



CITY OF MILWAUKIE

AGENDA

April 25, 2023

PLANNING COMMISSION

milwaukieoregon.gov

Hybrid Meeting Format: The Planning Commission will hold this meeting both in person at City Hall and through Zoom video. The public is invited to watch the meeting in person at City Hall, online through the City of Milwaukie YouTube page (https://www.youtube.com/channel/UCRFbfaq3OnDWLQKSB_m9cAw), or on Comcast Channel 30 within city limits.

If you wish to provide comments, the city encourages written comments via email at planning@milwaukieoregon.gov. Written comments should be submitted before the Planning Commission meeting begins to ensure that they can be provided to the Planning Commissioners ahead of time. To speak during the meeting, visit the meeting webpage (<https://www.milwaukieoregon.gov/planning/planning-commission-2>) and follow the Zoom webinar login instructions.

1.0 Call to Order – Procedural Matters — 6:30 PM

- 1.1 Native Lands Acknowledgment

2.0 Planning Commission Minutes – Motion Needed

- 2.1 February 14, 2023
- 2.2 February 28, 2023

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 Community Involvement Advisory Committee (CIAC)

6.0 Hearing Items

- 6.1 Housekeeping + code amendments

Summary: A Type V application for a package of substantive code amendments

File: ZA-2023-002

Staff: Senior Planner Vera Koliias

7.0 Work Session Items

- 7.1 Neighborhood Hubs project update

Summary: Neighborhood Hubs project update

Staff: Assistant Planner Adam Heroux / Senior Planner Vera Koliias

8.0 Planning Department/Planning Commission Other Business/Updates

9.0 Forecast for Future Meetings

May 9, 2023 TBD

May 23, 2023 Hearing items: Housing Capacity Analysis; Psilocybin code
Work Session item: Housing Production Strategy

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 register to provide spoken comment at this meeting or for background information on agenda items please send an email to planning@milwaukieoregon.gov.
2. **PLANNING COMMISSION and CITY COUNCIL MINUTES.** City Council and Planning Commission minutes can be found on the City website at www.milwaukieoregon.gov/meetings.
3. **FORECAST FOR FUTURE MEETINGS.** These items are tentatively scheduled but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
4. **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 an agenda item to a future date or finish the item.

Public Hearing Procedure

Those who wish to testify should attend the Zoom meeting posted on the city website, state their name and city of residence for the record, and remain available until the Chairperson has asked if there are any questions from the Commissioners. Speakers are asked to submit their contact information to staff via email so they may establish standing.

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.** Comments or questions from interested persons and testimony from those in support or opposition of the application.
5. **QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
6. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
7. **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.
8. **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.
9. **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.

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation services email espanol@milwaukieoregon.gov at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the city's YouTube channel and Comcast Channel 30 in city limits.

Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a ocr@milwaukieoregon.gov o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a espanol@milwaukieoregon.gov al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el canal de YouTube de la ciudad y el Canal 30 de Comcast dentro de los límites de la ciudad.

Milwaukie Planning Commission:

Lauren Loosveldt, Chair
Joseph Edge, Vice Chair
Aaron Carpenter
Amy Erdt
Joshua Freeman
Greg Hemer
Jacob Sherman

Planning Department Staff:

Laura Weigel, Planning Manager
Vera Koliass, Senior Planner
Brett Kolver, Senior Planner
Adam Heroux, Associate Planner
Ryan Dyar, Assistant Planner
Petra Johnson, Administrative Specialist II



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

City Hall Council Chambers
10722 SE Main Street
www.milwaukieoregon.gov

February 14, 2023

Present: Jacob Sherman, Chair
Joshua Freeman, Vice Chair
Aaron Carpenter
Amy Erdt
Greg Hemer
Lauren Loosveldt

Staff: Justin Gericke, City Attorney
Ryan Dyar, Assistant Planner
Vera Kolias, Senior Planner
Laura Weigel, Planning Manager

Absent: Joseph Edge

(00:18:30)

1.0 Call to Order — Procedural Matters*

Chair Jacob Sherman called the meeting to order at 6:30 p.m., read the conduct of meeting format into the record, and Native Lands Acknowledgment.

Note: *The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.milwaukieoregon.gov/meetings>.*

(00:19:33)

2.0 Planning Commission Minutes

2.1 December 13th, 2022, minutes were approved with a 6-0 vote.

2.2 January 10th, 2022, minutes were approved with a 6-0 vote.

(00:20:16)

3.0 Information Items

Planning Manager, Laura Weigel, announced that the board and committees' recruitment is open.

(00:23:32)

4.0 Audience Participation

No information was presented for this portion of the meeting.

(00:24:06)

5.0 Community Involvement Advisory Committee (CIAC)

Weigel gave an update on the CIAC's public education efforts including land use training 101, the development review process, public testimony guidance, as well as staff's plan to meet with all NDA members. **Weigel** stated that CIAC will communicate through the NDA on a quarterly basis regarding updates on development projects.

Commissioner Amy Erdt & Commissioner Greg Hemer inquired about ways the planning commission can expand the CIAC to involve more members of the public.

Commissioner Lauren Loosveldt expressed concern with extending the CIAC to additional members. **Loosveldt** suggested greater invitation to the meetings when it concerns specific NDA's. **City Attorney, Justin Gericke**, requested clarification from **Erdt & Hemer** if the suggestion is to create a separate committee. **Hemer** clarified the importance to educate the NDA's and to allow the land use chairs an opportunity to express their concerns regarding the rules. **Chair Sherman** noted that there is currently space in the planning commission meetings for community member involvement. **Erdt** discussed the creation of a new website called "Zip and a Mile" which is designed for public outreach, education, and resources. **Milwaukie resident, Charles Bird**, shared concern regarding communication with the NDA's. **Bird** asked why the CIAC is not made up of land use chairs. **Chair Sherman** discussed the composition and potential future composition of the CIAC.

(00:45:35)

6.0 Hearing Items

(00:45:38)

6.1 Code Amendments: Climate Friendly Equitable Communities

Assistant Planner, Ryan Dyar, announced the applicable sections of the Milwaukie Municipal Code (MMC): MMC19.902, MMC19.1008. **Dyar** presented the staff report. The proposal would amend the Milwaukie municipal code to comply with recent changes to state administrative rules that govern how jurisdictions regulate off-street parking, these changes were made through the climate friendly and equitable communities rulemaking process. **Dyar** presented the parking reform options; Option A: Remove parking mandates citywide and adopt parking regulation improvements, EV conduit, and parking maximums. Option B; Retain some parking mandates and adopt reducing the burden of existing mandates, types of development without mandates and maximum multifamily mandate of one space/unit, region 2040 center reform, parking reform near priority transit corridors, fair policies or reduced regulation, more populous: price a percentage of on-street spaces. **Dyar** reviewed the cities prior actions and listed the proposed amendments.

- Remove vehicle parking requirements
- Remove references to required parking
- Large parking lots
- Minor, non-substantive, languages change for Title 19 consistency
- Bicycle parking

Dyar noted an area of change within the code regarding new parking lot standards that were not included in January's code amendment discussion.

- Walkways separated with a raised curb must be provided along parking lot driveways
- Crosswalks at intersecting driveways and drive aisles must be raised or constructed of distinctive materials
- Walkways must be constructed with a zero-foot setback along the building's longest façade.
- A main entrance must be provided along the building's longest façade

Staff received one comment from Lake Road NDA member, **Teresa Bresaw**. **Bresaw** inquired what had been put forward and expressed skepticism (points of concerns are summarized by **Dyar** as "clarifying what the rules require, commentary expressing skepticism that removing parking mandates will remove greenhouse gas emissions and that the city should not extend the removal of street parking requirements to greater Milwaukie as it has not been tested"). **Weigel** clarified that **Bresaw's** comment was not submitted as part of the public hearing. **Dyar** presented the staff recommendation for Council to approve the proposed amendments per the findings in support of the approval. **Chair Sherman** asked a clarifying question regarding existing frequent transit service and noted that TriMet's planning within Milwaukie is not complete.

Commissioner Aaron Carpenter asked staff to describe the CFEC recommendation of a 'zero-foot setback along the building'. **Senior Planner, Vera Kolia**s, clarified the CFEC recommendation. Public testimony: **Milwaukie resident, Charles Bird**, commented that electric cars will exist in the future and thus will need parking within the city. **Hemer** motioned to pass ZA-2022-005.

ZA2022-005 was approved by a 6 - 0 vote

(01:19:08)

6.2 Code Amendments: Code Fix "Housekeeping"

Kolias announced the applicable sections of the Milwaukie Municipal Code (MMC): MMC19.902, MMC19.1008. **Kolia**s presented the staff report.

Proposed amendments:

- Zoning Map (HDR changed to R-HD)
- Title 17 Land Division Code (add city engineer and community development director to the list of staff authorized to set the bond amount for a development.
- Zoning Code Definitions (family childcare home, major pruning, structure, delete primary entrance)
- Update: Staff confirmed there is no conflict with other code sections.
- MMC 19.301 and 19.302 Lot Coverage (allow accessory structures as part of the bonus to recognize a timing issue.
- MMC 19.312 NMIA (include e-commerce businesses as part of wholesale and warehousing.
- MMC 19.401 Willamette Greenway (clarify the list of exemptions to comply with Goal 15)

- MMC 19.502 Accessory Structures (retaining wall exemption, add street side yard to table)
- MMC 19.505 Building Design Standards (re-organize section completely, 1-4 units; cottage cluster; townhouses; all-inclusive sections, no new language)
- MMC 19.1006 Type III Review (M56 notice not required for owner-initiated map amendments)
- MMC 19.1010 Appeals (Notice of Decision requirement and process added)
- MMC 19.1102 Annexations (not subject to 120-day rule)

Hemer motioned to pass ZA-2023-001
ZA-2023-001 was approved by a 6 - 0 vote

(01:32:35)

7.0 Planning Department/Planning Commission Other Business/Updates

Hemer reminded the public about 'Volunteer of the Year' nominations.

(01:34:11)

8.0 Forecast for Future Meetings

February 28, 2023

Work session Items:
Variance code update - Vera Kalias
Parks Briefing - Adam Moore

March 14, 2023

Work session Item:
Housing production strategy

Meeting adjourned at approximately 8:00 p.m.

Respectfully submitted,

Petra Johnson, Administrative Specialist II



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

City Hall Council Chambers
10722 SE Main Street
www.milwaukieoregon.gov

February 28, 2023

Present: Jacob Sherman, Chair
Joshua Freeman, Vice Chair
Aaron Carpenter
Joseph Edge
Greg Hemer

Staff: Vera Koliass, Senior Planner
Laura Weigel, Planning Manager
Adam Moore, Parks Development
Coordinator

Absent: Lauren Loosveldt
Amy Erdt

(00:12:01)

1.0 Call to Order — Procedural Matters*

Chair Jacob Sherman called the meeting to order at 6:30 p.m., read the conduct of meeting format into the record, and Native Lands Acknowledgment.

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(00:13:10)

2.0 Planning Commission Minutes

2.1 January 24, 2023, minutes were approved with a 5-0 vote.

(00:13:46)

3.0 Information Items

Planning Manager, Laura Weigel reminded the public that the city is currently taking applications for new members to join Milwaukie's boards and commissions.

(00:15:00)

4.0 Audience Participation

No information was presented for this portion of the meeting.

(00:15:36)

5.0 Community Involvement Advisory Committee (CIAC)

Commissioner Greg Hemer reminded the CIAC that the Planning Commission would like the Land Use Chairs invited to the next CIAC meeting.

(00:18:37)

6.0 Hearing Items

No information was presented for this portion of the meeting.

(00:18:43)

7.0 Work Session Items

Agenda revision: Work session item 7.2 Parks briefing will take place before 7.1 Variance code update

(00:18:53)

7.2 Parks Briefing

Parks Development Coordinator, Adam Moore, introduced himself and presented the staff report to the commission. **Moore** reviewed the 'Public Involvement Plan' that took place over the last year regarding park development within the city. Public engagement included planning meetings, open houses, pop-ups, and focus groups. Public engagement survey statistic: Total of 631 surveys with 27% from new participants and 8% from BIPOC communities.

Moore presented the final Bowman-Brae concept plan.

- Adds in a swing set, pollinator garden, play log, drinking fountain, and drop off area.
- Acquisition of property between park and SE Where Else Lane has begun.
- Tree placement has adjusted to meet the comments from October & December. Will add more if the budget allows.
- Play features to be designed with community groups in Spring of 2023

Moore presented the final Balfour concept Plan.

- Paths and lawn have changed to protect trees. Also adds rock hoppers, drinking fountain, and drop off area.
- Replaces community garden with shelter and water play table.
- City council directed staff to protect trees as opposed to adding a community garden in areas that could harm tree roots.
- Half street improvements to come later with the rest of Balfour Street in 2025
- Play features to be designed with community groups of 2023

Moore presented the final Scott concept plan

- Includes inclusive playground and nature-based play elements.
- Amphitheater stage will be accessible with programming improvements.
- Play features to be designed with community groups in Spring of 2023.

Moore reviewed the upcoming next steps: Bowman-Brae and Balfour Parks - Type III development review: community service use. Scott Park – Type III development review:

Natural resources. All three parks: Playground design in Spring and Summer 2023, final design and permitting until late Fall 2023, construction early Winter 2024, ribbons cut October 2024. **Vice Chair Joshua Freeman** asked if there is currently a fence in the location that staff has proposed a fence near the pond causeway within Scott Park. **Moore** clarified there is not currently a fence and explained the need to construct a fence due to safety concerns. **Commissioner Greg Hemer** inquired about signage to feed the ducks at Scott Park. **Moore** clarified there is a sign stating to not feed the waterfowl and that the city will maintain that signage. **Vice Chair Freeman** asked a clarifying question regarding next steps with community engagement. **Moore** explained that staff has planned meetings scheduled to keep City Council, the parks & recreation board, and the NDA's engaged and involved with the design of the playground features. Additional engagement will happen if plans need to be revisited. **Hemer** asked about the tree canopy at Bowman-Brae park. **Moore** explained the open lawn concept as being important to the community as well as affordable. **Commissioner Joseph Edge** expressed wanting the Johnson Creek Watershed Council to have an opportunity to provide feedback on the concept plans. **Moore** clarified that a lot of their active members are on the parks and recreation board and have been present at the planning meetings, **Moore** agreed to reach out to the Johnson Creek Watershed Council for a formal comment on the plans as well. **Commissioner Aaron Carpenter** inquired about lifespan and future cost to maintain the updated parks. **Moore** explained that longevity has been a big consideration with these park concepts and that the city is working on securing additional funding for future improvements/maintenance, **Moore** also noted that the city has been consulting with North Clackamas Parks and Recreation District staff as Milwaukie's parks are still cared for by the county. The briefing closed with appreciation for both staff and members of the Lake Road and Ardenwald-Johnson Creek Neighborhood District Associations.

(01:04:12)

7.1 Variance Code Update

Senior Planner, Vera Koliás, presented the staff report. **Koliás** noted the background and project goals for the code update as follows:

- Review of Type III variance applications
- Clarification
- More substantive
- Not a departure from established policy

Koliás explained the process for updating code as follows:

- Planning Commission: 1 work session
- City Council: 1 work session
- Notification provided to NDA's
- Code Commentary posted with 30-day notice
- Public hearings

The staff report includes the following proposed amendments:

Title 12 Access Management - Expand City Engineer's authority to modify requirements

- Modification with access study rather than variance

Kolias explained that for the current access standards and requirements, a Type III variance does not seem like the right process to modify engineering safety standards.

Kolias noted that the modification process already exists within the current code for some standards, but not all, and that the proposed code amendment would include what the access study would be, what it would require, and what information the city engineer would need to modify those standards. It is noted that Staff also discussed what the appeal process would be as the current code is not clear. **Commissioner Joseph Edge** asked a clarifying question regarding the proposed amendment and the transportation system plan update process, inquiring if the city engineer has the authority to override a policy to allow an access on a segment of street where policy intends for such access not to occur.

Kolias explained that there are sections of the code that state staff cannot deny access to an existing parcel, it's when the city is creating new properties through a partition that the authority of the city engineer can come into play. **Edge** questioned the appeal process. **Kolias** elaborated on the question and current process, and let the commission know that staff will return with additional information regarding the inquiry. **Chair Sherman** noted that the penalty for 12.16.070 is quite minor, but later retracted his comment.

Zoning Code – Definitions – Plex development

- Distinguish “plexes” from cottage clusters and townhouses

Kolias explained how plexes behave differently than cottages, cottage clusters, and town houses, in some sections of the current code, staff would like to use the term ‘plex development’ and have a definition for it.

Kolias shared proposed amendments to the Milwaukie Municipal Code (MMC):

- MMC 19.301 and 19.302 - Revise minimum lot size for a townhouse on a corner lot. Accommodate larger min. street yard setback.

