opportunities



**Unique online open house users**

- 178 visitors to the English site
- 36 visitors to the Spanish site

**Community town hall**

Roughly 100 community members participated in the town hall on the evening of October 15. The event began with introductory presentations followed by three rotations of small-group discussions. Simultaneous translation was offered for Spanish-speaking community members, and one small-group discussion was conducted in Spanish.



**Figure 2: Town hall discussion questions**

Parks, recreation and Willamette Greenway discussion questions	Energy, climate change and natural hazards discussion questions
<ol style="list-style-type: none"> <li><b>Recreation needs:</b> What are your recreation needs, and what specific amenities could help you address those needs?</li> <li><b>Parks and recreation priorities:</b> Thinking ahead for the next 20 years, what should the City prioritize as it plans improvements to Milwaukie’s park and recreation areas across the entire city?</li> <li><b>Future of our waterfront:</b> Thinking ahead for the next 20 years, what should the City consider as it plans for the future of the Willamette Greenway (beyond Milwaukie Bay Park)?</li> <li><b>Greenway views:</b> Are there specific views of/from the Willamette River that should be protected or enhanced?</li> </ol>	<ol style="list-style-type: none"> <li><b>Development in High Risk Areas:</b> Milwaukie includes areas that are potentially susceptible to flooding, landslides, earthquake damage, and wild fires. Beyond existing standards and regulation, to what extent should the City be regulating development in these areas?</li> <li><b>Accommodating growth:</b> Should the City disallow development in areas of high risk hazards while incentivizing increased development in other risk-free areas? Or should the City focus on requiring more resilient development within high risk areas?</li> <li><b>Supporting climate action:</b> Thinking ahead to the future of our city, what changes would help make it easier for you to reduce your carbon emissions, fossil fuel energy use and environmental impact?</li> <li><b>Protecting vulnerable Milwaukians:</b> What else should Milwaukie be thinking about to address the greater needs of vulnerable populations in natural hazard and climate change planning?</li> </ol>

Due to the overlap and connection between the Block 2 topics, the four topic areas were combined into two groups: half the tables discussed questions related to parks, recreation and the Willamette Greenway, and the other half discussed questions related to energy, climate change and natural hazards. Participants had the chance to move to different tables and share ideas on all topics at the town hall. Each group discussed four policy questions (Figure 2). Discussions were led by CPAC members, and staff recorded feedback on flip charts for each group. Verbatim notes from the town hall discussions are included in Appendix A.

## Online open house

Between October 10 and October 29, community members had the opportunity to visit an “online open house”—an interactive website with information about the Block 2 topics and an online survey, which matched the comment form provided at the town hall. The online open house was available in English and Spanish, and the English site could also be instantly translated using Google Translate into dozens of additional languages. The site included two interactive maps, links to the topical background papers, and information about opportunities, considerations and relevant language from Milwaukie’s Community Vision.



In total, 214 individual people visited the online open house while it was open—178 people visited the English site and 36 people visited the Spanish site. Overall, these users visited the site 264 times, which means some users came back more than once to the page. Approximately 60 percent of sessions occurred on a desktop computer, while 33 percent occurred on a mobile device and 7 percent on a tablet. The online open house was promoted via the Comprehensive Plan email list, the City of Milwaukie’s social media accounts, through local schools, the City of Milwaukie website, and via postcards provided in English and Spanish.

## Block 2 survey

In addition to the small group discussions at the town hall, community members were able to provide individual feedback via the Block 2 survey. This was made available via printed comment forms at the town hall and via the online open house. In total, the city received 47 comment forms at the town hall and 62 users of the online open house completed at least one survey question. As the online survey and

town hall comment form were identical, the survey figures in this report reflect data from both the town hall comment forms and online survey submissions from the online open house. The survey questionnaire is included in Appendix B.

## **Key findings and take-aways**

### **Parks and recreation**

- **Most people engaged through this process recreate at spaces in Milwaukie**
  - Only 8 percent said they do not recreate in the city.
  - Most survey respondents (74 percent) recreate at city parks, and around a third (38 percent) consider school areas recreation centers after school hours.
  - Around a quarter (27 percent) of survey respondents said they recreate outside of designated parks and recreation spaces (including neighborhood streets, the downtown area, the waterfront).
- **Improving the connectivity and accessibility of recreation spaces is a significant priority for participants.**
  - Town hall attendees and survey respondents mentioned the importance of increasing connections between and to park spaces, specifically for bike users and pedestrians.
  - Survey respondents prioritized walking trails as the amenity most missing at Milwaukie's parks, and 60 percent said improving connections should be a top priority over the next 20 years.
  - In addition to modal accessibility, participants expressed a desire for recreation spaces to be inclusive and responsive in order to be more accessible, such as expanding hours or including child care options.
  - Some comments expressed a desire for large park spaces that can accommodate big community events, while others advocated for pocket parks that spread park access around.
- **Participants would like to see more complete parks that are responsive to the diverse needs of community members of all ages and abilities.**
  - Respondents advocated for amenities such as play equipment for many ages, off-leash dog areas, recreation spaces for multiple age groups, and facilities for walking, sitting and playing.
  - Several participants suggested more waterfront recreation amenities, such as facilities for kayaking, canoeing and swimming.
- **Protecting natural areas while enhancing park amenities and access is important for many participants.**

- Parks that integrate and protect natural areas were prioritized over heavily programmed spaces, such as sports fields.
- Survey respondents ranked enhancing and restoring natural areas as the second highest priority overall over the next 20 years, with 45 percent saying it was one of their top two priorities.
- Many stressed the importance of preserving tree canopy, protecting and encouraging native species, and addressing climate change.
- **Many survey respondents expressed significant support for exploring additional ways to fund parks and recreation.**
  - Approximately half of all survey responses (50 percent) said they would strongly support paying money through a levy or tax to support park development, and an additional 29 percent would somewhat support this.

## Willamette Greenway

- **Participants most value the Willamette Greenway for its protection of habitat and natural area and the access it provides to recreation opportunities along the waterfront.**
  - Survey respondents ranked natural area conservation, trails along the river, and access to non-powered water recreation as the top things they value about the Willamette Greenway.
  - Echoing this, town hall discussion participants highlighted the Willamette Greenway as a key area where they like to recreate, and said they value the waterfront for the boating, walking and other recreation opportunities.
- **Some participants feel strongly about specific views of and from the Willamette Greenway, but many are unsure if there are views they feel should be protected.**
  - Survey respondents ranked views of the river as the fifth most important benefit of the Willamette Greenway.
  - Close to half (49 percent) of survey respondents said they were unsure or didn't know if there were views they'd like to see protected.
  - Approximately 38 percent said they do feel views should be protected, namely those from Elk Rock Island, Klein Point, downtown, Highway 99E, and Kellogg Creek Park.
- **Thinking ahead 20 years, participants would like to see the Willamette Greenway activated and increase access to the waterfront, while maintaining and enhancing natural areas.**
  - Increasing access for pedestrians, cyclists and all users was a key theme in comments from the town hall and the survey.

- Many commenters envision a more activated, useful waterfront that offers amenities for recreation. Some commenters feel development should be limited due to flood risk, while others said there may be economic potential in developing businesses to serve waterfront users.

## Natural hazards

- **Survey respondents expressed support for introducing bioswales, permeable pavement and protecting tree canopy on private property as a way to address stormwater risks.**
  - Just over half of all survey respondents selected bioswales (58 percent) and permeable pavement (55 percent) as types of green infrastructure they would be interested in seeing.
  - Approximately 88 percent of respondents either somewhat or strongly agree that the City should develop policies that call for protecting and increasing tree canopy on private property.
- **Participants were largely supportive of disallowing development in areas of high hazard risk while incentivizing increased development in other, risk-free areas.**
  - Around 59 percent of survey respondents said they strongly agree with this, while 25 percent somewhat agree. This echoes the comments provided during town hall discussions.
  - Support for this approach was based on the risk of developing in hazardous areas, the potential financial costs of those risks and the impacts developing in these zones could have on vulnerable populations.
  - Those who disagreed with disallowing development in these areas suggested a case-by-case review may be more appropriate and preferred stricter codes.
- **To prepare for natural hazards, participants advocated for more education, access to resources and financial support.**
  - Survey respondents, who were provided with a set of options, ranked community and neighborhood events focused on emergency preparedness and online and printed maps showing areas of greatest risk as the top two types of support they would like to see.
  - Town hall participants also indicated there is a need for more awareness raising, education and outreach to inform the community about potential risks and what they should do to prepare.
  - Several town hall discussion groups also recommended more financial incentives and subsidies to encourage resilience planning and preparation, such as funding to support seismic upgrades.
  - Both survey respondents and town hall discussion participants identified the CERT team as a group to support and expand to address hazard preparation.

## Energy and climate change

- **Similarly to hazards preparation, participants identified financial support and awareness raising as the top two areas that would help them take action to reduce their carbon emissions, fossil fuel energy use and environmental impact.**
  - Survey respondents identified discounts and incentives on resources to reduce waste and increase energy efficiency as the top type of support they would like the City to provide.
  - Both survey respondents and town hall discussion participants identified community resources—like fix-it fairs, tool libraries, trainings and community energy projects—as things they would like to see to spark collective action and reduce individual burden.
- **Town hall participants advocated for investments in multi-modal transportation infrastructure and land use policies that encourage walkable communities to combat greenhouse gas emissions.**
  - Many discussion groups mentioned neighborhood hubs, local grocery options and safe, accessible walking and biking paths as features that would help them reduce their fossil fuel energy use.
  - Several tied this to equity, noting connectivity, multi-modal access and key amenities are often lacking in underserved parts of the community.
- **To support vulnerable community members, participants advocated for tailored resources, focused outreach, financial support and the identification of designated shelters in the case of an emergency.**
  - Via the survey and the town hall, participants expressed the need for resources that are available in many languages, applicable to multiple income levels and easy to understand.
  - Several advocated for targeted outreach that goes beyond traditional in-person and online methods and brings vulnerable populations into these discussions.
  - Many participants advocated for identifying spaces around the community that are easily identified as disaster shelters in the case of extreme weather, poor air quality, or natural hazards like floods and earthquakes.

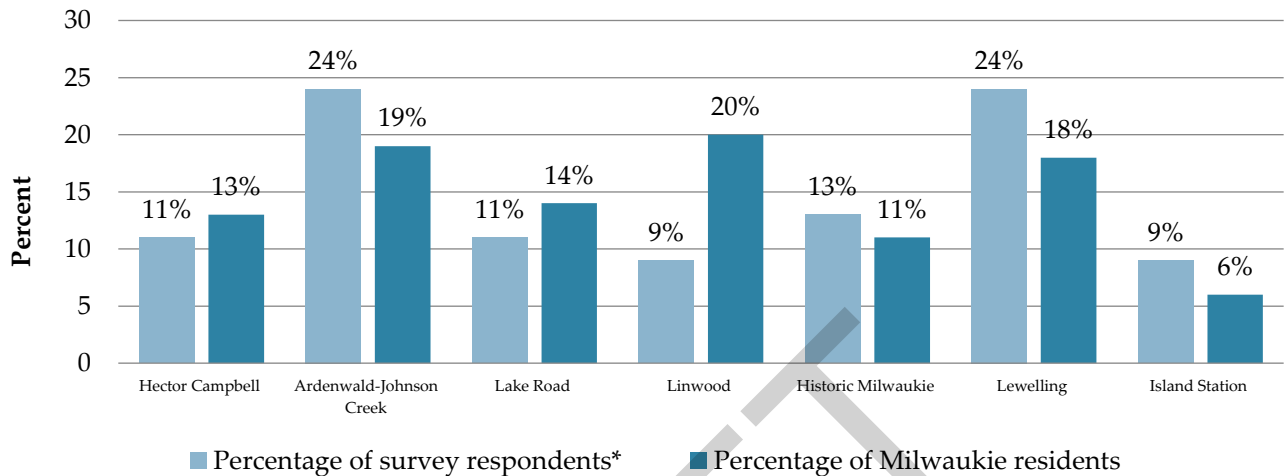
## Who we heard from

Town Hall attendees and people who participated in the online open house were asked to identify which neighborhood they live in. The results are displayed in Figure 3, which compares the distribution of respondents to the actual proportion of residents by neighborhood. Participants from Ardenwald and Lewelling were slightly overrepresented in this sample, while the Linwood neighborhood was relatively underrepresented.



## Neighborhood distribution

**Figure 3: Block 2 engagement participants by neighborhood compared to neighborhood populations (*N* = 55 within Milwaukee limits who provided neighborhood data)**

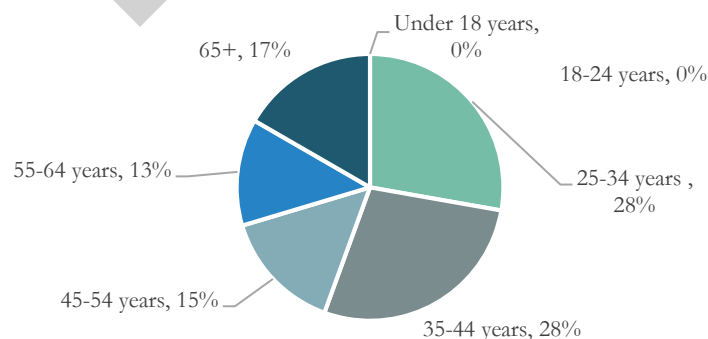


\*Percentages of respondents who live in Milwaukee. Five participants (8% of all respondents) live

## Age

The average reported age of those who submitted a comment form at the Town Hall or participated in the online survey was 47. Figure 4 shows the distribution of age groups among the respondent sample. Compared to Milwaukee as a whole, respondents under 24 years of age are greatly underrepresented in this sample, while those over 45 are overrepresented.

**Figure 4: Block 2 engagement participants by age (*N*=54)**

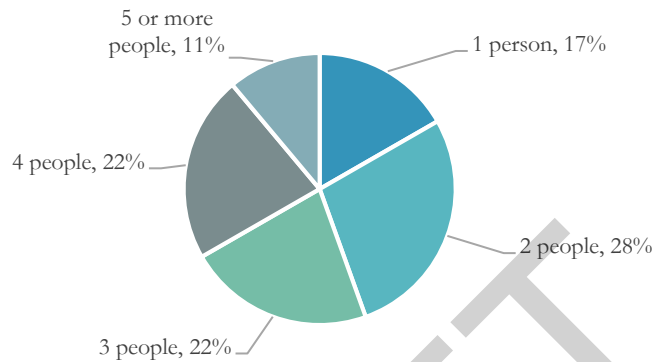


Response rates for the other demographic questions were very low and may not be representative of the participant sample.

## Household size

Most respondents who answered the demographic questions live in households with three or more people (Figure 5).

