



CITY OF MILWAUKIE

AGENDA

March 12, 2024

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/UCRFbfqe3OnDWLQKSB_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

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 ZA-2024-001 – Neighborhood Hubs Code Amendments

Summary: Code Text Amendment; Code Map Amendment; Comprehensive Plan Text Amendment; Comprehensive Plan Map Amendment

Staff: Senior Planner Vera Koliass; Associate Planner Adam Heroux

6.2 ZA-2022-005 – Climate Friendly Equitable Communities Code Amendments

Summary: Zoning Text Amendment

Staff: Assistant Planner Ryan Dyar

7.0 Planning Department Other Business/Updates

8.0 Forecast for Future Meetings

March 26, 2024

- 1. Hearing Item: Title 17 Code Amendments
- 2. Work Session Item: Natural Resources Code Amendments (Tentative)

April 9, 2024

- 1. Hearing Item:
- 2. Work Session Item:

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:

Jacob Sherman, Chair
Joshua Freeman, Vice Chair
Aaron Carpenter
Joseph Edge
Amy Erdt
Ernestina Fuenmayor
Will Mulhern

Planning Department Staff:

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



CITY OF MILWAUKIE

To: Planning Commission
Through: Laura Weigel, Planning Manager
From: Vera Koliias, Senior Planner
Date: March 5, 2024, for March 12, 2024, Public hearing
Subject: Primary File #ZA-2024-001 – Proposed Code Amendments: Neighborhood Hubs

ACTION REQUESTED

Open the public hearing for land use file #ZA-2024-001. Discuss the proposed amendments to the Milwaukie Municipal Code (MMC) Title 19 (Zoning), Zoning map, Comprehensive Plan Land Use Designations, and Comprehensive Plan Land Use map, 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-2024-001 and adoption of the proposed ordinance and recommended Findings in Support of Approval found in Attachment 1.

Detailed background information can be found in the Planning Commission packet for the [January 23, 2024](#) work session.

BACKGROUND INFORMATION

PHASE 1

What are Neighborhood Hubs?

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.

The city has conducted extensive community outreach and planning work on the Hubs project since it emerged from the Milwaukie Community Vision & Action Plan outreach in 2016 and 2017. A Neighborhood Hubs report was drafted by the consultant in June 2020. Staff has used this baseline report to develop a project approach for implementation moving forward, which is the focus of this discussion.

The 2020 draft report was intended to address the following questions:

- Where could Hubs be located?
- What types of services or other amenities can Hubs provide and what could they look like in size and scale?
- How would Hubs take shape and what can the city do to support Hubs?

PHASE 2

Staff worked with the consultant team during most of 2023 on Phase 2 of the Hubs project. The team analyzed the identified Hubs to ground-truth information from the [2020 report](#), interviewed stakeholders (including property owners and NDAs), hosted six in-person workshops to discuss code concepts with the community, and prepared a list of short-term priority Hubs. The team also reviewed city code to identify any gaps between what people want in the Hubs and what the code currently allows. Finally, the team worked on possible economic development tools and resources to spur activity in Hubs.

Ground-truthing process

Early in Phase 2 of the project, staff visited and prepared an analysis of each Hub to identify existing conditions based on the factors in the bulleted list below. This analysis evaluated potential Hub activities, identified changes in each Hub since 2019, and determined short-term priority Hubs.

- Commercial intensity
- Sidewalk connectivity
- Transit accessibility
- Biking accessibility
- Adjacent residential density
- Presence of public spaces
- Community support
- Planned development
- Planned transportation investments
- Demographic factors (renter status, race, rent burden)

Outreach

The project team used several methods to communicate about the project, share information, and learn more about the goals for Hubs from those most interested or affected. This included:

ACTIVITY	DESCRIPTION
<p>Engage Milwaukie</p> <ul style="list-style-type: none"> • <i>1,215 page visits, 35 new EM registrations, 99 engagements</i> • <i>Business/Property Owner Survey</i> • <i>22 stakeholder survey responses</i> 	<p>Created and maintained a project webpage as a place for people to learn more about the project, ask questions of the team, set up the initial property owner/tenant survey, and to set the stage for the fall workshops including an online workshop.</p>
<p>Milwaukie Pilot</p> <ul style="list-style-type: none"> • <i>Published 5 project updates</i> 	<p>Published and mailed project updates in April, May, October, November, and December 2023.</p>
<p>Milwaukie Farmers Market</p>	<p>Promoted the project at the market on 3 occasions.</p>

Equity Steering Committee • <i>Attended 3/23; Sent updates 11/22</i>	Collected feedback on community engagement and provided a progress report on equity considerations.	
Neighborhood District Associations (NDAs) • <i>79 participants in Spring meetings</i>	Staff met with all 7 NDAs in the spring to provide a project update and learn more about the goals and desires for each of their Hubs.	
Stakeholder interviews • <i>18 interviews, 23 participants (9 were survey participants)</i>	Staff engaged property and business owners in direct interviews to identify potential partners interested in hub development and identify current barriers. List below.	
<ul style="list-style-type: none"> • K. Marie • Naphtali’s • NW Family Services • Sunny Corner Market • Chapel Theater • 2 Sisters Play Café • Eric’s Market 	<ul style="list-style-type: none"> • River Roadhouse Grill • Central Planning • Clackamas Community College • Milwaukie Floral • Milwaukie Lutheran • The Vital Element 	<ul style="list-style-type: none"> • Milwaukie Café +Bottle Shop • Valerie Hunter (9391 SE 32nd Ave) • Paul Lisac (9250 SE 32nd Ave) • North Clackamas School District • Peter Perrin (9616 SE Stanley) • Lisa Dorn Design
Fall workshops • <i>123 participants— 74 in-person, 49 online.</i> • <i>83% support, 10% neutral, 7% oppose</i>	Hosted six in-person workshops and one online to provide residents, businesses, and property owners opportunities to shape proposed code changes that can help Hubs grow. The online workshop asked about safety walking and biking. On average, very few participants opposed the proposed changes.	

Hub Prioritization

The Neighborhood Hubs Phase 2 scope of work included a task to refine the list and types of the 13 Hubs identified in the 2020 Hubs Report. The purpose of this refinement was to confirm and/or justify the original priority list from the 2020 report. The specific tasks were to:

- Revisit the 2020 Hub boundaries and include/remove properties based on current information.
- Consider consolidating hub types for simplicity and logical consistency.
- Develop criteria for prioritizing hubs that consider more than just market conditions and includes elements like placemaking and community building. Examples include access to public spaces, nature and art in the neighborhood, existing connections with pedestrian or bike infrastructure, etc. See Attachment 3 for the Johnson Economics report that informed the 2020 report.
- Revisit the existing, short-term, and long-term types based on hub consolidation, prioritization, and community review.



Figure 1. Milwaukie Floral Hub - Lake Road

Refinement Criteria

As noted above, this task included developing a set of evaluation criteria that better reflects the city’s values for Neighborhood Hubs than just market conditions. These new evaluation criteria are as follows:

Placemaking Criteria

- Opportunity sites
- Proximity to green space or park
- Art in the neighborhood
- Existing pedestrian connections
- Existing bike connections

Community Building Criteria

- Neighborhood (NDA) interest
- Property/Business owner interest
- Pop-up potential
- Community meeting space
- In use as hub now

Each Hub was evaluated against each criterion. The Hubs that reflect more criteria and have more realistic potential (willing property owner, likelihood of re-development) are the focus of this phase of the project, including zoning and economic development resources. The other Hubs have been designated for future consideration if circumstances change– they have not been eliminated from consideration.