Chair Sherman asked if we should think more broadly about corner lots. **Kolias** agreed that developing corner lots has been challenging for property owners. **Weigel** let the commission know that corner lots will be added to the ongoing code-fix list. **Edge** asked what the policy specifications are for the street side yard setback. **Kolias** noted that corner lots are treated like a front yard, maintaining a relationship with the street similar to the way a front yard does. **Edge** noted that this is consistent with the policy regarding buildings needing to compliment the public realm. **Carpenter** asked how this would affect applicants who apply for a partition used to establish new lots. **Kolias** explained the process the applicant would have to go through in that scenario. **Chair Sherman** asked if the commission is interested in reducing the minimum street side yard setback, **Edge** answered yes. **Carpenter** noted the logistical and safety reasons behind having setbacks and suggested it be reviewed by engineering staff. **Weigel** expressed this as a valid conversation worth starting but it is not necessarily a “housekeeping plus” issue. **Chair Sherman** agreed and suggested presenting this briefing to the City Council.

Kolias shared proposed amendments to the Milwaukie Municipal Code (MMC):

- MMC 19.303 – GMU Zone - Remove the Type III height variance requirement for projects using 2 height bonuses.

Hemer asked clarifying questions comparing the different residential zoning bonuses and qualifications. **Edge** commented on the idea of only giving height bonuses when there are mixed uses, **Edge** also noted that the code is currently promoting more residential development which is consistent with the city's goals of housing affordability and incentivizing residential development. **Weigel** noted that this is more of a policy question and not a housekeeping issue. **Weigel** suggested including this conversation into staff's upcoming HUB work.

Kolias shared proposed amendments to the Milwaukie Municipal Code (MMC):
MMC 19.312 – NMIA – Revise the applicability of design standards

- only for development within 50 feet of a front or street side lot line.
- 2017 SE Moores St example (VR-2022-009)

Edge asked a clarifying question regarding visibility vs distance from the street. **Kolias** replied that it is specific to a measured distance. **Edge** stated the intent is what is visible from the street, if it was reasonable to expect that new development may occur in that 50 ft or more than it may be fine to not have the same standards, **Edge** would like to honor the existing policy by finding something clear and objective beside the proposed measurement requirement. Per **Chair Sherman's** request, **Kolias** offered examples of what adopting the new policy would look like. **Chair Sherman** asked a follow up question regarding approving new construction and non-conforming structures. **Kolias** replied that the hope for the NMIA is to see redevelopment. **Carpenter** inquired about the landscaping requirements, **Kolias** replied that those requirements would remain as they are.

Kolias shared proposed amendments to the Milwaukie Municipal Code (MMC):
Supplementary Dev Regulation (MMC 19.500)

- Allow back decks to encroach up to 6 ft into rear yard; same standards as the front porches
- Revise applicability of design standards to a Type B accessory structure – up to 600 sq ft = metal siding.

Chair Sherman asked what the setback requirements would be. **Kolias** answered 5 feet. **Vice Chair, Josh Freeman** asked if it would apply to ADU's, **Kolias** answered that ADU's have their own design standards. **Chair Sherman** clarified the accessory types, heights, and setbacks. **Carpenter** asked about lot coverage requirements. **Kolias** answered that this amendment complies with the lot coverage requirements. The commission discussed urban forestry requirements.

Kolias shared proposed amendments to the Milwaukie Municipal Code (MMC):
Cottage Clusters (MMC 19.505.4)

-Allow up to 3 attached cottages in the R-MD

- Provides for more efficient construction
- All other size standards for dwellings remain

-Limit attached cottages in the R-HD to 4

- Eliminate perceived conflict with multi-unit development

Hemer asked clarifying questions regarding the size and definition of cottage clusters. **Kolias** provided examples and explained the specifics of this amendment as it pertains to the R-MD. **Carpenter** asked if this type of accommodation effects density. **Kolias**

replied that there is no maximum density for middle housing. **Chair Sherman** commented on the public concerns regarding affordability. **Edge** and **Vice Chair Freeman** extended their support for the proposed amendment.

Parking (MMC 19.600) – Clarify applicability of EV infrastructure requirements

- New parking spaces AND new structure
- Includes new commercial parking structures

Chair Sherman asked if the new structure definition applied to major renovations. **Carpenter** asked a clarifying question regarding a section of the staff report.

Chair Sherman asked if there were any additional questions or comments regarding the work session. **Hemer** advocated for new code that would require a 6 ft screen/barrier between vacation rental homes and the neighboring homes. **Vice Chair Freeman** and **Carpenter** expressed comments of ambivalence. **Chair Sherman** offered support of the proposal.

(02:32:02)

8.0 Planning Department/Planning Commission Other Business/Updates

Chair Sherman reminded the public that the city is currently taking applications for new members to join Milwaukie's boards and commissions.

Hemer advertised for the Ledding Library's upcoming program, 'The Councilors'.

Weigel gave an update on the progress of the TSP as well as the HUBS work that staff will be continuing work on. **Chair Sherman** updated the commission and staff on the Hillside planned development.

(02:34:18)

9.0 Forecast for Future Meetings

March 14th, 2023: Canceled

March 28th, 2023: Canceled

Meeting adjourned at approximately 9:00 p.m.

Respectfully submitted,

Petra Johnson, Administrative Specialist II



CITY OF MILWAUKIE

To: Planning Commission
Through: Laura Weigel, Planning Manager
From: Vera Koliás, Senior Planner
Date: April 18, 2023, for April 25, 2023, Public Hearing
Subject: File #ZA-2023-002 – Variances and other substantive code amendments

ACTION REQUESTED

Open the public hearing for land use file #ZA-2023-002. Discuss the proposed amendments to the Milwaukie Municipal Code (MMC) Title 19 (Zoning), Title 17 (Land Division), and Title 12 (Streets, Sidewalk, and Public Places), take public testimony, and provide direction to staff regarding any desired revisions to the proposed amendments.

The requested action this evening is that the Planning Commission recommend City Council approval of file #ZA-2023-002 and adoption of the proposed ordinance and recommended Findings in Support of Approval found in Attachment 1.

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;
- Changes in state law requiring amendments to local codes;
- Implementation of the comprehensive plan; and
- Code interpretation applications.

Over the past several months, planning staff has created categories for code amendment packages to help organize the various amendments and to help with the overall department workplan:

- **Large efforts** which will each be its own project – examples include: Willamette Greenway Overlay re-write (MMC 19.401); Natural Resources code re-write (MMC 19.402); Historic Preservation Overlay Zone (MMC 19.403)

- **Substantive code amendments** – examples include a review of Type III Variance applications to determine if changes are warranted to simplify processes.
- **Housekeeping** – these are amendments that are clarifications or minor tweaks that are not intended to affect meaning or intent of existing regulations. Housekeeping amendments are a way of cleaning up the code.

[February 28, 2023](#): The Planning Commission held a work session and reviewed the proposed amendments and made suggested changes (see Attachment 1).

ANALYSIS

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

1. Access Management (MMC 12.16 – multiple sections)
 - **Revise and reorganize** this code section to clarify standards and, more importantly, expand the City Engineer’s authority to modify requirements based on studies and evidence submitted by the applicant. The current code provides for a modification process for some standards and requires a Type III variance for relief from others. The proposed language gives the City Engineer the authority, based on specific required evidence, to modify this subsection’s requirements to provide more appropriate design flexibility determined by sound engineering principles. The Type III variance process is not a good avenue for resolving engineering and safety issues. Since the City Engineer already has this authority, it is reasonable to expand that authority to cover the entire subsection. The proposed language also includes revised requirements for the access study and provides for an appeal process.
 - **UPDATE**: a question was raised about notice to abutters and/or an opportunity to comment on a requested modification to an access standard. Staff is not recommending that notice or opportunity to comment on a technical component of a development be provided. This is not a discretionary land use decision; it is a technical review based on established engineering and safety standards.
2. Definitions (MMC 19.201)
 - **Add** a definition for “plex development” which is used in the code to distinguish duplexes, triplexes, and quadplexes from cottage clusters and townhouse development. Using the general term of “middle housing” to cover all of those housing types is not specific enough in some cases because there are instances where cottage clusters or townhouses require different standards due to the number of units or that they are on individual lots, for example.

3. Residential Zones (MMC 19.301 and 19.302)

- **Revise** the minimum lot size for townhouses on corner lots. The proposed amendments would allow townhouses on corner lots up to 3,500 sq ft in size. Currently, townhouses are only allowed on lots that are between 1,500 – 2,999 sq ft. The amendment is necessary because the street-side-yard setback, which is 15 ft, combined with the maximum lot size of 2,999 sq ft has the effect of disallowing townhouses on a standard corner lot in the city. This is because a typical townhouse is at least 20 ft wide; if you add in the required 15-foot street-side-yard setback, the true minimum width required to accommodate a townhouse is 35 ft. A typical depth for many lots in the city is 100 ft. A lot that is 35 x 100 feet deep exceeds the maximum lot size for a townhouse. The intent of the minimum lot size was not to disallow townhouses on corner lots, so the proposed amendments are limited to corner lots so that these developments are possible.

4. Commercial Mixed-Use Zones (MMC 19.303)

- **Remove** the requirement for a Type III building height variance for developments using both building height bonuses in the GMU zone.
 - **UPDATE:** based on feedback from the Commission at the work session, this item has been removed from the code amendment package as it warrants a much larger discussion.

5. North Milwaukie Innovation Area – NMIA (MMC 19.312.7)

- **Revise** the applicability of design standards for new construction to only those developments where the closest wall of the street-facing façade is within 50 ft of a front or street side lot line. The proposed amendment acknowledges that developments set far back from the street should not be held to detailed design standards and is consistent with the applicability of residential design standards. This proposed amendment responds to the recently approved variance application for an addition on SE Moores St, which was a good example of why this amendment is appropriate.
 - **UPDATE:** a question was raised about the proposed applicability standard of 50 ft. Staff has not changed the recommendation because the purpose of the design standards is an acknowledgement of the relationship that a building has with the public right-of-way, especially the pedestrian environment. The design standards are not intended to relate to buildings that might be visible from the street; they are more about the direct relationship with the right-of-way. A building located more than 50 ft from the front property line does not directly contribute to that relationship.

6. Supplementary Development Regulation (MMC 19.500)

- **Revise** the language allowing front porches to encroach up to 6 ft into the front yard setback to include covered decks in the backyard (MMC 19.501.2). The proposed language would require that back decks seeking this exception would need to meet the same standards as front porches (unenclosed and no more than 18

inches above grade). Staff has reviewed several proposals for covered back decks on homes constructed with the minimum rear yard setback, which would require a variance. The proposed language would allow for reasonable additional use of a property's back yard without the need for a costly variance application.

- **Revise** the design standards for accessory structures to increase the maximize size for structures proposing metal siding to a Type B accessory structure (600 sq ft and/or 15 ft tall – MMC 19.502.2). Common prefabricated metal sheds/shops are typically up to 600 sq ft; this proposed amendment responds to numerous resident requests to install such a structure without the requirement of adding wood siding to cover the metal siding or require a more expensive stick-built structure to meet the standard to avoid a Type III variance. Maximum lot coverage and minimum setbacks remain in place – the only change is allowance of reasonable design flexibility for larger accessory structures.
7. Building Design Standards – Cottage Cluster Housing (MMC 19.505.4)
- **Revise** the development standards to allow attached cottages in the R-MD zone. The proposed amendment would allow up to three attached cottages, providing an opportunity for a more efficient design and construction of cottage developments in addition to the more traditional single unit cottage. All other size standards for each individual dwelling unit would remain.
 - **Revise** the development standards to limit the number of attached cottages in the R-HD zone to four. This ensures that a cottage cluster development proposal will not conflict with the multi-unit residential definition of five or more units in a building.
8. Off-Street Parking (MMC 19.600)
- **Revise** the parking code language to clarify that the new requirements for electric vehicle (EV) charging infrastructure apply when new parking spaces are constructed, and they are associated with a new or existing building. The amendments also extend the EV charging requirement to commercial parking structures (as new parking spaces involving a building).
9. **UPDATE:** Conditional Uses (MMC 19.905)
- **Revise** the standards for vacation rentals to include a screening requirement similar to that for flag and back lots. Based on the discussion at the work session, staff has added a requirement for fencing and/or sight obscuring fencing along the side and rear lot lines of a vacation rental property that abuts a residential lot.

CODE AUTHORITY AND DECISION-MAKING PROCESS

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

- MMC Section 19.902 Amendments to Maps and Ordinances
- MMC Section 19.1008 Type V Review

This application is subject to Type V review, which requires the Planning Commission to hold an initial evidentiary hearing to and then forward a recommendation to the City Council for a final decision. Type V applications are legislative in nature and involve the creation, revision, or large-scale implementation of public policy.

The Commission has 4 decision-making options as follows:

- A. Recommend that Council approve the proposed amendments as per to the recommended Findings in Support of Approval.
- B. Recommend that Council approve the proposed amendments with revisions, including modifications to the recommended Findings in Support of Approval. Such modifications need to be read into the record.
- C. Recommend that Council deny the proposed amendments.
- D. Continue the hearing.

There is no deadline for a final decision on Type V applications, as they are legislative in nature.

COMMENTS

Notice was provided as described in MMC 19.1008, with a 30-day notice and code commentary made available online on March 22, 2023. The required 35-day notice to Metro and the Department of Land and Conservation Development was posted on March 21, 2023. Notice was also posted at City Hall, the Johnson Creek Facility, and the Ledding Library. Email notice to all Neighborhood District Associations (NDAs) was sent on March 27, 2023.

ATTACHMENTS

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

	PC Packet	Public Copies	EPacket
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"/>
c. Draft code amendment language (clean)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

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

E-Packet = packet materials posted online at <https://www.milwaukieoregon.gov/planning/planning-commission-62>, available 7 days prior to the meeting.



COUNCIL ORDINANCE No.

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE TITLE 12 STREETS, SIDEWALKS, AND PUBLIC PLACES, TITLE 17 LAND DIVISION, AND TITLE 19 ZONING, TO MAKE CHANGES TO SELECT SECTIONS FOR THE PURPOSE OF CLARIFICATION AND IMPROVED EFFECTIVENESS (FILE #ZA-2023-002).

WHEREAS, the proposed amendments to Milwaukie Municipal Code (MMC) Titles 12, 17, and 19 to 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 opportunities for public review and input has been provided; and

WHEREAS, on April 25, 2023, the Planning Commission conducted a public hearing as required by MMC 19.1008.5 and adopted a motion in support of the amendments; and

WHEREAS, the 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 (MMC) is amended as described in Exhibit B (underline/strikeout version), and Exhibit C (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 _____.

Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney

**Recommended Findings in Support of Approval
File #ZA-2023-002, Substantive 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 12 Streets, Sidewalks, and Public Places, Title 17 Land Division, and Title 19 Zoning Ordinance of the Milwaukie Municipal Code (MMC). The land use application file number is ZA-2023-002.
2. The purpose of the proposed code amendments is as a collection of substantive amendments that are clarifications, streamline processes, or address recent variance applications, that are not intended to significantly 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:
 - Municipal Code –
 - MMC 12.16 – Access Management – Revise modification process
 - Municipal Code –
 - MMC 17.28 – Land Division – Design Standards
 - Zoning Ordinance –
 - MMC 19.201 – Add a definition for plexes
 - MMC 19.301 and 19.302 – Revise the lot size range for townhouses on corner lots
 - MMC 19.312 – NMIA zone – Revise the applicability of design standards
 - MMC 19.501 – General Exceptions – Revise the list of exceptions
 - MMC 19.502 – Accessory Structures – Revise design standards
 - MMC 19.505 – Cottage Cluster Design Standards – Allow attached cottages
 - MMC 19.600 – Clarification regarding EV charging requirements
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. Public hearings were held on April 25, 2023 and July XX, 2023 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.

ATTACHMENT 1 Exhibit A

The Planning Commission held a duly advertised public hearing on April 25, 2023. A public hearing before City Council was held on July XX, 2023. 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 not intended to affect 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) Goal 11.1 for Economic Development reads as follows:

Provide a diverse range of uses, services, and amenities that contribute to a sustainable, equitable, and resilient economy and are adaptable to changing land uses and technology.

Policy 11.1.2 states:

Adapt to industry trends and emerging technologies that have the potential to affect employment, land use, and infrastructure needs, such as automation, the sharing economy, autonomous vehicles, and other future technological advances.

The proposed amendments revise the applicability of design standards for new construction in the North Milwaukie Innovation Area Zone.

- (ii) Goal 7.1 for Housing (Equity) states:

Enable and encourage housing options that meet the needs of all residents, with a specific focus on uplifting historically disenfranchised communities and eliminating disparities for populations with special needs or lower incomes. 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.

Policy 7.1.2 states:

Establish development standards that regulate size, shape, and form and are not exclusively focused on regulating density.

Goal 8.3 for Urban Design and Land Use states:

Provide a clear and straightforward design review process for development in Milwaukie along with incentives to achieve desired outcomes.