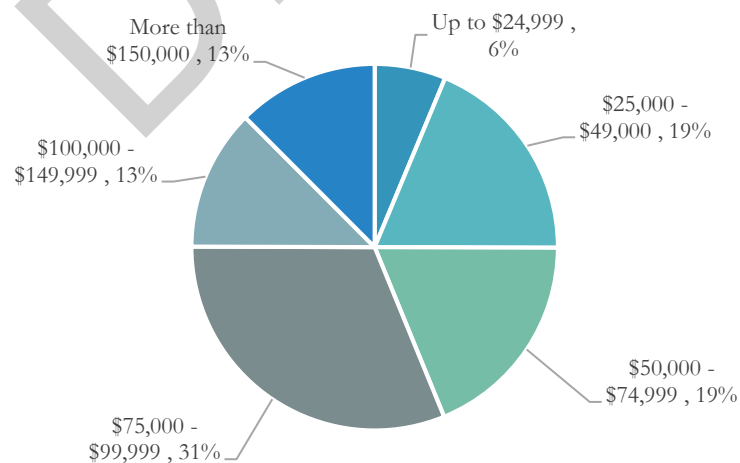
**Figure 5: Block 2 engagement participants by household size (N=18)**



## Income

Figure 6 shows the distribution of annual household income of participants who answered demographic questions. Most participants earn more than \$75,000. Low income respondents were very underrepresented (25 percent report a household income under \$50,000 compared to 45 percent of all Milwaukee residents according to the US Census Bureau).

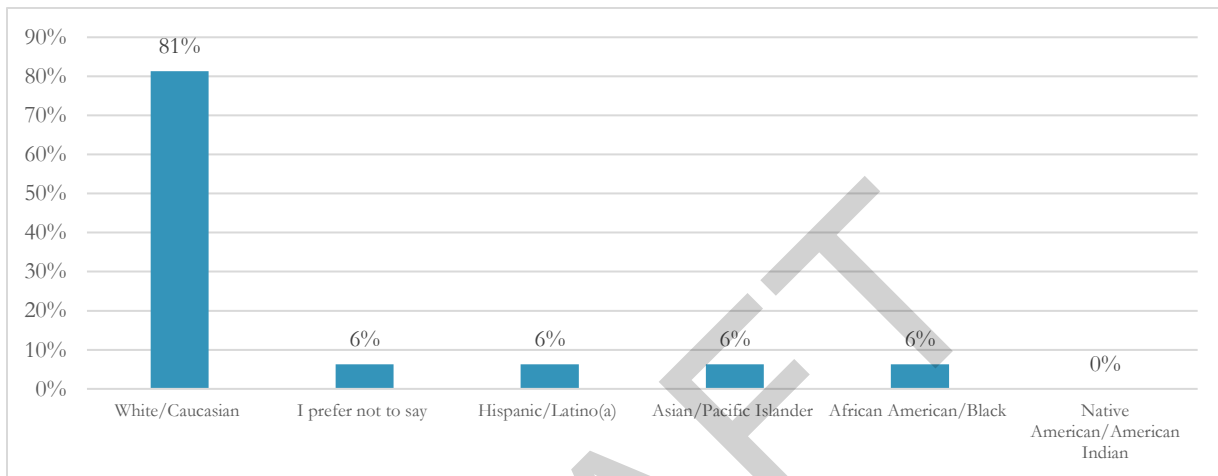
**Figure 6: Block 2 engagement participants by annual household income (N=16)**



## Race and ethnicity

Figure 7 shows the distribution of participants based on how they identify racially and ethnically. Most respondents (81 percent) identify as white. Compared to data from the North Clackamas School District, people who identify as Latinx are underrepresented in this sample size.<sup>1</sup>

**Figure 7: Block 2 engagement participants by race/ethnicity (N=16)**



---

<sup>1</sup> According to American Community Survey (2012-2016) data, 8 percent of Milwaukie residents are Hispanic/Latino(a). North Clackamas School District data for students in the Milwaukie feeder school system indicate 30 percent of students are Hispanic/Latino(a) and 3 percent are African American/Black.

## Topic-specific feedback

The following sections summarize the main themes from community feedback by topic from the group discussions at the town hall responses to the Block 2 survey (including feedback provided on the hard-copy comment forms at the town hall and via the online open house).

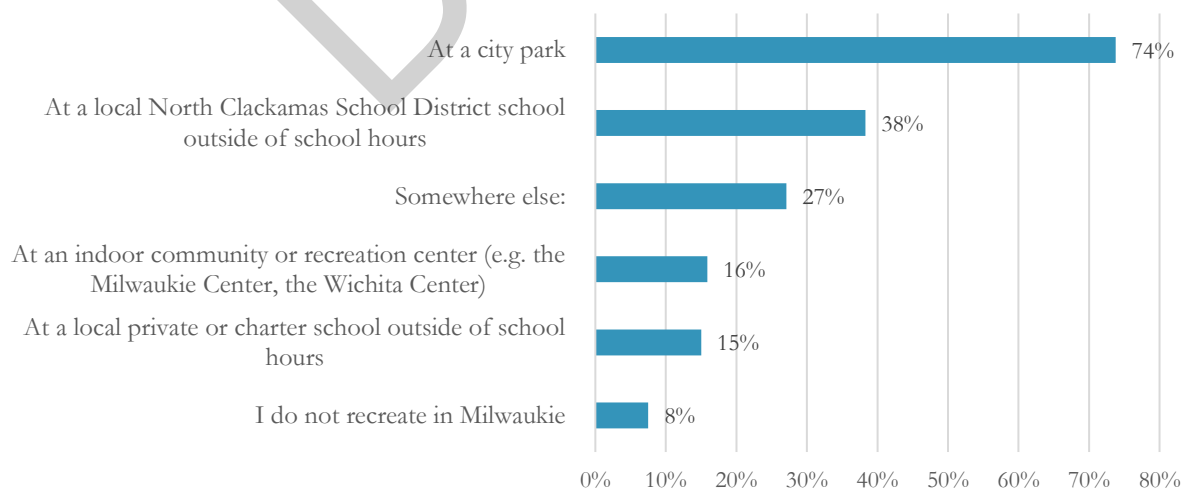
## Parks and recreation

### *Recreation destinations*

Survey respondents were asked where they and their families recreate in Milwaukie (Figure 8). Most respondents said they recreate at a city park, while a little over a third recreate at a local public school after school hours. Around a quarter indicated they recreate somewhere else, including:

- Neighborhood streets and culs-de-sac
- Apartment complexes
- Waterfront
- Library
- Downtown Milwaukie
- Portland parks
- Trails (e.g. Springwater Corridor, Trolley Trail)
- Milwaukie Farmer's Market
- Aquatic parks

Figure 8: Where do you or your family recreate in the City of Milwaukie? (N=109)



*Recreation needs and park amenities*

At the town hall, participants discussed their recreation needs and small groups. They were also asked to provide feedback on what kinds of amenities would help meet those needs. Figure 9 summarizes the responses provided.

**Figure 9: Town hall discussion feedback - recreation needs and amenities**

Top recreation needs:	Top recreation amenities to address needs:
<ul style="list-style-type: none"> <li>• Bike and pedestrian access</li> <li>• Amenity improvements, complete parks</li> <li>• Active, creative spaces</li> <li>• Areas for dogs</li> <li>• Places for quiet, reflective opportunities</li> <li>• Natural area protection</li> <li>• Water activities</li> <li>• Recreation centers in central locations, park programming</li> <li>• Parks that are safe</li> </ul>	<ul style="list-style-type: none"> <li>• Trails, pathways, nature trails, pedestrian paths under/over 99E</li> <li>• Benches with backs, bike racks, awnings, park shelters, lighting, large tables, clean bathrooms, historical signage/markers</li> <li>• Skateparks, splash pads/water activities, community gardens, basketball court, volley ball court, playgrounds</li> <li>• Dog parks</li> <li>• Natural areas and nature trails</li> <li>• Non-motorized paddle vehicles (i.e. Kayaking, canoeing, etc.) and parking, activities like Portland’s “Big Float” event</li> <li>• Park rangers, well-lit parks</li> </ul>

The Block 2 survey also asked participants to rank the top three amenities they would like to see increased at Milwaukie parks. Answers were assigned a weighted score based on how high participants rated them—the top ranked answer received a score of 3, and the third ranked answer received a score of 1. Figure 10 summarizes the results of the ranking question.

**Figure 10: Survey feedback - What types of amenities do you feel are missing at Milwaukie’s parks?**  
(N=79)

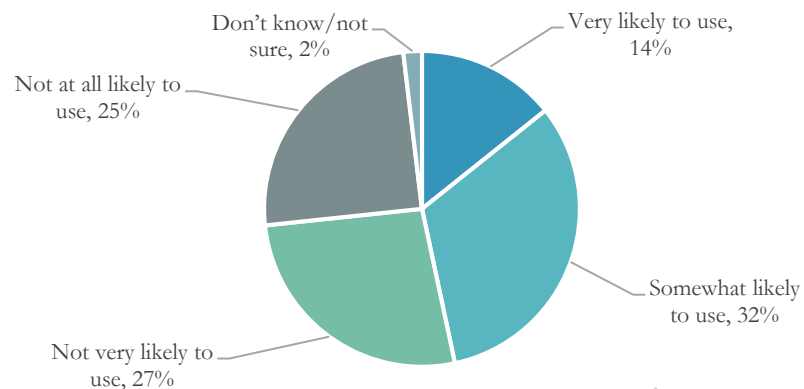
Amenity	Weighted score
Walking trails	95
Natural areas	92
Off-leash dog areas	42
Other	41
Covered, open air areas	28
Recreation space for teenagers	28
Play equipment for children between 6 and 13	28
Sitting areas	28
Play equipment for young children (6 years and younger)	26
Picnic and BBQ areas	22
Multi-use courts and fields	15
Sport courts and fields	8

Survey respondents who prioritized “other” amenities advocated for the following things:

- Increased bike infrastructure, including bike lanes and bike parking
- Large, open spaces that can accommodate community-wide events
- Improved pedestrian and bike access to parks
- Play and recreation equipment for all abilities
- Bathrooms
- Skate parks
- Community gardens
- Trees
- Outdoor exercise equipment
- Climbing walls

Survey respondents were also asked specifically about their likelihood to use community gardens (Figure 11). Responses to this question were mixed. Slightly over half said they would not be likely (27 percent) or not at all likely (25 percent) to use these gardens. Around a third (32 percent) of participants said they would be somewhat likely to utilize these spaces, and approximately 14 percent would be very likely to use them.

Figure 11: Survey feedback - Would you or your family be likely to use a community garden or edible landscape project to grow food if additional gardens were developed in the city? (N=105)



### *Future park priorities and planning*

At the town hall, participants discussed what they think the city should consider as it plans improvements to Milwaukie's parks and recreation areas over the next 20 years. The following key themes emerged from this discussion:

- Many groups discussed the importance of improving access to and connectivity between parks and natural areas.
  - Groups mentioned the need for bike and pedestrian trails and path improvements, safety considerations, and the opportunity to develop “pocket parks” to fill gaps between park areas.
- Many groups said they would like to see existing parks improved by enhancing or adding new amenities.
  - Many groups discussed specific infrastructure improvement needs, such as benches, water fountains, signage, parking, bike racks, bathrooms, dog areas, landscaping, fencing, lighting, tables, and awnings to protect from rain.
  - Some groups specifically discussed the need for more features that appeal to various age groups, such as skateparks, community gardens, and natural play areas.
- Many groups discussed finishing parks that are under development as a priority, including Kronberg Park and Milwaukie Bay Park.
- Several groups discussed the need for greater protection of native trees, wetlands (e.g. Minthorn Springs) and existing natural areas (e.g. Elk Rock Island)
- Several groups recommended additional studies to better understand park utilization and recreation needs

- Some groups said it would be helpful to have an inventory that tracks park amenities, features, equipment.
- A few groups said new land should be acquired for parks, but only when its financially prudent and the funding is available.
  - Groups discussed the need to consider potential displacement and equity impacts when developing or acquiring new park land.
  - Some groups suggested developers should be required to contribute financially to park development.
- A few groups said more indoor community centers are needed and discussed program improvements that could be made at the Milwaukie Center.
  - Specific programming ideas contributed included pottery and art opportunities, nutrition classes, sports and activities for adults (i.e. swimming, yoga, Zumba, etc.).
  - Some groups also discussed improvements that could make these centers more accessible, such as childcare support, extended hours and lower-cost programming.

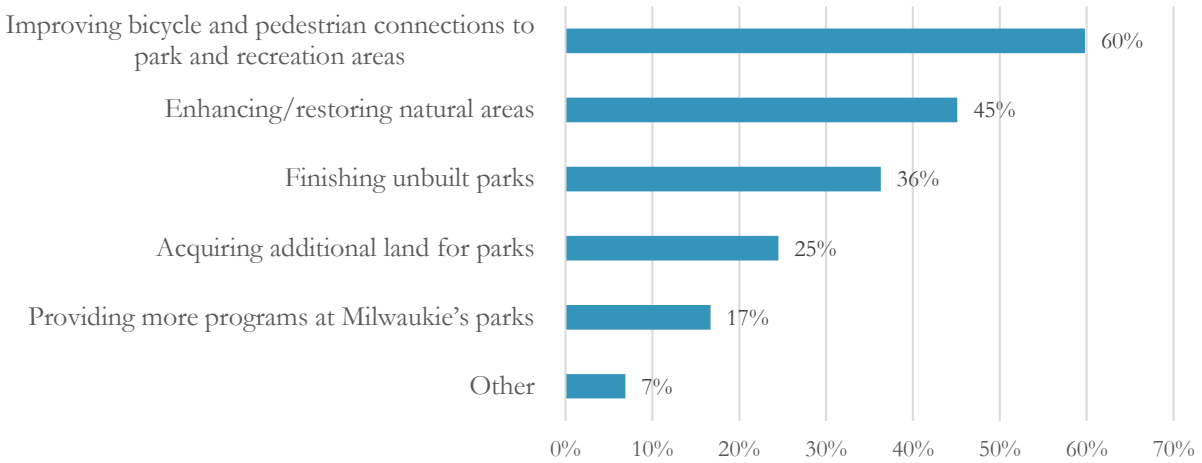
On the Block 2 survey, respondents were asked to identify their top two priorities for park planning over the next 20 years (Figure 12). More than half of all respondents (60 percent) prioritized improving bike and pedestrian connections to parks and recreation areas. Just under half (45 percent) prioritized enhancing and restoring natural areas. The lowest ranked priority—selected by 17 percent of participants—was providing more programs at Milwaukie’s parks.

Approximately 7 percent identified “other” priorities, including:

- Increasing parking
- Adding bathroom facilities
- Making park improvements that do not displace lower income residents
- Adding a recreation center
- Acquiring a sizable parcel for a centrally located, large park
- Improving existing parks

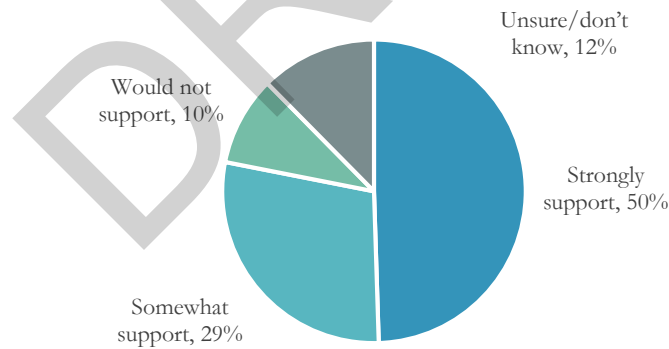
**Figure 12: Survey feedback - Thinking ahead for the next 20 years, what should the City prioritize as it plans improvements to Milwaukie’s park and recreation areas? (N=102)**





Survey respondents were asked whether they would support paying money through a levy or tax to support park development, given the North Clackamas Parks and Recreation District (NCPRD) has faced significant funding challenges (Figure 13). Approximately half (50 percent) of all respondents said they would strongly support this, and 29 percent would be somewhat supportive. One in ten respondents said they would not support a levy or tax, and 12 percent were unsure.