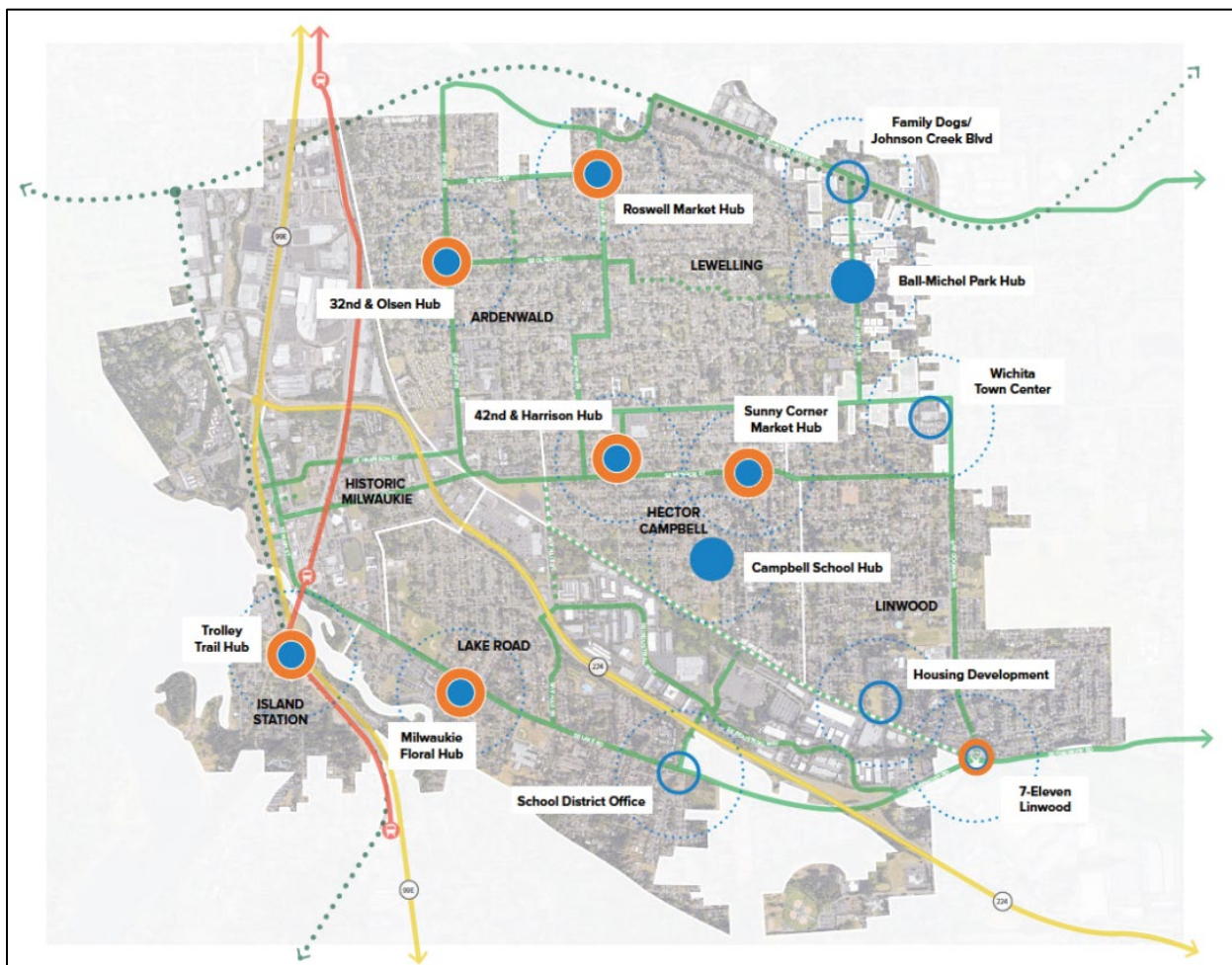


Figure 2. Neighborhood Hub locations

Another key aspect of the project was the development of an Economic Development toolkit to provide a resource of neighborhood-scale economic development strategies appropriate for application within Neighborhood Hubs. The toolkit is not being adopted and is primarily to be used by staff to explore the opportunity to implement select tools. The draft toolkit can be found in Attachment 2.

ANALYSIS

Proposed Code and Map Amendments

Building on the feedback received from the workshops, surveys, and interviews, staff has drafted zoning language and map amendments. The intent of the amendments is to:

- Expand opportunities for commercial and civic activities in the identified Hub areas.
- Streamline land use review processes where applicable.
- Provide opportunities for temporary pop-up uses to help test concepts and pilot programs within neighborhoods.
- Streamline the zoning map by consolidating and/or eliminating some zones.

Attachments 1.b and 1.c include the underline/strikeout and clean text of the proposed amendments; map amendments are included in Attachment 1.d.

Key amendments:

- Re-zone properties in the Limited Commercial zone (C-L) to Neighborhood Mixed Use (NMU) and eliminate the Limited Commercial zone.
- Create a new Small-Scale Mixed Use zone (SMU)
- Re-zone properties in the Neighborhood Commercial zone (C-N) to Small-Scale Mixed Use and eliminate the Neighborhood Commercial zone.
- Re-zone the Milwaukie Floral site on Lake Rd to the new Small-Scale Mixed Use zone
- Expand the 42nd Ave NMU zone by re-zoning the Chapel Theatre site at 4107-4117 SE Harrison St from Residential-High Density to Neighborhood Mixed Use

Relationship to Comprehensive Plan

The proposed amendments directly implement Section 8 of the Comprehensive Plan (Urban Design and Land Use); specifically, Policy 8.1.4 – Neighborhood Hubs:

- Provide opportunities for the development of neighborhood commercial services and the provision of amenities and gathering places for residents of the surrounding area.
- Ensure that new development is compatible with the height, massing and building form allowed by zoning on adjacent residential properties. A hub development need not be identical to the height, massing or form of buildings allowed by nearby zoning for a finding of compatibility.

- Ensure new development contributes to a pedestrian friendly environment along the property frontage.
- Encourage development of multi-season outdoor seating areas and pedestrian plazas.
- Provide for a high level of flexibility in design and incentives to accommodate a variety of start-ups, temporary uses and incremental expansions and explore innovative techniques for waiving or deferring full site development and parking requirements.
- Provide a process to allow start-up and temporary uses that take advantage of incentives and deferral programs to make a smooth transition to status as a permanent use.

The proposed amendments encourage and allow a wider variety of commercial and civic activities in residential neighborhoods, including: upzone commercial areas currently zoned Limited Commercial (C-L) to Neighborhood Mixed Use, upzone commercial areas currently zone Neighborhood Commercial (C-N) to a new zone called Small-Scale Mixed Use, and rezone an existing longstanding commercial area from Moderate Density Residential to Small-Scale Mixed Use. The proposed amendments include revisions to the code section related to temporary uses to allow additional flexibility in pop-up activities and pilot projects to test new uses in other areas of existing neighborhoods, including outdoor seating, food carts, or other temporary businesses. Combined with the Economic Development toolkit, the proposed package of amendments sets the stage for opportunities and improvements in Neighborhood Hubs, as outlined in the Comprehensive Plan.

CONCLUSIONS

Staff recommendation to the Planning Commission

1. Recommend that the City Council approve the proposed amendments to MMC Title 11 (Miscellaneous Permits), Title 14 (Signs), Title 19 (Zoning), the Zoning Map, the Comprehensive Plan Land Use Maps, and to the Comprehensive Plan presented in Attachments 1-b and 1-c.
2. Recommend that the City Council adopt the proposed ordinance and attached Findings in Support of Approval presented in Attachments 1 and 1-a, respectively.

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 February 7, 2024. Email notice was sent to all Neighborhood District Associations (NDAs) on February 12, 2024. The required 35-day notice to Metro and the Department of Land and Conservation Development was posted on February 6, 2024. Measure 56 notices were mailed to all properties affected by the proposed amendments on February 14, 2024. Notice was also mailed to all properties within 300 feet of the affected properties on February 14, 2024. Notice was also posted at City Hall and the Ledding Library. Additional outreach was done via city social media outlets and the Pilot newsletter.

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 (including Metro and State Findings)	<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"/>
d. Draft zoning map amendments	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e. Draft comprehensive plan amendments	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

	PC Packet	Public Copies	EPacket
2. Draft Economic Development Toolkit	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. Comments received	<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/bc-pc/planning-commission-115>, available 7 days prior to the meeting.



COUNCIL ORDINANCE No.

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MILWAUKIE COMPREHENSIVE PLAN COMMERCIAL LAND USE DESIGNATIONS, MUNICIPAL CODE (MMC) TITLE 11 MISCELLANEOUS PERMITS, TITLE 19 ZONING ORDINANCE, TITLE 14 SIGNS, AND THE ZONING MAP FOR THE PURPOSE OF IMPLEMENTING NEIGHBORHOOD HUBS (PRIMARY FILE #ZA-2024-001).

WHEREAS, it is the intent of the City of Milwaukie to: support and promote small areas of commercial and civic activity in residential neighborhoods, known as Neighborhood Hubs; and to streamline processes and simplify the code where possible; and

WHEREAS, the proposed code amendments implement several of the goals and policies of the city' comprehensive plan related to urban design and land use, namely the opportunity for Neighborhood Hubs; and

WHEREAS, legal and public notices have been provided as required by law, and multiple opportunities for public review and input has been provided; and

WHEREAS, on March 12, 2024, the Milwaukie 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 Milwaukie City Council finds that the proposed amendments are in the public interest of the City of Milwaukie.

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

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

Section 2. Amendments. The Milwaukie Municipal Code (MMC), the Milwaukie Comprehensive Plan, the Zoning Map, and the Land Use Map are 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

Findings in Support of Approval
File #ZA-2024-001; CPA-2024-001; ZC-2024-001
Neighborhood Hubs Code 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 the zoning map, comprehensive plan, and make code amendments to Titles 11, 14 and 19 related to Neighborhood Hubs. The intent is to implement Section 8 of the city's comprehensive plan. The land use application file numbers are ZA-2024-001, CPA-2024-001, and ZC-2024-001.
2. The proposed amendments relate to implementation of Section 8, Policy 8.1.4 of the Comprehensive Plan related to identified Neighborhood Hubs located in several locations in the city within residential zones. Providing opportunities for the development of neighborhood commercial services and the provision of amenities and gathering places for residents in the surrounding areas has been a goal for the community. The adopted Comprehensive Plan policies call for expanded commercial and civic opportunities in the city's residential areas and consolidation of zones where possible to simplify the code.
3. Amendments are proposed in several titles of the municipal code, as follows:
 - Milwaukie Comprehensive Plan
 - Comprehensive Plan Commercial Land Use Designations
 - Municipal Code – Title 11 Miscellaneous Permits
 - Section 11.05 – Temporary Permits, Uses, and Regulations
 - Municipal Code - Title 19 Zoning Ordinance
 - Chapter 19.100 – INTRODUCTORY PROVISIONS
 - Section 19.107 Zoning
 - Chapter 19.300 – BASE ZONES
 - Section 19.303 Commercial Mixed Use Zones
 - Section 19.305 Neighborhood Commercial Zone C-N
 - Section 19.306 Limited Commercial Zone C-L
 - Chapter 19.1100 ANNEXATIONS AND BOUNDARY CHANGES
 - Table 19.1104.1.E Zoning and Land Use Designations for Boundary Changes
 - Municipal Code - Title 14 Signs
 - 14.16.030 Neighborhood Commercial Zone
 - 14.16.040 Commercial Zones
4. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
 - MMC Section 19.902 Amendments to Maps and Ordinances
 - MMC Chapter 19.1000 Review Procedures

5. Sections of the MMC not addressed in these findings are found to be not applicable to the decision on this land use application.
6. The application has been processed and public notice provided in accordance with MMC Section 19.1008 Type V Review. **Public hearings were held on March 12, 2024 and May 7, 2024 as required by law.**
7. MMC Chapter 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 Subsection 19.1001.6 requires that Type V applications be initiated by the Milwaukie City Council, Planning Commission, Planning Manager, or any individual.