The intent of the proposed amendments is to revise the minimum lot size for townhouses on corner lots. The proposed amendments would allow townhouses on corner lots up to 3,500 sq ft in size. Currently, townhouses are only allowed on lots that are between 1,500 – 2,999 sq ft. The amendment is necessary because the street-side-yard setback, which is 15 ft, combined with the maximum lot size of 2,999 sq ft has the effect of disallowing townhouses on a standard corner lot in the city. This is because a typical townhouse is at least 20 ft wide; if you add in the required 15-foot street-side-yard setback, the true minimum width required to accommodate a townhouse is 35 ft. A typical depth for many lots in the city is 100 ft. A lot that is 35 x 100 feet deep exceeds the maximum lot size for a townhouse. The intent of the minimum lot size was not to disallow townhouses on corner lots, so the proposed amendments are limited to corner lots so that these developments are possible.

The proposed amendments also revise the development standards to allow attached cottages in the R-MD zone. The proposed amendment would allow up to three attached cottages, providing an opportunity for a more efficient design and construction of cottage developments in addition to the more traditional single unit cottage. All other size standards for each individual dwelling unit would remain.

The proposed amendments revise the development standards to limit the number of attached cottages in the R-HD zone to four. This ensures that a cottage cluster development proposal will not conflict with the multi-unit residential definition of five or more units in a building

- (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 Manager on February 1, 2023.*
- 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 Planning Commission had a work session about the proposed amendments on February 28, 2023. The City Council had a study session on the proposed amendments on June 13, 2023.*
- The current version of the draft amendments has been posted on the City's website since March 23, 2023. On March 27, 2023 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 April 25, 2023, hearing was posted as required on March 23, 2023. A notice of the City Council's July XX, 2023 public hearing was posted as required on June XX, 2023.*

ATTACHMENT 1 Exhibit A

- (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 Manager has determined that the proposal affects a large geographic area. Notice to individual property owners and individual properties was not required.

- (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 DLCD on March 20, 2023.

- (5) Subsection 19.1008.3.C requires notice of a Type V application be sent to Metro 35 days prior to the first evidentiary hearing.

Notice of the proposed amendments was sent to Metro on March 21, 2023.

- (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.

The proposed amendments generally do not further restrict the use of property. In general, the proposed amendments implement current interpretation or add flexibility and provide clarification.

- (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 April 25, 2023 and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on July XX, 2023 and approved the amendments.

Underline/Strikeout Amendments**TITLE 12 STREETS, SIDEWALKS, AND PUBLIC PLACES****CHAPTER 12.16 ACCESS MANAGEMENT****12.16.040 ACCESS REQUIREMENTS AND STANDARDS****A. Access**

Private property shall must be provided street access with the use of accessways. Driveway approaches shall must be constructed as set forth in the Milwaukie Public Works Standards.

B. ~~Access Spacing~~ Accessway Location

Spacing and location criteria are based upon several factors, including stopping sight distance, ability of turning traffic to leave a through lane with minimal disruption to operation, minimizing right turn conflict overlaps, maximizing egress capacity, and reducing compound turning conflicts where queues for turning/decelerating traffic encounter conflicting movements from entering/exiting streets and driveways.

1. ~~Standards~~ Spacing Between Accessways

Spacing between accessways is measured between the closest edges of driveway aprons where they abut the roadway. Spacing between accessways and street intersections is measured between the nearest edge of the driveway apron and the nearest face of curb of the intersecting street. Where intersecting streets do not have curb, the spacing is measured from the nearest edge of pavement.

a. Spacing for accessways on arterial streets, as identified in the Milwaukie Transportation System Plan, shall must be a minimum of six hundred (600) feet.

b. Spacing for accessways on collector streets, as identified in the Milwaukie Transportation System Plan, shall must be a minimum of three hundred (300) feet.

~~c. For middle housing development, access spacing requirements may be modified by the City Engineer per Subsection 12.16.040.B.2 based on a variety of factors, including average daily traffic, anticipated increase of traffic to and from the proposed development, crash history at or near the access point, sight distance, and/or other safety elements.~~

2. Double Frontage

When a lot has frontage on two (2) or more streets, access must be provided first from the street with the lowest classification. For example, access must be provided from a local street before a collector or arterial street.

3. Location Limitations

Individual access to single detached residential lots from arterial and collector streets is prohibited. An individual accessway may be approved by the City Engineer only if there is no practicable alternative to access the site, shared access is provided by easement with adjacent properties, and the accessway is designed to contain all vehicle backing movements on the site and provide shared access with adjacent properties.

4. Distance from Property Line

The nearest edge of the driveway apron must be at least five (5) feet from the side property line in residential districts and at least ten (10) feet from the side property line in all other districts. This standard does not apply to accessways shared between two (2) or more properties.

5. Distance from Intersection – Public Streets and Private Access Drives

To protect the safety and capacity of street intersections, the following minimum distances from the nearest intersecting street face of curb to the nearest edge of driveway apron must be maintained. Where intersecting streets do not have curbs, the distances must be measured from the nearest intersecting street edge of pavement. Distance from intersection may be modified as described in MMC Section 12.16.050. Distance from private access drives will be reviewed by the City Engineer on a case-by-case basis, and will include factors such as volume of traffic on both the private access drive and public street it is connected to, clear sight distance, and accident history.

a. At least forty-five (45) feet for single detached residential properties, plex development (i.e., a duplex, triplex, or quadplex), cottage clusters with four (4) or fewer units, and townhouses of four (4) or fewer units accessing local and neighborhood streets. Where the distance cannot be met on existing lots, the driveway apron must be located as far from the nearest intersection street face of curb as practicable; in such cases a formal modification is not required.

b. At least one hundred (100) feet for multi-unit residential properties, or cottage cluster developments of five (5) or more units and all other uses accessing local and neighborhood streets.

c. At least three hundred (300) feet for collectors, or beyond the end of queue of traffic during peak hour conditions, whichever is greater.

d. At least six hundred (600) feet for arterials, or beyond the end of queue of traffic during peak hour conditions, whichever is greater.

2. Modification of Access Spacing

~~Access spacing may be modified with submission of an access study prepared and certified by a registered Professional Traffic Operations Engineer (PTOE) in the State of Oregon. The Access Study shall assess transportation impacts adjacent to the project frontage within a distance equal to the access spacing requirement established in Subsection 12.16.040.B.1. For example, for a site with arterial access, the access study would include evaluation of site access and capacity along the project frontage plus capacity and access issues within six hundred (600) feet of the adjacent property. The access study shall include the following:~~

- ~~a. Review of site access spacing and design;~~
- ~~b. Evaluation of traffic impacts adjacent to the site within a distance equal to the access spacing distance from the project site;~~
- ~~c. Review of all modes of transportation to the site;~~
- ~~d. Mitigation measures where access spacing standards are not met that include, but are not limited to, assessment of medians, consolidation of accessways, shared accessways, temporary access, provision of future consolidated accessways, or other measures that would be acceptable to the City Engineer.~~

~~C. Accessway Location~~

~~1. Double Frontage~~

~~When a lot has frontage on two (2) or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street.~~

~~2. Location Limitations~~

~~Individual access to single detached residential lots from arterial and collector streets is prohibited. An individual accessway may be approved by the City Engineer only if there is no practicable alternative to access the site, shared access is provided by easement with adjacent properties, and the accessway is designed to contain all vehicle backing movements on the site and provide shared access with adjacent properties.~~

~~3. Distance from Property Line~~

~~The nearest edge of the driveway apron shall be at least five (5) feet from the side property line in residential districts and at least ten (10) feet from the side property line in all other districts. This standard does not apply to accessways shared between two (2) or more properties.~~

~~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 curbs, 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 Section 12.16.040.B.2.~~

~~a. At least forty five (45) feet for single detached residential properties or middle housing developments of four (4) or fewer units accessing local and neighborhood streets. Where the distance cannot be met on existing lots, the driveway apron shall be located as far from the nearest intersection street face of curb as practicable.~~

~~b. At least one hundred (100) feet for multi-unit residential properties or middle housing developments of five (5) or more units and all other uses accessing local and neighborhood streets.~~

~~c. At least three hundred (300) feet for collectors, or beyond the end of queue of traffic during peak hour conditions, whichever is greater.~~

~~d. At least six hundred (600) feet for arterials, or beyond the end of queue of traffic during peak hour conditions, whichever is greater.~~

DC. Number of Accessway Locations

1. Safe Access

Accessway locations ~~shall~~must be the minimum necessary to provide access without inhibiting the safe circulation and carrying capacity of the street.

2. Shared Access

The number of accessways on collector and arterial streets ~~shall~~must be minimized whenever possible through the use of shared accessways and coordinated on-site circulation patterns. Within commercial, industrial, and multi-unit areas, shared accessways and internal access between similar uses are required to reduce the number of access points to the higher-classified roadways, to improve internal site circulation, and to reduce local trips or movements on the street system. Shared accessways or internal access between uses ~~shall~~must be established by means of common access easements.

3. Single Detached Residential and Middle Housing

One accessway per property is allowed for single detached residential uses, plex development, cottage cluster development up to four units, and townhouses and middle housing developments up to four (4) units.

a. For lots with more than one street frontage on a local street and/or neighborhood route, one additional accessway may be granted. Under such circumstances, a street frontage ~~shall~~must have no more than one driveway approach.

b. For lots with one street frontage on a local street and/or neighborhood route, one additional accessway may be granted where the driveway approaches can be spaced fifty (50) feet apart, upon review and approval by the City Engineer. The spacing is

measured between the nearest edges of the driveway aprons. Where the fifty (50) foot spacing cannot be met, an additional accessway shall not be granted.

c. No additional accessways shall be granted on collector and arterial streets.

4. All Uses Other than Single Detached Residential and Middle Housing

The number of accessways for uses other than single detached residential and middle housing developments up to four (4) units is subject to the following provisions:

a. Access onto arterial and collector streets is subject to the access spacing requirements of Subsection 12.16.040.B~~2~~₂.

b. One accessway is allowed on local streets and neighborhood routes. One additional accessway is allowed per frontage where the driveway approaches, including adjacent property accessways, can be spaced one hundred fifty (150) feet apart. The spacing is measured between the nearest edges of the driveway aprons.

ED. Accessway Design

1. Design Guidelines

Driveway approaches ~~shall~~must meet all applicable standards of the Americans with Disabilities Act, U.S. Access Board guidelines or requirements, and Milwaukie Public Works Standards.

2. Authority to Restrict Access

The City Engineer may restrict the location of accessways on streets and require that accessways be placed on adjacent streets upon finding that the proposed access would:

- a. Cause or increase existing hazardous traffic conditions;
- b. Provide inadequate access for emergency vehicles; or
- c. Cause hazardous conditions that would constitute a clear and present danger to the public health, safety, and general welfare.

3. Backing into the Right-of-Way Prohibited

Accessways ~~shall~~must be designed to contain all vehicle backing movements on the site, except for detached or attached single detached residential uses on local streets and neighborhood routes.

FE. Accessway Size

The following standards allow adequate site access while minimizing surface water runoff and reducing conflicts between vehicles, bicyclists, and pedestrians.

1. Accessways ~~shall~~must be the minimum width necessary to provide the required number of vehicle travel lanes. The City Engineer may require submission of vehicle turning templates to verify that the accessway is appropriately sized for the intended use.
2. Single attached and detached residential uses ~~shall~~must have a minimum driveway apron width of twelve (12) feet and a maximum width of twenty (20) feet.
3. ~~Plex development, cottage cluster developments with up to four units, or townhouse developments~~ Multi-unit residential or middle housing development comprised of up to four (4) units, ~~shall~~must have a minimum driveway apron width of twelve (12) feet on local or neighborhood streets and sixteen (16) feet on collector or arterial streets, and a maximum driveway apron width of twenty (20) feet on all streets.
4. Multi-unit residential or ~~middle housing~~cottage cluster developments with between five (5) and eight (8) units ~~shall~~must have a minimum driveway apron width of sixteen (16) feet on local or neighborhood streets and twenty (20) feet on collector or arterial streets, and a maximum driveway apron width of twenty-four (24) feet.
5. Multi-unit residential or ~~middle housing~~cottage cluster developments with more than eight (8) dwelling units, and off-street parking areas with sixteen (16) or more spaces, ~~shall~~must have a minimum driveway apron width of twenty (20) feet on local or neighborhood streets and twenty-four (24) feet on collector or arterial streets, and a maximum driveway apron width of thirty (30) feet.
6. Commercial, office, and institutional uses ~~shall~~must have a minimum driveway apron width of sixteen (16) feet and a maximum width of thirty-six (36) feet.
7. Industrial uses ~~shall~~must have a minimum driveway apron width of twenty-four (24) feet and a maximum width of forty-five (45) feet.
8. Maximum driveway apron widths for commercial and industrial uses may be increased if the City Engineer determines that more than two (2) lanes are required based on the number of trips anticipated to be generated or the need for on-site turning lanes. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2168 § 2, 2019; Ord. 2004 § 1, 2009)

12.16.050 VARIANCE MODIFICATIONS

~~Relief from any access management requirement or standard of Section 12.16.040 may be granted through a variance process, which requires submission and approval of a Variance land use application. Variance criteria and procedures are located in Section 19.911. (Ord. 2025 § 3, 2011; Ord. 2004 § 1, 2009)~~

Access management standards may be modified with submission of an access study prepared and certified by a registered Professional Traffic Operations Engineer (PTOE) in the State of Oregon, when required by the City Engineer based on street classification. The Access Study must assess transportation impacts adjacent to the project frontage within a distance equal to the access spacing requirement established in Subsection 12.16.040.B.1. For example, for a site with arterial access, the access study would include evaluation of site access and capacity

along the project frontage plus capacity and access issues within six hundred (600) feet of the adjacent property. The access study must include the following:

1. Review of site access spacing and design;
2. Evaluation of traffic impacts adjacent to the site within a distance equal to the access spacing distance from the project site;
3. Traffic Safety: provide ODOT crash data (for the most recent five-year period for which data is available) adjacent to the site within a distance equal to the access spacing distance from the project site;
4. Review of all modes of transportation to the site;
5. Evaluation of traffic volume, traffic type, and speed of existing traffic on street(s) where access is proposed to be taken;
6. Mitigation measures where access standards are not met that include, but are not limited to, assessment of medians, consolidation of accessways, shared accessways, temporary access, provision of future consolidated accessways, or other measures that would be acceptable to the City Engineer.

12.16.060 RIGHT OF APPEAL

If the applicant is dissatisfied with the written decision of the City Engineer for a modification request submitted pursuant to Subsection 12.16.050, the applicant may file a written appeal with the Community Development Director no later than thirty (30) days from the date that the decision was mailed. The appeal must contain a statement of the reasons why the applicant is dissatisfied with the written decision, and must be signed by the applicant, or by someone authorized to sign on the applicant's behalf. A notice of receipt must be mailed to the applicant by registered mail within five (5) days of the receipt of the appeal. The Community Development Director must act upon the appeal no later than sixty (60) days after receipt, and a copy of the written decision must be mailed to the applicant by registered mail no later than five (5) days after preparation of the decision. The decision of the Community Development Director shall be final.

~~Appeal of the decision of the City Engineer for a modification request submitted pursuant to Subsection 12.16.050 any access management requirement or standard of Section 12.16.040 not associated with a land use decision is subject to the provisions of Section 19.1006 Type III Review. (Ord. 2025 § 3, 2011; Ord. 2004 § 1, 2009)~~

12.16.070 VIOLATION PENALTY

Any person, firm, or corporation violating any of the provisions of this chapter, or causing, permitting, or suffering the same to be done, shall be fined not more than two hundred fifty dollars (\$250.00). Each such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued, or permitted. (Ord. 2004 § 1, 2009)

Title 17 Land Division

CHAPTER 17.28 DESIGN STANDARDS

17.28.040 GENERAL LOT DESIGN

This section does not apply to units of land that are created for purposes other than land development including parks, natural areas, right-of-way dedications, or reservations of a similar nature. Lots and tracts created for cottage cluster housing development, per Subsection 19.505.4, are also exempt from the requirements of this section.

C. Limits on Compound Lot Line Segments

Changes in direction alongside and rear lot lines ~~shall~~must be avoided. Cumulative lateral changes in direction of a side or rear lot line exceeding ~~40%~~ 20% of the distance between opposing lot corners along a given lot line may only be permitted through the variance provisions of MMC Subsection 19.911. Changes in direction ~~shall~~must be measured from a straight line drawn between opposing lot corners.

Title 19 Zoning Ordinance

CHAPTER 19.200 DEFINITIONS AND MEASUREMENTS

Residential Uses and Structures

“Plex development” means a duplex, triplex, or quadplex.