**Figure 13: Survey feedback - Would you support paying money through a levy or tax to support park development? (N=105)**



## Willamette Greenway

### *Willamette Greenway values*

Participants were asked via the comment form and online survey to rank the top three attributes they value most about the Willamette Greenway. Answers were assigned a weighted score based on how high participants rated them—the top ranked answer received a score of 3, and the third ranked answer received a score of 1. Figure 14 summarizes the results of the ranking question.

**Figure 14: Survey feedback - What do you value about the Willamette Greenway? (N=88)**

Values	Weighted score
Protection of habitat and natural areas	128
Trails along the river	108
Access to non-powered water recreation (e.g. kayaking or canoeing, paddle boarding, swimming, fishing)	105
Access to recreation spaces on the shore (e.g. Milwaukie Bay Park)	78
Views of the river	72
Historical value	19
Access to the river for power boating or other motorized water activities	7
Other	5

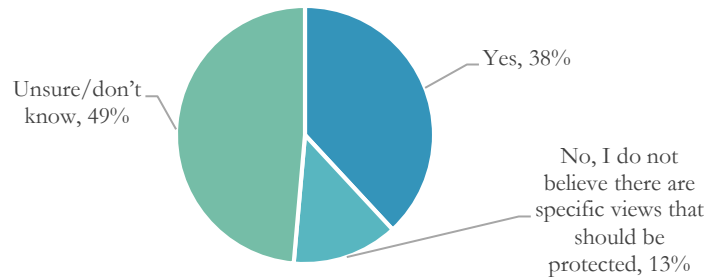
The five participants who provided other responses said they value the following:

- Bike lanes and parking
- Access to spaces to recreate with dogs and family
- The potential for this area to be an economic draw for the community
- The importance of balancing park space with development

### *Willamette Greenway views*

Survey respondents were then asked if there are specific viewpoints of Milwaukie's waterfront that should be protected (Figure 15). Close to half (49 percent) said they were unsure or didn't know, while around 38 percent said there were views they feel should be protected.

**Figure 15: Survey feedback - Are there specific viewpoints of Milwaukie's waterfront that should be protected? (N=88)**



Survey respondents and town hall participants were asked to identify any views they would like to see protected. The results were largely consistent between the two groups (Figure 16):

**Figure 16: Willamette Greenway views that should be protected**

Views to protect	Where mentioned
Elk Rock Island	Survey and town hall
Kellogg Creek	Survey and town hall
Downtown	Survey and town hall
Klein Point	Survey and town hall
Views from the hills to waterfront	Town hall only
Spring park	Survey only
Area near water treatment plant	Survey only
In general, from walking areas and paths	Survey only
Views of the city from the water	Survey only

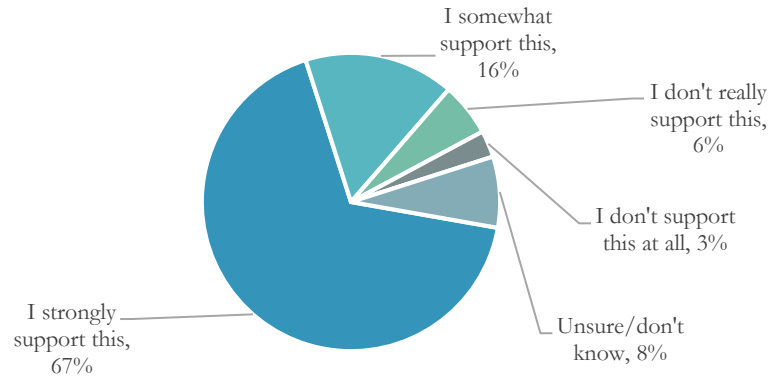
### *Planning for the future of the Willamette Greenway*

Both discussion participants at the town hall and survey respondents were asked what the City should consider as it plans for the future of the Willamette Greenway over the next 20 years.

- Many participants discussed the importance of connectivity between the city and the waterfront, particularly bike and pedestrian access.
  - Specific ideas for improving connectivity included enhancing waterfront pathways and trails, connecting the northern and southern parts of the Willamette Greenway, creating a trail from Kellogg Park to Elk Rock Island, and improving access to the Greenway along Johnson Creek Boulevard and 99E.

- Several discussed opportunities to extend and connect to existing pedestrian and bike infrastructure, such as the Springwater Corridor.
- Many talked about ways to activate the waterfront and make it a more desirable place to recreate.
  - Several said they would like to see more recreation amenities available in the Willamette Greenway. Specific suggestions from survey respondents and town hall participants included swimming areas, kayak and canoe access, parks, and trails.
  - Some talked about the economic potential of the waterfront and suggested small businesses should be introduced in some areas.
  - Some survey respondents commented about the economic potential of the waterfront and suggested small businesses should be introduced in some areas. By contrast, some town hall participants suggested development be limited along the waterfront due to flooding risk.
  - Some participants suggested more programming could occur along the waterfront to build community, such as events like the “Big Float” in Portland.
  - Some discussed the need for sitting areas to enjoy the view.
  - A few discussed the wastewater treatment plant as an obstacle to making the waterfront a desirable place to recreate.
  - A few advocated for adding parking space along the waterfront
  - A few felt investments should be made elsewhere and expressed concerns the enhanced waterfront would benefit people from out of town more than Milwaukians.
- Several said protecting natural areas along the waterfront should be a priority.
  - This theme emerged more from survey respondents than from town hall discussion groups, though several town hall discussion groups advocated for programming that would enhance natural spaces, such as clean-up events or tree planting.
- Several participants said the removal of the Kellogg Creek dam is a priority.
  - Survey respondents were specifically asked if they support removing the Kellogg Creek dam and developing trails along the creek to access to the riverfront (Figure 17). A significant majority support this, with two thirds (67 percent) saying they strongly support the dam removal and 16 percent saying they somewhat support it. Approximately 9 percent were either somewhat or strongly opposed, and 8 percent said they were unsure.

**Figure 17: Survey feedback – Do you support removing the Kellogg Creek dam and developing trails along the creek to access the riverfront? (N=104)**



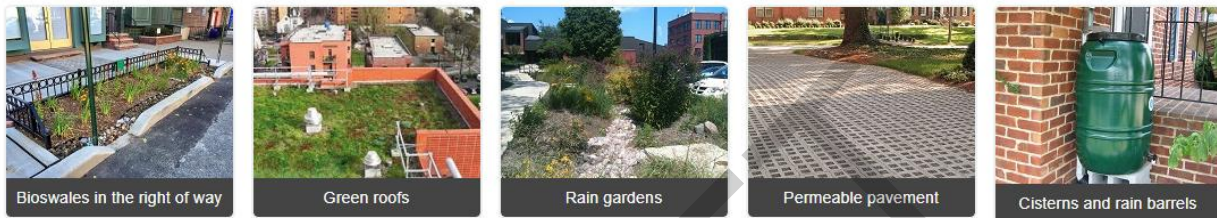
- Several comments addressed long term management of the Willamette Greenway.
  - Some said the Willamette Greenway should be expanded.
  - Some said the city should consider maintenance and management costs and needs over time.
  - A few said the city should consider flood risk and increased population and its impact on the waterfront.
  - A few said the funding used to enhance the Greenway should come from sustainable sources.
- Some talked about reducing impermeable pavement and increasing canopy coverage. Some linked this to climate change and the ability for trees to sequester carbon.

## Natural hazards

### *Addressing stormwater risks through green infrastructure and trees*

Participants were asked what types of “green infrastructure” they would like to see around the city to help absorb stormwater and reduce flood and landslide risk. They were shown images of five common green infrastructure examples and asked to identify the top two they would like to see more of in Milwaukee. Figure 18 shows the images displayed as part of the survey and comment form.

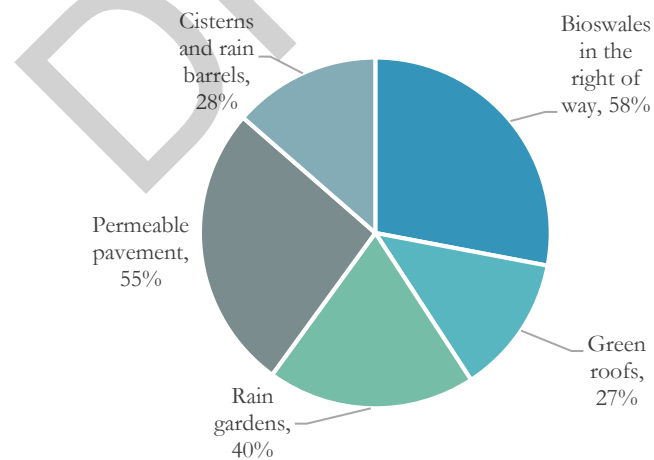
**Figure 18: Green infrastructure examples**



Participants prioritized bioswales (58 percent) and permeable pavement (55 percent) as the top two types of green infrastructure they would like to see (Figure 19). Cisterns and rain barrels (28 percent) and green roofs (27 percent) were the least prioritized options.

**Figure 19: Survey feedback - What types of “green infrastructure” would you like to see around the city?**

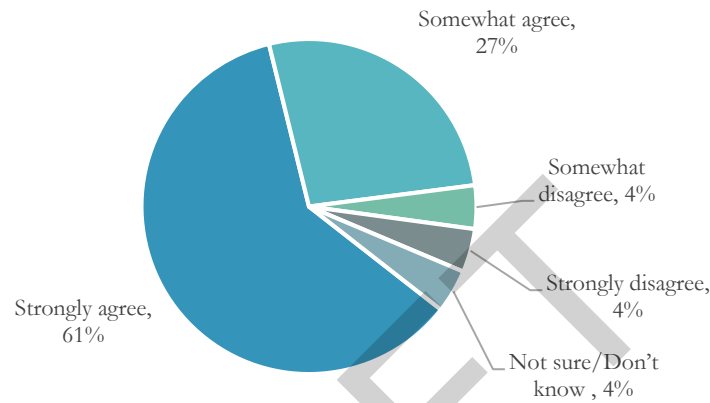
(N=60)



Participants were also asked if the City should develop policies that call for protecting and increasing tree canopy on private property, given trees help reduce stormwater run-off and reduce the heat island effect

(Figure 20). Around 60 percent said they strongly agreed with this, while 27 percent somewhat agree. Approximately 8 percent either somewhat or strongly disagreed.

**Figure 20: Survey feedback - Should the City develop policies that call for protecting and increasing tree canopy on private property? (N=71)**

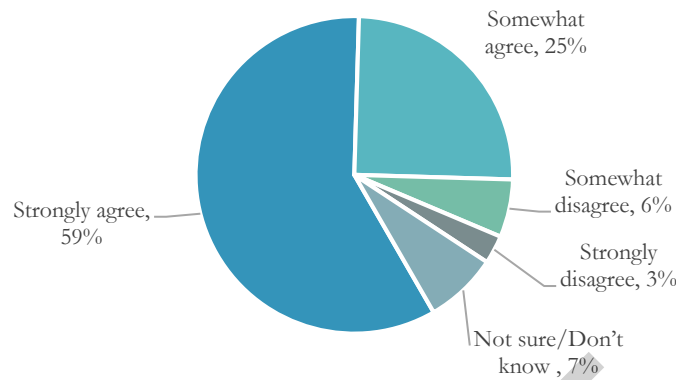


### *Development in high-risk zones*

At the town hall and via the online open house, participants were informed that the Comprehensive Plan regulates development in zones susceptible to flooding, landslide or earthquake damage. Participants were asked whether the City should disallow development in high-risk zones while incentivizing increased density in other, risk-free areas.

Looking at survey responses, a majority (59 percent) strongly agreed with the approach of limiting development in high-risk areas while incentivizing density in lower risk areas (Figure 21). A quarter (25 percent) somewhat agreed. Approximately 9 percent either somewhat or strongly disagreed, while 7 percent were unsure.

Figure 21: Survey feedback – Should the City disallow development in areas of high hazard risk while incentivizing increased density in other, risk-free areas? (N=68)



Survey respondents were asked to explain why they do or do not think this is a good idea. Figure 22 summarizes these comments.

Figure 22: Survey feedback – Rationale for support or opposition to limiting development in high-risk areas and incentivizing development in lower-risk areas

Why should the City pursue this policy direction?	Why shouldn't the City pursue this policy direction?
<ul style="list-style-type: none"> <li>• It is too risky to develop in high-risk areas.</li> <li>• Building in high-risk zones poses risks to human health and the environment.</li> <li>• Often buyers are not aware of the risks when they purchase property, but then they assume the risk.</li> <li>• The cost of repairing damage to structures and infrastructure in high-risk zones is too great. Taxpayers assume to great of a burden.</li> <li>• More vulnerable populations may tend to live in higher-risk areas; this is a more equitable policy.</li> <li>• Citizens could hold the City liable for damages.</li> </ul>	<ul style="list-style-type: none"> <li>• Tiny homes or other moveable structures may be a good candidate for flood zones.</li> <li>• Receding river levels may make flooding less of an issue.</li> <li>• Preference for a case-by-case review, with certain triggers that set in motion appropriate courses of action.</li> <li>• Preference for strict regulation and code rather than disallowing development.</li> <li>• Concerns about loss of trees and natural spaces due to increased density.</li> <li>• This should depend on the likelihood and frequency of the hazard.</li> <li>• All of the Portland metro area is at some risk.</li> </ul>



<ul style="list-style-type: none"> <li>• Preference for planting trees in high hazard zones rather than development.</li> </ul>	<ul style="list-style-type: none"> <li>• Creative development and construction of suitable structures should be allowed in risky zones.</li> <li>• General opposition to incentivizing development.</li> </ul>
---	--

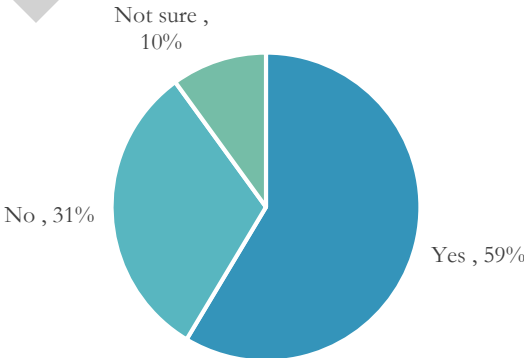
At the town hall, most discussion groups advocated for highly regulating development in high-risk areas, noting development should be avoided, heavily restricted or prohibited whenever possible. Specific recommendations that emerged from the town hall related to this topic included:

- Specific support for incentivizing development outside of floodway areas.
- Suggestions to increase base flood elevation requirements from 1 to 2 or 3 feet.
- Support for purchasing properties that frequently flood for additional storage opportunities.
- Calls to require pilings and other mitigation measures to address landslide hazards.
- Support for requiring more permeable materials.
- Calls to ensure stormwater control for new developments.
- Calls to update building architecture and engineering requirements for resiliency.
- Suggestions to consult experts to update regulations and standards.

*Hazard preparedness*

Survey respondents were asked if they or their family have a plan in the case of a natural disaster such as a flood or earthquake (Figure 23). Approximately 59 percent reported they do, while 31 percent do not and 10 percent are unsure.

**Figure 23: Do you and your family have a plan in the case of a natural disaster? (N=70)**



Survey respondents were then asked what type of support from the City would best help them prepare for potential natural disasters. Respondents were asked to rank their top three priorities. Figure 24 summarizes the results of the ranking question.

