



CITY OF OREGON CITY CITY COMMISSION WORK SESSION MEETING MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Tuesday, March 11, 2025 at 6:00 PM

1. CONVENE MEETING AND ROLL CALL

Mayor McGriff convened the meeting at 6:08 P.M.

PRESENT: 5 - Commissioner Adam Marl, Commissioner Mike Mitchell, Commissioner Rocky Smith, Commissioner Scott Wilson, Mayor Denyse McGriff

STAFFERS: 4 - City Manager Tony Konkol, Assistant City Manager Alex Rains, Assistant City Recorder Evan Lee, Community Development Director Aquilla Hurd-Ravich

2. GENERAL BUSINESS

a. Legislative Update from Representative Hartman

Annessa Hartman, State Representative, gave a presentation on the ongoing state legislative session.

Mayor McGriff asked what House Bill (HB) 2964 does that was not already allowed by existing legislation. Representative Hartman said this bill would allow churches to build housing on their land, which is something that some churches in unincorporated Clackamas County were not currently allowed to do. It would also provide funding to churches for the predevelopment phase of housing construction on their land. Mayor McGriff said it was a bad idea to build housing outside of cities' Urban Growth Boundaries, because those houses would not be able to receive services.

b. Climate Friendly Equitable Communities - Conceptual Report

Aquilla Hurd-Ravich, Community Development Director, gave a recap of the City Commission's discussions of Climate Friendly Equitable Communities (CFEC) to date. The discussion at this meeting would center around feedback from the public and the city's options moving forward.

Brian Davis, a consultant helping the city with CFEC compliance, presented a conceptual approach to implementing state requirements. Davis explained that the city had previously selected "Option 3" from the three available CFEC compliance options, which requires eliminating parking minimums within transit buffer areas while allowing the city to maintain some regulatory control.

The presentation covered key elements of CFEC requirements, including the elimination of parking minimums within half a mile of Metro bus routes and within a quarter-mile of downtown Oregon City and the implementation of parking maximums within these areas. Additional requirements included redeveloping underused parking spaces, ensuring tree canopy or solar panel coverage for parking areas, providing electric vehicle charging infrastructure, and establishing bicycle and mobility device parking provisions.

Davis emphasized that eliminating parking minimums does not mean no parking will be built. Rather, market forces would determine appropriate parking levels. He noted that the city's existing parking regulations already substantially comply with many CFEC requirements, with only minor adjustments needed.

The Planning Commission (PC) recommended citywide application of parking maximums to simplify the development code, rather than only applying them in transit buffer areas. The PC also favored prioritizing tree canopy coverage over solar panel installations for environmental mitigation in parking areas. There was discussion about tree well sizes and creating a list of acceptable tree species.

Commissioner Mitchell highlighted that the state mandate allowed for off street parking to be up to 2,000

feet away and said he opposed adopting these regulations citywide.

Mayor McGriff said that the rules did not work for Oregon City because the transit corridor was too large. She wanted to find an "Option Four." She said that Oregon City residents needed cars because the existing public transit provided by TriMet was insufficient. She argued that the CFEC requirements would negatively impact the livability of Oregon City.

Mrs. Hurd-Ravich said the city had already received multiple extensions from the state to adopt CFEC code updates. The current legislative deadline was the end of June 2025. She asked if bringing code updates to the Planning Commission in April 2025 and then to the City Commission in May 2025 was an acceptable timeline.

Mayor McGriff said she was still holding out for a fourth option that would work better for Oregon City. Commissioner Marl said the city already tried the fourth option when they joined a losing lawsuit against CFEC regulations. He said the city should move ahead with the proposed timeline.

There was discussion about what would happen if the city did not adopt anything. Bill Kabeiseman, City Attorney, said that the state would likely force the city to apply any relevant statute and Oregon Administrative Rule (OAR). The Department of Land Conservation and Development (DLCD) could also pull funds from the city in an enforcement action.

There was consensus to move ahead with the timeline proposed by Mrs. Hurd-Ravich.