CHAPTER 19.300 BASE ZONES

19.301 MODERATE DENSITY RESIDENTIAL ZONE

Table 19.301.4 Moderate Density Residential Development Standards

Standard	R-MD				Standards/ Additional Provisions
	Lot size (square feet)				
	1,500 – 2,999	3,000–4,999	5,000- 6,999 ²	7,000 and up	
A. Permitted Dwelling Type					
	Townhouse ¹ , Cottage ⁴	Cottage ⁴ , Duplex, Triplex, Quadplex	Single Detached Dwelling, Single Detached Dwelling,	Single Detached Dwelling, Single Detached Dwelling,	Subsection 19.501.1 Lot Size Exceptions

			with up to 2 ADUs, Cottage ¹ , Duplex, Triplex, Quadplex Quadplex	with 2 ADUs, Cottage ¹ , Duplex, Triplex, Quadplex, Cottage Cluster	
--	--	--	---	--	--

1 ~~For a cottage within a cottage cluster only.~~ A townhouse is permitted on a corner lot up to 3,500 sq ft in area.

19.302 HIGH DENSITY RESIDENTIAL ZONE

19.302.4 Development Standards

In the high density residential zone, the development standards in Table 19.302.4 apply. Notes and/or cross references to other applicable code sections are listed in the “Standards/Additional Provisions” column. Additional standards are provided in Section 19.302.5.

The standards in Subsection 19.302.4 are not applicable to cottage cluster development except where specifically referenced by Subsection 19.505.4.

See Sections 19.201 Definitions and 19.202 Measurements for specific descriptions of standards and measurements listed in the table.

In the high density residential zone the following housing types are permitted on lot sizes as follows:

Between 1,500 to 2,999 sq ft: Townhouse; a townhouse is permitted on a corner lot up to 3,500 sq ft in area. ; ~~Cottage in a cottage cluster~~

Table 19.302.2 High Density Residential Uses Allowed		
Use	R-HD	Standards/ Additional Provisions
Residential Uses		
Use	R-HD	Standards/ Additional Provisions
Mixed Use	<u>P</u>	<u>Subsection 19.505.7 Nonresidential Development</u>

19.302.5 Additional Development Standards

B. Lot Coverage

The lot coverage standards in Subsection 19.302.4.B.4 are modified for specific uses and lot sizes as described below. The reductions and increases are additive for lots that are described by one or more of the situations below.

1. Increased Lot Coverage for Single Detached Dwellings and Middle Housing

19.312 NORTH MILWAUKIE INNOVATION AREA

19.312.7 Design Standards for All Uses in the MUTSA and on NME Key Streets

The following development standards apply to all uses in the MUTSA Zone and in the NME Zone on properties located on the following key streets and key corners: McBrod Avenue, Main Street, 17th Avenue, and Ochoco Street (see Figure 312.7.1).

A. Design Standards for All New Construction and Major Exterior Alterations

The design standards contained in this section are intended to encourage building design and construction with durable, high-quality materials. The design standards in this section ~~generally~~ apply to the street-facing façades of new, and major alterations to, commercial, institutional, manufacturing, and mixed-use buildings when the closest wall of the street-facing façade is within 50 ft of a front or street-side lot line. Exterior maintenance and repair and minor exterior alterations are not subject to these standards. Subsection 19.312.7.B below defines exterior maintenance and repair and major/minor exterior and interior alterations.

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.501 GENERAL EXCEPTIONS

19.501.2 Yard Exceptions

C. A covered porch or deck on a single detached dwelling or middle housing unit may extend 6 ft into a required front or rear yard if all of the following standards are met:

1. The porch or deck is not enclosed on any side other than what is enclosed by the exterior walls of the dwelling. The following are not considered to be enclosures: structural

supports for a covered porch, projections not extending more than 3 ft upward from the surface of the porch, railings, retractable sunshades, screens, or netting.

2. The surface of the porch or deck does not exceed 18 in high above the average grade.
3. The porch or deck is at least 5 ft from the front and/or rear lot line.

19.502 ACCESSORY STRUCTURES

19.502.2 Specific Provisions for Accessory Structures

A. The following standards apply to ~~for~~ residential accessory structures on single detached unit, townhouse, cottage cluster, and plex development properties. ~~family detached, duplex, rowhouse, and cottage cluster properties.~~ The standards in Subsection 19.502.2.A do not apply to pools, uncovered decks, and patios.

The purpose of these standards is to allow accessory structures that accommodate the typical needs of a ~~single family detached residence. while protecting the character of single family neighborhoods.~~

1. Development Standards

b. Other Development Standards

~~(3) A minimum of 5 ft is required between the exterior wall of an accessory structure and the exterior wall of any other structure on a site, excluding a fence or similar structure.~~

~~(4)~~ (3) A covered walkway or breezeway is allowed between a primary structure and accessory structure. Such connection shall not exempt the accessory structure from compliance with the standards of this section, unless the connection is fully enclosed and meets the building code definition of a conditioned space, and is all of the following, which results in an addition and is not an accessory structure:

2. Design Standards

a. Metal siding is prohibited on structures more than ~~40~~ 15 ft high or with a footprint greater than ~~200~~ 600 sq ft, unless the siding replicates the siding on the primary dwelling or has the appearance of siding that is commonly used for residential structures.

~~b. Structures located in a front, side, or street side yard that are visible from the right of way at a pedestrian level shall use exterior siding and roofing materials that are commonly used on residential structures.~~

19.505 BUILDING DESIGN STANDARDS

19.505.4 Cottage Cluster Housing

C. Development Standards

The standards listed below in Table 19.505.4.C.1 are the applicable development and design standards for cottage cluster housing. Additional design standards are provided in Subsection 19.505.1.

Table 19.505.4.C.1 Cottage Cluster Development Standards		
Standards	R-MD	R-HD
A. Home Structure Types		
1. Building types allowed, minimum and maximum number per cluster	Detached <u>and Attached</u> cottages 3 minimum 12 maximum dwelling units <u>Maximum number of attached units = 3</u>	Detached and Attached <u>cottages</u> 3 minimum 12 maximum dwelling units <u>Maximum number of attached units = 4</u>
B. Home Dwelling Unit Size		
1. Max building footprint per <u>home dwelling unit</u>	900 sf	
2. Max average floor area per dwelling unit	1,400 sf	

CHAPTER 19.600 OFF-STREET PARKING AND LOADING

19.602.3 Applicability for Development and Change in Use Activity

The provisions of Chapter 19.600 apply to development and changes of use as described in Subsection 19.602.3.

- A. Development of a vacant site shall have off-street parking and off-street loading areas that conform to the requirements of Chapter 19.600. Development of a site that results in an increase of 100% or more of the existing floor area and/or structure footprint on a site shall also conform to the requirements of Chapter 19.600. The construction of new off-street parking spaces may be subject to the electric vehicle charging requirements of Subsection 19.605.5. The floor area and/or footprint of structures demolished prior to development or redevelopment on the site shall not be considered when calculating the increase in floor area and/or structural footprints.

19.602.4 Applicability not Associated With Development or Change in Use

- A. Any parking or loading area developed to serve an existing use(s) that is not associated with development activity or a change in use described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611, as well as to the electric vehicle (EV) charging requirements of Subsection 19.605.5 as applicable. The total number of spaces in the existing parking area and new parking area shall not exceed the maximum allowed quantity of parking as established in Section 19.605.
- B. Any parking or loading area that is not developed to serve an existing use and is not associated with development activity or a change in use as described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611. The requirements of Section 19.605 do not apply to parking areas described under Subsection 19.602.4.B.

19.605 Vehicle Parking Quantity Requirements

The purpose of Section 19.605 is to ensure that development provides adequate, but not excessive, vehicle parking based on their estimated parking demand. Subsection 19.605.1 establishes parking ratios for common land uses, and Subsection 19.605.3 allows certain exemptions and reductions to these ratios based on location or on-site amenities. Subsection 19.605.5 details requirements for installing electric vehicle (EV) charging infrastructure in multi-unit, mixed-use, commercial, and industrial developments. Modifications to the established parking ratios and determinations of parking requirements for unique land uses are allowed with discretionary review per Subsection 19.605.2.

19.605.5 Electric Vehicle (EV) Charging Requirements

Required EV charging spaces. All buildings that are commercial, industrial, multi-unit with 5 or more dwelling units, or mixed-use with 5 or more dwelling units and that provide off-street parking must include sufficient space for electrical service capacity to support at least a Level 2 EV charger at required EV charging spaces as outlined below. For terms not defined elsewhere in Title 19, see applicable sections of the state building code and/or OAR 918-460-0200.

- A. **Commercial and Industrial Parking Buildings.** For commercial and industrial buildings that provide off-street parking, where new off-street parking spaces are constructed, choose one of the following:
- 1) At least 50% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger;
- OR**
- 2) At least 20% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 5% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 20% minimum requirement.

- B. Multi-Unit and Mixed-Use Residential Parking Buildings.** For multi-unit and mixed-use buildings with five or more dwelling units, where new off-street parking spaces are provided constructed, choose one of the following:
- 1) All (100%) of the newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger;
- OR**
- 2) At least 40% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 10% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 40% minimum requirement.
- C. Structured Parking Facilities.** For structured parking facilities, where new off-street parking spaces are constructed, choose one of the following:
- 1) At least 50% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger;
- OR**
- 2) At least 20% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 5% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 20% minimum requirement.

CHAPTER 19.900 LAND USE APPLICATIONS

19.905 CONDITIONAL USES

19.905.9 Standards Governing Conditional Uses

G. 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. Prior to initial occupancy, continuous screening is required along the rear and side lot lines of the vacation rental property abutting any neighboring residential lot. Any combination of dense plantings of trees and shrubs with a minimum height of 6 ft that will provide continuous sight obstruction for the benefit of adjoining residential properties within 3 years of planting is allowed. Fencing must comply with the fence regulations in MMC 19.502.2.B.

23. 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.

Clean Amendments**TITLE 12 STREETS, SIDEWALKS, AND PUBLIC PLACES****CHAPTER 12.16 ACCESS MANAGEMENT****12.16.040 ACCESS REQUIREMENTS AND STANDARDS****A. Access**

Private property must be provided street access with the use of accessways. Driveway approaches must be constructed as set forth in the Milwaukie Public Works Standards.

B. Accessway Location

Spacing and location criteria are based upon several factors, including stopping sight distance, ability of turning traffic to leave a through lane with minimal disruption to operation, minimizing right turn conflict overlaps, maximizing egress capacity, and reducing compound turning conflicts where queues for turning/decelerating traffic encounter conflicting movements from entering/exiting streets and driveways.

1. Spacing Between Accessways

Spacing between accessways is measured between the closest edges of driveway aprons where they abut the roadway. Spacing between accessways and street intersections is measured between the nearest edge of the driveway apron and the nearest face of curb of the intersecting street. Where intersecting streets do not have curb, the spacing is measured from the nearest edge of pavement.

a. Spacing for accessways on arterial streets, as identified in the Milwaukie Transportation System Plan, must be a minimum of six hundred (600) feet.

b. Spacing for accessways on collector streets, as identified in the Milwaukie Transportation System Plan, must be a minimum of three hundred (300) feet.

2. Double Frontage

When a lot has frontage on two (2) or more streets, access must be provided first from the street with the lowest classification. For example, access must be provided from a local street before a collector or arterial street.

3. Location Limitations

Individual access to single detached residential lots from arterial and collector streets is prohibited. An individual accessway may be approved by the City Engineer only if there is no practicable alternative to access the site, shared access is provided by easement with adjacent properties, and the accessway is designed to contain all vehicle backing movements on the site and provide shared access with adjacent properties.

4. Distance from Property Line

The nearest edge of the driveway apron must be at least five (5) feet from the side property line in residential districts and at least ten (10) feet from the side property line in all other districts. This standard does not apply to accessways shared between two (2) or more properties.

5. Distance from Intersection – Public Streets and Private Access Drives

To protect the safety and capacity of street intersections, the following minimum distances from the nearest intersecting street face of curb to the nearest edge of driveway apron must be maintained. Where intersecting streets do not have curbs, the distances must be measured from the nearest intersecting street edge of pavement. Distance from intersection may be modified as described in MMC Section 12.16.050. Distance from private access drives will be reviewed by the City Engineer on a case-by-case basis, and will include factors such as volume of traffic on both the private access drive and public street it is connected to, clear sight distance, and accident history.

- a. At least forty-five (45) feet for single detached residential properties, plex development (i.e., a duplex, triplex, or quadplex), cottage clusters with four (4) or fewer units, and townhouses of four (4) or fewer units accessing local and neighborhood streets. Where the distance cannot be met on existing lots, the driveway apron must be located as far from the nearest intersection street face of curb as practicable; in such cases a formal modification is not required.
- b. At least one hundred (100) feet for multi-unit residential properties, or cottage cluster developments of five (5) or more units and all other uses accessing local and neighborhood streets.
- c. At least three hundred (300) feet for collectors, or beyond the end of queue of traffic during peak hour conditions, whichever is greater.
- d. At least six hundred (600) feet for arterials, or beyond the end of queue of traffic during peak hour conditions, whichever is greater.

C. Number of Accessway Locations

1. Safe Access

Accessway locations must be the minimum necessary to provide access without inhibiting the safe circulation and carrying capacity of the street.

2. Shared Access

The number of accessways on collector and arterial streets must be minimized whenever possible through the use of shared accessways and coordinated on-site circulation patterns. Within commercial, industrial, and multi-unit areas, shared accessways and internal access between similar uses are required to reduce the number of access points to the higher-classified roadways, to improve internal site circulation, and to reduce local trips or movements on the street system. Shared accessways or internal access between uses must be established by means of common access easements.

3. Single Detached Residential and Middle Housing

One accessway per property is allowed for single detached residential uses, plex development, cottage cluster development up to four units, and townhouses up to four (4) units.

- a. For lots with more than one street frontage on a local street and/or neighborhood route, one additional accessway may be granted. Under such circumstances, a street frontage must have no more than one driveway approach.
- b. For lots with one street frontage on a local street and/or neighborhood route, one additional accessway may be granted where the driveway approaches can be spaced fifty (50) feet apart, upon review and approval by the City Engineer. The spacing is measured between the nearest edges of the driveway aprons. Where the fifty (50) foot spacing cannot be met, an additional accessway shall not be granted.
- c. No additional accessways shall be granted on collector and arterial streets.

4. All Uses Other than Single Detached Residential and Middle Housing

The number of accessways for uses other than single detached residential and middle housing developments up to four (4) units is subject to the following provisions:

- a. Access onto arterial and collector streets is subject to the access spacing requirements of Subsection 12.16.040.B.
- b. One accessway is allowed on local streets and neighborhood routes. One additional accessway is allowed per frontage where the driveway approaches, including adjacent property accessways, can be spaced one hundred fifty (150) feet apart. The spacing is measured between the nearest edges of the driveway aprons.

D. Accessway Design

1. Design Guidelines

Driveway approaches must meet all applicable standards of the Americans with Disabilities Act, U.S. Access Board guidelines or requirements, and Milwaukie Public Works Standards.

2. Authority to Restrict Access

The City Engineer may restrict the location of accessways on streets and require that accessways be placed on adjacent streets upon finding that the proposed access would:

- a. Cause or increase existing hazardous traffic conditions;
- b. Provide inadequate access for emergency vehicles; or
- c. Cause hazardous conditions that would constitute a clear and present danger to the public health, safety, and general welfare.

3. Backing into the Right-of-Way Prohibited

Accessways must be designed to contain all vehicle backing movements on the site, except for detached or attached single detached residential uses on local streets and neighborhood routes.

E. Accessway Size

The following standards allow adequate site access while minimizing surface water runoff and reducing conflicts between vehicles, bicyclists, and pedestrians.

1. Accessways must be the minimum width necessary to provide the required number of vehicle travel lanes. The City Engineer may require submission of vehicle turning templates to verify that the accessway is appropriately sized for the intended use.
2. Single attached and detached residential uses must have a minimum driveway apron width of twelve (12) feet and a maximum width of twenty (20) feet.
3. Plex development, cottage cluster developments with up to four units, or townhouse developments comprised of up to four (4) units, must have a minimum driveway apron width of twelve (12) feet on local or neighborhood streets and sixteen (16) feet on collector or arterial streets, and a maximum driveway apron width of twenty (20) feet on all streets.
4. Multi-unit residential or cottage cluster developments with between five (5) and eight (8) units must have a minimum driveway apron width of sixteen (16) feet on local or neighborhood streets and twenty (20) feet on collector or arterial streets, and a maximum driveway apron width of twenty-four (24) feet.
5. Multi-unit residential or cottage cluster developments with more than eight (8) dwelling units, and off-street parking areas with sixteen (16) or more spaces, must have a minimum driveway apron width of twenty (20) feet on local or neighborhood streets and twenty-four (24) feet on collector or arterial streets, and a maximum driveway apron width of thirty (30) feet.
6. Commercial, office, and institutional uses must have a minimum driveway apron width of sixteen (16) feet and a maximum width of thirty-six (36) feet.
7. Industrial uses must have a minimum driveway apron width of twenty-four (24) feet and a maximum width of forty-five (45) feet.