The amendments were formally initiated by the Planning Manager on January 5, 2024.
 - 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 as follows:

The project team conducted a variety of engagement activities prior to the formal hearing process to get feedback from the public to help hone the final proposed amendment language. These efforts included: meetings with all NDAs, an online survey on the Engage Milwaukie platform, stakeholder interviews, and a series of in-person workshops.

The Planning Commission had a work session about the proposed code amendment language in January and the City Council had a work session in December 2023. The current version of the draft amendments has been posted on the application webpage since February 6, 2024. On February 12, 2024 staff e-mailed NDA members and stakeholders with information about the hearing and a link to the draft proposed amendments. On February 14, 2024, a Measure 56 notice was sent to all properties affected by the code amendments and a notice to all properties within 300 ft of those properties was also sent.
 - (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 March 12, 2024 hearing was posted as required on February 8, 2024. **A notice of the City Council's May 7, 2024 hearing was posted as required on April 4, 2024.***
 - (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 proposed amendments will apply to several discrete geographic areas. Notices were sent to all affected property owners on February 14, 2024.

- (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 February 6, 2024

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

Notice of the proposed amendments was sent to Metro on February 6, 2024

- (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 will apply to properties deemed to be Neighborhood Hubs and propose changes to permissible uses on the properties. However, the vast majority of the changes increase the number of permitted uses and/or streamline or eliminate land use review processes. Notice was sent to all affected property owners on February 14, 2024.

- (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 March 12, 2024 and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on May 7, 2024 and approved the amendments.

8. MMC 19.902 Amendments to Maps and Ordinances

- a. MMC 19.902.3 establishes requirements for amendments to the text of the Milwaukie Comprehensive Plan. The City Council finds that these requirements have been met as follows.

- (1) MMC Subsection 19.902.3.A requires that changes to the text of the Milwaukie Comprehensive Plan shall be evaluated through a Type V review per Section 19.1008.

The Planning Commission held a duly advertised public hearing on March 12, 2024 and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on May 7, 2024 and approved the amendments. Public notice was provided in accordance with MMC Subsection 19.1008.3.

- (2) MMC Subsection 19.902.3.B contains approval criteria for changes to the text of the Milwaukie Comprehensive Plan.

- (a) MMC Subsection 19.902.3.B.1 requires that the proposed amendment be consistent with the goals and policies of the Comprehensive Plan, as proposed to be amended.

The only amendments proposed to the text of the comprehensive plan are in the section related to commercial land use designations. The proposed amendments reflect the proposed zoning map amendments that affect Neighborhood Hubs, a stated goal in the Comprehensive Plan.

- (b) MMC Subsection 19.902.3.B.2 requires that the proposed amendment is in the public interest with regard to neighborhood or community conditions.

The proposed amendments reflect the community's desire for policies and regulations that provide opportunities for the development of neighborhood commercial services and the provision of amenities and gathering places for residents of the surrounding area. As noted above, the only text amendment to the comprehensive plan reflects the creation of a new small-scale mixed use zone that reflects the proposed zoning map amendments.

- (c) MMC Subsection 19.902.3.B.3 requires the public need be best satisfied by this particular proposed amendment.

The proposed amendments confirm the community's vision for provision of areas of commercial and civic activity in residential neighborhoods. As noted above, the only text amendment to the comprehensive plan reflects the creation of a new small-scale mixed use zone that reflects the proposed zoning map amendments.

- (d) MMC Subsection 19.902.3.B.4 requires that the proposed amendment is consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies.

The proposed amendment is consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies related to residential capacity.

The Metro Urban Growth Management Functional Plan includes Title 12: Protection of Residential Neighborhoods, the intent of which is to protect neighborhoods from air and water pollution and also address provision of adequate levels of public services. Section 3.07.1230 is the most relevant section to review given the proposed amendments related to Neighborhood Hubs.

- (a) Section 3.07.1230 Access to Commercial Services

The proposed amendments expand opportunities for convenient locations of commercial activities within established residential neighborhoods. By identifying these Neighborhood Hubs and allowing more commercial uses and areas of activity, the city strives to reduce air pollution and traffic congestion.

- (b) Title 7 Housing Choice

The proposed amendments also reduce barriers to the development of mixed use buildings that will support Metro's policies for expanding housing choice with a needed housing type in Milwaukie.

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. Additional findings specific to the UGMFP are included with these findings. The proposed code amendments are in compliance with Metro's Functional Growth Management Plan.

- (e) MMC Subsection 19.902.3.B.5 requires that the proposed amendment be consistent with relevant State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule.

DLCD has not identified any areas where the proposed amendments are inconsistent with State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule. Additional findings have been prepared demonstrating compliance with the Statewide Planning Goals.

- b. MMC 19.902.4 establishes requirements for amendments to the maps of the Milwaukie Comprehensive Plan. The City Council finds that these requirements have been met as follows.

- (1) MMC Subsection 19.902.4.A requires that changes to the text of the Milwaukie Comprehensive Plan shall be evaluated through a Type V review per Section 19.1008.

The Planning Commission held a duly advertised public hearing on March 12, 2024 and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on May 7, 2024 and approved the amendments. Public notice was provided in accordance with MMC Subsection 19.1008.3.

- (2) MMC Subsection 19.902.4.B contains approval criteria for changes to the text of the Milwaukie Comprehensive Plan.

- (a) MMC Subsection 19.902.3.B.1 requires that the proposed amendment be consistent with the goals and policies of the Comprehensive Plan, as proposed to be amended.

Changes to the maps of the Milwaukie Comprehensive Plan must be evaluated against the approval criteria in Subsection 19.902.3.B. A quasi-judicial map amendment shall be approved if these criteria are met. A legislative map amendment may be approved if these criteria are met.

The findings for compliance with MMC 19.902.3.B apply to the findings for these map amendments as well. Refer to the findings above for compliance with this code section.

9. 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.
- a. MMC Subsection 19.902.5.A requires that changes to the text of the land use regulations of the Milwaukie Municipal Code shall be evaluated through a Type V review per Section 19.1008.

The Planning Commission held a duly advertised public hearing on March 12, 2024 and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on May 7, 2024 and approved the amendments. Public notice was provided in accordance with MMC Subsection 19.1008.3.

- (1) 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 coordinate and are consistent with other provisions of the Milwaukie Municipal Code.

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

The goals and policies of the Comprehensive Plan support the amendments to re-zone and/or expand permitted uses in identified Neighborhood Hubs.

- (c) Section 8 – Urban Design and Land Use:

Promote the design of private development and public spaces and facilities to enhance community livability, environmental sustainability, social interaction, and multimodal connectivity and support the unique function of Milwaukie neighborhoods as the centers of daily life.

- (a) Policy 8.1.4 Neighborhood Hubs

- a) Provide opportunities for the development of neighborhood commercial services and the provision of amenities and gathering places for residents of the surrounding area.
- b) Ensure that new development is compatible with the height, massing and building form allowed by zoning on adjacent residential properties. A hub development need not be identical to the height, massing or form of buildings allowed by nearby zoning for a finding of compatibility.
- c) Ensure new development contributes to a pedestrian friendly environment along the property frontage.

- d) Encourage development of multi-season outdoor seating areas and pedestrian plazas.
- e) Provide for a high level of flexibility in design and incentives to accommodate a variety of start-ups, temporary uses and incremental expansions and explore innovative techniques for waiving or deferring full site development and parking requirements.
- f) Provide a process to allow start-up and temporary uses that take advantage of incentives and deferral programs to make a smooth transition to status as a permanent use.

The proposed amendments implement this section of the comprehensive plan related to Neighborhood Hubs. The amendments propose to do a number of things to encourage and allow a wider variety of commercial and civic activities in residential neighborhoods, including: upzone commercial areas currently zoned Limited Commercial (C-L) to Neighborhood Mixed Use, upzone commercial areas currently zone Neighborhood Commercial (C-N) to a new zone called Small-Scale Mixed Use, and rezone an existing longstanding commercial area from Moderate Density Residential to Small-Scale Residential. The proposed amendments include revisions to the code section related to temporary uses to allow additional flexibility in pop-up activities and pilot projects to test new uses in other areas of existing neighborhoods, including outdoor seating, food carts, or other temporary businesses.

- (d) 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 amendment is consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies related to residential capacity.

The Metro Urban Growth Management Functional Plan includes Title 12: Protection of Residential Neighborhoods, the intent of which is to protect neighborhoods from air and water pollution and also address provision of adequate levels of public services. Section 3.07.1230 seems to be the most relevant section to review given the proposed amendments related to Neighborhood Hubs.

- (a) Section 3.07.1230 Access to Commercial Services

The proposed amendments expand opportunities for convenient locations of commercial activities within established residential neighborhoods. By identifying these Neighborhood Hubs and allowing more commercial uses and areas of activity, the city strives to reduce air pollution and traffic congestion.

- (b) Title 7 Housing Choice

The proposed amendments also reduce barriers to the development of mixed use buildings that will support Metro's policies for expanding housing choice with a needed housing type in Milwaukee.

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. Additional findings specific to the UGMFP are included with these findings. The proposed code amendments are in compliance with Metro's Functional Growth Management Plan.

- (e) 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. The DLCD did not identify any areas where the proposed amendments were inconsistent with State statutes and administrative rules. Additional findings have been prepared demonstrating compliance with the Statewide Planning Goals.

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

The City Council finds that the Federal Fair Housing Amendments Act of 1988 is relevant to the proposed amendments. The proposed amendments provide a clear and objective review process for middle housing development in the residential zones.

- b. MMC 19.902.6 establishes requirements for amendments to the Zoning Map. The City Council finds that these requirements have been met as follows.

- (1) MMC Subsection 19.902.6.A states that changes to the Zoning Map shall be evaluated through either a Type III or a Type V review.

The Zoning Map amendments involve all properties zoned C-L, C-N, and a portion of a property zoned R-MD, as well as properties zoned NMU for allowance of live theatre and playhouses. The amendments are legislative in nature and subject to Type V review.