**Figure 24: Survey feedback - What type of support from the City would best help you prepare for natural hazards? (N=50)**

Support type	Weighted score
Community and neighborhood events focused on emergency preparedness	60
Online and printed maps showing areas of greatest hazard risk (e.g. floods, landslides, earthquakes, etc.)	58
A tool kit to help create disaster plans for your family	46
Increased opportunities for in-person training related to emergency preparedness	44
Regular updates and tips about hazard planning in the Milwaukie Pilot and other City communication channels	32
Signage around town about emergency shelters and cooling centers	31
Online trainings and tutorials related to emergency preparedness	29

Survey respondents prioritized community and neighborhood events focused on emergency preparedness, followed closely by online and printed maps showing areas of greatest hazard risk. Online tutorials and trainings were the least prioritized idea.

Town hall discussion similarly highlighted a need for greater awareness around hazard risks in order to become more prepared. Aligning with the survey results, town hall participants called for the development of maps and resources that can be made publicly available to community members and other people—like realtors—who can help spread the word. Town hall participants also advocated for incentives to encourage homeowners and developers to make their properties more resilient (e.g. seismic upgrades, improving drainage and permeability, etc.).

## Energy and climate change

Participants were asked what would help make it easier for them to reduce their carbon emissions, fossil fuel energy use and environmental impact.

Survey respondents were presented with a list of options and asked to rank their top three priorities. Figure 25 summarizes the results of the ranking question. The top ranked support type was discounts and incentives on resources that would help households reduce waste and increase energy efficiency. After incentives, city sponsored tool libraries and fix it fairs, in-person classes and trainings, and community events were the next highest ranked options. Online and printable resources with tips for reducing your impact were seen as the least useful by respondents.

**Figure 25: Survey feedback - What type of support from the City would best help you reduce your carbon emissions, fossil fuel energy use and environmental impact? (N=40)**

Support type	Weighted score
Discounts and incentives on resources to reduce waste and increase energy efficiency	67
City-sponsored tool libraries and fix it fairs to reduce waste	45
In-person classes and trainings on climate action topics (such as weather proofing your house, increasing energy efficiency, reducing waste, etc.)	41
Community and neighborhood events focused on reducing emissions	39
Online trainings and tutorials on climate action topics	17
Regular updates and tips about climate action in the Milwaukie Pilot and other City communication channels	17
Printable and online resources with tips for reducing your impact	10

At the town hall, discussion groups prioritized **investments in multi-modal transportation options and infrastructure improvements** that would enable lower-carbon movement around the city. This included improving sidewalks, adding bike lines, connecting neighborhood hubs by transit and trails, constructing bike and pedestrian bridges over obstacles, improving last mile connections, subsidizing public transit, and promoting car pool options.

The second most commonly discussed type of support was **education and outreach around how Milwaukians can reduce their impact**, including tips for reducing consumption and waste and how to use more alternative energy.

Town hall participants also discussed ways the City can help make climate action easier through **collective and community efforts**, such as setting up tool libraries, developing community solar facilities, consolidating parking and waste areas, providing micro-transit, promoting neighborhood hubs and mixed-use development.

Finally, town hall participants identified a need for greater access to “green options” in their daily lives, as well as incentives to make it easier to change their habits. This includes more electric vehicle charging stations, energy storage options, alternative waste management options (e.g. grey water), access to reused materials for construction and building, and support planting native plants.

### *Supporting vulnerable community members*

Through the survey and town hall discussion groups, participants were asked what else the City should be thinking about to address the greater needs of vulnerable populations in natural hazard and climate change planning. Themes were largely similar between survey responses and town hall discussions. Key themes included the following:

- Many comments discussed the need to increase awareness of hazard risks and climate change. Many advocated for targeted outreach and education campaigns. Some specifically suggested using non-electronic outreach methods and holding events at more accessible times and places to increase participation.
- Many talked about the need to have responsive resources available for vulnerable populations. This includes making materials available in multiple languages, developing resources and advice for people on lower incomes, developing resources for differently abled individuals, etc.
- Many discussed the importance of having cooling, warming, air quality, emergency and health centers in the community.
- Several discussed the need to have financial resources ready to support these populations if they face hardship in the event of a natural hazard.
- Several discussed the need to authentically engage these populations and be intentionally inclusive to ensure their voices are heard.
- Several talked about ensuring shelters exist and are properly stocked in case of a disaster.

- Several talked about the benefits of expanding biking and walking infrastructure and increasing connectivity of more vulnerable neighborhoods.
- Several discussed the importance of building community and fostering connections among neighbors.
- Some talked about better integrating the work of CERT with the NDAs and other City efforts.
- Some talked about the importance of having accurate information, including updated flood maps.
- Some talked about needing to develop affordable housing outside of the flood plain and other high-risk areas.
- Some talked about needing to expand the tree canopy to reduce the impacts of extreme heat and increased rainfall.
- Some discussed the benefits of walkable communities as a way to reduce carbon emissions.
- A few recommended reducing the cost of developing an accessory dwelling unit.
- A few discussed the benefits of residential food scrap composting.
- A few advocated for adding more EV charging stations.
- A few advocated for hiring a full-time manager to support disaster planning and outreach.
- A few said the City's efforts should not just focus on vulnerable communities, but recognize that most residents are unprepared.
- A few advocated for better signage and communication about where to go to access resources.

### **Conclusion and next steps**

City planning staff and the CPAC will consider feedback received during the Block 2 engagement period as they develop policies related to the Block 2 topic areas. Additional community outreach will be conducted as the Comprehensive Plan Update project continues.

## ATTACHMENT 2

### Parks and Recreation – Workshop Reference Sheet

#### Relevant goals, objectives and actions from the Community Vision

**Place 1.1:** Improve walkability and bikeability within the network by creating dedicated bike paths and walking trails that connect transit, neighborhood business hubs and public spaces, including Milwaukie Bay Park

**Place 3.1:** Ensure that our parks and green spaces are safe, green and clean, with amenities like restrooms, seating areas, play structures, walking paths, parking and covered recreational facilities

**Place 3.2:** Complete Phase 3 of the Milwaukie Bay Park to create spaces for community gathering and the arts and promote the park as a community destination with year-round programming

**Place 3.4:** Make improvements to Milwaukie Bay Park in a manner that celebrates the river and increases opportunities for waterfront events and access for boats and other water-related recreational activities

**Prosperity 3.4:** Develop a new public plaza in the south downtown area that can be used for year-round events and enhance the Milwaukie Farmer's Market

#### Discussion notes from previous CPAC meetings and Planning Commission

- Need for more and/or expansion of parks, especially in underserved areas.
  - Improve safe connectivity between parks and Milwaukie's underserved neighborhoods through adding walking/biking infrastructure and adding parks in existing neighborhoods
- Parks must be gathering spaces with amenities for all ages and abilities: more sitting areas, work-out stations, soccer field, skateparks, bocce ball, covered horseshoe area, other activities for all abilities, etc.
- Provide natural play spaces/areas
- Update the park classifications according to needs of the community
  - Are park classifications needed?
    - City response: Yes, for things like active vs passive, neighborhood vs regional.
- Divorce park facility master plans from the Comprehensive Plan
- Apply a new parks and open space zoning district and remove the requirement for Community Service Use review
- Planning on the existing levy rate would not do much
- City should plan for the park system it wants and then figure out how much it will cost. Then figure out levies and go to the voters and Council.
- Plan for parks east of current city limits to I-205
- Preserve and increase inventory of parkland and natural areas by 1) requiring open-space dedications for subdivisions of 1 acre or larger for community gardens, dog parks, playgrounds, etc.
  - Acquisition of lands within natural hazard areas
  - Limit development in natural areas to only low-impact uses like trails and wildlife viewing
- Statewide Goal 15 – Natural Area Preservation and Conservation
  - Serve as model for ESA-cooperative community and preserve natural areas (establishment of Greenway Trail corridors for wildlife movement, etc.)
  - Prioritize the protection and enhancement of habitat qualities of natural waterways and wetlands
  - Focus riverfront recreation intensification at existing developed facilities like Milwaukie Bay Park – recreation design should consider natural area conservation

## Parks and Recreation – Workshop Reference Sheet

Community feedback	
Survey	Town Hall discussion
<p><b>Most frequently used recreation spaces:</b></p> <ul style="list-style-type: none"> <li>• At a city park (74%)</li> <li>• At an NCS D school after hours (38%)</li> <li>• Somewhere else (27%) <ul style="list-style-type: none"> <li>○ Neighborhood streets</li> <li>○ Apartment complexes</li> <li>○ Waterfront</li> <li>○ Library</li> <li>○ Downtown Milwaukie</li> <li>○ Portland parks</li> <li>○ Trails (e.g. Springwater Corridor, Trolley Trail)</li> <li>○ Milwaukie Farmer’s Market</li> <li>○ Aquatic parks</li> </ul> </li> <li>• At an indoor rec center (16%)</li> </ul> <p><b>Top 5 amenities respondents want to see increased:</b></p> <ul style="list-style-type: none"> <li>• Walking trails</li> <li>• Natural areas</li> <li>• Off-leash dog areas</li> <li>• Covered, open air areas</li> <li>• Rec space for teenagers</li> </ul> <p><b>Likelihood to use a community garden or edible landscape:</b></p> <ul style="list-style-type: none"> <li>• 14% very likely to use</li> <li>• 32% somewhat likely to use</li> <li>• 27% not very likely to use</li> <li>• 25% not at all likely to use</li> <li>• 2% don’t know/unsure</li> </ul> <p><b>Priorities for the next 20 years:</b></p> <ul style="list-style-type: none"> <li>• Improving bicycle and pedestrian connections to parks and rec areas (60%)</li> <li>• Enhancing/restoring natural areas (45%)</li> <li>• Finishing unbuilt parks (36%)</li> <li>• Acquiring additional land for parks (24%)</li> <li>• Providing more programs (17%)</li> </ul> <p><b>Support for a potential levy/tax for park development:</b></p> <ul style="list-style-type: none"> <li>• 50% strongly support</li> <li>• 29% somewhat support</li> <li>• 10% would not support</li> <li>• 12% unsure/don’t know</li> </ul>	<p><b>Recreation needs</b></p> <ul style="list-style-type: none"> <li>• Bike and pedestrian access</li> <li>• Amenity improvements, “complete parks”</li> <li>• Active, creative spaces</li> <li>• Areas for dogs</li> <li>• Places for quiet, reflective opportunities, natural area protection</li> <li>• Water activities</li> <li>• Recreation centers in central locations</li> <li>• Parks that are safe</li> </ul> <p><b>Desired amenities</b></p> <ul style="list-style-type: none"> <li>• Trails, pathways, nature trails, pedestrian paths under/over 99 E</li> <li>• Benches with backs, bike racks, awnings, park shelters, lighting, large tables, clean bathrooms, historical signage/markers</li> <li>• Skateparks, splash pads/water activities, community gardens, basketball court, volley ball court, playgrounds</li> <li>• Dog parks</li> <li>• Natural areas and nature trails</li> <li>• Non-motorized paddle vehicles (i.e. Kayaking, canoeing, etc.)</li> <li>• Space for community activities and events</li> <li>• Safety enhancements: Park rangers, well-lit parks</li> </ul> <p><b>Priorities for the next 20 years</b></p> <ul style="list-style-type: none"> <li>• Improving access to and connectivity between parks and natural areas.</li> <li>• Enhancing or adding new amenitie to serve a diversity of ages and abilities.</li> <li>• Finishing parks that are under development as a priority, including Kronberg Park and Milwaukie Bay Park.</li> <li>• Greater protection of native trees, wetlands and existing natural areas</li> <li>• Additional studies to better understand park utilization and recreation needs .</li> <li>• A few groups said new land should be acquired for parks, but only when its financially prudent and the funding is available.</li> <li>• A few groups said more indoor community centers are needed and discussed program improvements that could be made at the Milwaukie Center.</li> </ul>

## Parks and Recreation – Workshop Reference Sheet

### Staff Questions and Recommendations

**New Policy:** Add a policy that calls for the creation of a parks/recreation/open space zoning district.

- Objective 1 – Park Classifications
  - Provide new park classifications that match NCPRD Master Plan: Neighborhood Parks, Community Parks, Natural Areas, Greenways, Special Use Areas and add Pocket Parks
  - NCPRD doesn't apply standards for park acres per population, but states the typical service area radius. Leave out or keep in?
- Objective 2 – Parks and Recreation Master Plan – **TAKE OUT**
- Objective 3 – Intergovernmental Coordination – Rename to Funding and Partnerships?
  - Move some funding related and partnership policies underneath this new title. Keep intergovernmental polices, especially relationship with NCPRD, that are needed.
  - **Potential New Policy under Funding:** “Pursue prioritizing proportional contributions from new development and redevelopment for the expansion of public recreation opportunities in underserved areas of Milwaukie”
  - **Potential New Policy:** “Work with NCPRD to complete and adopt an overall parks master plan.”
- Objectives 4, 5, 6, & 7 – Combine under one umbrella goal called “Opportunities”
  - **Potential New Opportunities Goal language:** “In cooperation with NCPRD, plan, develop, and enhance recreation opportunities to meet the needs of community members of all ages, abilities, cultures, and incomes.”
  - **Potential New Policy:** “Encourage interim recreational opportunities on vacant and underutilized sites on private or public land to be community member initiated and managed.”
  - Objective 4 Policy 1 - Mentions requiring park or open space where park deficiencies have been identified, which was never done. Versus requiring space, maybe use System Development Charges (SDCs) that are applied with all new development.  
**Potential New Policy:** Have a flexible system with NCPRD so that the City can accept land when appropriate in lieu of SDCs.
  - **Potential New Policy:** Add a policy that expansion of parks, redevelopment of parks, and new recreational opportunities shall be tailored towards the needs and abilities of diverse communities.
  - **Potential New Policy:** Improve access and connectivity between parks and natural areas.
  - Objective 5, Policy 2: Add language that reflects more the needs brought up by CPAC and community members tailored towards neighborhood parks (i.e. covered, open air areas, nature play areas, community gardens, etc.)
- **New Potential Goal: Transportation and Connectivity**
  - **Potential New Policy:** Language around providing an active transportation network to increase connectivity between recreation opportunities.
  - **Potential New Policy:** Add language about bike trails, sidewalks, and walking trails providing convenient access for pedestrians and bicyclists to all parks and recreational areas.
  - **Potential New Policy:** Encourage transit access to community parks.
  - Replace Objective 7, Policy 6 with a broader policy around pursuing the expansion of greenways, trails, and waterway recreation as both recreation opportunities and transportation alternatives?



## Willamette Greenway – Workshop Reference Sheet

### Relevant goals, objectives and actions from the Community Vision

**Planet 2:** Milwaukie has free flowing, accessible, pristine waterways that are protected by a robust stormwater treatment system. The Willamette waterfront is easily accessed by the public and offers a wide variety of activities and events that can be enjoyed by all.