8. Maximum driveway apron widths for commercial and industrial uses may be increased if the City Engineer determines that more than two (2) lanes are required based on the number of trips anticipated to be generated or the need for on-site turning lanes. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2168 § 2, 2019; Ord. 2004 § 1, 2009)

12.16.050 MODIFICATIONS

Access management standards may be modified with submission of an access study prepared and certified by a registered Professional Traffic Operations Engineer (PTOE) in the State of Oregon, when required by the City Engineer based on street classification. The Access Study must assess transportation impacts adjacent to the project frontage within a distance equal to the access spacing requirement established in Subsection 12.16.040.B.1. For example, for a site with arterial access, the access study would include evaluation of site access and capacity along the project frontage plus capacity and access issues within six hundred (600) feet of the adjacent property. The access study must include the following:

1. Review of site access spacing and design;
2. Evaluation of traffic impacts adjacent to the site within a distance equal to the access spacing distance from the project site;
3. Traffic Safety: provide ODOT crash data (for the most recent five-year period for which data is available) adjacent to the site within a distance equal to the access spacing distance from the project site;
4. Review of all modes of transportation to the site;
5. Evaluation of traffic volume, traffic type, and speed of existing traffic on street(s) where access is proposed to be taken;
6. Mitigation measures where access standards are not met that include, but are not limited to, assessment of medians, consolidation of accessways, shared accessways, temporary access, provision of future consolidated accessways, or other measures that would be acceptable to the City Engineer.

12.16.060 RIGHT OF APPEAL

If the applicant is dissatisfied with the written decision of the City Engineer for a modification request submitted pursuant to Subsection 12.16.050, the applicant may file a written appeal with the Community Development Director no later than thirty (30) days from the date that the decision was mailed. The appeal must contain a statement of the reasons why the applicant is dissatisfied with the written decision, and must be signed by the applicant, or by someone authorized to sign on the applicant's behalf. A notice of receipt must be mailed to the applicant by registered mail within five (5) days of the receipt of the appeal. The Community Development Director must act upon the appeal no later than sixty (60) days after receipt, and a copy of the written decision must be mailed to the applicant by registered mail no later than five (5) days after preparation of the decision. The decision of the Community Development Director shall be final.

12.16.070 VIOLATION PENALTY

Any person, firm, or corporation violating any of the provisions of this chapter, or causing, permitting, or suffering the same to be done, shall be fined not more than two hundred fifty dollars (\$250.00). Each such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued, or permitted. (Ord. 2004 § 1, 2009)

Title 17 Land Division**CHAPTER 17.28 DESIGN STANDARDS****17.28.040 GENERAL LOT DESIGN**

This section does not apply to units of land that are created for purposes other than land development including parks, natural areas, right-of-way dedications, or reservations of a similar nature. Lots and tracts created for cottage cluster housing development, per Subsection 19.505.4, are also exempt from the requirements of this section.

C. Limits on Compound Lot Line Segments

Changes in direction alongside and rear lot lines must be avoided. Cumulative lateral changes in direction of a side or rear lot line exceeding 20% of the distance between opposing lot corners along a given lot line may only be permitted through the variance provisions of MMC Subsection 19.911. Changes in direction must be measured from a straight line drawn between opposing lot corners.

Title 19 Zoning Ordinance**CHAPTER 19.200 DEFINITIONS AND MEASUREMENTS****Residential Uses and Structures**

“Plex development” means a duplex, triplex, or quadplex.

CHAPTER 19.300 BASE ZONES

19.301 MODERATE DENSITY RESIDENTIAL ZONE

Table 19.301.4 Moderate Density Residential Development Standards					
Standard	R-MD				Standards/ Additional Provisions
	Lot size (square feet)				
	1,500 – 2,999	3,000–4,999	5,000- 6,999²	7,000 and up	
A. Permitted Dwelling Type					
	Townhouse ¹	Duplex, Triplex, Quadplex	Single Detached Dwelling, Single Detached Dwelling, with up to 2 ADUs, Duplex, Triplex, Quadplex	Single Detached Dwelling, Single Detached Dwelling, with 2 ADUs, Duplex, Triplex, Quadplex, Cottage Cluster	Subsection 19.501.1 Lot Size Exceptions

¹ A townhouse is permitted on a corner lot up to 3,500 sq ft in area.

19.302 HIGH DENSITY RESIDENTIAL ZONE

19.302.4 Development Standards

In the high density residential zone, the development standards in Table 19.302.4 apply. Notes and/or cross references to other applicable code sections are listed in the “Standards/Additional Provisions” column. Additional standards are provided in Section 19.302.5.

The standards in Subsection 19.302.4 are not applicable to cottage cluster development except where specifically referenced by Subsection 19.505.4.

See Sections 19.201 Definitions and 19.202 Measurements for specific descriptions of standards and measurements listed in the table.

In the high density residential zone the following housing types are permitted on lot sizes as follows:

Between 1,500 to 2,999 sq ft: Townhouse; a townhouse is permitted on a corner lot up to 3,500 sq ft in area.

Table 19.302.2 High Density Residential Uses Allowed		
Residential Uses		
Use	R-HD	Standards/ Additional Provisions
Mixed Use	P	Subsection 19.505.7 Nonresidential Development

19.303 COMMERCIAL MIXED-USE ZONES

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.

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 three 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 must 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 three 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 two of the development incentive bonuses in Subsection 19.303.4.B.3.a. and Section 19.510, for a total of two 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

Buildings that devote at least one story or 25% of the gross floor area to residential uses are permitted one 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 one 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.

19.312 NORTH MILWAUKIE INNOVATION AREA

19.312.7 Design Standards for All Uses in the MUTSA and on NME Key Streets

The following development standards apply to all uses in the MUTSA Zone and in the NME Zone on properties located on the following key streets and key corners: McBrod Avenue, Main Street, 17th Avenue, and Ochoco Street (see Figure 312.7.1).

A. Design Standards for All New Construction and Major Exterior Alterations

The design standards contained in this section are intended to encourage building design and construction with durable, high-quality materials. The design standards in this section apply to the street-facing façades of new, and major alterations to, commercial, institutional, manufacturing, and mixed-use buildings when the closest wall of the street-facing façade is within 50 ft of a front or street-side lot line. Exterior maintenance and repair and minor exterior alterations are not subject to these standards. Subsection 19.312.7.B below defines exterior maintenance and repair and major/minor exterior and interior alterations.

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.501 GENERAL EXCEPTIONS

19.501.2 Yard Exceptions

C. A covered porch or deck on a single detached dwelling or middle housing unit may extend 6 ft into a required front or rear yard if all of the following standards are met:

1. The porch or deck is not enclosed on any side other than what is enclosed by the exterior walls of the dwelling. The following are not considered to be enclosures: structural supports for a covered porch, projections not extending more than 3 ft upward from the surface of the porch, railings, retractable sunshades, screens, or netting.
2. The surface of the porch or deck does not exceed 18 in high above the average grade.
3. The porch or deck is at least 5 ft from the front and/or rear lot line.

19.502 ACCESSORY STRUCTURES

19.502.2 Specific Provisions for Accessory Structures

A. The following standards apply for residential accessory structures on single detached unit, townhouse, cottage cluster, and plex development properties. The standards in Subsection 19.502.2.A do not apply to pools, uncovered decks, and patios.

The purpose of these standards is to allow accessory structures that accommodate the typical needs of a residence.

1. Development Standards
 - b. Other Development Standards
 - (3) A covered walkway or breezeway is allowed between a primary structure and accessory structure. Such connection shall not exempt the accessory structure from compliance with the standards of this section, unless the connection is fully enclosed and meets the building code definition of a conditioned space, and is all of the following, which results in an addition and is not an accessory structure:
2. Design Standards
 - a. Metal siding is prohibited on structures more than 15 ft high or with a footprint greater than ~~200~~ 600 sq ft, unless the siding replicates the siding on the primary

dwelling or has the appearance of siding that is commonly used for residential structures.

19.505 BUILDING DESIGN STANDARDS

19.505.4 Cottage Cluster Housing

C. Development Standards

The standards listed below in Table 19.505.4.C.1 are the applicable development and design standards for cottage cluster housing. Additional design standards are provided in Subsection 19.505.1.

Table 19.505.4.C.1 Cottage Cluster Development Standards		
Standards	R-MD	R-HD
A. Structure Types		
1. Building types allowed, minimum and maximum number per cluster	Detached and Attached cottages 3 minimum 12 maximum dwelling units Maximum number of attached units = 3	Detached and Attached cottages 3 minimum 12 maximum dwelling units Maximum number of attached units = 4
B. Dwelling Unit Size		
1. Max building footprint per dwelling unit	900 sf	
2. Max average floor area per dwelling unit	1,400 sf	

CHAPTER 19.600 OFF-STREET PARKING AND LOADING

19.602.3 Applicability for Development and Change in Use Activity

The provisions of Chapter 19.600 apply to development and changes of use as described in Subsection 19.602.3.

- A. Development of a vacant site shall have off-street parking and off-street loading areas that conform to the requirements of Chapter 19.600. Development of a site that results in an increase of 100% or more of the existing floor area and/or structure footprint on a site shall also conform to the requirements of Chapter 19.600. The construction of new off-street parking spaces may be subject to the electric vehicle charging requirements of Subsection

19.605.5. The floor area and/or footprint of structures demolished prior to development or redevelopment on the site shall not be considered when calculating the increase in floor area and/or structural footprints.

19.602.4 Applicability not Associated With Development or Change in Use

- A. Any parking or loading area developed to serve an existing use(s) that is not associated with development activity or a change in use described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611, as well as to the electric vehicle (EV) charging requirements of Subsection 19.605.5 as applicable. The total number of spaces in the existing parking area and new parking area shall not exceed the maximum allowed quantity of parking as established in Section 19.605.
- B. Any parking or loading area that is not developed to serve an existing use and is not associated with development activity or a change in use as described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611. The requirements of Section 19.605 do not apply to parking areas described under Subsection 19.602.4.B.

19.605 Vehicle Parking Quantity Requirements

The purpose of Section 19.605 is to ensure that development provides adequate, but not excessive, vehicle parking based on their estimated parking demand. Subsection 19.605.1 establishes parking ratios for common land uses, and Subsection 19.605.3 allows certain exemptions and reductions to these ratios based on location or on-site amenities. Subsection 19.605.5 details requirements for installing electric vehicle (EV) charging infrastructure in multi-unit, mixed-use, commercial, and industrial developments. Modifications to the established parking ratios and determinations of parking requirements for unique land uses are allowed with discretionary review per Subsection 19.605.2.

19.605.5 Electric Vehicle (EV) Charging Requirements

Required EV charging spaces. All buildings that are commercial, industrial, multi-unit with 5 or more dwelling units, or mixed-use with 5 or more dwelling units and that provide off-street parking must include sufficient space for electrical service capacity to support at least a Level 2 EV charger at required EV charging spaces as outlined below. For terms not defined elsewhere in Title 19, see applicable sections of the state building code and/or OAR 918-460-0200.

- A. **Commercial and Industrial Buildings.** For commercial and industrial buildings where new off-street parking spaces are constructed, choose one of the following:
 - 1) At least 50% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger;
 - OR**
 - 2) At least 20% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 5% of newly constructed parking spaces must include an

installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 20% minimum requirement.

- B. Multi-Unit and Mixed-Use Residential Buildings.** For multi-unit and mixed-use buildings with five or more dwelling units, where new off-street parking spaces are constructed, choose one of the following:
- 1) All (100%) of the newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger;
- OR**
- 2) At least 40% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 10% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 40% minimum requirement.
- C. Structured Parking Facilities.** For structured parking facilities, where new off-street parking spaces are constructed, choose one of the following:
- 1) At least 50% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger;
- OR**
- 2) At least 20% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 5% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 20% minimum requirement.

CHAPTER 19.900 LAND USE APPLICATIONS

19.905 CONDITIONAL USES

19.905.9 Standards Governing Conditional Uses

G. 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. Prior to initial occupancy, continuous screening is required along the rear and side lot lines of the vacation rental property abutting any neighboring residential lot. Any combination of dense plantings of trees and shrubs with a minimum height of 6 ft that will provide continuous sight obstruction for the benefit of adjoining residential properties within

3 years of planting is allowed. Fencing must comply with the fence regulations in MMC 19.502.2.B.

3. 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.



CITY OF MILWAUKIE

To: Planning Commission

Through: Laura Weigel, Planning Manager

From: Vera Kalias, Senior Planner
Adam Heroux, Associate Planner

Date: April 18th, 2023, for April 25th, 2023, Work Session

Subject: Neighborhood Hubs Phase 2

ACTION REQUESTED

None. This is a briefing for discussion only. Staff requests feedback from the Planning Commission in advance of public outreach and development of potential code amendments.

BACKGROUND INFORMATION

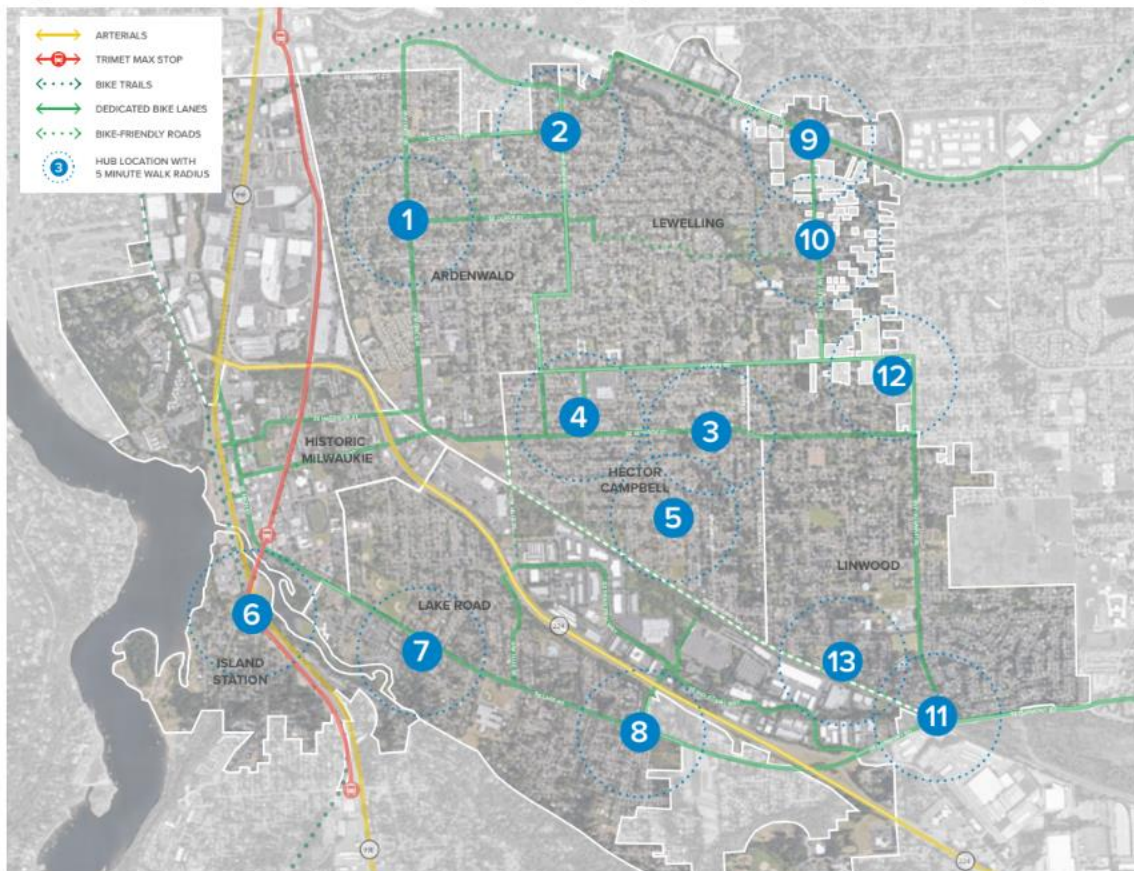
What is a Neighborhood Hub?

Neighborhood Hubs are gathering places where residents have easy access to goods and services close to their homes. They are places where neighbors create meaningful relationships with each other. Hubs will vary in size and intensity, with some as small as a neighborhood tool library and others as large as a cluster of mixed-use buildings with housing above shops and services.

In 2017, the City Council incorporated Neighborhood Hubs into the [Milwaukie Community Vision & Action Plan](#) following a city-wide engagement process with more than 1,000 residents. Neighborhood Hubs are a critical component of the city's Comprehensive Plan implementation process: the city integrated Hubs into the 2040 Comprehensive Plan and developed recommendations for future Hubs implementation. Outreach in 2018 and 2019 helped the city better understand each Hub, including economic conditions, desired Hub activities, development potential of each Hub, and levels of community support.

This next phase of the Hubs project is to create an action plan to evaluate and implement potential zoning changes, economic development initiatives, and placemaking programs that will help Hubs grow to meet community needs. The City is working with a consultant team on this project: Urbsworks as the lead consultant, particularly on the zoning and urban design components, and Cascadia Partners on the community engagement and economic development aspects.

Where are Hubs located? How were they identified?