The Planning Commission held a duly advertised public hearing on March 12, 2024 and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on May 7, 2024 and approved the amendments. Public notice was provided in accordance with MMC Subsection 19.1008.3.

- (2) MMC Subsection 19.902.6.B contains approval criteria for changes to the Zoning Map.

- (a) The proposed amendment is compatible with the surrounding area based on the following factors:

- i. Site location and character of the area.

The proposed zoning map amendments:

- Rezone properties zoned C-L to NMU
- Eliminate the C-L zone
- Rezone properties zoned C-N to a new SMU zone (Small-Scale Mixed Use)
- Eliminate the C-N zone
- Rezone a portion of the property located at 3306 SE Lake Rd to SMU

- ii. Predominant land use pattern and density of the area.

As noted above, the proposed zoning map amendments predominantly affect the C-L and C-N zones, which are already commercial zones. The proposed amendments expand some permitted uses, streamline land use review, correct existing non-conformities, and simplify the zoning code by eliminating and consolidating zones.

- iii. Expected changes in the development pattern for the area.

Given that the amendments affect existing commercially-zone properties, the change in development pattern in some areas may include a modest increase in intensity of use. The amendments implement goals and policies established in the comprehensive plan for Neighborhood Hubs.

- (b) The need is demonstrated for uses allowed by the proposed amendment.

Per the City's 2020 comprehensive plan, the city anticipates working with local residents, property owners, businesses, and others to create a series of neighborhood hubs intended to improve neighborhood livability by providing ready access to places to eat, drink, shop, gather, and play. "Neighborhood hubs" is a concept that emerged during the development of Milwaukie's Community Vision and Action Plan and aims to enhance livability and provide residents with access to amenities and services close to where they live. Design and future development or redevelopment of these hubs will vary and will reflect the scale and needs of the adjacent neighborhoods.

- (c) The availability is shown of suitable alternative areas with the same or similar zoning designation.

Staff has interpreted this criterion to mean that the finding shall show that there is no suitable alternative area with the same or similar zoning designation.

As noted above the proposed zoning map amendments would consolidate some commercial zones, and upzone others, to simplify the code, provide opportunities for commercial and civic activities in residential neighborhoods, and make adjustments to streamline land use review.

- (d) The subject property and adjacent properties presently have adequate public transportation facilities, public utilities, and services to support the use(s) allowed by the proposed amendment, or such facilities, utilities, and services are proposed or required as a condition of approval for the proposed amendment.

The public transportation facilities, public utilities, and services in the existing neighborhood-scale commercial areas are adequate to support the proposed amendments. The subject properties are already being used for, or are zoned for, smaller scale residential development. The proposed amendments may increase the demand on the facilities, utilities, or services in the area, which have been planned for.

- (e) The proposed amendment is consistent with the functional classification, capacity, and level of service of the transportation system. A transportation impact study may be required subject to the provisions of Chapter 19.700.

The proposed amendment may intensify the development potential of some of the identified Hub areas. Any increase in development will be modest and not result in a failure level of service on the city's transportation system. The city's TSP anticipates neighborhood-scale development in these zones and the TSP is being fully revised in 2024-2025.

- (f) The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, including the Land Use Map.

The subject areas are designated for commercial development and will continue to be designated as such. The goals and policies of the Comprehensive Plan for Neighborhood Hubs development are noted above in Finding 9 and the primary purpose of the amendments is to implement the comprehensive plan as it relates to Neighborhood Hubs. The proposed amendment is consistent with those goals and policies.

- (g) The proposed amendment is consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies.

See Finding 8.a.(1)(d) above.

- (h) The proposed amendment is consistent with relevant State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule.

See Finding 8.a.(1)(e) above.

Attachment 1.a.1

UGMFP Findings for Milwaukie Code Amendments for Neighborhood Hubs

The Metro Urban Growth Management Functional Plan (UGMFP) provides tools to meet regional goals and objectives adopted by Metro Council, including the 2040 Growth Concept and the Regional Framework Plan. Under the Metro Charter, the City of Milwaukie's Comprehensive Plan and implementing ordinances are required to comply and be consistent with the UGMFP. The UGMFP consists of 14 code titles with policies and compliance procedures.

Metro requires "substantial compliance" with requirements in the UGMFP. Per the definition in Title 10, "substantial compliance" means that the City's zoning code conforms with the purposes of the performance standards in the functional plan "on the whole." Any failure to meet individual performance standard requirements is considered technical or minor in nature.

Based on the findings described below, the proposed code amendments related to Neighborhood Hubs substantially comply with all applicable titles of the Urban Growth Management Functional Plan.

Title 12: Protection of Residential Neighborhoods

Finding:

Title 12 is designed to protect existing neighborhoods from air and water pollution and also address provision of adequate levels of public services. Under Title 12, the City is required to ensure that its Comprehensive Plan and implementing ordinances include strategies to reduce air pollution and traffic congestion by making commercial retail services more accessible to residents of neighborhoods (3.07.1230).

The local code findings state that the proposed amendments expand opportunities for convenient locations of commercial activities within established residential neighborhoods. The proposed amendments affect existing neighborhood-scale commercial areas and expand existing uses and/or streamline land use review processes by eliminating Conditional Use review. By identifying these Neighborhood Hubs and allowing more commercial uses and areas of activity, the city strives to reduce air pollution and traffic congestion.

The proposed code amendments are the result of an evaluation of the existing zoning ordinance and extensive community outreach and engagement to reduce barriers to and encourage the development of properties with small-scale commercial and civic activities in existing residential areas.

Based on the findings above, the proposed amendments are consistent with Title 7.

Title 8: Compliance Procedures

Finding: Title 8 establishes a process for ensuring compliance with requirements of the UGMFP. An amendment to the City comprehensive plan or land use regulations is deemed to comply with the UGMFP only if the City provided notice to Metro as required by section 3.07.820(a). The City of Milwaukie provided Metro a set of draft code amendments on February 6, 2024, which was more than 35 days prior to the first evidentiary hearing, scheduled for March 12, 2024.

Based on the findings above, the proposed amendments are consistent with Title 8.

Statewide Findings for Milwaukie Plan and Code Amendments – Neighborhood Hubs

This memo summarizes the consistency of the proposed code amendments with the following statewide goals, as well as key Oregon Revised Statutes (ORSs) and Oregon Administrative Rules (OARs):

- Goal 1: Citizen Involvement
- Goal 2: Land Use Planning
- Goal 10: Housing
- Goal 9: Economic Development
- Goal 11: Public Facilities
- Goal 12: Transportation
- Goal 13: Energy
- Goal 14: Growth Management

Other Statewide Planning Goals are not directly applicable to the proposed code amendments. Goals related to agriculture and forestry do not apply to land intended for future urbanization within the urban growth boundary. Additionally, the proposed amendments do not involve land or resources designated as part of Oregon’s coastal zone.

Consistency with the applicable goals is a requirement for any amendment to a City’s land use ordinances.

Based on the findings described below, the proposed code amendments comply with the applicable Statewide Goals and associated ORS and OAR provisions.

Goal 1: Citizen Involvement

Finding: Goal 1 requires the City to employ an appropriately-scaled involvement program to ensure the opportunity for meaningful public involvement throughout the land use planning process. Goal 1 requires the City to incorporate six key components in its public involvement program:

- Citizen Involvement: An officially-recognized committee for public involvement broadly representative of geographic areas and interests related to land use and land-use decisions to provide for widespread public involvement;
- Communication: Mechanisms for effective two-way communication between the public and elected/appointed officials;
- Influence: Opportunities for the public to be involved in all phases of the planning and decision-making process including developing, evaluating, and amending plans;
- Technical Information: Access to technical information used in the decision-making process, provided in an accessible and understandable format;

- **Feedback Mechanisms:** Programs to ensure that members of the public receive responses from policy-makers and that a written record for land-use decisions is created and made accessible; and,
- **Financial Support:** Adequate resources allocated for the public involvement program as an integral component of the planning budget.

Following is a summary of activities undertaken by the City to support the proposed code amendments related to Neighborhood Hubs.

Community Engagement

The project team used several methods to communicate about the project, share information, and learn more about the goals for Hubs from those most interested or affected. This included:

ACTIVITY	DESCRIPTION
Engage Milwaukie <ul style="list-style-type: none"> • <i>1,215 page visits, 35 new EM registrations, 99 engagements</i> • <i>Business/Property Owner Survey</i> • <i>22 stakeholder survey responses</i> 	Created and maintained a project webpage as a place for people to learn more about the project, ask questions of the team, set up the initial property owner/tenant survey, and to set the stage for the fall workshops including an online workshop.
Milwaukie Pilot <ul style="list-style-type: none"> • <i>Published 5 project updates</i> 	Published and mailed project updates in April, May, October, November, and December 2023.
Milwaukie Farmers Market	Promoted the project at the market on 3 occasions.
Equity Steering Committee <ul style="list-style-type: none"> • <i>Attended 3/23; Sent updates 11/22</i> 	Collected feedback on community engagement and provided a progress report on equity considerations.
Neighborhood District Associations (NDAs) <ul style="list-style-type: none"> • <i>79 participants in Spring meetings</i> 	Staff met with all 7 NDAs in the spring to provide a project update and learn more about the goals and desires for each of their Hubs.
Stakeholder interviews <ul style="list-style-type: none"> • <i>18 interviews, 23 participants (9 were survey participants)</i> 	Staff engaged property and business owners in direct interviews to identify potential partners interested in hub development and identify current barriers. List below.