**Place 1.1:** Improve walkability and bikeability within the network by creating dedicated bike paths and walking trails that connect transit, neighborhood business hubs and public spaces, including Milwaukie Bay Park

**Place 3.4:** Make improvements to Milwaukie Bay Park in a manner that celebrates the river and increases opportunities for waterfront events and access for boats and other water-related recreational activities

### Discussion notes from previous CPAC meetings and Planning Commission

- Have higher level of Greenway review for properties closer to the water. Staff responded that this could take form of Greenway compatibility boundary.
- Make sure to include new policy about Elk Rock Island (not previously in City).
- We should not be changing the Greenway boundary as part of this process.
- In general, public viewpoints make sense. Have a plan for saving viewpoints from City designated resources.
- Should include a policy about removing Kellogg Dam and better connections to riverfront.
  - Prioritize protection of Kellogg Creek and call for fully-functional reconnection of Kellogg Creek to the Willamette River
- No consensus on whether City should have role in protecting viewpoints from private property; it was noted that Portland does not.
- Focus should be on public views on public property.
  - Current policy only lists Willamette River and Kellogg Lake viewshed. Elk Rock Island and other public views need to be added
- Existing Comp Plan talks about taking out the wastewater treatment plant; since plant likely isn't going in there, should focus on covering it, or encouraging it to pursue net-zero.
- Take out the Greenway Design Plan (GDP) in current Comp Plan.
  - Planning Commissioner Edge feels a GDP should be developed that is sensitive to habitat/natural qualities and free movement of wildlife, aesthetics of WRG that won't increase "take" of ESA-protected species and prioritizes the NMFS-identified Riparian Protection Zone of the WR Floodplain
- Consider affordability impacts of greenway review (Alma).
- Statewide Planning Goal Considerations
  - Use the Goal 5 process to review and manage natural resources within the WRG if natural resources review standards and evaluation criteria are not added to the review process
  - Revise WRG review process and criteria to heavily weight wildlife habitat and support functional qualities of the WRG
  - Prioritization of activities/qualities/mitigation measures should be based upon a ranked prioritization schedule identified by State Goal 15

# Willamette Greenway – Workshop Reference Sheet

Community feedback	
Survey	Town Hall discussion
<p><b>Top 5 attributes valued most about the Willamette Greenway</b></p> <ul style="list-style-type: none"> <li>• Protection of habitat and natural areas</li> <li>• Trails along the river</li> <li>• Access to non-powered water recreation (e.g. kayaking or canoeing, paddle boarding, swimming, fishing)</li> <li>• Access to recreation spaces on the shore (e.g. Milwaukie Bay Park)</li> <li>• Views of the river</li> </ul> <p><b>Support to protect specific viewpoints of Milwaukie’s waterfront:</b></p> <ul style="list-style-type: none"> <li>• 38% Yes, namely from:               <ul style="list-style-type: none"> <li>○ Elk Rock Island</li> <li>○ Kellogg Creek</li> <li>○ Downtown</li> <li>○ Klein Point</li> <li>○ Spring Park</li> <li>○ Land near the water treatment plant</li> </ul> </li> <li>• 49% Unsure/don’t know</li> <li>• 13% No, I do not believe there are specific views that should be protected</li> </ul> <p><b>Top planning considerations for the next 20 years:</b></p> <ul style="list-style-type: none"> <li>• Protect natural areas along the waterfront should be a priority.</li> <li>• Connectivity between the city and the waterfront, particularly bike and pedestrian access.</li> <li>• Extend and connect to existing pedestrian and bike infrastructure, such as the Springwater Corridor</li> <li>• More recreation opportunities in the Greenway, including swimming areas, kayak and canoe access, parks, and trails.</li> <li>• Enhance safety along the waterfront, including protecting pedestrians/cyclists from vehicular traffic.</li> <li>• Enhance the waterfront to attract people to Milwaukie. A few suggested the Greenway should be developed into a multi-use area, including natural spaces, trails, walking and vehicle access, sports access, picnic areas and more.</li> <li>• Consider the economic potential of the waterfront – introduce small businesses in some areas.</li> <li>• Remove the Kellogg Creek dam.</li> </ul> <p><b>Support to remove the Kellogg Creek Dam and developing trails along the creek:</b></p> <ul style="list-style-type: none"> <li>• 67% strongly support</li> <li>• 16% somewhat support</li> <li>• 6% don’t really support</li> <li>• 3% don’t support at all</li> <li>• 8% unsure/don’t know</li> </ul>	<p><b>Greenway Views to Protect:</b></p> <ul style="list-style-type: none"> <li>• Klein Point</li> <li>• Elk Rock Island</li> <li>• Kellogg Creek Park</li> <li>• Views from Downtown</li> <li>• Views from the hills to waterfront</li> </ul> <p><b>Top planning considerations for the next 20 years:</b></p> <ul style="list-style-type: none"> <li>• Many groups said they would like better access and connectivity to and along the Willamette Greenway.</li> <li>• Many groups suggest increased opportunities for non-motorized recreation activities are needed on the greenway.</li> <li>• Many groups strongly support development be kept away from the floodplain and the greenway.</li> <li>• Many groups feel strongly about removing the dam below Kellogg Lake. If it can’t be removed, some suggest the lake be dredged and natural habitats be preserved.</li> <li>• Several groups support enhancing the Greenway as an active destination that draws people to the community. Some prefer strict permitting and regulations on uses.</li> </ul>

## Willamette Greenway – Workshop Reference Sheet

### Staff Questions and Recommendations

- **Recommended Policy Revisions:** Revise Objective 1, Policy 1 to Include language about a Greenway Compatibility Review Boundary (the areas within 150 feet of the OHWM of the river), with the highest level of compatibility review occurring in this area. Revise Objective 3, Policy 2 to note the two levels of review for determining compatibility within the Willamette Greenway Zone. Revise Objective 3, Policy 1 to specifically mention the WG Overlay Zone, as opposed to just referencing Map 8. Revise Objective 5, Policy 3 to note that impacts on views are analyzed within the Compatibility boundary.
- **Recommended Goal/Policy Revision:** Revise Objective 2 and the underlying policies, which call for creation of a detailed Greenway Design Plan and includes very prescriptive requirements. Replace with a goal that “allows” or “encourages” the preparation of a Greenway Design Plan, “where needed”, and with policies that call for individual Park Master Plans to provide guidance on recreational opportunities, access, and views. The Greenway views to protect should focus on those identified by the public during the Town Hall and Online Open House, such as Klein Point, Elk Rock Island, Kellogg Creek Park, and views from downtown and the hills. Note that if a Greenway Design Plan is adopted, it would be as an ancillary plan to the Comprehensive Plan.
- **General Goal/Policy Suggestion:** Planning Commissioner Joseph Edge has suggested that the City should prioritize protection of lands and the natural qualities along the Willamette River. Goal and policy language should address environmental protection and conservation within the Greenway.
- **Recommended New Goal and Policies:** Include a new goal that calls for protecting and preserving the natural resources within the Willamette Greenway, while recognizing recreational needs. Include new underlying policies that call for the protection of Habitat Conservation Areas and Water Quality Resource Areas (the City’s two natural resource overlay zones), and for increasing tree canopy.
- **Recommended New Policy:** Include a policy that encourages trees and other improvements to be intentionally placed to frame and enhance views of the river.
- **Recommended New Policy:** Include a policy calling for the removal of the Kellogg Dam, noting its benefit in restoring Kellogg Creek.
- **Recommended New Policy:** Include a policy that Elk Rock Island will be managed as a natural area.
- **Recommended New Policy:** Include a policy that encourages riverfront trail and pathway connections to future greenway trails to the north and south of Milwaukie.
- **Recommended New Policy:** Include policies that call for improved pedestrian and bicycle connections to the riverfront including from downtown Milwaukie to Milwaukie Bay park.
- **Recommended New Policy:** Include a policy that calls for either redevelopment of the wastewater treatment plant or capping the plant with park facilities over the plant.
- **Recommended Policy Revision:** Revise Objective 4, Policy 2 to specifically call out the recreational needs within the Greenway, as opposed to relying on what’s in the Parks and Recreation Chapter.

## Natural Hazards – Workshop Reference Sheet

### Relevant goals, objectives and actions from the Community Vision

**Planet 3.2:** Develop a Climate Action and Energy Plan that aims to reduce the impacts of the Milwaukie community on climate change and by 2040 make Milwaukie a Net-Zero energy community that produces more electricity than it consumes

**Planet 3.5:** Ensure that the City’s infrastructure and facilities can reasonably withstand natural or man-made disasters and that the City can continue to provide services during an emergency event.

**Planet 3.7:** Promote household and neighborhood-level emergency preparedness by expanding the role and capacity of Community Emergency Response Teams (CERTs).

### Discussion notes from previous CPAC meetings and Planning Commission

- Best to focus on incentives to retrofit and easiest/best fixes, such as bolting structures to foundation or the development of green/natural infrastructure to help prevent hazards such as floods and landslides
- Need hyperlocal access to preparation resources, and better community engagement.
- Create emergency/disaster management plan to account for primary modes of transportation, resource delivery and allocation, electricity generation, and water collection and filtration, among other considerations
- Need to expand focus of policies beyond floods to include earthquakes, power outages, etc.
- Do we have designated community gathering places, which might include stockpiles of resources/supplies?
  - Ensure that resilient active transportation infrastructure connects these essential services and facilities
- How do we reach out to and help vulnerable populations, including those living in isolation, low-income residents, those with medical dependencies, communities of color, and non-English speakers?
- Need to increase affordability/accessibility of housing opportunities outside of hazard areas with access to transit/active transportation infrastructure
- Develop plans for interagency cooperation and emergency preparedness
- Need to specifically address emergency preparedness and encourage more CERT certification.
  - This can also include providing accessibility to participate in insurance and/or structure modifications to reduce impacts on low-income households
- Need to examine (and improve as needed) our infrastructure, including utilities, fire flow, etc.
  - Additional policies and codes need to be added to account for hazard preparation, prevention, and response
  - Neighborhoods/areas in the city have substandard access or will disproportionately affected need to be identified and potentially prioritized
- City should not be developing in areas where risk is catastrophic.
  - Add language to what qualifies as a “risk” and what it means to be most vulnerable to those risks
- Need to address liquefaction risk and the fact that the 100 year-floodplain is becoming less and less meaningful (as events are consistently more and more frequently)
- Objective 1 language needs to be strengthened
  - Emphasize the use of language such as “best available science”
- Hazards Map(s) need to be updated
- Participate in the FEMA NFIP Community Rating System (CRS) and maximize every practicable means of safety and NFIP rate reduction available through the CRS

## Natural Hazards – Workshop Reference Sheet

Community feedback	
Survey	Town Hall discussion
<p><b>Types of “green infrastructure” respondents would like to see more in Milwaukie:</b></p> <ul style="list-style-type: none"> <li>• 58%, bioswales</li> <li>• 55%, permeable pavement</li> <li>• 40%, rain gardens</li> <li>• 28%, cisterns and rain barrels</li> <li>• 27%, green roofs</li> </ul> <p><b>Support for policies that call for protecting and increasing tree canopy on private property:</b></p> <ul style="list-style-type: none"> <li>• 61%, strongly agree</li> <li>• 27%, somewhat agree</li> <li>• 4%, somewhat disagree</li> <li>• 4%, strongly disagree</li> <li>• 4%, not sure/don’t know</li> </ul> <p><b>Support to disallow development in areas of high hazard risk while incentivizing increased density in other risk-free areas:</b></p> <ul style="list-style-type: none"> <li>• 59%, strongly agree</li> <li>• 25%, somewhat agree</li> <li>• 6%, somewhat disagree</li> <li>• 3%, strongly disagree</li> <li>• 7%, not sure/don’t know</li> </ul> <p><b>Respondents that have a plan in the case of a natural disaster:</b></p> <ul style="list-style-type: none"> <li>• 59%, yes</li> <li>• 31%, no</li> <li>• 10%, not sure</li> </ul> <p><b>Top 5 types of support respondents would like from the city to help prepare for natural hazards:</b></p> <ul style="list-style-type: none"> <li>• Community and neighborhood events focused on emergency preparedness</li> <li>• Online and printed maps showing areas of greatest hazard risk (e.g. floods, landslides, earthquakes, etc.)</li> <li>• A tool kit to help create disaster plans for your family</li> <li>• Increased opportunities for in-person training related to emergency preparedness</li> <li>• Regular updates and tips about hazard planning in the Milwaukie Pilot and other City communication channels</li> </ul>	<p><b>Development in high-risk areas:</b></p> <ul style="list-style-type: none"> <li>• Many groups strongly felt the City should regulate development in high risk areas with major inclination for development to be avoided, very restrictive, and/or prohibited whenever possible.</li> <li>• Some groups preferred more rigorous development requirements and regulations in risk areas.</li> </ul> <p><b>Support for hazard preparedness</b></p> <ul style="list-style-type: none"> <li>• Several groups would like support for property owners or future owners of high-risk/hazard areas. Support may include: <ul style="list-style-type: none"> <li>○ Periodic risk notifications</li> <li>○ Raising awareness to the susceptibility of risk-areas</li> <li>○ Developing informational maps and resources about risk and making them easily accessible</li> </ul> </li> <li>• Suggestions to support resilient development include: <ul style="list-style-type: none"> <li>○ Update building code to require more resilient materials be used and to ensure buildings can withstand natural disasters like earthquakes.</li> <li>○ Provide incentives to developers for resilient construction.</li> <li>○ Consider affordability incentives.</li> <li>○ Require permeable pavement and drainage areas within and outside of flood areas.</li> <li>○ Review/audit geotech reports.</li> <li>○ Provide incentives for seismic upgrades when homes/businesses sold.</li> </ul> </li> </ul>

## Natural Hazards – Workshop Reference Sheet

### Staff Questions and Recommendations

- **Format Question:** Which format does the CPAC feel is more reader-friendly and better organized?
  - Goals and underlying policies organized by individual hazard type (floods, earthquakes, wildfires, etc.)?
  - Or more like what Hillsboro did, with policies that address multiple hazard types grouped under five goals related to Minimizing Risk, Preparedness, Coordination, Capacity, and Hazard Mitigation?
- **Format Question:** In general, the Comp Plan has been aspirational in nature as opposed to regulatory, with very few sentences that include “shall”.
  - Where existing building/engineering regulations already either limit or require certain standards, should the Comprehensive Plan language be stronger?
- **New Policy Recommendation:** Include a new policy that encourages the preservation of large trees, riparian vegetation, and wetlands, based on their ability to consume/retain/detain large amounts of surface and stormwater. The Floodplain section does not currently address the role of vegetation.
- **New Policy Recommendation:** Encourage and seek funding for programs that help the City or public land trusts acquire properties with high risks of flooding, landslide, and other natural hazards.
  - Objective 2, Policy 4 currently touches on this, but it is housed within a larger discussion of open space and recreation, and probably deserves its own policy.
- **New Policy Recommendation:** Include a new policy that specifically deals with helping low income and other at-risk groups in dealing with natural hazards.
- **New Policy Recommendation:** Pursue funding/assistance to remap the 100 and 500-year floodplain areas.
- **New Policy Recommendations:** Include policies that specifically note the City’s commitment to increasing resiliency and recovery in the event of natural disasters, including through:
  - building form
  - hardening of public utilities and infrastructure, including transportation
  - partnerships and communication with other agencies and providers
- **New Policy Recommendation:** The City will favor/prioritize the use of green infrastructure (will need to consult with Engineering Department on strength of this language).
- **New Policy Recommendation:** The City encourages the majority of development to occur outside of high risk areas, including through the use of density bonuses/transfers
- **New Policy Recommendation:** Maintain compliance with federal, state and local regulations, including the National Flood Insurance Program (NFIP).
- **New Policy Recommendation:** Include a new policy about managing and mitigating development in landslide hazard areas.
- **New Policy Recommendation:** Allow for density transfers from floodplains and other high-risk areas to adjacent properties.
- **Policy Question:** Should we have a hazard overlay zone, similar to our historic or natural resource zones?
- **New Policy Recommendation:** Develop standards that address the potential impacts of liquefaction.