In 2018 and 2019, 13 Hub locations were identified across the city, with at least one Hub identified in each of Milwaukie’s neighborhoods (excluding Historic Milwaukie which already functions as a developed Hub). Hub locations were decided through direct engagement with more than 400 residents, including at least 15 Neighborhood District Association meetings, community events, and a community-wide survey that expressed strong support for Hub locations and concepts. Some hubs are established areas of commercial activity, while others are vacant sites with the potential for future development. (See Attachment 3)

The Hub locations and Hub types will be refined in this project. Milwaukie has grown and changed since 2017 and the COVID-19 pandemic has changed how and where people work, live, and gather in unpredictable ways. This project will revisit the 13 identified Hub locations; and based on community feedback and current development trends and conditions, the project team will evaluate whether these locations should be modified.

What actions can the city take to support the development of Hubs?

The project will result program and policy changes that will make it easier for Neighborhood Hubs to become a reality in the near and long-term future. The project team is exploring a variety of tools that will help develop existing Hubs at various stages of growth while allowing

a path for new Hubs to emerge. The three primary focus areas of this phase of the project include:

- **Evaluate the Hub locations and Hub types identified in 2018 and 2019**
How have these locations changed particularly since the COVID-19 pandemic began? Do these locations and the Hub types still make sense today? Do they support the types of development needed to create a Hub?
- **Explore economic development programs**
What tools, such as grant and loan programs, could support new and existing businesses and residents? What are ways to stabilize existing businesses and neighborhoods to minimize risks of gentrification and displacement?
- **Review and refine the zoning & development code**
What inconsistencies, conflicts, and obstacles exist in the Development Code to hinder Hubs development? What changes should be made to the Development Code to make it simpler and easier for Hubs to develop?

Some of potential strategies being explored will require Planning Commission review and public hearings. Some possibilities include expansion of allowed temporary uses, development of a Hub zone or Hub overlay, creation of a process to establish new hubs and expand existing hubs, refinement of the home occupation code, consider potential changes to existing commercial and mixed use zones, and exploration of a framework for limited accessory commercial uses (ACUs) in areas zoned for residential use.

How will the City engage with the community in the project?

While the City has limited influence on how people choose to develop their properties, engagement will help the city identify actions it can take to set Hubs up for success and create opportunities for Hub growth to occur. This phase of engagement will focus on identifying the needs of property owners, businesses, and underrepresented communities as they relate to the growth and development of Hubs. Community feedback will help the City design and prioritize the strategies used for Hub development. Project engagement is designed to help the City understand which Hubs might be ready for significant growth in the short-term and which Hubs may not see significant growth in the near future.

The City has a consultant team to assist in co-development of a community engagement strategy, however staff will be implementing the community engagement for this project. The goal in shifting outreach responsibilities to staff is to build trusting and ongoing relationships with underrepresented communities, property and business owners, and community organizations who are critical to project implementation.

For more detail on community engagement and project history, review the Community Engagement Memo (Attachment 1) and Community Engagement Strategy (Attachment 2). Staff presented the project approach to the city's Equity Steering Committee (ESC) on March 23rd. The ESC validated the overall approach while providing valuable leads and suggestions for effectively engaging underrepresented communities in Milwaukee.

Staff has written articles for the Pilot newsletter to introduce the project, which include a link to the project webpage on Engage Milwaukie: <https://engage.milwaukieoregon.gov/hubs-phase2>. Engage Milwaukie will be used as the primary location for project information and updates, and where people can submit questions and comments.

What equity considerations are associated with the project?

Hubs are not distributed equally throughout the city. There are two Hubs that are far more developed than the other 11 Hubs (Hector Campbell 2 – 42nd & King area; Linwood 2 – Wichita Town Center). Some neighborhoods, like Lewelling, have Hubs with little commercial activity. There are areas of the city where people do not have easy access to a Hub, including from central Lewelling to central Ardenwald and some parts of Linwood. Staff are focused on identifying potential strategies to grow Hubs at all stages while also providing opportunities for Hubs activities to emerge in new places.

Previous outreach occurred prior to the COVID-19 pandemic, primarily through the Neighborhood District Associations. The City did not undertake significant efforts to ensure that underrepresented communities were engaged in the project. Demographic information was not collected as a part of this project. As a result, it is difficult to know the extent of the project's success engaging BIPOC communities, people living with a disability, immigrant communities, low-income people, and renters. Staff is collecting demographic information where possible for this phase of the project and is designing engagement to reach underrepresented communities.

Gentrification and displacement may result from the development of Hubs. Increased access to desirable amenities will increase livability which could increase property values and rents for housing and commercial spaces. To reduce the likelihood that improved livability leads to displacement, the City can design its economic development and planning strategies in a way that directly benefits those residents and small businesses who are at risk of displacement.

NEXT STEPS

1. Continue to update the Engage Milwaukie project website
2. Conduct initial outreach to property and business owners and community organizations
3. Begin code review and analysis

QUESTION

1. Does the Planning Commission have questions regarding staff's proposed approach for project implementation?

ATTACHMENTS

1. Community Engagement Memo
2. Community Engagement Strategy
3. Executive Summary of 2020 Neighborhood Hubs Report



To: Laura Weigel, Planning Manager
Vera Koliass, Senior Planner
From: Adam Heroux, Associate Planner
Date: January 27, 2023
Subject: Neighborhood Hubs Community Engagement

What is a Neighborhood Hub?

Neighborhood Hubs are gathering places where residents have easy access to goods and services close to their homes. They are places where neighbors create meaningful relationships with each other. Hubs will vary in size and intensity, with some as small as a neighborhood tool library and others as large as a cluster of mixed-use buildings with housing above shops and services.

Role of Community Engagement in Neighborhood Hubs

Community engagement was essential to the development of the Neighborhood Hubs vision, and it remains a critical component of successful Hubs implementation. Future engagement will build on a strong foundation of engagement dating back to 2016. This memo details past engagement and proposes future engagement strategies that can help ensure successful Hubs implementation.

Past Engagement

In 2017, the City Council adopted the [Milwaukie Community Vision & Action Plan](#) at the conclusion of a city-wide engagement process that began in 2016 and included participation of more than 1000 residents. City Council incorporated Neighborhood Hubs into the action plan. Engagement included a Vision Advisory Committee (VAC), 15 community events, 20 stakeholder interviews, 28 community conversations, four web-based surveys, two town halls, three place-based workshops, seven VAC meetings, and five city leadership meetings.

Between 2018 and 2020, the city conducted another round of Hubs engagement, ultimately integrating Neighborhood Hubs into its [2040 Comprehensive Plan](#) and developing recommendations for future Hubs implementation. This work focused on where hubs could be located, what services and amenities are desired, and how the city can support the development of hubs. Hubs-specific engagement included 15 Neighborhood District Association meetings and a community survey of approximately 396 residents, 85% of whom “Strongly Support” or “Support” the Neighborhood Hubs concept. This engagement identified 13 Neighborhood Hubs and eight priority strategies for future Hub implementation.

Gaps in Past Engagement

While previous Hubs outreach was extensive, the city did not make significant efforts to engage Milwaukie’s BIPOC communities. BIPOC means people who identify as Black, Indigenous, or People of Color. Because demographic data was not collected for participants in previous outreach efforts, current staff have limited knowledge about the diversity of participants in past engagement efforts. Much of the 2018 and 2019 Hubs outreach efforts occurred through the city’s Neighborhood District Associations (NDAs). While NDA participation in Hubs outreach has been valuable and beneficial throughout the project’s history, NDAs tend to underrepresent BIPOC communities and other historically underrepresented communities. Additional city efforts are necessary to ensure that a broad diversity of Milwaukie residents can guide project implementation and benefit from project outcomes.

Since 2010, Milwaukie's population has grown by approximately 4.6%. Much of this growth can be attributed to increases in Milwaukie's BIPOC communities. Milwaukie's Latino/a/x population increased approximately 36% since 2010¹ according to the US Census Bureau's 2017-21 ACS estimates (to around 1960 people). This data suggests Milwaukie's White alone (not Hispanic or Latino) population is approximately 80.6%. This means about 19.5% of Milwaukie's population identifies as BIPOC—approximately 4,089 people out of 21,108 people. Additionally, roughly 9.4% of Milwaukie residents under 65 live with a disability—around 2,000 people (or more considering seniors with a disability).

Adjusted for inflation, incomes in Milwaukie have decreased approximately 7% since 2000 and median household incomes in Clackamas County are about 30% higher than Milwaukie's. The poverty rate in Milwaukie is approximately 8.6%. Residents in Milwaukie are slightly younger than Clackamas County as a whole, with a median age of 40 compared with 42 for the county. Milwaukie has a larger share of people 20-39 years old and a larger share of people over 60 compared to the Portland region. Milwaukie has been deemed a severely rent burdened city where 26% of renters are spending more than 50% of their income on housing costs. About 38% of households overall are cost burdened, spending more than 30% of their income on housing costs alone.

Opportunities and Challenges for Equitable Community Engagement

Gentrification and Displacement

The Neighborhood Hubs project has several equity dimensions. Given that the intention of the Neighborhood Hubs project is to improve livability and access to desirable amenities, Hubs may have a gentrifying effect on neighborhoods. Gentrification often results in increased costs for housing and commercial rents which may displace existing residents and businesses. To reduce the likelihood that gentrification leads to displacement, the city can design its economic development and affordable housing strategies in a way that directly benefits those residents and small businesses who are at risk of displacement. To achieve equitable outcomes in the Hubs project, it will be critical for the city to engage small business owners, renters, BIPOC communities, and low-income homeowners to understand and meet their needs throughout Hubs implementation.

Distribution of Hubs

Some existing hubs are bustling commercial centers with dozens of businesses while other proposed hub locations are small tracts of vacant land or are occupied by businesses that do not include desired Hubs uses. Some Hubs have adequate infrastructure to support safe bike and pedestrian travel, while others are deficient in one or more areas. Each neighborhood has at least one Hub location, though the two Hub locations in Lewelling are far less developed than some of the more developed Hubs in Hector-Campbell, Ardenwald, Linwood, Lake Road, and Island Station. In 2020, the city hired consultants who identified priority Hubs based on their likelihood to develop in the next 7-10 years. There are significant gaps where there is no identified hub—particularly from central Lewelling to central Ardenwald as well as much of central Linwood. Since Hubs are not distributed equitably, this provides a difficult dilemma when prioritizing city actions to help Hubs grow. To achieve equitable outcomes, community engagement should explore opportunities to support Hubs development at all stages of growth and in all neighborhoods. This includes everything from emergence of entirely new Hubs to the mixed-used development of existing commercial-only Hubs.

Few Milwaukie-specific Community-Based Organizations

Partnerships with community-based organizations (CBOs) are often a critical component of equitable

¹ Demographics cited come from 2017-2021 American Community Survey Census Bureau estimates

community engagement. CBOs with existing relationships in underrepresented communities can act as a trusted liaison for project-based community engagement. CBO participation can help diversify engagement and improve outcomes for underrepresented communities. While there are many CBOs serving Clackamas County or the Portland region generally, very few CBOs limit their geography to Milwaukie's five square miles of land area. The city also has limited resources to fund the participation of larger CBOs that serve wider geographies. In recent years, the city hired an Equity Manager and developed an Equity Steering Committee who have focused on building relationships with BIPOC communities, people with disabilities, and other underrepresented communities. While these efforts have been productive, they are in the early stages. It takes significant, sustained time investment to build trusting relationships and networks before they can be seamlessly connected to project-specific engagement. Neighborhood Hubs is a long-term project that will evolve over the next 20 years or more. If sustained, committing even small amounts of time to authentic relationship-building with underrepresented communities will continue to benefit the Hubs project—and other city projects—into the future. Most importantly, it will help ensure equitable outcomes for those communities.

Lessons Learned from Past Engagement

In recent years, the city has made several attempts to engage underrepresented communities. Internal discussions about these past outreach efforts have revealed some key learnings to integrate into the next phase of Hubs outreach.

- The City needs to build and nurture its own relationships with underrepresented community members. Past projects have relied on consultants for the bulk of community engagement activities. Consultants are often hired for engagement processes, but their efforts are more transactional, ultimately ending when the projects end. This makes it difficult to carry those relationships forward and for the city to follow up meaningfully with participants. In many ways, it's like starting over again. For the city to succeed long-term with engagement of underrepresented communities, it must shift the responsibility for ongoing engagement from consultants and toward its own staff.
- Outreach is often siloed and organized by project. Yet building relationships requires building trust—a process that starts with authentic listening and without an agenda. Project timelines struggle to accommodate the relationship building that is necessary for engaging Milwaukie's full diversity. City staff should meet people where they are—whether that's a cup of coffee on their porch, visiting a local PTA meeting, or attending a meeting of a local CBO. Underrepresented community members must be engaged well ahead of time so that they can be plugged into appropriate projects as they arise based on their self-identified interests. This kind of relationship-building should be coordinated city-wide while leveraging opportunities where projects overlap.
- Community engagement fatigue is a significant problem in Milwaukie given its small population and geography. It is easy to see connections between Neighborhood Hubs and projects like the Transportation System Plan or the city's efforts to explore assuming full control of its parks. Coordinated outreach shows the community that the city values their time, and it can help the city reach more people with fewer resources. Coordination across projects also helps ensure that the city is building on these relationships over time. Providing things like food, interpretation, translation, and childcare also helps to reduce barriers to participation for underrepresented communities. Other incentives like gift cards or raffle prizes are proven motivators for increased participation.

Potential Strategies to Engage Affected Communities

Effective and meaningful engagement should be organized around the proposed strategies identified in

the 2020 summary report. The next phase of outreach will help the city refine the Hubs concept and proposed locations while exploring the feasibility of proposed Hubs strategies in the wake of the coronavirus pandemic. The final section of this memo focuses on potential strategies to engage affected communities—underrepresented communities, small businesses, and property owners.

Underrepresented Communities

There are many opportunities to meet people where they are. Collection of anonymous demographic information will be critical to evaluating the success of this outreach. Some strategies include:

- Redouble efforts to engage existing CBOs in Milwaukie to establish and/or deepen relationships. This could include attending the meetings of groups like Black Lives Matter Milwaukie, visiting places of worship that serve immigrant populations like the Ukrainian Bible Church, connecting with the PTAs of local schools like El Puente elementary, and collaborating with service-based organizations like the Wichita Center and NW Family Services. This type of outreach must begin early and is particularly well-suited to initial interviews, focus groups, and pop-up activities like surveys at existing organization events. Other collaboration opportunities could include the distribution of online surveys and posted flyers for the populations they serve. Online tools like Peach Jar, offered by the public school system, can help the city connect directly with the parents of school children in Milwaukie. This outreach can help the city understand where to invest in connecting infrastructure and what types of events would be desired by residents. These efforts can build toward creating truly diverse city-wide events later in the project.
- The city can also engage underrepresented communities through more general outreach. Since BIPOC communities in Milwaukie are more likely to be renters, canvassing and flyer distribution at select properties with low-income renter households has the potential to yield significant results. Many property management companies are willing to distribute flyers electronically or physically to their residents. This could include outreach to independent senior living facilities to ensure senior participation in the project. Intercept surveys at popular hub locations and local transit stops during busy times can be a valuable tool for understanding who utilizes hubs and how. Providing a small gift card incentive can boost participation rates for people who have limited time to engage. The city's Equity Steering Committee is developing relationships with Milwaukie's BIPOC communities and could be a valuable resource for feedback on engagement strategies and for connecting project staff to underrepresented community members.

Small Businesses & Property Owners

The development of existing Hubs is highly dependent upon property owner buy-in. As a result, property owner engagement will be critical at all stages of the project. In addition, the presence or absence of Hubs activities will be dependent upon the willing participation of existing businesses.

- Initial mailings to property owners and businesses can help set the stage for the project and offer opportunities to complete a survey or conduct an individual interview. Where contact information is available, phone calls to property owners will likely have a higher success rate than mailings. Given the potential for competition between property owners and businesses, interviews and confidential surveys may be more successful than focus groups for this population. Understanding plans for future development or sale, barriers in the zoning code, and other dynamics will be critical for developing effective zoning changes that can facilitate hub development.
- Direct phone calls, emails, and canvassing of existing businesses in Hubs within ¼ mile of established boundaries can help the project team understand the willingness of business owners to

ATTACHMENT 1

engage in Hubs activities through surveys and/or interviews. This engagement is critical for right-sizing economic development programs meant to stabilize and grow existing businesses. This engagement should also focus on Milwaukie's many home-based businesses to better understand the barriers and opportunities that Hubs may create for growing this business type. This includes a focus on zoning strategies and could include raising awareness of increased flexibility for commercial uses resulting from recent changes to the city's high-density zones. Many small businesses face barriers to expansion to a brick-and-mortar establishment, something that accessory commercial uses, pop-up events, and expansion of allowed temporary uses may help mitigate.