<ul style="list-style-type: none"> • K. Marie • Naphtali’s • NW Family Services • Sunny Corner Market • Chapel Theater • 2 Sisters Play Café • Eric’s Market 	<ul style="list-style-type: none"> • River Roadhouse Grill • Central Planning • Clackamas Community College • Milwaukie Floral • Milwaukie Lutheran • The Vital Element 	<ul style="list-style-type: none"> • Milwaukie Café +Bottle Shop • Valerie Hunter (9391 SE 32nd Ave) • Paul Lisac (9250 SE 32nd Ave) • North Clackamas School District • Peter Perrin (9616 SE Stanley) • Lisa Dorn Design
<p>Fall workshops</p> <ul style="list-style-type: none"> • 123 participants— 74 in-person, 49 online. • 83% support, 10% neutral, 7% oppose 	<p>Hosted six in-person workshops and one online to provide residents, businesses, and property owners opportunities to shape proposed code changes that can help Hubs grow. The online workshop asked about safety walking and biking. On average, very few participants opposed the proposed changes.</p>	

Planning Commission and City Council Updates

City staff conducted two work sessions with the City’s Planning Commission and City Council to review the status of the work and solicit feedback on key issues. These meetings also were open to the public and were recorded and available for public viewing after the meetings.

The specific proposed code language was posted with a code commentary on the City’s website on February 7, 2024. Specific notice of the draft amendments and the March 12, 2024 public hearing was as follows: Measure 56 notices mailed to all affected properties; public notice mailed to all properties within 300 ft of the affected properties; and email notices were sent to all Neighborhood District Association members and stakeholders identified during the earlier engagement efforts.

An article with information about the proposed amendments and links to the draft code language was published in the March edition of the city’s monthly newsletter, which is mailed to all addresses in the city. The current version of the draft amendments have been posted on the application webpage since February 7, 2024.

Based on the findings above, the Zoning Code update is consistent with Oregon Statewide Planning Goal 1.

Goal 2: Land Use Planning

Goal 2. To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: Goal 2 requires the City to establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The proposed plan and code amendments are related directly to implementation of the city’s comprehensive plan as it relates to Neighborhood Hubs (Goal 8, Policy 8.1.4).

The proposed Zoning Code update is consistent with Oregon Statewide Planning Goal 2.

Goal 9: Economic Development

Goal 9: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.*

Finding: Goal 9 requires the City to have a comprehensive plan and policies that “...contribute to a stable and health economy in all regions of the state.” The City of Milwaukie is already in compliance with Goal 9 regarding adequate provision of commercial and industrial land. The proposed code amendments make modest changes to existing commercially-zoned properties to expand the opportunity for neighborhood-scale commercial and civic activities.

The proposed Zoning Code update is consistent with Oregon Statewide Planning Goal 9.

Goal 11: Public Facilities

Goal 11: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Finding: Goal 11 requires the City to “plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” The City of Milwaukie coordinates with several other local service providers to ensure timely, orderly and efficient arrangement and provision of public services to serve development within the City of Milwaukie and its planning area between the city limits and UGB. The City of Milwaukie provides planning and zoning services inside the city limits, as well as provision of water, conveyance of wastewater, transportation facilities on city-owned facilities, law enforcement, and library services. The City is already in compliance with Goal 11 and the preparation and adoption of updated specific facility master plans for water, wastewater and stormwater are underway at this time.

Goal 11 is not applicable to the proposed code amendments related to Neighborhood Hubs.

Goal 12: Transportation

Goal 12: *To provide and encourage a safe, convenient and economic transportation system.*

Finding: Goal 12 and the State Transportation Planning Rule (TPR; OAR 660, Division 012) require cities to provide and encourage a safe, convenient, and economic transportation system. Together, they require the City to develop and maintain a Transportation System Plan (TSP),

which must be incorporated as part of the Comprehensive Plan. A local TSP acts as a guiding policy document for long-term transportation planning and presents the City's goals and policies while outlining and prioritizing proposed improvements for pedestrian, bicycle, public transit, motor vehicle, and freight systems; downtown parking; and neighborhood traffic management.

The city was in compliance with Goal 12 prior to these code amendments and with the planned update to the TSP in 2024-2025 reflecting the proposed code amendments for Neighborhood Hubs, the proposal is consistent with Goal 12 Transportation and the Transportation Planning Rule.

Goal 13: Energy

Goal 13: To conserve energy.

Finding: Goal 13 requires that any spatial changes to future patterns of allowed land uses must conserve energy.

The city's Comprehensive Plan is already in compliance with Goal 13 and the proposed code amendments provide greater opportunities for more compact development and efficient use of land which will result in a reduction in energy consumption, including in transportation and utilities.

The proposed code amendments, related to Neighborhood Hubs, are consistent with Statewide Planning Goal 13.

Goal 14: Growth Management

Goal 14: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The entirety of the city and its Municipal Planning Area (MPA) is located within the Urban Growth Boundary (UGB). As such, the proposed amendments will not result in the transition of any land from rural to urban uses or result in population or employment growth outside of the UGB.

The proposed amendments are directly related to Neighborhood Hubs which will enhance community livability, environmental sustainability, social interaction, and multimodal connectivity and support the unique function of Milwaukie neighborhoods as the centers of daily life.

Goal 14 does not directly apply to the proposal but the amendments are consistent with Goal 14.

Underline/strikeout Amendments**TITLE 11 MISCELLANEOUS PERMITS****11.05 TEMPORARY USES, PERMITS, AND REGULATIONS****11.05.010 USES**

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

A. Seasonal sales uses on private property and on land owned by the City of Milwaukie. These activities include, but are not limited to, the sale of produce, rental of recreational equipment, provision of recreational lessons, or sale of products at a park owned by the City of Milwaukie.

B. Temporary real estate offices;

C. Construction parking;

D. Construction trailers;

E. Construction offices;

F. Shelters for warming, cooling, or hazardous air quality, subject to the Milwaukie and Clackamas Fire District Joint Policy for Temporary Emergency Shelters;

G. Outdoor dining and seating areas, on private property and where not permitted by right

H. Food carts where not permitted by right

I. Play equipment and sporting events

J. Bicycle parking, such as a bike corral or bike station

K. Other temporary uses similar to those listed above as determined by the City Manager.

Approval may be granted provided such uses are consistent with the intent of the underlying zoning district. ~~and comply with other provisions of this code~~ These activities are intended to be in use for a limited duration and shall not become a permanent part of a site. (Ord. 2198 § 2, 2021; Ord. 2168 § 2, 2019)

CHAPTER 19.100 INTRODUCTORY PROVISIONS

19.107 ZONING

19.107.1 Zone Classifications

For the purposes of this title, the following base zones and overlay zones are established in the City per Table 19.107.1:

Table 19.107.1 Classification of Zones	
Zone Description	Abbreviated Description
Base Zones	
Residential	R-MD
Residential	R-HD
Downtown Mixed Use	DMU
Open Space	OS
Neighborhood Commercial	C-N
Limited Commercial	C-L
General Commercial	C-G
Community Shopping Commercial	C-CS
Manufacturing	M
Business Industrial	BI
Planned Development	PD
Tacoma Station Area Mixed Use	MUTSA
General Mixed Use	GMU
North Milwaukie Employment	NME
Neighborhood Mixed Use	NMU
<u>Small Mixed Use</u>	<u>SMU</u>
Overlay Zones	
Willamette Greenway	WG
Historic Preservation	HP
Flex Space	FS
Aircraft Landing Facility	L-F

CHAPTER 19.300 BASE ZONES

19.301 MODERATE DENSITY RESIDENTIAL ZONES
NEIGHBORHOOD HUBS 2024 CODE AMENDMENTS

DRAFT DATE 2/1/2024

2

19.302 HIGH DENSITY RESIDENTIAL ZONES

19.303 COMMERCIAL MIXED-USE ZONES

19.304 DOWNTOWN ZONES

19.305 ~~NEIGHBORHOOD COMMERCIAL ZONE C-N~~ Hold for future use

19.306 ~~LIMITED COMMERCIAL ZONE C-L~~ Hold for future use

19.303 COMMERCIAL MIXED-USE ZONES

19.303.1 Purpose

A. The General Mixed Use Zone is intended to recognize the importance of central Milwaukee as a primary commercial center and promote a mix of uses that will support a lively and economically robust district. It is also intended to ensure high-quality urban development that is pedestrian-friendly and complementary to the surrounding area.

B. The Neighborhood Mixed Use Zone is intended to recognize 32nd and 42nd Avenues as neighborhood commercial centers. This zone allows for a mix of small-scale retail and services, along with residential uses, that meet the needs of nearby residents and contribute to a vibrant, local economy. It is also intended to provide a safe and pleasant pedestrian environment while maintaining a neighborhood-scale identity.

C. The Small-Scale Mixed Use Zone is intended to allow for a mix of small-scale retail and services, along with residential uses, that meet the needs of nearby residents and contribute to a vibrant, local economy. It is also intended to provide a safe and pleasant pedestrian environment while maintaining a neighborhood-scale identity. This zone supports neighborhood hubs, which 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.

19.303.2 Uses

A. Permitted Uses

Uses allowed outright in the commercial mixed-use zones are listed in Table 19.303.2 with a "P." These uses are allowed if they comply with the development and design standards and other regulations of this title.

B. Conditional Uses

Uses listed in Table 19.303.2 as “CU” are permitted only as conditional uses in conformance with Section 19.905.

C. Nonconforming Uses, Structures, and Development

Existing structures and uses that do not meet the standards for the commercial mixed-use zones may continue in existence. Alteration or expansion of a nonconforming use, structure, or development that brings the use, structure, or development closer to compliance may be allowed through development review pursuant to Section 19.906. Alteration or expansion of a nonconforming use or structure that does not bring the use or structure closer to compliance may be allowed through a Type III variance pursuant to Section 19.911. Except where otherwise stated in this section, the provisions of Chapter 19.800 Nonconforming Uses and Development apply.

D. Prohibited Uses

Uses not listed in Table 19.303.2, and not considered accessory or similar pursuant to Subsections 19.303.2.E and G below, are prohibited. Uses listed with an “N” in Table 19.303.2 are also prohibited.