## Climate Change and Energy – Workshop Reference Sheet

### Relevant goals, objectives and actions from the Community Vision

**Super Action 1:** Make Milwaukie a model of resiliency, environmental stewardship and disaster-preparedness.

**Planet 1.1:** Implement city programs, incentives and development code amendments that promote sustainable development and help to better integrate the built environment and natural environment

**Planet 3.1:** Encourage energy and water efficiency and the use of renewable sources by offering rebates, incentives, and permit fee reduction or waivers

**Planet 3.2:** Develop a Climate Action and Energy Plan that aims to reduce the impacts of the Milwaukie community on climate change and by 2040 make Milwaukie a Net-Zero energy community that produces more electricity than it consumes

**Planet 3.5:** Ensure that the City’s infrastructure and facilities can reasonably withstand natural or man-made disasters and that the City can continue to provide services during an emergency event

**Planet 3.7:** Promote household and neighborhood-level emergency preparedness by expanding the role and capacity of Community Emergency Response Teams (CERTs)

### Discussion notes from previous CPAC meetings and Planning Commission

- Hillsboro mentioned as a city doing a good job in addressing climate change. Everett, WA as well.
- Cooling centers could double as clean air centers.
  - Should we use language to prioritize cooling/clean air center development near populations who are less mobile/more vulnerable to heat and pollution effects?
- Policies and development standards should be updated to support low carbon transportation, walkability, EV infrastructure, etc.
- Need a policy dedicated to climate change education, especially for youth and businesses.
  - Beyond outreach, this needs to include deep incentives, intentional marketing, and liaisons trusted/grounded within populations that will be targeted
  - Can we advocate for the County to spend more time on this in Milwaukie?
- Include climate action criteria in criteria for conditional use permits and other applications.
- We need a bigger focus on multi-family and commercial/industrial strategies.
- Need policies that encourage commercial/industrial entities to take on CAP strategies
- We need to discuss energy retrofits for existing buildings.
  - Outreach should communicate economic benefits to residents and businesses
  - City should explore programs to support this (welcome packets, bulk buys, etc)
- Ensure adaptation and prioritization of CAP goals while also encouraging economic growth
- Advocate and leverage partnerships with utilities and other local governments.
  - Require burying of new utilities, if not buried at least conduit to plan for wind storms?
  - Include a policy to advocate for regional high-speed transit?
- Need to explore financing/economic partnerships.
- What land use and transportation policies do we need to get to net zero?
  - Enabling siting of storage facilities, micro-grids, trees/natural areas, community solar, etc?
  - Efficient land use and density should be prioritized over solar access
- Bake into Comp Plan timeline for periodic reviews like the language used in the CAP.
- We need to intensify land use development outside of hazard and habitat areas to account for increased population growth – including climate migrants
- Do we want to be better than average, or exceptional?

## Climate Change and Energy – Workshop Reference Sheet

Community feedback	
Survey	Town Hall discussion
<p><b>Support respondents would like from the City reduce their carbon emissions, fossil fuel energy use and environmental impact (top 5):</b></p> <ul style="list-style-type: none"> <li>• Discounts and incentives on resources to reduce waste and increase energy efficiency</li> <li>• City-sponsored tool libraries and fix it fairs to reduce waste</li> <li>• In-person classes and trainings on climate action topics (such as weather proofing your house, increasing energy efficiency, reducing waste, etc.)</li> <li>• Community and neighborhood events focused on reducing emissions</li> <li>• Online trainings and tutorials on climate action topics</li> </ul> <p><b>Considerations for supporting vulnerable populations:</b></p> <ul style="list-style-type: none"> <li>• Increase awareness of hazard risks and climate change.</li> <li>• Tailor resources for vulnerable populations.</li> <li>• Provide financial resources to support these populations if they face hardship in the event of a natural hazard.</li> <li>• Authentically engage these populations and be intentionally inclusive to ensure their voices are heard.</li> <li>• Ensure shelters exist and are properly stocked in case of a disaster.</li> <li>• Expand bike and pedestrian infrastructure and increase connectivity of more vulnerable neighborhoods.</li> <li>• Build community and foster connections among neighbors.</li> </ul>	<p><b>Ways the City can help support residents reduce their carbon emissions, fossil fuel energy use and environmental impact:</b></p> <ul style="list-style-type: none"> <li>• Many groups desire expanded multi-modal options and infrastructure improvements.</li> <li>• Many groups desire more education and outreach.</li> <li>• Many groups would like more city-led, collective efforts, e.g. tool libraries, community solar, local micro-transit, etc.</li> <li>• Many discussed land use patterns that make it easier to walk to key services and amenities, like neighborhood hubs, mixed use development, etc.</li> <li>• Many groups seek access to “green options” and resources, paired with incentives to use these resources, e.g. EV stations, energy storage options, alternative waste management solutions, re-use centers, access to native plant species, etc.</li> </ul> <p><b>Supporting vulnerable populations:</b></p> <ul style="list-style-type: none"> <li>• Many groups believe vulnerable populations must be supported through access to cooling, heating, air quality, emergency, and health centers.</li> <li>• Many groups said resources—like tips on reducing energy use or weatherizing ones home—should be accessible and tailored (e.g. multiple languages, resources for renters and lower income community members, etc.)</li> <li>• Several community members suggest increasing CERT (community emergency response team) support and raising its profile.</li> </ul>



## Climate Change and Energy – Workshop Reference Sheet

### Staff Questions/Recommendations

- **Format Question:** How do we incorporate climate change into the existing chapter that is focused almost exclusively on Energy Efficiency?
  - Hillsboro includes four goals/categories: Resource Efficiency, Renewable Energy, Transportation, and Innovation.
  - Livermore includes only one goal related to reducing GHG emissions, with dozens of policies underneath
  - Mill Valley, CA has GHG reduction, Adaptation, Zero Waste, and Technology
- **New Goal Recommendation:** Include a goal that is directly aligned with the Climate Action Plan's goal, which states that “By 2040, Milwaukie’s buildings will have no net emissions, and by 2050, we will be a fully carbon neutral city”. Given the long timeframe and the CAP’s commitment, there is less concern with this goal including “will” or “shall” language.
  - Underlying policies would focus on how topics related to land use and transportation planning could help achieve this goal, such as
    - Encourage redevelopment provide a more compact urban form (see below)
    - Incentivize net-zero buildings
- **New Policy Recommendations:** “Roll up” items from the CAP’s Land Use and Transportation Planning mitigation strategies into appropriate policy language.
  - Strategies include better bicycle/pedestrian access, transit service, a Transportation Management Agency, the neighborhood hubs concepts, and others.
- **New Policy Recommendation:** The City shall facilitate the development of clean air centers that can also serve as cooling centers.
- **New Policy Recommendation:** Encourage/incentivize programs that remove barriers to solar and that enable passive heating/cooling.
- **New Policy Recommendation:** Support/fund a multimodal transportation system and transportation management association.
- **New Policy Recommendation:** Prioritize a more compact and walkable urban form for redevelopment, including the neighborhood hubs concept.
- **New Policy Recommendation:** Educate the public about simple and cost-effective ways they can reduce energy use and GHG emissions.
- **New Policy Recommendation:** Support tree planting programs that call for a 40% canopy cover citywide.
- **New Policy Recommendation:** Streamline review for solar projects on rooftops, parking lots, and other areas we significant capacity.
- **New Policy Recommendation:** Support infrastructure improvements for pedestrians, bicycles, transit and electric vehicles.
- **New Policy Recommendation:** Be forward thinking in emerging trends and technologies related to building and transportation, and their impacts on the built environment.

## ATTACHMENT 3

### David Levitan

---

**From:** Joseph Edge <joseph.edge@gmail.com>  
**Sent:** Thursday, October 18, 2018 3:40 PM  
**To:** David Levitan  
**Cc:** Dennis Egner  
**Subject:** Comp Plan Block 2 Comments  
**Attachments:** CPAC Block 2 Comments v1.pdf

Hi David,

Please find attached my comments on the Block 2 Comp Plan Update policy topics.

The document is structured into four parts, one for each of the four policy topic areas.

- I. Parks and Recreation
- II. Willamette River Greenway
- III. Natural Hazards
- IV. Climate Change/Energy

Each part contains three sections

A. Notes from CPAC Block 2 Meeting 1

> These are my notes that I drafted contemporaneous to the CPAC Block 2 Meeting held on September 10.

B. Excerpts from staff reports

> I copied selected text from the staff reports for Block 2 topics and added my comments under each.

C. Policy questions

> I copied all of the policy questions from the staff reports for Block 2 subjects and added my responses under each.

In all cases, any text copied from the staff reports will be *italicized*. My contributions will appear **boldface**.

Please do not hesitate to contact me if you have any questions or comments.

Thank you,

Joseph

# Comp Plan Update - Block 2 Topics

Provided by Commissioner Edge on 10/18/18

## I. Parks and Recreation

### A. Notes from CPAC Block 2 Meeting 1

1. **Natural area preservation**
  - a) **A top priority on SCORP and NCPRD research**
    - (1) **Also: Trails, e.g., greenway trails along natural corridors**
  - b) **Wildlife movement corridors**
  - c) **Oregon Conservation Strategy**
  - d) **Serve as model for ESA-cooperative community**
2. **Plan for parks east of current city limits to I-205**
  - a) **Southgate/Regional Center**
  - b) **Phillips Creek basin and greenway**
3. **As density increases (smaller lot sizes, larger share of households in multifamily dwellings) parks become *de facto* yards.**
  - a) **Dog parks, picnicking areas, playgrounds, walking paths**
  - b) **Incentives (transfer of development rights?) to dedicate parcels to city/NCPRD for public use**
  - c) **Requirements for open-space dedications for subdivisions of 1 acre or larger (e.g., Lake Oswego)**
  - d) **Community gardens and edible gardens**

### B. Excerpts from staff report

1. *Very few areas in Milwaukie are below NCPRD's service threshold. In contrast, other areas of the District outside of Milwaukie do fall below this threshold.*
  - a) **Policies could address areas within the Milwaukie urban services area that are under-served.**
  - b) **Policies should focus on improving safe connectivity between parks and Milwaukie's under-served neighborhoods.**
2. *While Milwaukie has access to different types of parks and recreation service provided by NCPRD, most areas of the city have only low to moderate levels of "walkable access" (i.e., the ability to walk to a park in about 15 minutes or less). Large portions of the city do not meet NCPRD's threshold for this indicator.*
  - a) **Policies should support providing safe, walkable connections between parks and residential areas. This can be approached from two sides: add walking/biking infra to connect neighborhoods with existing parks, and add parks in neighborhoods.**

3. *Objective 4 – Private Recreation Opportunities* To ensure that new development does not overburden existing recreation facilities, this objective calls for new residential development to contribute to parks and recreation opportunities in the city through dedication of land, provision of space and facilities for recreation, and payment of system development charges, where appropriate and applicable.
  - a) **Policies should call for dedication of land for recreational uses or as natural areas when new subdivisions are approved.**
4. *Willamette River is a Key Asset* The Willamette River forms Milwaukie’s western boundary and provides the city with tremendous opportunities for recreation, active transportation, access to nature and scenic beauty, as well as tourism and economic development. Enhancements to the Milwaukie Bay Park provide city residents with improved access to the riverfront, serving as a focal point for community gathering and recreation in the downtown area. Milwaukie’s Vision and Action Plan calls for further park improvements and year-round programming that make Milwaukie Bay a community destination. Elk Rock Island Park and Natural Area and Spring Park Natural Area are also key assets on the river.
  - a) **Natural areas should see very little development, including only low-impact uses such as trails and wildlife viewing opportunities.**
  - b) **Focus riverfront recreation intensification at existing developed facilities like Milwaukie Bay Park.**
5. *Active Transportation, Physical Activity and Health* – According to the U.S. Center for Disease Control (CDC), physical activity and active transportation have declined compared to previous generations. The lack of physical activity is a major contributor to the steady rise in rates of obesity, diabetes, heart disease, stroke and other chronic health conditions in the United States. SCORP research indicates that people in Oregon with ready access to outdoor recreation opportunities are healthier than people residing in areas without access to such resources. In response to these implications, communities throughout Oregon are creating programs to support active transportation and to increase access to outdoor recreation—particularly trails for walking, jogging, and biking.
  - a) **Policies should support development of a robust, highly-connected network of safe walking/biking facilities within easy reach of residents and destinations. Network should offer practical utility to enable residents and employees to replace trips that might otherwise require a motor vehicle, resulting in incidental exercise during travel.**
6. *Interest in Natural Amenities* – The SCORP reported on a statewide survey asking Oregon residents about their priorities for future park

*planning. Top priority needs are for soft surface walking trails, access to waterways, nature and wildlife viewing areas, playgrounds with natural materials (natural play areas), picnic areas for small groups, and off-street bicycle trails. A survey by NCPRD yielded similar results, with respondents ranking natural area preservation and recreation as their top planning priorities. This represents a clear trend toward interest in natural park amenities, rather than more traditional amenities like manufactured play equipment, baseball fields, etc.*

- a) Policies should prioritize protection of remaining intact habitat areas within the Milwaukie urban services area.**
- b) Policies should prioritize protection and enhancement of habitat qualities of natural waterways and wetlands**
- c) Recreational uses should include design elements to protect the habitat qualities of natural areas while enabling access for people (context-sensitive barriers, fencing, etc.).**
- d) Policies should support identification and development of Greenway Trail corridors that can facilitate safe wildlife movement between the fragmented patchwork of remaining intact habitat areas (public and private). Free movement of wildlife across a landscape is essential to preserve genetic biodiversity and viability of populations. In urban areas, care must be taken to minimize conflicts between wildlife and people.**

*7. Available Land for Parks Aside from the undeveloped park spaces identified above, Milwaukie is generally built out and has limited land available for new parks. As the city continues to grow, it may be challenging to serve its growing population with adequate park space. Milwaukie's Comprehensive Plan identifies park provision standards for each of its park classifications (e.g., for neighborhood parks the standard is 1 acre per 1,000 residents). Without opportunities to acquire new park land, the City may be challenged to meet these standards as it grows.*

- a) Nominal standards may not be the best metric for ensuring access to parks. Metrics such as the percentage of residents within a five-minute walk offer a more practical reading of the accessibility of parks to the city's residents.**
- b) Policies should support increasing the inventory of parkland and natural areas by means including but not limited to:
  - (1) Requiring dedications from new subdivisions, under certain conditions,**
  - (2) Acquisitions of lands within natural hazard areas, such as floodplains, and the Willamette River Greenway.****