City of Milwaukie

Community Engagement Strategy

January - August 2023

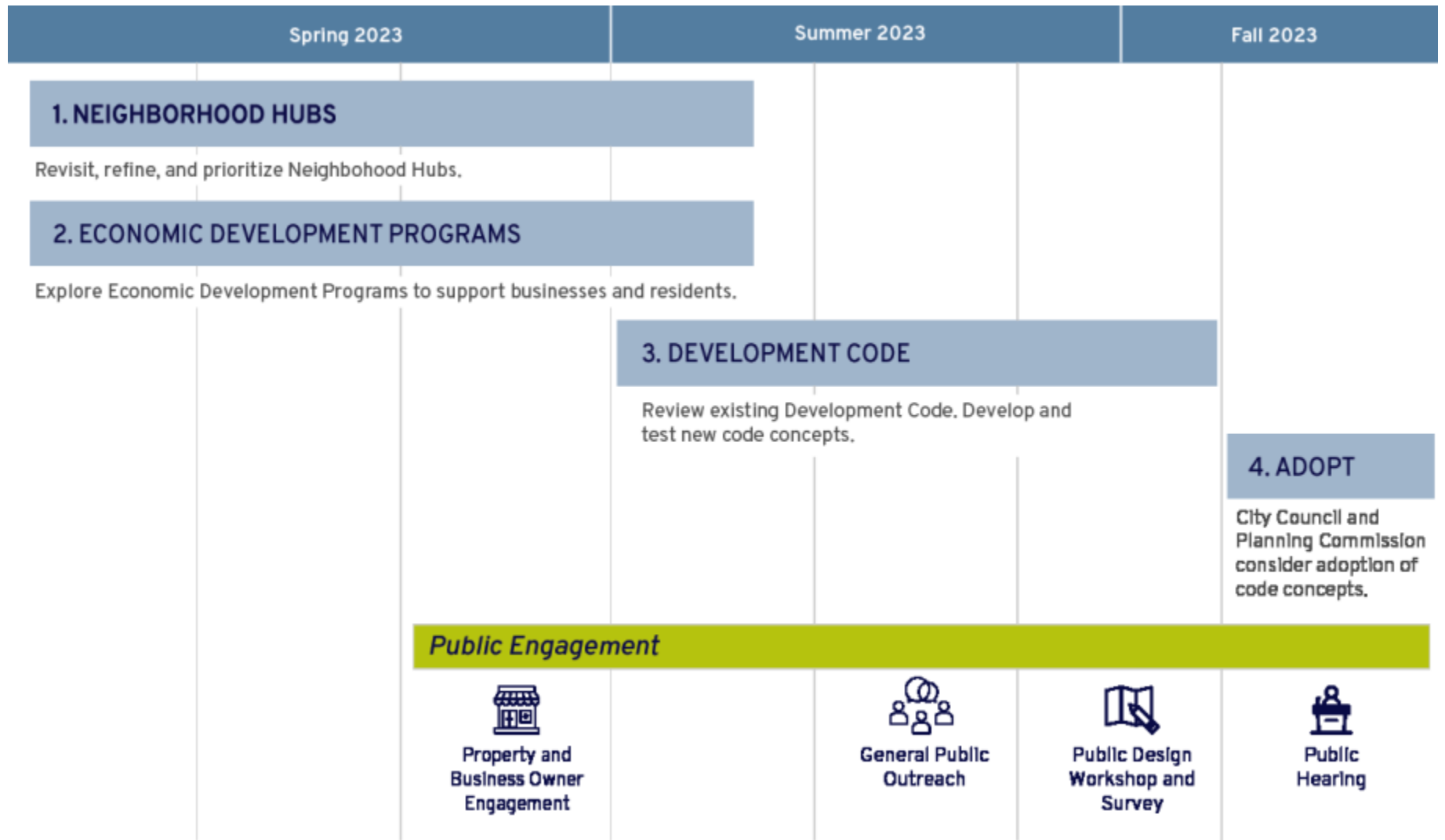
This internal document will set the foundation and work plan for public involvement during the *Milwaukie Neighborhood Hubs* project, and address the goals articulated in the Scope of Work (SOW). The *Community Engagement Strategy* addresses all tasks and deliverables under Task 2 in the SOW. This is a working document and may be revised as the project progresses.

The consultant team has reviewed the City's [2022 Community Engagement Guide](#) to ensure that the *Community Engagement Strategy* aligns with the City's best practices for meaningful community engagement and relationship-building. The *Community Engagement Strategy* incorporates discussions with City staff and Consultants from the Engagement Kick-off Meeting on January 31, 2023 including overall project and engagement purpose and outcomes and level of participation expected with the Milwaukie public at large. **The consultant team has reviewed the City's Branding Guidelines and will incorporate them into all public-facing deliverables.**

I. Engagement Purpose and Goals

- **Build on past community engagement** efforts for Neighborhood Hubs to inform and include the community in the current phase of the planning process.
- **Conduct targeted outreach to under-represented communities** particularly BIPOC communities, low-income populations, renters, immigrant and refugee populations, and people with disabilities. Reduce barriers to participation as much as possible.
- **Begin building trusting relationships** with property owners, business owners, and underrepresented community members by following up with stakeholders on the results of their feedback and how it influenced the planning process.
- **Learn how neighborhood and business needs may have changed** since pre-pandemic times and incorporate into Hubs refinement.
- **Gather feedback on placemaking and community building strategies** that can be incorporated into developing criteria for Hub prioritization.
- **Manage expectations** about what is and is not possible within the Hubs, when development can happen, and the City's role in implementing the Hubs strategy

II. Engagement Process / Timeline



III. Involvement Work Plan

Involvement Activity / Timeline	Purpose / Objectives	Notification Methods	Staff / Consultant Roles
<p>April - May 2023</p> <p>Property & Business Owner Engagement</p> <p><i>Audience: Businesses (home occ + brick & mortar) and residential properties within the established Hubs boundaries, as well as the properties in the C-N, C-L, and C-G zones. The business owner list assumes a ~¼ mile buffer.</i></p> <p><i>Potential Activities:</i></p> <ul style="list-style-type: none"> ● One-on-one interviews ● Listening Sessions / small group discussions ● Survey ● Door-to-door 	<ul style="list-style-type: none"> ● Provide information and build awareness about the concept of Hubs and the possible benefits/available economic development programs/incentives to property & business owners ● Gather feedback on concerns, barriers and challenges to redevelopment and businesses ● Property owners: Understand future ownership plans and identify any willingness to explore hubs-like activity or development and what, if any, changes might help make it happen ● Brick & mortar businesses: Understand business needs and interest in hubs-like activities, i.e. pop-up activities ● Home occupations: Understand business expansion, ACUs, barriers to brick & mortar, live/work, etc. 	<ul style="list-style-type: none"> ● Email and/or phone call invitations ● Postcard mailing 	<p>CP/UW:</p> <ul style="list-style-type: none"> ● Develop property owner engagement strategy and meeting materials ● Develop outreach and communications strategy ● Develop outreach materials (postcard) ● Advise on stakeholder list and outreach and communications materials <p>City:</p> <ul style="list-style-type: none"> ● Identify potential property/business owner invitees ● Implement property & business owner engagement and outreach ● Manage schedules and communications with stakeholders ● Review strategy and

ATTACHMENT 2

Involvement Activity / Timeline	Purpose / Objectives	Notification Methods	Staff / Consultant Roles
<i>canvassing</i>			meeting materials
<p>March - July 2023</p> <p>General Public Outreach Materials</p> <p><i>Website Soft Launch – April 1st</i></p> <p><i>Existing Events for Tabling*:</i></p> <ul style="list-style-type: none"> ● NDA meetings ● Minthorn Springs clean up ● Repair Fair on 3/11 <p><i>* More events to be added.</i></p>	<ul style="list-style-type: none"> ● Provide key up-to-date project information and a call-to-action to participate ● Direct people to the project website and sign-up form for project updates 	<ul style="list-style-type: none"> ● Milwaukie Pilot ● Engage Milwaukie ● Facebook ● Twitter ● Downloadable Fact Sheet ● Postcard ● Tabling 	<p>CP:</p> <ul style="list-style-type: none"> ● Provide content and graphics for materials and website ● Advise on meeting materials and public communications ● Develop outreach materials (up to 2) <p>City:</p> <ul style="list-style-type: none"> ● Coordinate and manage website updates, newsletters, social media, and other City communications channels ● Coordinate translation services for all materials
<p>September 2023</p> <p>In-Person Public Design Workshop</p>	<ul style="list-style-type: none"> ● Provide information and build awareness about Hub concepts and what it will do ● Share draft code concepts in an accessible and easy-to-understand way 	<ul style="list-style-type: none"> ● Milwaukie Pilot ● Engage Milwaukie ● Facebook ● Twitter ● Flyers at coffeeshops, library, city hall, apartment complexes, etc. 	<p>CP/UW:</p> <ul style="list-style-type: none"> ● Develop annotated agenda and workshop materials ● Advise on outreach and communications ● Incorporate/format Spanish translation into

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Involvement Activity / Timeline	Purpose / Objectives	Notification Methods	Staff / Consultant Roles
	<ul style="list-style-type: none"> ● Share potential obstacles and solutions to Hubs implementation (ex: what is the City’s role vs private market) ● Acknowledge feedback from past engagement and confirm its relevance today especially post-Covid ● Gather feedback on: <ul style="list-style-type: none"> ○ how community needs/desires have changed and/or become more of a priority since COVID ○ strengths and concerns about draft code concepts ○ ideas for community centered development (i.e placemaking, design, partnerships, programs, safety, etc.) ● Distribute short survey at event 	<ul style="list-style-type: none"> ● Coordinate with affordable multi-family developments to support with outreach ● Coordinate with community-based organization (CBOs) to support with outreach (i.e. Wichita Center, BLM Milwaukie, PeachJar) 	<p>workshop materials</p> <p>City:</p> <ul style="list-style-type: none"> ● Review annotated agenda and workshop materials ● Develop outreach materials and implement notifications ● Coordinate Spanish translation of materials ● Coordinate and manage meeting logistics (venue, food, childcare, interpretation)
<p>July - September 2023</p> <p>Online Public Design Workshop</p> <p><i>Launch on in-person public design workshop date</i></p>	<ul style="list-style-type: none"> ● Replicate in-person workshop to a digital version on Engage Milwaukie to reach a wider audience and allow those who can’t attend in-person an opportunity to participate 	<ul style="list-style-type: none"> ● Milwaukie Pilot ● Engage Milwaukie ● Facebook ● Twitter ● Coordinate with affordable multi-family developments to 	<p>CP/UW:</p> <ul style="list-style-type: none"> ● Develop online workshop content and graphics ● Advise on outreach and communications ● Incorporate/format Spanish translation into

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Involvement Activity / Timeline	Purpose / Objectives	Notification Methods	Staff / Consultant Roles
	<ul style="list-style-type: none"> ● Include survey in online workshop to gather quantitative and qualitative feedback 	<p>support with outreach</p> <ul style="list-style-type: none"> ● Coordinate with community-based organization (CBOs) to support with outreach <p>August</p> <ul style="list-style-type: none"> ● School events ● Summer events ● NDA meetings 	<p>workshop materials</p> <p>City:</p> <ul style="list-style-type: none"> ● Develop online workshop on Engage Milwaukie ● Review online workshop content and graphics ● Develop outreach materials and implement notifications ● Coordinate Spanish translation of materials

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<p>August - September 2023</p> <p>Community Survey (Paper and online)</p> <p><i>Survey will be distributed at in-person design workshop and available at the online design workshop. The survey will be open for at least 3 weeks.</i></p>	<ul style="list-style-type: none"> ● Gather feedback on strengths and concerns about draft code concepts ● Gather ideas for community centered development (i.e placemaking, design, partnerships, programs, safety, etc.) ● ~5-10 min survey including demographic questions (Coordinate with existing demographic questions on Engagement Milwaukie) 	<ul style="list-style-type: none"> ● Same as above 	<p>CP/UW:</p> <ul style="list-style-type: none"> ● Develop draft and final survey ● Advise on outreach and communication efforts to promote survey <p>City:</p> <ul style="list-style-type: none"> ● Review survey content ● Incorporate into online workshop on Engage Milwaukie ● Coordinate translation and printing services ● Consolidate survey data
<p>October 2023</p> <p>Synthesis Report + Report Back</p>	<ul style="list-style-type: none"> ● Summarize technical and community engagement results, key takeaways, and recommended code concepts and amendments ● Provide transparency about how feedback influenced the recommendations, how it did not and why 	<ul style="list-style-type: none"> ● Milwaukie Pilot ● Engage Milwaukie ● Facebook ● Twitter ● Direct emails to property and business owners 	<p>CP/UW:</p> <ul style="list-style-type: none"> ● Develop draft and final synthesis report ● Advise on outreach and communication efforts <p>City:</p> <ul style="list-style-type: none"> ● Review synthesis report ● Lead distribution of report to public ● Update website

IV. Stakeholder Involvement

The list below is not a comprehensive list of stakeholders but rather a general categorized list of stakeholders who should be involved, including their Level of Participation as defined in the *2022 Milwaukie Community Engagement Guide*.

The Primary Stakeholder List can be viewed here: [PRIMARY Contact List](#)

Stakeholder Groups	Level of Participation
Community-based organizations (incl. Culturally-specific orgs)	Inform / Consult / Involve
Affordable Housing and Multi-family Developments	Inform / Consult / Involve
General Public	Inform / Consult / Involve / Collaborate / Empower
Property and Business Owners	Inform / Consult / Involve / Collaborate / Empower
BIPOC	Inform / Consult / Involve / Collaborate / Empower
Limited income	Inform / Consult / Involve / Collaborate / Empower
Seniors	Inform / Consult / Involve / Collaborate / Empower
People with disabilities	Inform / Consult / Involve / Collaborate / Empower

V. Key Messaging

The key messages below will be used for outreach materials and communications to the general public to maintain clarity, consistency, and transparency about the Milwaukie Neighborhood Hubs project. The key messages can be updated as additional questions and concerns arise from the public throughout the involvement process.

1. What is a Neighborhood Hub?

Neighborhood Hubs are **gathering places** where residents have **easy access to goods and services** close to their homes. They are places where neighbors **create meaningful relationships** with each other.

Hubs **vary in size and intensity**, some as small as a neighborhood amenity like a tool library and others larger like a cluster of buildings with housing located above shops and services. Hubs take time to develop and **some can take several years**.

There are many **existing hubs** in the city, and places **potential hubs could develop**. **In 2017**, community members created a vision for Neighborhood Hubs and since then, the City has worked with the community exploring **how to put that vision into action**.

2. Where are the Neighborhood Hubs? How were they decided?

In 2017, 13 Hub locations were identified across the city, with at least one Hub identified in each of Milwaukie's neighborhoods (excluding Historic Milwaukie which already functions as a developed Hub). Hub locations were decided through direct engagement with more than 400 residents, including 15+ Neighborhood District Association meetings, community events, and a community-wide survey that expressed strong support for Hub locations and concepts. Some hubs are established areas of commercial activity, while others are vacant sites with the potential for future development.

The Hub locations will be refined in this project. Milwaukie has grown and changed since the 2017 Neighborhood Hubs Report and the COVID-19 pandemic has changed how and where people work, live, and gather in unpredictable ways. This project will revisit the 13 identified Hub locations, and based on community feedback and current development trends and conditions, the project team will evaluate whether these locations should be modified.

3. What is the Milwaukie Neighborhood Hubs project? What will the project do?

The Neighborhood Hubs project combines planning, placemaking, and economic development programs to increase access to goods and services in residential areas. The Neighborhood Hubs project will result in program and policy changes that will make it easier to make

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Neighborhood Hubs a reality in the near and long-term future. The project is exploring a variety of tools that will help develop Hubs at various stages of growth while allowing a path for new Hubs to emerge. More specifically, the project will:

- **Evaluate the Hub locations identified in 2017** – How have these locations changed particularly since the COVID-19 pandemic? Do these locations and the Hub types still make sense today? Do they support the types of development needed to create a Hub?
- **Explore Economic Development programs** – What tools, such as grant and loan programs, could support new and existing businesses and residents? What are ways to stabilize existing businesses and neighborhoods to minimize risks of gentrification and displacement?
- **Review and refine the Development Code** – What inconsistencies, conflicts, and obstacles exist in the Development Code to Hubs development? What changes should be made to the Development Code to make it simpler and easier for Hubs to develop successfully?

[ADD PROJECT TIMELINE GRAPHIC]

- **What engagement has happened in the past?**

For Neighborhood Hubs to succeed, it is important to have a community-supported plan of action to help guide their creation. This project began as a community vision more than five years ago. The City has worked with expert consultants to explore how to make this vision a reality.

The project team conducted a variety of community engagement activities to identify hub locations and envision hubs.

Some highlights from this process so far:

15+ Neighborhood District Association meetings, at least two with each neighborhood during 2018-19.

13 Neighborhood Hub locations identified by neighborhood residents at community events and NDA meetings.

396 Milwaukie community members participated in our 2018 Neighborhood Hubs survey.

85% of Milwaukie residents surveyed Support or Strongly Support the Neighborhood Hubs concept.

To learn more about past engagement outcomes, check out the 2017 Neighborhood Hubs Report here [\[insert URL\]](#).