E. Accessory Uses

Uses that are accessory to a primary use are allowed if they comply with all development standards.

F. Drive-Through Uses

For the purpose of this section, drive-through uses are not considered accessory uses and must be approved through a conditional use review in the NMU Zone in conformance with Section 19.905. Drive-through facilities must also conform to Section 19.606.3.

G. Similar Uses

The Planning ~~Manager~~ Director, through a Type I review, may determine that a use that is not listed is considered similar to an example use listed in Table 19.303.2. The unlisted use shall be subject to the standards applicable to the similar example use.

Proposed Code Amendments

Table 19.303.2				
Uses Allowed in Commercial Mixed-Use Zones				
Uses and Use Categories	GMU	NMU	SMU	Standards/Additional Provisions
Residential				
Single detached dwelling	N	CU	<u>CU</u>	Subsection 19.505.1 One- to Four-Unit Residential Development Section 19.905 Conditional Uses
Rowhouse ¹	P	CU	<u>CU</u>	Subsection 19.505.5 Rowhouses
Duplex, Triplex, Quadplex	<u>CU</u>	<u>CU</u>	<u>CU</u>	Section 19.905 Conditional Uses
Multi-unit housing	P	CU	<u>CU</u>	Subsection 19.505.3 Multi-Unit Housing
Cottage cluster housing	P	CU	<u>CU</u>	Subsection 19.505.4 Cottage Cluster Housing
Mixed use ²	P	P	<u>P</u>	Subsection 19.505.7 Nonresidential Development
Live/work units	P	P	<u>P</u>	Subsection 19.505.6 Live/Work Units
Accessory dwelling units	N	CU	<u>CU</u>	Section 19.905 Conditional Uses Subsection 19.910.1 Accessory Dwelling Units
Boarding house	CU	CU	<u>CU</u>	Section 19.905 Conditional Uses
Commercial^{3, 4}				
Production-related office Professional and administrative office	P	P	<u>P</u>	Subsection 19.303.6.C Marijuana testing and research facilities
Drinking establishments Drinking establishments primarily involve the sale of alcoholic beverages for on-site consumption. Examples include taverns, bars, or cocktail lounges.	P	<u>CU-P</u>	<u>CU</u>	Section 19.905 Conditional Uses
Eating establishments	P	P	<u>P</u>	

Proposed Code Amendments

<p>Eating establishments primarily involve the sale of prepared food and beverages for on-site consumption or takeout. Eating establishments may include incidental sales of alcoholic beverages.</p> <p>Examples include restaurants, delicatessens, retail bakeries, coffee shops, concession stands, and espresso bars.</p>				
<p>Indoor recreation</p> <p>Indoor recreation consists of facilities providing active recreational uses of a primarily indoor nature.</p> <p>Examples include gyms; dance studios; tennis, racquetball, and soccer centers; recreational centers; skating rinks; bowling alleys; arcades; shooting ranges; and <u>movie theaters, live theaters, and playhouses.</u></p>	P	P	<u>P</u>	
<p>Retail-oriented sales</p> <p>Sales-oriented retail firms are involved in the sale, leasing, and rental of new or used products to the general public.</p> <p>Examples include stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronics, fabric, gifts, groceries, hardware, household products, jewelry, pets and pet products, pharmaceuticals, plants, printed materials, stationery, and printed and electronic media.</p>	P	P	<u>P</u>	
<p>Marijuana retailer</p>	P	P	<u>N</u>	Subsection 19.303.6.A Marijuana retailers

Proposed Code Amendments

<p>Marijuana retailer means a state-licensed business that sells or distributes marijuana and marijuana-derived products to consumers. A marijuana retailer may sell or distribute recreational or medical marijuana.</p>				
<p>Vehicle sales and rentals⁵</p> <p>Vehicle sales and rentals means a business that sells or leases consumer vehicles, including passenger vehicles, motorcycles, light and medium trucks, boats, and other recreational vehicles.</p>	P	N	<u>N</u>	
<p>Personal/business services</p> <p>Personal/business services are involved in providing consumer services.</p> <p>Examples include hair, tanning, and spa services; pet grooming; photo and laundry drop-off; dry cleaners; and quick printing</p>	P	P	<u>P</u>	
<p>Repair-oriented</p> <p>Repair-oriented uses are establishments providing product repair of consumer and business goods.</p> <p>Examples include repair of televisions and radios, bicycles, clocks, jewelry, guns, small appliances, and office equipment; tailors and seamstresses; shoe repair; locksmiths; and upholsterers.</p>	P	P	<u>P</u>	
<p>Vehicle repair and service⁶</p> <p>Firms servicing passenger vehicles; light and medium trucks; and other</p>	P	CU	<u>N</u>	Section 19.905 Conditional Uses

Proposed Code Amendments

<p>consumer motor vehicles such as motorcycles, boats and recreational vehicles. Also includes quick-servicing activities, where the driver generally waits in the car before and while the service is performed.</p> <p>Examples include gas stations, quick oil change shops, car washes, vehicle repair, transmission or muffler shops, auto body shops, alignment shops, auto upholstery shop, auto detailing, and tire sales and mounting.</p>				
<p>Day care⁷</p> <p>Day care is the provision of regular child care, with or without compensation, to 4 or more children by a person or person(s) who are not the child's parent, guardian, or person acting in place of the parent, in a facility meeting all State requirements.</p> <p>Examples include nursery schools, before- and after-school care facilities, and child development centers.</p>	P	P	<u>P</u>	
<p>Commercial lodging</p> <p>Commercial lodging includes for-profit residential facilities where tenancy is typically less than one month.</p> <p>Examples include hotels, motels, vacation rentals, and bed-and-breakfast establishments.</p>	P	P	<u>CU</u>	
<p><u>Automobile</u> parking facility</p> <p>Parking facilities provide <u>automobile</u> parking that is not accessory to a specific use. A fee may or may not be charged. A</p>	N	CU	<u>N</u>	Section 19.611 Parking Structures

Proposed Code Amendments

<p>facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a commercial parking facility.</p> <p>Examples include structured parking, short- and long-term fee parking facilities, commercial district shared parking lots, and commercial shuttle parking.</p>				
<p>Manufacturing and Production</p>				
<p>Manufacturing and production⁸</p> <p>Manufacturing and production uses are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used.</p> <p>Examples include processing of food and related products; catering establishments; breweries, distilleries, and wineries; marijuana processors; weaving or production of textiles or apparel; woodworking, including cabinet makers; manufacture or assembly of machinery, equipment, instruments, including musical instruments, vehicles, appliances, precision items, and other electrical items; and production of artwork and toys. Marijuana production is prohibited.</p> <p><u>Within the SMU, the following manufacturing and production uses are also prohibited: marijuana processing, automotive manufacture and assembly, and auto-repair shops.</u></p>	<p>P</p>	<p>P</p>	<p><u>P</u></p>	<p>Subsection 19.509.2 Security and odor control for certain marijuana businesses</p>
<p>Institutional</p>				

Proposed Code Amendments

Community service uses	CSU	CSU	<u>CSU</u>	Section 19.904 Community Service Uses
Accessory and Other				
Accessory use	P	P	<u>P</u>	Section 19.503 Accessory Uses
Home occupation	P	P	<u>P</u>	Section 19.507 Home Occupation Standards
Short-term rentals	P	P	<u>P</u>	Section 19.507 Home Occupation Standards

P = Permitted.

N = Not permitted.

CSU = Permitted with community service use approval subject to provisions of Section 19.904. Type III review required to establish a new CSU or for major modification of an existing CSU. Type I review required for a minor modification of an existing CSU.

CU = Permitted with conditional use approval subject to the provisions of Section 19.905. Type III review required to establish a new CU or for major modification of an existing CU. Type I review required for a minor modification of an existing CU.

1. The limit of 4 consecutive rowhouses established in 19.505.5 does not apply in the GMU Zone. In the GMU Zone, there is no limit on the number of consecutive rowhouses.
2. Residential uses built as part of a vertical mixed-use building are not subject to conditional use review in the NMU Zone.
3. In the NMU Zone, unless otherwise specified in this section, all nonresidential uses listed in Table 19.303.2 shall be no greater than 10,000 sq ft in area per use. A nonresidential use greater than 10,000 sq ft in area may be approved through a conditional use review pursuant to Section 19.905.
4. The 10,000 sq ft size limitation in Footnote 3 of Table 19.303.2 does not apply to "retail-oriented sales" uses established within the existing lot and building situated at 4320 SE King Rd, within the lot's boundaries that exist on February 13, 2016, the effective date of Ordinance #2112. Redevelopment of the site is subject to all standards of Table 19.303.2.
5. Vehicle retail sales are permitted in the GMU Zone only when conducted within a completely enclosed building (including inventory display and storage).
6. Vehicle repair and service uses are permitted in the commercial mixed-use zones only when conducted within a completely enclosed building.
7. Day care and child care uses are limited to 5,000 sq ft.
8. Manufacturing and production uses are limited to 5,000 sq ft in floor area per use on the ground floor and are only permitted when associated with, and accessory to, a related retail-oriented sales or eating/drinking establishment use. For purposes of this subsection, manufacturing and production involve goods that are sold or distributed beyond or outside of the associated on-site eating or drinking establishment or retail trade use. For example, a brewing facility that distributes or sells its products elsewhere would be considered a manufacturing and production use, while a restaurant kitchen that prepares food that is purchased on the site would not be considered manufacturing or production.

19.303.3 Development Standards

These development standards are intended to ensure that new development in the commercial mixed-use zones is appropriate for a mixed-use district in terms of building mass and scale, how the building addresses the street, and where buildings are located on a site.

Table 19.303.3 summarizes some of the development standards that apply in the commercial mixed-use zones. Development standards are presented in detail in Subsection 19.303.4.