## C. Policy questions

1. Should the updated Recreational Needs Element continue to call for a citywide Parks and Recreation Master Plan, which to-date has never been developed?
  - a) **Yes, P&R Master Plan should be developed and coordinated with NCPRD, and should plan for parks in urban services area (find a legal means to require annexation to ensure compliance with policies).**
2. The Comprehensive Plan should have policies around coordination with NCPRD to effectively guide this critical partnership.
  - a) **Absolutely yes.**
3. Comprehensive Plan policies should better reflect the lack of available land for building new parks.
  - a) **New parks/open space dedications should be required from residential subdivisions exceeding a minimum lot size threshold.**
  - b) **Floodplains and other areas with hazards should be considered for use as parks/natural areas.**
4. How can the Comprehensive Plan account for current industry trends, including the connections between active transportation and health, increasing parks usage, and increasing interest in natural amenities?
  - a) **Encourage identification/inventory, dedication/acquisition, and targeted interconnectivity of natural areas and add to P&R Master Plan.**
  - b) **Support Metro Regional Trails Plan (North Clackamas Trail, Phillips Creek Greenway Trail, Monroe Street Greenway - pursue annexation from Clackamas County) and consider additional opportunities for functional habitat greenways to connect natural areas for safe wildlife movement, and active transportation trails.**
  - c) **More small, neighborhood parks with playgrounds and picnic areas**
  - d) **Policies should support the ODFW Oregon Conservation Strategy and both the ODFW and regional (The Intertwine) Wildlife Movement Strategies.**
5. How should parks planning adapt to current demographic trends, including the aging population, and increasing ethnic and racial diversity?
  - a) **More small, neighborhood parks with playgrounds and picnic areas**
  - b) **Parks should be located within walking distance of most residences**

- c) **Safe active transportation facilities projects should be prioritized in part by the number of residents for which safe access to parks is increased.**
- 6. Should land use regulations for parks be modified to streamline and simplify the approval process? Considerations may include divorcing park facility master plans from the Comprehensive Plan; applying a new parks and open space zoning district (which has already been done for portions of the downtown area); and removing the requirement for Community Service Use review.
  - a) **Individual Park Master Plans should not be elements of the Comprehensive Plan.**
  - b) **Community Service Use review is OK for larger parks in predominantly residential neighborhoods.**
  - c) **A specific Parks/Open Space zoning designation may be appropriate for certain sites.**
- 7. How can the City continue to improve its pedestrian and bicycle network, with parks serving as key connectors as well as key destinations?
  - a) **More Neighborhood Greenways (like proposed for Monroe Street)**
  - b) **Greenways that function as active transportation routes and as wildlife movement corridors to improve viability of fragmented habitats**

## II. Willamette River Greenway

### A. Notes from CPAC Block 2 Meeting 1

- 1. **Natural area preservation**
  - a) **State Goal 15 first listed priority is natural qualities (“*To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*”). Policies should rank these priorities consistently with the language adopted by the State:**
    - (1) **Action priorities:**
      - (a) **Protect**
      - (b) **Conserve**
      - (c) **Enhance**
    - (2) **Qualities priorities:**
      - (a) **Natural**
      - (b) **Scenic**
      - (c) **Historical**
      - (d) **Agricultural**
      - (e) **Economic**
      - (f) **Recreational**

- b) April 2016 NMFS “jeopardy” BiOp (“*Biological Opinion on the NFIP in Oregon*”) indicates that Essential Fish Habitat for threatened/endangered salmonids/lamprey requires 170-foot (from high water) Riparian Buffer Zone with low-impact development techniques
- c) Avoid 1996 floodplain
- 2. Trails
  - a) A top priority on SCORP and NCPRD research
  - b) Helps with public health
  - c) Regional partnership (40-mile loop)
- 3. Advocate at state and regional levels for public ownership of Willamette Greenway

B. Excerpts from staff report

1. *That report also discusses a growing trend in Oregon toward interest in natural park amenities, such as walking trails, bicycle trails, nature and wildlife viewing areas, and natural play areas. The area within the Greenway represents an opportunity to improve recreational riverfront access while also meeting the City’s goals for natural area restoration.*
  - a) **Outside of existing developed parks, policies should prioritize natural functions of WRG. Focus should be placed on free and safe movement, nesting and feeding of wildlife.**
  - b) **Policies should support the ODFW Oregon Conservation Strategy and both the ODFW and regional (The Intertwine) Wildlife Movement Strategies.**
  - c) **WRG goals include:**
    - (1) **A.3.c. Acquisition of lands or interests in lands from a donor or willing seller or as otherwise provided by law in areas where the public’s need can be met by public ownership.**
    - (2) **E.3. Acquisition Areas: Each comprehensive plan shall designate areas identified for possible public acquisition and the conditions under which such acquisition may occur as set forth in the approved DOT Willamette Greenway Plan and any other area which the city or county intends to acquire.**
  - d) **Consider policies that support larger-scale efforts to secure public ownership of lands in the WRG consistent with Goal 15.**
  - e) **Pursuant to Goal 15 E.3., create a map/inventory of “areas identified for possible public acquisition”. Consider extending inventory policy to non-WRG natural assets, such**



**as hazard areas (floodplains, steep slopes, wildland-urban interface).**

2. *Kellogg Lake is within the Greenway boundaries and provides passive recreational opportunities with visual access from Dogwood Park and Kronberg Park to the lake. Since 2006, the City has pursued the removal of Kellogg Dam through its Kellogg-For-Coho Project. Among other benefits, the project would restore 14 acres of native wetlands and improve fish habitat.*
  - a) **Policies should prioritize protection of Kellogg Creek as a viable and valuable component of the Willamette River floodplain and the Willamette River Greenway.**
  - b) **Policies should explicitly call for the fully-functional reconnection of Kellogg Creek to the Willamette River and maximize flood storage capacity of current Kellogg Lake basin, following full reconnection to the River channel.**
3. *Willamette Greenway planning is closely associated with floodplain management. The Natural Hazards Background Report discusses changes at the federal level that impact local floodplain hazard regulations, including the 100-year floodplain boundaries and associated development restrictions. These potential changes will need to be coordinated with any other potential future updates to the City's Willamette Greenway Overlay zone.*
  - a) **Policies should recognize that the floodplain of the Willamette River is an essential component of the river system and should be protected as part of the Willamette River Greenway.**
4. *there are a number of places in Milwaukie where the boundary extends much farther inland than 150 feet. While the inclusion of Kellogg Lake and other park and natural areas appears consistent with state objectives, the inclusion of several places within the regulatory boundary is not clearly connected to the river. These include residential areas east of Spring Park and east of 19th Avenue, commercial land to the east of McLoughlin Boulevard in the downtown area, land east of Waverly Golf Course, and land south of Lava Drive. Other inconsistencies include the exclusion of the north side of Kellogg Lake, and inclusion of only part of Dogwood Park. To focus Greenway review on its intended purpose, i.e. the relationship to the river, the City conducts varying levels of Greenway review depending on where a property is located within the Greenway. A Greenway Compatibility Review Boundary can be used to create this process.*
  - a) **Policies should support WRG protections in areas that are vital to the sustained functional health and aesthetic qualities of the WRG as experienced from the river, based on the best**

available science and objective evidence, including data such as:

- (1) Topography and surface water drainage;**
- (2) Visibility of a parcel or its tree canopy from the Willamette River;**

5. *It should also be noted that Goal 15: Willamette River Greenway overrides Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces. Milwaukie implements Goal 5 through its Natural Resources (NR) Overlay Zone and the accompanying discretionary review process (as discussed further in the Natural Resources Background Report). Therefore, unless a natural resources review standards and evaluation criteria are added to the Greenway Review process, the City should specifically state in its policies that it will use the Goal 5 process to review and manage natural resource review within the Greenway.*

- a) Policies should recognize that the WRG should receive no less than equal protections to other Goal 5 resources.**

### C. Policy questions

1. How should Milwaukie address issues related to the current Willamette Greenway boundary? Should the City consider remapping the boundary itself (with approval by LCDC) or develop a new compatibility/conditional use review boundary? If the latter, should policies specifically focus on properties that are within 150 feet of the river?
  - a) Unnecessary to pursue remapping the boundary.**
  - b) Policies should focus on properties that are within the NMFS-identified Riparian Protection Zone of the Willamette River Floodplain, and should seek to reduce/eliminate activities in the RPZ that contribute to unauthorized take of species protected by ESA.**
  - c) WRG should be prioritized for habitat wherever possible, with development that will not restrict wildlife movement, nesting, feeding, etc.**
  - d) 150 feet seems arbitrary and the actual boundary should be based on lands with impacts on the WRG based on objective evidence, not a simple straight-line measurement.**
2. Should the Willamette Greenway review process and criteria be revised?
  - a) Yes. Criteria should heavily weight wildlife habitat and support functional qualities of the WRG. Prioritization of activities/qualities/mitigation measures should be based upon a ranked prioritization schedule as explained above in II.A.1.a.**

3. Should development of a Greenway Design Plan remain a policy item in the updated Comprehensive Plan? If it were kept as a policy, what would be the intent of the Greenway Design Plan? What would it address?
  - a) **A Greenway Design Plan should be developed to guarantee development that is sensitive to habitat/natural qualities and free movement of wildlife (no fences and special road design/cross sections), will not increase “take” of protected species, preserves the visual/aesthetic qualities of the WRG as experienced from the river.**
4. How should Milwaukie regulate view corridors in the Willamette Greenway? Potential approaches include only addressing views from public viewpoints such as parks and road ends.
  - a) **Intent of WRG views protection is the protection of views from the River to the surrounding valley/ravine. Development should minimize impacts to WRG views as experienced from the River.**
  - b) **Trees and natural features should be prioritized over uninterrupted scenic qualities, including on private property.**
5. How should Willamette Greenway policies reflect forthcoming changes to federal floodplain regulations? Considerations may include modifying allowed uses or development standards in the Greenway.
  - a) **Refer to Super Action 1 (*Make Milwaukie a model of resiliency, environmental stewardship and disaster preparedness*)**
  - b) **WRG policies should seek to protect the scientifically-identified Riparian Protection Zone from uses allowed or commonly-associated with the base zoning designation.**
  - c) **WRG policies should elevate protection of ESA listed species and Essential Fish Habitat above all other concerns.**
  - d) **Policies should afford the City flexibility to adapt to the latest/best available science to take actions that are consistent with being a *model of... environmental stewardship and disaster preparedness*.**
  - e) **Development standards should be amended to reduce maximum site coverage, restrict or constrain fences or other impermeable barriers to terrestrial wildlife movement, and to require trees as visibility buffers between structures and the River.**
6. How can Milwaukie learn from Greenway regulation practices in other Oregon cities?

### III. Natural Hazards

#### A. Notes from CPAC Block 2 Meeting 1

1. **Natural area preservation**
  - a) **Natural areas - esp. Large trees - consume lots of surface/ground water**
2. **Equity**
  - a) **Protect those that can least afford to endure a natural disaster impacting their homes**
    - (1) **No low(er)-income housing in floodplains, WUI, or unstable soils**
3. **Hazardous lands should be in possession of public entities, land trusts, protected by conservation easements, and *un*-developed (remove manmade structures)**
4. **Serve as a leading/innovative model for FEMA NFIP Community Rating System participation to reduce flood insurance rates for city residents**
5. **Avoid 1996 floodplain**

#### B. Excerpts from staff report

1. *Floodplain regulations – FEMA administers the National Flood Insurance Program (NFIP). FEMA has announced changes to the NFIP in Oregon in response to a determination by the National Marine Fisheries Service (NMFS) that the scope of development currently allowed within the federally-regulated 100-year floodplain (known as the Special Flood Hazard Area [SFHA]) jeopardizes the continued existence of threatened or endangered species. Amendments to the NFIP in Oregon may result in significant changes to development restrictions and permitting requirements within the SFHA, and re-mapping of the SFHA. Full implementation will take several years, but some changes may be implemented sooner. All cities in Oregon affected by these changes, including Milwaukie, will be required to update their local floodplain regulations accordingly.*
  - a) **Policies should explicitly support cooperation with regional, state, and federal agencies for maximum protection of residents, wildlife, and natural resources from risks associated with natural hazards.**
  - b) **Consistent with Super Action 1 (Make Milwaukie a model of resiliency, environmental stewardship and disaster preparedness), policies should commit the City to taking a leadership role in proactively implementing measures to improve the City’s resilience, environmental stewardship, and disaster preparedness based on the best available science.**

- c) **Policies should enable the City to respond to the best available science and documentary evidence to regulate activities in hazard areas.**
  - d) **Policies should require conditional use review for activities or land uses proposed that, if approved, will result in life safety risks for intended users of proposed use or that run counter to Goals or Policies of this Plan.**
- 2. *Local response regarding changes to the NFIP – Cities throughout Oregon will be monitoring how changes to the NFIP will affect them locally. Milwaukie will likely respond to new requirements by formulating its own regulatory responses in a manner that is consistent with guidance from the Oregon Department of Land Conservation and Development (DLCD).*
  - a) **Consistent with Super Action 1 (Make Milwaukie a model of resiliency, environmental stewardship and disaster preparedness), policies should commit the City to taking a leadership role in proactively implementing measures to improve the City’s resilience, environmental stewardship, and disaster preparedness based on the best available science.**
- 3. *Green Infrastructure Statewide Planning Goal 7 urges local governments to consider programs to manage stormwater as a means to help address flood and landslide hazards. There is growing recognition of green infrastructure’s utility in managing flood risk. Green infrastructure (sometimes known as “low impact development” or LID) uses vegetation, soils, and other elements to restore some of the natural processes required to manage stormwater. Green infrastructure facilities such as rain gardens, bioswales, and permeable pavements absorb rainfall, preventing water from overwhelming pipe networks, pooling in streets or basements, and weakening soils. In combination with open space preservation and floodplain management, green infrastructure can help reduce the volume of stormwater that flows into streams and rivers, protect the natural function of floodplains, and reduce the damage to infrastructure and property. Further, the Community Vision identifies natural stormwater management as a priority action ; although the action deals primarily with water quality (Statewide Planning Goal 6), it also touches upon flood hazard management . This presents an opportunity for Milwaukie’s Comprehensive Plan to encourage green infrastructure as a flood and landslide hazard prevention strategy.*
  - a) **Policies should favor Green Infrastructure to limit the rate at which stormwater flows into natural waterways to mimic natural (“pre-developed” or “pre-settlement”) rates of runoff.**
  - b) **Policies should support deviation from pre-development runoff rates when necessary or advantageous to reduce risk**

**of harm resulting from hazards associated with drainage challenges.**

- c) Policies should recognize the capacity of large trees to consume surface and groundwater, protect and reintroduce large trees in areas that are vulnerable to excess standing water, and leverage large trees in areas that are identified for flood management/flood water storage.**

4. *Climate Change Climate change will exacerbate several natural hazards. Increased intensity of storms will exacerbate flood and landslide hazard risks, while hotter weather and droughts are likely to increase wildfire risk in places susceptible to those risks. Wildfires not only pose risks to natural resources and property, the smoke from wildfires also poses risks to human health. Climate change is resulting in significant increases in global temperatures which have the effect of melting polar ice and increasing sea levels. This has an impact on the inland community of Milwaukie since the Willamette River is influenced by ocean tides. The rising seas will be a threat. Models predict that if global emissions continue at the current rate, there could be a 4°C temperature increase by the year 2100 and resultant tidal flooding that could inundate the wastewater treatment plant, portions of the North Milwaukie Innovation Area along Johnson Creek, the Hwy 217/McLoughlin interchange. Milwaukie’s 2018 Climate Action Plan takes proactive steps intended to “put Milwaukie on a path to achieve goals related to climate preparedness and reducing carbon emissions.”*

- a) Policies should require the City to pursue action at the regional, state, and federal levels to create programs that provide municipalities with essential data to identify and prepare for threats, and funding to harden or relocate threatened infrastructure to protect from hazards that will be exacerbated by climate change.**