The Commission took a break from 7:40 P.M. to 7:51 P.M.

c. McLoughlin Promenade Follow Up

Alex Rains, Assistant City Manager, presented a progress report on addressing encroachments onto the McLoughlin Promenade. On January 15, 2025, the Commission had instructed staff to send encroachment license agreements to property owners with encroachments. Some property owners had signed the agreements. Others had either not responded or taken issue with the language of the agreement. She said the staff report included potential other options of how to deal with encroachments that staff could send to property owners.

City Attorney Bill Kabeiseman explained that the city's options were limited by the fact that the promenade was dedicated to the city for public purposes. Unlike privately purchased property, dedicated property creates a trustee relationship where the city can only use it for the purposes for which it was dedicated. This meant that the city could likely not use easements or lot line adjustment to deal with encroachments. He also added that adverse possession claims could not be pressed against government entities.

There was discussion about what the vacation process would look like and how costly it might be. Tony Konkol, City Manager, said that writing the legal description for a vacation would be more difficult than a normal vacation.

The Commission chose to go analyze each property in the order provided in the staff report.

Mr. Konkol detailed the history of how the VFW property was created. Damon Mabee, speaking on behalf of the VFW, proposed exchanging some of its property to the city for some of its encroaching property. He said the proposal would net the city about 4,200 square feet. There was consensus to move forward with the proposal and work out a cost-sharing agreement in the future.

The second property, 123 High Street, had a shed encroaching on the promenade and adjacent right of way. There was consensus that the owner needed to apply for a permit for the right of way permit encroachment. If the shed was not on a foundation, then the shed could be moved out of the promenade. If it was on a foundation, then the owner would need to sign the encroachment license agreement.

The Commission reached consensus that the third property, 214 Bluff Street, remove its rock border and fire pit from the promenade. There was consensus that the deck could stay if the license agreement were signed.

The Commission agreed that all encroachments from the fourth property, 210 Bluff Street, be removed.

For properties five through eight and thirteen, there was discussion about if Bluff Street and Promenade Street should serve as boundaries for the promenade. Commissioner Mitchell asked that staff reach out to the Tax Assessor to find out what impact vacating this land would have on the adjacent property owners' tax bills. Commissioner Wilson requested a walking tour of the portion of the promenade near these properties.

421 High Street was added to the list. There was consensus to review encroaching parking spaces adjacent to 421 High Street during a walking tour.

The owner of property nine, 503 High Street, had not signed the letter because of the indemnity agreement. There was discussion about the indemnity language and recreational immunity law. The Commission would revisit this and property ten, 515 High Street, after the walking tour.

Property eleven, which consisted of 110, 112, 114, and 116 South Bluff Street, had vehicle, boat, and trailer storage encroaching on the promenade. There was consensus for staff to come back with a proposal that would allow working vehicle parking but exclude trailer and boat storage.

There was consensus that the owner of property twelve, 118 Promenade Street, be required to remove all encroachments.

The Commission discussed access to the encroachments by property fourteen, 127 South High Street. There was consensus to discuss it further after their walking tour.

Properties fifteen and sixteen, 111 High Street and 509 High Street, had both signed the encroachment license agreement.

The Commission wanted to review the retaining wall encroachments adjacent to property seventeen, 524 High Street, on their walking tour.

3. FUTURE AGENDA ITEMS

a. List of Future Work Session Agenda Items

Mr. Konkol reviewed the list of future work session agenda items listed in the staff report.

4. CITY MANAGER'S REPORT

a. Update on City Projects

Mr. Konkol reviewed the staff report of updates on city projects.

5. COMMITTEE REPORTS

Commissioner Wilson said the Homeless Solutions Coalition of Clackamas County had demolished the former Miles Fiberglass building. They were looking at a groundbreaking in May or June of 2025. They were also planning to invite people to public sessions to give information on what they would be doing with the property.

6. ADJOURNMENT

Mayor McGriff adjourned the meeting at 9:50 P.M.

Respectfully submitted,

Jakob S. Wiley, City Recorder

Date Approved: _____