Table 19.303.3				
Commercial Mixed Use Zones—Summary of Development Standards				
Standard	GMU	NMU	SMU	Standards/ Additional Provisions
A. Lot Standards				
1. Minimum lot size (sq ft)	1,500	1,500	<u>1,500</u>	
2. Minimum street frontage (ft)	25	25	<u>25</u>	
B. Development Standards				
1. Minimum floor area ratio	0.5:1	0.5:1	<u>0.5:1</u>	Subsection 19.303.4.A Floor Area Ratio
2. Building height (ft)				Subsection 19.303.4.B Building Height
a. Base maximum	45	45	<u>35</u>	Section 19.510 Green Building Standards
b. Maximum with height bonus	57–69	Height bonus not available	<u>Height bonus not available</u>	Subsection 19.911.7 Building Height Variance in the General Mixed Use Zone
3. Street setbacks (ft)				Subsection 19.303.4.C Street Setbacks
a. Minimum street setback	0–15 ¹	None	<u>10</u>	Section 19.501.2 Yard Exceptions
b. Maximum street setback	10–20 ²	10	<u>15</u>	
c. Side and rear setbacks	None	None	<u>5/10</u>	
4. Frontage occupancy	50%	None	<u>None</u>	Subsection 19.303.4.D Frontage Occupancy Requirements
				Figure 19.303.4.D Frontage Occupancy Requirements

Proposed Code Amendments

5. Maximum lot coverage	85%	85%	<u>85%</u>	
6. Minimum vegetation	15%	15%	<u>15%</u>	Subsection 19.504.6 Minimum Vegetation
7. Primary building entrances	Yes	Yes	<u>Yes</u>	Subsection 19.303.4.E Primary Building Entrances
8. Off-street parking required standards	Yes	Yes	<u>Yes</u>	Chapter 19.600 Off-Street Parking and Loading
9. Transit street	Yes	Yes	<u>Yes</u>	Subsection 19.505.8 Building Orientation to Transit
10. Transition measures	Yes	Yes	<u>Yes</u>	Subsection 19.504.5 Transition Area Measures
C. Other Standards				
1. Residential density requirements (dwelling units per acre)				Subsection 19.202.4 Density Calculations
a. Stand-alone residential				Subsection 19.303.4.F Residential Density
(1) Minimum	25	11.6	<u>7.0</u>	Subsection 19.501.4 Density Exceptions
(2) Maximum	50	14.5		
b. Mixed-use buildings	None	None		
2. Signs	Yes	Yes	<u>Yes</u>	Subsection 14.16.040 Commercial Zone

1. Residential edge treatments apply to properties as shown in Figure 19.303.5.

2. Commercial edge treatments apply to properties as shown in Figure 19.303.4.C.2.b.

19.303.4 Detailed Development Standards

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

A. Floor Area Ratio

1. Intent

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

2. Standards

- a. The minimum FAR in Table 19.303.3 applies to all nonresidential building development.
- b. Required minimum FAR shall be calculated on a project-by-project basis and may include multiple contiguous parcels. In mixed-use developments, residential floor space will be included in the calculations of FAR to determine conformance with minimum FAR.
- c. If a project is to be developed in phases, the required FAR must be met for the land area in the completed phase(s), without consideration of the land area devoted to future phases.

3. Exemptions

The following are exempt from the minimum FAR requirement:

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

B. Building Height

1. Intent

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

2. Standards

- a. The base maximum building height in the GMU Zone is ~~3 stories or 45 ft., whichever is less.~~ Height bonuses are available for buildings that meet the standards of Subsection 19.303.4.B.3.
- b. Buildings in the GMU Zone shall provide a step back of at least 15 ft for any street-facing portion of the building above the base maximum height as shown in Figure 19.303.4.B.2.b.
- c. The maximum building height in the NMU Zone is ~~3 stories or 45 ft., whichever is less.~~ No building height bonuses are available in the NMU Zone.
- d. The maximum building height in the SMU Zone is 35 ft. No building height bonuses are available in the SMU Zone.

19.303.5 Standards for Residential Street Edges

For properties shown as having a residential edge on Figure 19.303.5, and for development that occurs adjacent to or abutting ~~an R-3 or R-5~~ residential zone, the following standards apply:

- A. A minimum setback of 15 ft shall apply.
 - B. Along the property line adjacent to the residential zone, buildings within 50 ft of 37th Avenue and Monroe Street shall provide a step back of at least 15 ft for any portion of the building above 35 ft.
 - C. An additional minimum 8-ft-wide densely planted buffer is required along property lines where flex space development abuts a residential zone.
-

~~19.305 NEIGHBORHOOD COMMERCIAL ZONE C-N~~~~In a C-N Zone the following regulations shall apply:~~~~19.305.1 Uses Permitted Outright~~~~In a C-N Zone the following uses and their accessory uses are permitted outright:~~~~A. No uses permitted outright.~~~~19.305.2 Conditional Uses Permitted~~~~In a C-N Zone the following conditional uses and their accessory uses are permitted subject to the provisions of Section 19.905:~~~~A. A food store not exceeding 2,500 sq ft of floor area;~~~~B. A store providing convenience goods and services for a local area;~~~~C. Laundry;~~~~D. Eating establishment;~~~~E. Any other use similar to the above and not listed elsewhere.~~~~19.305.3 Standards~~~~In a C-N Zone the following standards shall apply:~~~~A. Lot size. Lot area shall be at least 5,000 sq ft but not greater than 25,000 sq ft. Lot width shall be at least 50 ft. Average lot depth shall be at least 80 ft.~~~~B. Front yard. A front yard shall be at least 15 ft.~~~~C. Side yard. A side yard shall be at least 5 ft, and there shall be additional 1 ft of side yard for each 3 ft of height over 2 stories or 25 ft, whichever is less, except on corner lots a side yard shall be at least 15 ft on the side abutting the street.~~~~D. Rear yard. A rear yard shall be at least 10 ft.~~~~E. Off street parking and loading. As specified in Chapter 19.600.~~~~F. Height restriction. Maximum height of a structure shall be 2.5 stories or 35 ft, whichever is less.~~

~~G.— Lot coverage. Maximum area that may be covered by the dwelling structure and accessory buildings shall not exceed 40% of the total area of the lot.~~

~~H.— Minimum vegetation. Minimum area that must be left or planted in trees, grass, shrubs, etc., shall be 20% of the total area of the lot.~~

~~I.— Screening. Neighborhood commercial uses must be screened from adjacent residential uses.~~

~~J.— Frontage requirements. Every lot shall abut a public street other than an alley for at least 35 ft.~~

~~K.— Transportation requirements and standards. As specified in Chapter 19.700.~~

~~19.305.4 Prohibited Uses~~

~~The following uses and their accessory uses are prohibited:~~

~~A.— Adult entertainment business. (Ord. 2051 § 2, 2012; Ord. 2025 § 2, 2011)~~

~~19.306 LIMITED COMMERCIAL ZONE C-L~~

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

~~19.306.1 Uses Permitted Outright~~

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

~~A.— Offices, studios, or clinics of accountants, architects, artists, attorneys, authors, writers, dentists, designers, engineers, investment counselors, landscape architects, management consultants, physicians, surgeons, psychologists, and others of a professional nature.~~

~~B.— Offices for administrative, editorial, educational, executive, financial, governmental, philanthropic, insurance, real estate, religious, research, testing, scientific, or statistical businesses or organizations.~~

~~C.— Retail trade establishment such as a food store, drugstore, gift shop, hardware store, selling primarily from a shelf goods inventory.~~

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

~~E.— Eating establishments, provided the floor area does not exceed 3,250 sq ft and the use does not include drive-through facilities.~~

~~F.— Marijuana retailer subject to the standards of Subsection 19.509.1.~~

~~G.— Bed and breakfast.~~

~~H.— Vacation rental.~~

~~I.— Short term rental when associated with a legally permitted dwelling unit.~~

~~J.— Any other use similar to the above and not listed elsewhere.~~

~~19.306.2 Conditional Uses and Community Service Uses Permitted~~

~~A.— In a C-L Zone the following conditional uses and their accessory uses are permitted subject to the provisions of Section 19.905:~~

~~1.— Funeral home;~~

~~2.— Marina and boat sales;~~

~~3.— Parking facility;~~

~~4.— Repair, maintenance, or service of the type of goods to be found in any permitted retail trade establishment;~~

~~5.— Financial institution;~~

~~6.— Trade or commercial school;~~

~~7.— Single unit detached dwelling;~~

~~8.— Agricultural or horticultural use, provided that poultry or livestock other than usual household pets are not housed or kept within 100 ft of any dwelling not on the same lot, nor on a lot less than one acre, nor having less than 10,000 sq ft per head of livestock. Marijuana production is not permitted as an agricultural use;~~

~~9.— Middle housing or multi-unit housing;~~

~~10.— Adult foster/care home;~~

~~-~~

~~11.— High impact commercial, except adult entertainment businesses;~~

~~12. Hotels and motels;~~

~~13. Eating establishments that exceed 3,250 sq ft in floor area;~~

~~14. Any other use similar to the above and not listed elsewhere.~~

~~B. In a C-L Zone the following community service uses and their accessory uses are permitted subject to the provisions of Section 19.904:~~

~~1. Residential care facility.~~

~~19.306.3 Standards~~

~~In a C-L Zone the following standards shall apply:~~

~~A. Lot size. None, except as follows for dwelling. Lot area shall be at least 5,000 sq ft. Lot area for the first dwelling unit shall be at least 5,000 sq ft and for dwelling units over 1 there shall be not less than an average of 1,000 sq ft. Lot width shall be at least 50 ft. Lot depth shall be at least 80 ft.~~

~~B. Front yard. None, except as provided in Subsections 19.306.3.E and 19.501.2.A.~~

~~C. Side yard. None, except as provided in Subsections 19.306.3.E and 19.501.2.A.~~