5. *Hazards and vulnerable populations A major challenge with respect to hazard planning is that vulnerable populations are often more affected by natural hazards and are less able recover. The Clackamas County Natural Hazard Mitigation Plan identifies the following populations as being most vulnerable in a hazard event:*

- a) Low-income populations may not have the savings to withstand economic setbacks, and may not be able to afford preventive measures, such as insurance or home modifications. They may also be more reliant upon public transportation and other public programs that could be affected during a natural disaster.*

- (1) Policies should require City to take actions to increase the rate of insured/reduce barriers to participation**

- (e.g., FEMA NFIP CRS) in insurance/structure modifications.
  - (2) Policies should support enhancing resilience and reach of transit routes throughout the City and should focus almost all new housing and employment in areas with excellent access to transit routes.
  - (3) Policies should require conditional use review for proposals to locate low-income/workforce housing in hazard areas and require additional mitigation to account for additional challenges facing these populations in the wake of a disaster.
- b) *Youth and elderly populations are more reliant on assistance from others, and may be more susceptible to heat, cold, and other health threats.*
- (1) Policies should encourage or require building designs that enable passive heating/cooling to reduce risks to sensitive populations following a disaster that disables connections to utilities.
  - (2) Housing intended for elderly and young families should be clustered into logical and interconnected neighborhoods to facilitate development of rich social connections, to ease distribution of and access to essential goods and services following a disaster.
- c) *Non-English speaking populations can be harder to reach with preparedness, mitigation, and emergency information.*
- (1) Policies should require the City to identify and communicate with non-English speaking residents about preparedness, mitigation, and emergency information.
- d) *Disabled and differently abled populations often face mobility issues that make response efforts more challenging.*
- (1) Policies should seek to ensure that mobility- and cognitively-challenged residents and employees receive extra support and are prioritized for rescue services and relief in the wake of a disaster. All practicable measures should be considered and leveraged to provide 100% of care-dependent residents and workers with priority care and compassion during and following a disaster.
6. *Hazard planning efforts should focus special attention on addressing challenges faced by vulnerable populations in response to natural hazards. This may include focusing hazard mitigation on schools or senior housing, translating preparedness and mitigation information into other*

*languages, and devoting additional resources to assist recovery efforts among vulnerable groups.*

- a) **Policies should recognize that vulnerable populations require additional compassion and assistance during and after a disaster and that it is the responsibility of the public at-large to fulfill this need.**
  - b) **The City should identify vulnerable populations and logical staging areas (such as senior housing, schools, churches, parks, or other gathering places) to distribute essential goods and services to those populations, harden those staging areas and infrastructure to reach those areas, communicate effectively with vulnerable populations about preparedness, mitigation and emergency information, and opportunities for and access to relief.**
7. *Financial Impacts to Properties Regulation for hazard areas has the potential to severely limit the development potential of a property, thereby reducing property values. As such, it is important to consider whether regulations may trigger a requirement to pay the landowner compensation. A land use action that precludes all economically viable use of property would be considered a regulatory taking. It is a constitutional violation to take private property without just compensation. The Oregon Department of Land Conservation and Development's (DLCDD) Legal Issues Guide for natural hazard planning provides guidance to local governments in recognizing regulatory takings and in determining available options when this happens.*
- a) **Policies should require that land uses and activities in hazard areas must be reviewed and approved as a conditional use to ensure appropriate mitigation and consistency with the Goals and Policies of this Plan.**
  - b) **Milwaukie, serving as a model of disaster preparedness, should take an activist role in pursuing implementation of local, regional, state, and federal programs to acquire lands in hazard areas, such as floodplains, to offer landowners opportunities to recover economic losses from land that is hazardous to use. Local (city) programs could include incentives (as opposed to cash acquisitions), such as transfer of development rights from hazardous lands to non-hazardous lands.**

### C. Policy questions

1. The Comprehensive Plan should integrate requirements from Title 3 of the Metro Urban Growth Management Functional Plan. Title 3 requires local jurisdictions to limit or mitigate the impact of development activities



on Water Quality and Flood Management Areas, which includes the FEMA 100-year floodplain with the 1996 flood inundation areas. Milwaukie's Comprehensive Plan language and development code may need to be adjusted to reflect Title 3 in conjunction with addressing forthcoming FEMA requirements discussed below. Note that City code already incorporates Title 3 requirements.

- a) **Vision Statement *Super Action 1: Make Milwaukie a model of resiliency, environmental stewardship and disaster preparedness.***
  - b) **Policies should explicitly call for the City to use the “best available science” to regulate activities within Title 3 and essential habitat areas.**
  - c) **Land uses and activities that increase difficulty of the City meeting Comp Plan Goals should be reviewed as Conditional Use, with required mitigation.**
2. Milwaukie should closely monitor FEMA's forthcoming amendments to the National Flood Insurance Program (NFIP) and re-mapping of the Special Flood Hazard Area (SFHA), as local floodplain regulations will need to be updated accordingly. Oregon DLCD will be a key resource in helping to formulate regulatory responses.
  - a) **Milwaukie, serving as a model of disaster preparedness, should participate in the FEMA NFIP Community Rating System (CRS), with intent to maximize every practicable means of safety and NFIP rate reduction available through the CRS.**
  - b) **Milwaukie, serving as a model of environmental stewardship, should exceed minimum requirements of the final NFIP/DLCD development standards and use the FEMA Reasonable and Prudent Alternative as a guideline for minimum acceptable standards, with a regulatory preference for development proposed to comply with recommendations in the NMFS BiOp.**
3. Milwaukie's Comprehensive Plan and development code do not address landslide hazards, despite DOGAMI's maps showing a number of areas in the city with moderate to high landslide risk. The City should consider adding a landslides objective to the Natural Hazards Element and ultimately address these hazards in their development code. The weak soils map should be updated to reflect information from current DOGAMI maps.
  - a) **Agree. All potential hazards should have policies that protect vulnerable residents and employees from risks associated with the hazards.**

4. The Comprehensive Plan also does not address wildfires. Although Milwaukie has a relatively low risk of wildfires, Oregon Department of Forestry maps indicate low to moderate wildfire risks in some of Milwaukie's parks and natural areas. Should wildfire hazards be added to the Natural Hazards Element?
  - a) **Yes, absolutely. All potential hazards should have policies for how to vulnerable protect residents and employees from the hazard.**
5. How can goals and policies related to resilience, including those developed with Milwaukie's Climate Action Plan, be integrated with the Comprehensive Plan? Similarly, should policies or regulations limit or preclude locating certain types of facilities (e.g., schools, medical facilities, etc.) within areas with high potential seismic risks?
  - a) **Policy language should be drafted to leave the City appropriate flexibility to respond to hazards and disasters using the best available science.**
  - b) **Housing and essential services for vulnerable populations should not be located in hazard areas.**
6. Should the Natural Hazards Element include provisions for incentives as an alternative or supplement to hazard regulation?
  - a) **Yes. All measures should be considered to keep vulnerable populations and wildlife safe from hazards: transfer of development rights, property acquisition.**
  - b) **To avoid takings, land in hazard areas can be developed with conditional use review to ensure hazards are mitigated for residents and employees of the resulting development, and that Comp Plan policies are satisfied.**
  - c) **No density bonuses should be available when dwellings are proposed to be located in a hazard area or an area that could be isolated by non resilient transportation infrastructure that connects through a hazard area.**
7. Should the Comprehensive Plan encourage green infrastructure as a flood and landslide hazard prevention strategy?
  - a) **Yes ABSOLUTELY. Natural systems are far more resilient and sustainable at far lower costs than engineered systems. Engineered systems should be considered only if natural/green systems are impracticable to meet a functional need.**
8. How can Milwaukie effectively address the greater needs of vulnerable populations in natural hazard planning?
  - a) **Increase affordability/accessibility of housing opportunities outside of hazard areas: Enable significant new supplies of housing - with an emphasis on lower-cost housing typologies**

- in areas free of hazards with access to transit/active transportation infrastructure.
- b) Participate aggressively in the FEMA NFIP CRS to maximize discounts available for city residents who qualify to purchase flood insurance.
- c) Lobby at the regional, state and federal levels for programs to buy out landowners of properties in floodplains with eventual goal of 100% public ownership of floodplains and flood hazard areas.
- d) Ensure that resilient active transportation infrastructure connects essential services and disaster response facilities/planned staging areas with communities vulnerable to isolation during or after disasters.

#### IV. Climate Change/Energy

##### 1) Notes from CPAC Block 2 Meeting 1

- a) **Natural area preservation**
  - i) **Mitigate urban heat island effect**
  - ii) **Natural areas - esp. Large trees - consume lots of surface water**
- b) **Trails**
  - i) **as transportation**
- c) **Land Use**
  - i) **Rail-adjacent properties**
  - ii) **Daylight creeks/streams**
  - iii) **Depave parking lots**
  - iv) **Uses that contribute to Climate Change/add carbon should be conditional use with required mitigation**
    - (1) **Define uses that qualify as primary/direct and secondary/indirect contributors to CC**
    - (2) **Define objective mitigation criteria for direct/indirect CC contributors**
  - v) **Responsive development ordinance that can accommodate periodic mass-influx of climate refugees/migrants**
    - (1) **Areas for Multifamily development**
    - (2) **Areas with strong connections to non-SOV transportation infra**
- d) **Transportation**
  - i) **Establish targets for mode-split**
  - ii) **Orderly transition to net-zero industrial/commercial development**

##### 2) Excerpts from staff report

- a) *Super Actions: Super Action 1: Make Milwaukie a model of resiliency, environmental stewardship and disaster preparedness.*

- i) **Policies should seek to place the City at the forefront of adoption of measures of resilience to natural hazards, environmental stewardship, and disaster preparedness.**
  - ii) **Policies should provide for or mandate the City respond to changing conditions using the best available science and documentary evidence of hazards, resilience, mitigation, preparedness, relief, rescue, communications and services distribution to improve outcomes for City residents and workers, with priority for vulnerable populations.**
- b) *Small variations in future temperature increases tied to climate change can result in a wide spectrum of potential impacts, as well as the associated costs to mitigate these impacts. For example, according to the City's Climate Action Plan, one degree Celsius is projected to be the difference in whether or not all of Milwaukie Bay Park is permanently underwater in the year 2100 The Comprehensive Plan should provide adequate flexibility to address these future impacts.*
  - i) **Policies should commit the City to using the best available science and documentary evidence with flexible thresholds defined to initiate Plan and Code amendments, as needed, to address permitted uses and activities, and essential mitigation measures, for lands vulnerable to rising sea levels or other impacts associated with climate change.**
- c) *The top six hottest summers on record in Oregon all occurred between 2004 and 2018, and the summers of 2017 and 2018 saw periods of significantly reduced air quality due to wildfires. It will be important to fight complacency on this topic and dismiss it as the "new normal".*
  - i) **Policies should require the City to communicate with residents, businesses/workers and landowners about environmental impacts that are exacerbated by climate change and the best available measures to mitigate these impacts based on the best available science and documentary evidence.**
- d) *The Pacific Northwest is expected to experience population growth directly related to climate change, as residents of other climate-change affected areas (such as drought) move to the region. The City and its local, regional, and state partner agencies will need to plan for this growth.*
  - i) **Policies should provide the City with flexibility to quickly respond to waves of sudden influxes of incoming residents. As observed during the Great Recession, failing to add to the supply of housing while simultaneously experiencing population growth leads to displacement of vulnerable populations, increased houselessness, and fewer opportunities for young families to establish new households. New residents displaced from climate-impacted regions will come from the entire economic spectrum; it would be a mistake**

**to assume that all climate migrants will be destitute, jobless, or otherwise unable to compete financially for housing. The City's responses should not compromise Goals and Policies of this Plan.**

e) *Emerging technologies to address climate change and energy conservation often come at an increased cost for businesses and development, at least in their early stages. The City will need to consider and balance economic concerns and adequately budget for climate change.*

i) **Policies should provide the City with flexibility to allow land uses and activities that may not be fully consistent with the Goals and Policies of this Plan, pursuant to conditional use review and approval, to ensure mitigation to achieve maximum consistency with the Goals and Policies of this Plan.**

f) *Milwaukie is a small city whose actions, on the grand scale of things, will have a very Climate Change/Energy small impact on climate change and energy conservation. However, it does have the opportunity to provide a model to other jurisdictions throughout the region and nation, with the hope of spurring additional action by others.*

i) **Policies should provide for or mandate that the City respond to dynamic conditions using the best available science and documentary evidence to serve as a model for other smaller jurisdictions. With over 1,500 U.S. cities between 10,000 and 25,000 residents - and over 16,000 with under 10,000 residents - there is tremendous opportunity for smaller cities to make a significant impact in aggregate. In serving as a model for other cities, Milwaukie could demonstrate how smaller cities can measurably achieve economic and social success while mitigating for climate change, and to jointly influence an outsized impact.**

### 3) Policy questions

a) Do the five topic areas covered in the existing Comprehensive Plan Conservation Element objectives provide a good framework for the updated chapter? What else needs to be included?

i) **Employment/commercial lands adjacent to railroads should be prioritized for development of rail-dependent businesses/services.**

ii) **Land uses or activities that directly conflict with policy objectives should be regulated as Conditional Uses, required to mitigate the impacts they create that counter the City's policies (e.g., fossil fuel distribution and retail,**

b) How should we regulate development within our floodplains and other areas susceptible to the impacts of climate change?

i) **Only very low-impact development in and near floodplains. Reduce the number of lives that must be saved by rescuers. Reduce the**

**quantity of chemicals and debris that is located in and near floodplains.**

- c) How can we better prepare (“harden”) our utility and transportation infrastructure (water, sewer, electricity, transit, streets, etc.) to improve resiliency in the face of climate change and the increased likelihood of natural disasters such as flooding, fires, and earthquakes?
  - i) **Bicycles/walking will be the primary mode of transportation in the immediate wake of a disaster. Infrastructure should reflect this reality, with policies that result in resilient bike/ped infrastructure that will connect residents/employees with essential services as well as the rest of the region following a disaster.**
  - ii) **Railroads will be critically important for delivering goods to the region in an efficient manner. Railroad infrastructure should be hardened and resilient.**
  - iii) **Electricity generation infrastructure should be widely distributed, with power sources that can meet needs of pockets of surrounding businesses and residences even when disconnected from the larger/regional power distribution network.**
    - (1) **Solar on private and public rooftops, bus shelters**
    - (2) **Wind generation (bird-friendly)**
    - (3) **Hydropower generators in sewer and potable water supply pipes**
  - iv) **Water collection and filtration facilities or equipment should be distributed throughout the City to ensure that residents/employees can access safe drinking water in the immediate wake of a disaster.**
- d) Many homes and businesses in Milwaukie are located adjacent to the Willamette River, Kellogg Creek, and Johnson Creek. How do we incorporate topics such as climate change and natural disaster resiliency into Comprehensive Plan policies related to housing and economic development?
  - i) **Plan for and develop programs that result in the eventual abandonment and removal of structures and pollutants from floodplains**
- e) Climate change adaptation is anticipated to be expensive, as cities will need to mitigate for or adapt to impacts related to higher temperatures, flooding, fires, and other climate change-related events How can the City provide adequate funding to address potential impacts, at least as they relate to the areas of land use and transportation planning? How do we balance climate change adaptation and continue to support and encourage economic development growth?
  - i) **Land outside of hazard and habitat areas must be available for very significant intensification to accommodate expected growth as well as the possibility of large, recurring waves of climate migrants.**