4. **Why is this project happening now? Why does the City need your feedback?**

Neighborhood Hubs are a critical component of the city's Comprehensive Plan implementation process; and with the conclusion of Middle Housing code updates, the Hubs project is a high priority project for the City. Outreach in 2018 and 2019 helped the city better understand the economic conditions in the Hubs, the growth potential of each Hub, and the community support for the Hubs project.

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This next phase of the Hubs project is to create an action plan to evaluate and implement potential zoning changes, economic development initiatives, and placemaking programs that will help Hubs grow to meet community needs. Public engagement will help the city to better understand community support and concerns for potential strategies and refine the community vision for Hubs that has been developing since 2017. This phase of engagement will focus on identifying the needs of property owners, businesses, and underrepresented communities as they relate to the growth and development of Hubs.

5. **What is the difference between Hub Types?**

Hub Types can help people understand how hubs will develop over time. Each Hub is assigned an Existing Type, a Short-Term Type, and a Long-Term Type. These Types can help people to understand a Hub's current state and how we can expect it to develop over time. The Hub Types include:

- **Gathering/Event Space.** These are typically publicly owned sites, institutions, non-profit offices, or other facilities without a commercial component. Examples include parks, schools, and community centers. These spaces offer opportunities for neighborhood meetings, concerts, community gardens, tool libraries, and other similar uses.
- **Opportunity Site.** These are locations that have been identified as potential Neighborhood Hubs. They generally do not have existing neighborhood commercial uses, or if they do, they may not conform with the development code in some manner.
- **Underperforming Hub.** These generally consist of one or more small neighborhood-oriented convenience shops that primarily serve the immediate surrounding area and may sell convenience goods or provide services such as a laundromat. These Hubs also may be accessories to another use, such as a coffee shop. These sites are generally small in size with limited off-street parking, and typically have vacant or underutilized buildings or have been identified by the community as areas where they would like to see more commercial uses and/or gathering spaces.
- **Micro-Hub.** These spaces provide an opportunity to locate uses that are temporary or are not otherwise a traditional brick and mortar store. These uses may only exist in the space for a day, or may occur once a week or for a few months. They may be located in a shared space, such as the parking lot of an existing use. Examples could include food carts, craft/art carts, a weekly farmers market stand, a neighborhood tool shed, or a neighborhood bike repair stand.
- **Transitional Hub.** These are characterized by an Underperforming Hub coupled with a Micro-Hub offering a variety of uses or services.

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This combination provides a way to enhance and transition the Underperforming Hub without requiring permanent improvements or parking facilities. They are envisioned as a way to encourage the expansion of services at an existing site so that permanent improvements will follow.

-Neighborhood Hub. Clusters of three or more small commercial businesses that typically provide small-scale services to nearby neighbors and may include a convenience store, coffee shop, salon, florist, bookstore, or other similar use. The Neighborhood Hub typically consists of one to two story buildings with some off-street parking and may be located by low density residential uses.

- Neighborhood Mixed Use Hub. This typology represents an area with a cluster of larger commercial uses and businesses. These businesses typically provide services to the surrounding neighborhood, but may also attract people from other parts of the city. Examples could include a restaurant or café, a small-scale grocery store, a brewery or pub, or commercial offices. A Neighborhood Mixed Use Hub may also include residential uses, and is generally located in proximity to medium or high-density housing.

6. **How is this project related to other planning efforts like Middle Housing and Climate-Friendly and Equitable Communities (CFEC) statutory rules?**

Most existing Hubs do not have number of people and jobs necessary to spur development in the short-term. Missing Middle Housing rule changes allow certain types of housing, including duplexes, triplexes, quadplexes, and cottage cluster which may make commercial development more viable in and around existing neighborhoods.

The CFEC rules help eliminate at least one significant barrier to Hubs development: the cost of developing parking spaces. Due to new statewide transportation planning rules, Milwaukie is no longer allowed to require minimum off-street parking spaces in new developments. This may significantly reduce the cost of commercial and mixed-use developments citywide, including in identified Hub locations.

7. **How will Neighborhood Hubs development address gentrification and displacement risks?**

Much like in other cities that experience urban growth and development, it is likely that the development of Hubs into centers of commercial and social activity will increase the desirability – and the cost – of living in Milwaukie’s neighborhoods which can lead to the gentrification and displacement of existing small businesses and residents. This project will explore tools, such as small business grants and loan programs, and recommend strategies to minimize these risks.

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8. **How and when could development happen in Neighborhood Hubs? What is the City's role in spurring development?**

The development or expansion of Neighborhood Hubs will be carried out by local business and property owners as they decide to develop or redevelop their properties, open or expand businesses, or establish community-oriented institutions. The City does not plan to purchase private property to create Neighborhood Hubs. In addition, there may not be enough market demand to develop and support desired businesses in all of the identified Hub locations.

However, it is important to have a community-supported plan of action to help guide and encourage the creation and evolution of Hubs. This will help signal to local property owners, businesses, and other community members that there is City and community support for development and other actions that support the Hubs concept. In addition, the City can support creation of the Hubs through:

- Changes to its zoning and development code
- Placemaking programs
- Expansion of temporary or pop-up uses in Hub locations to create active, people-friendly spaces
- Co-funding of public facility improvements
- Technical assistance to private property owners, developers and/or neighborhood groups and residents

The City will need to prioritize the use of its funds to support public investments in these areas.

<i>Zoning & Development Code</i>
1) Create a new “Neighborhood Hub” zone with reduced development barriers for businesses.
2) Create a “Hub Overlay” to allow small permanent businesses and temporary uses.
3) Create flexible parking requirements for off-street parking at hub locations.
4) Update allowed temporary uses to include food carts and similar uses.
5) Create a process for hub expansion.
<i>Program Support</i>
6) Public investment in site-specific and connecting infrastructure.
7) Create supportive grant or loan programs for small business improvements.
8) Help program public events and create new hub activities with residents and businesses.

9. **How will your feedback influence decisions?**

Community feedback will help the City design and prioritize the strategies we use for Hub development while also helping the City

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understand which Hubs might be ready for significant growth in the short-term.

10. **How can I learn more about the Neighborhood Hubs project? How can I get involved?**

Check out the Engage Milwaukie page at [\[insert URL\]](#) and select the Neighborhood Hubs project to learn more and get updates on ways to share your feedback. You can participate in the Online and in-person Public Workshops, attend NDA meetings, email staff directly with questions/comments, and testify at future City Council and Planning Commission meetings for the project. Sign up with your email address at the top right of the page to get project updates!

Executive Summary

WHAT IS A NEIGHBORHOOD HUB?

Neighborhood Hubs are gathering places where residents have easy access to goods and services close to their homes. They are places where neighbors create meaningful relationships with each other. Hubs will vary in size and intensity, with some as small as a neighborhood tool library and others as large as a cluster of mixed-use buildings with housing above shops and services.

PLANNING PROCESS

Milwaukie community members created the vision for Neighborhood Hubs during the City's 2017 Community Vision and Action Planning process. Since then, the City has explored strategies to make this community vision a reality, ultimately incorporating Neighborhood Hubs into Milwaukie's 2040 Comprehensive Plan. This planning process examined four key questions:

1. **Where** should Hubs be located?
2. **What** services can Hubs provide?
3. **How** can the City support Hubs?
4. **When** will Hubs emerge or grow?

The City worked closely with a team of planning consultants led by Angelo Planning Group (APG) that included Scott | Edwards Architecture (S|EA) and Johnson Economics to carry out the planning process and answer these key questions in consultation with community members and city staff.

COMMUNITY ENGAGEMENT

For Neighborhood Hubs to succeed, it is important to have a community-supported plan of action to help guide their creation. This project began as a community vision more than five years ago. The City has worked with independent experts to explore how to make this vision a reality.

The City and hired consultants have conducted a wide range of community engagement activities to identify hub locations and envision hubs. Below are highlights from this process so far:

15+ Neighborhood District Association meetings, at least two with each neighborhood during 2018-19.

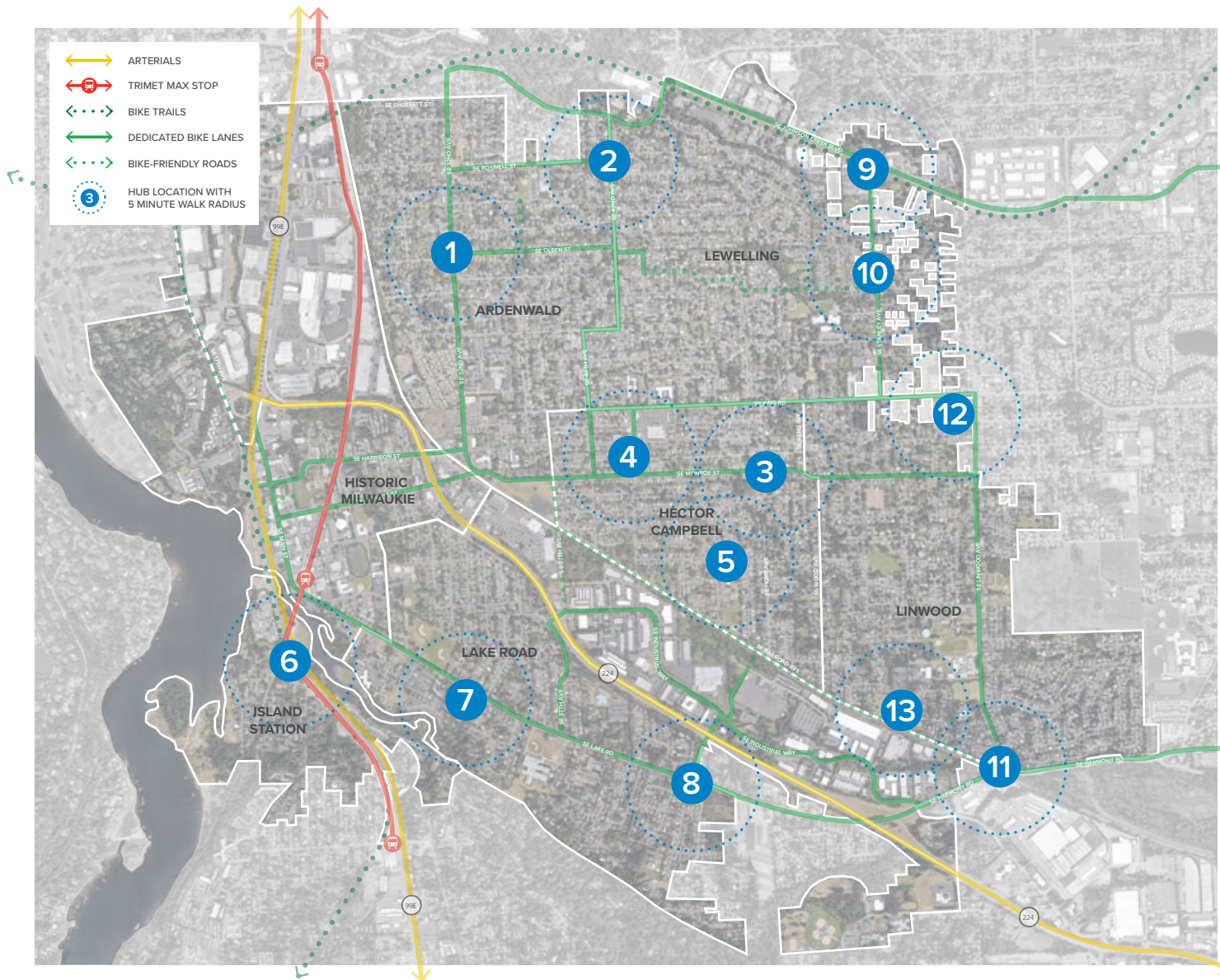
13 Neighborhood Hub locations identified by neighborhood residents at community events and NDA meetings.



396 Milwaukie community members participated in our 2018 Neighborhood Hubs survey.

85% of Milwaukie residents surveyed Support or Strongly Support the Neighborhood Hubs concept.

PROPOSED HUB LOCATIONS

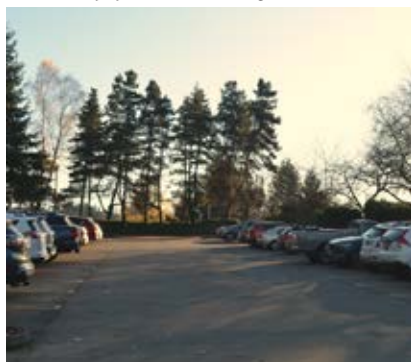


- 1 Ardenwald 1**
(SE 32nd Ave & SE Olsen St)
- 2 Ardenwald 2**
(SE 42nd Ave & SE Roswell St)
- 3 Hector Campbell 1**
(SE Monroe St & SE Home Ave)
- 4 Hector Campbell 2**
(SE 42nd Ave & SE Monroe Rd)
- 5 Hector Campbell 3**
(SE 47th Ave & SE Franklin St)
- 6 Island Station 1**
(SE 22nd Ave & SE Bluebird St)
- 7 Lake Road 1**
(SE Lake Road & SE 33rd Pl)
- 8 Lake Road 2**
(SE Lake Road & SE Freeman Way)
- 9 Lewelling 1**
(SE Stanley Ave & SE Johnson Creek Blvd)
- 10 Lewelling 2**
(SE Stanley Ave & SE Hazel Pl)
- 11 Linwood 1**
(SE Linwood Ave & SE Harmony Rd)
- 12 Linwood 2**
(SE Linwood Ave & SE King Rd)
- 13 Linwood 3**
(SE Stanley Ave & SE Railroad Ave)

HUB TYPES

This section defines the six primary Neighborhood Hub “types” created by this process. The *Gathering Space* type is omitted in the diagram below, but is explained later in this report. No two hubs are exactly alike in size, scale, nor existing uses. The future growth of each hub is dependent on many variables like the economy, zoning, availability of land, and community support. This report outlines our best prediction for how each Hub might evolve over the short term (5 years) and over the long term (20 years).

Opportunity Site



Potential Hub with few to no existing commercial uses and room to grow.

Underperforming Hub



One or more neighborhood shops with vacant or under-utilized buildings.

Micro-Hub



Spaces that provide temporary uses, like a monthly Farmer’s Market or weekly Tool Library.

Transitional Hub



An Underperforming Hub with a Micro-Hub offering a variety of uses or services.

Neighborhood Hub



Cluster of 3+ small businesses in 1-2 story buildings, typically in low-density residential areas.

Mixed-Use Hub



Large cluster of businesses and dense housing that serve the neighborhood and beyond.

HUB DEVELOPMENT

The city hired Johnson Economics to conduct a market analysis to better understand the conditions necessary to develop Neighborhood Hubs at 12 of the proposed 13 locations. Each Hub is explored in detail in this report, including existing hub type as well as predicted short-term and long-term Hub Types between now and 2040.

Existing conditions at these Hubs vary widely. Of the 12 hubs analyzed, Johnson Economics estimates that 9 have the potential to develop into Mixed-Used Hubs in the long-term. The other three Hubs are projected to develop into two Micro-Hubs and one Transitional Hub.

Hub development will be uneven across the city. Individual hub development will depend the following factors analyzed in this research:

- Retail commercial rents and vacancy trends
- Rental apartment market rental rates and vacancy trends
- Growth in demand for different types of goods and services in Milwaukie and regionally
- Concentrations of population and jobs in Milwaukie and the Hub locations.
- Households, growth in households, average incomes, and number of jobs.

IMPLEMENTATION STRATEGIES

Hubs will require action from the City, investors, and community to make this vision a reality. Here is a partial list of potential strategies identified in this planning process. Many of these strategies require further research and community engagement to implement.

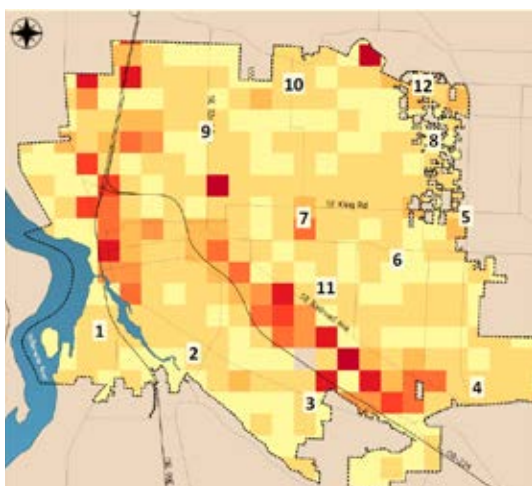
Zoning & Development Code

- 1) **Create a new “Neighborhood Hub” zone** with reduced development barriers for businesses.
- 2) **Create a “Hub Overlay”** to allow small permanent businesses and temporary uses.
- 3) **Create flexible parking requirements** for off-street parking at hub locations.
- 4) **Update allowed temporary uses** to include food carts and similar uses.
- 5) **Create a process** for hub expansion.

Program Support

- 6) **Public investment** in site-specific and connecting infrastructure.
- 7) **Create supportive grant or loan programs** for small business improvements.
- 8) **Help program public events** and create new hub activities with residents and businesses.

EMPLOYMENT DENSITY



HOUSEHOLD DENSITY