~~D. Rear yard. None, except as provided in Subsections 19.306.3.E and 19.501.2.A.~~

~~E. Transition area. A transition area shall be maintained according to Subsection 19.504.6.~~

~~F. Frontage requirements. Every lot shall abut a public street other than an alley for at least 35 ft except as permitted under the Land Division Ordinance.~~

~~G. Off-street parking and loading. As specified in Chapter 19.600.~~

~~H. Height restriction. Maximum height of any structure shall be 3 stories or 45 ft, whichever is less.~~

~~I. Open use. A use not contained within an enclosed building, such as open storage, abutting or facing a residential zone, shall be screened with a sight-obscuring fence not less than 6 ft high.~~

~~J. Minimum vegetation. Minimum area that must be left or planted in trees, grass, shrubs, barkdust for planting beds, etc., shall be 15% of the total area of the lot.~~

~~K. Transportation requirements and standards. As specified in Chapter 19.700.~~

~~L. Offices for marijuana research or testing shall be subject to the security and odor control standards of Subsection 19.509.2.~~

~~19.306.4 Prohibited Uses~~

~~The following uses and their accessory uses are prohibited:~~

~~A. Adult entertainment businesses. (Ord. 2224 § 2, 2022; Ord. 2168 § 2, 2019; Ord. 2140 § 2, 2017; Ord. 2134 § 2, 2016; Ord. 2120 § 2, 2016; Ord. 2094 § 2, 2015; Ord. 2089 § 2, 2015; Ord. 2051 § 2, 2012; Ord. 2025 § 2, 2011)~~

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, GMU, NMU, SMU

CHAPTER 19.1100 ANNEXATIONS AND BOUNDARY CHANGES

19.1104 EXPEDITED PROCESS

19.1104.1 Administration and Approval Process

E. The City zoning and Comprehensive Plan designation for an expedited annexation request shall be automatically applied based on the existing Clackamas County zoning designation in accordance with Table 19.1104.1.E, provided below:

Table 19.1104.1.E Zoning and Land Use Designations for Boundary Changes		
County Zoning Designation	Assigned City Zoning Designation	Assigned Comprehensive Plan Land Use Designation
MR2	R-HD	High density residential
PMD	R-HD	High density residential

HDR	R-HD	High density residential
SHD	R-HD	High density residential
C3	C-G	Commercial
OC	C-L NMU	Commercial
RTL	C-L NMU	Commercial
PC	C-CS	Commercial
LI	BI	Industrial
GI	M	Industrial
BP	BI	Industrial
OSM	R-MD/CSU	Public

TITLE 14 SIGNS

CHAPTER 14.16 Sign Districts

14.16.030 ~~NEIGHBORHOOD COMMERCIAL~~ SMALL-SCALE MIXED USE ZONE

No sign shall be installed or maintained in a ~~C-N~~ SMU Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.030.

Table 14.16.030 Standards for Signs in Neighborhood Commercial Zones C-N <u>Small-Scale Mixed Use Zone SMU</u>				
Sign Type	Area	Height	Number	Illumination ¹
Freestanding signs	1.5 SF per lineal ft. of street frontage, not exceeding 40 SF per display surface and 80 SF overall.	May not project over the top of a building or max. 20 ft., whichever is less.	1 permitted. ²	External only
Wall signs ²	Max. 20% of building face. ³	Cannot extend above roofline or top of a parapet wall, whichever is higher.	Dictated by area requirements. ⁴	External only
Awning signs	Max. 25% of surface of	No higher than the point where	1 per frontage per occupancy.	External only

Proposed Code Amendments

	awning, not to exceed 20% of building face.	the roofline intersects the exterior wall.		
Hanging sign suspended beneath awning or other portion of the building	Max. 1 SF per 1 lineal ft. of awning length.	Min. clearance 8 ft. from ground level to the lowest portion of awning or suspended sign.	1 hanging sign per awning.	External only
Projecting sign	Max. 20% of face of building to which the sign is attached ⁵ .	Min. clearance 8 ft. from ground level to the lowest portion of projecting sign.	1 projecting sign per building face	External only
Daily display signs ⁶	Max. 8 SF per display surface and 16 SF overall.	Max. 6 ft. above ground level.	1 per property or occupancy.	External only

¹ Par spot or reflective-type bulbs may be used for indirect illumination of the display surface if properly shielded from direct glare onto streets. Sign illumination must be directed away from, and not be reflected upon, adjacent premises. See Section 14.24.020.

² ~~In addition to one wall sign.~~

² Location: limited to the building surface or surfaces facing the public right-of-way.

³ In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign will be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

⁴ Wall signs are permitted in addition to one freestanding sign.

⁵ If a projecting sign is located on the same building face as a wall sign, the total of all sign surfaces must not exceed 20% of the face of the building.

⁶ Must not be located within required landscaped area, and is only allowed within the public right-of-way subject to the standards of Section 14.20.040.

⁷ Existing freestanding or roof signs in the SMU zone established prior to XXX, 2024, the effective date of Ordinance XXX, are allowed to remain and may be re-faced and/or repaired, so long as the size or height of the sign does not increase.

(Ord. 2078 § 2 (Exh. B), 2014; Ord. 2001 § 2, 2009; Ord. 1965 §§ 2, 3, 2006; Ord. 1733 § 1(1) (Exh. A), 1993)

14.16.040 COMMERCIAL ZONES

No sign shall be installed or maintained in the C-L, C-CS, NMU, and GMU Zones, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.040.

Table 14.16.040 Standards for Signs in Commercial Zones C-L, C-CS, NMU, and GMU

Sign Type	Area	Height	Location	Number	Illumination ¹
Freestanding signs	1.5 sq ft per lineal ft. of street frontage and 1 additional sq ft per each lineal ft. of frontage over 100 ft ²	Max. 25 ft from ground level, 14 ft min. clearance below lowest portion of a sign in any driveway or parking area.	Not permitted on any portion of a street, sidewalk, or public right-of-way. ³	1 multifaced sign per street frontage. ⁴	Permitted
Wall signs	Max. 20% of building face. ⁵	Not above roofline or top of parapet wall, whichever is higher.	NA.	No limit.	Permitted

Clean Amendments**TITLE 11 MISCELLANEOUS PERMITS****11.05 TEMPORARY USES, PERMITS, AND REGULATIONS****11.05.010 USES**

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

- A. Seasonal sales uses on private property and on land owned by the City of Milwaukie. These activities include, but are not limited to, the sale of produce, rental of recreational equipment, provision of recreational lessons, or sale of products at a park owned by the City of Milwaukie.
- B. Temporary real estate offices;
- C. Construction parking;
- D. Construction trailers;
- E. Construction offices;
- F. Shelters for warming, cooling, or hazardous air quality, subject to the Milwaukie and Clackamas Fire District Joint Policy for Temporary Emergency Shelters;
- G. Outdoor dining and seating areas, on private property and where not permitted by right
- H. Food carts where not permitted by right
- I. Play equipment and sporting events
- J. Bicycle parking, such as a bike corral or bike station
- K. Other temporary uses similar to those listed above as determined by the City Manager.

Approval may be granted provided such uses are consistent with the intent of the underlying zoning district. These activities are intended to be in use for a limited duration and shall not become a permanent part of a site. (Ord. 2198 § 2, 2021; Ord. 2168 § 2, 2019)

CHAPTER 19.100 INTRODUCTORY PROVISIONS

19.107 ZONING

19.107.1 Zone Classifications

For the purposes of this title, the following base zones and overlay zones are established in the City per Table 19.107.1:

Table 19.107.1 Classification of Zones	
Zone Description	Abbreviated Description
Base Zones	
Residential	R-MD
Residential	R-HD
Downtown Mixed Use	DMU
Open Space	OS
General Commercial	C-G
Community Shopping Commercial	C-CS
Manufacturing	M
Business Industrial	BI
Planned Development	PD
Tacoma Station Area Mixed Use	MUTSA
General Mixed Use	GMU
North Milwaukie Employment	NME
Neighborhood Mixed Use	NMU
Small Mixed Use	SMU
Overlay Zones	
Willamette Greenway	WG
Historic Preservation	HP
Flex Space	FS
Aircraft Landing Facility	L-F

CHAPTER 19.300 BASE ZONES

19.301 MODERATE DENSITY RESIDENTIAL ZONES

19.302 HIGH DENSITY RESIDENTIAL ZONES

NEIGHBORHOOD HUBS 2024 CODE AMENDMENTS

DRAFT DATE 2/1/2024

2

19.303 COMMERCIAL MIXED-USE ZONES**19.304 DOWNTOWN ZONES**

19.305 Hold for future use

19.306 Hold for future use

19.303 COMMERCIAL MIXED-USE ZONES**19.303.1 Purpose**

A. The General Mixed Use Zone is intended to recognize the importance of central Milwaukee as a primary commercial center and promote a mix of uses that will support a lively and economically robust district. It is also intended to ensure high-quality urban development that is pedestrian-friendly and complementary to the surrounding area.

B. The Neighborhood Mixed Use Zone is intended to recognize 32nd and 42nd Avenues as neighborhood commercial centers. This zone allows for a mix of small-scale retail and services, along with residential uses, that meet the needs of nearby residents and contribute to a vibrant, local economy. It is also intended to provide a safe and pleasant pedestrian environment while maintaining a neighborhood-scale identity.

C. The Small-Scale Mixed Use Zone is intended to allow for a mix of small-scale retail and services, along with residential uses, that meet the needs of nearby residents and contribute to a vibrant, local economy. It is also intended to provide a safe and pleasant pedestrian environment while maintaining a neighborhood-scale identity. This zone supports neighborhood hubs, which 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.

19.303.2 Uses**A. Permitted Uses**

Uses allowed outright in the commercial mixed-use zones are listed in Table 19.303.2 with a "P." These uses are allowed if they comply with the development and design standards and other regulations of this title.

B. Conditional Uses

Uses listed in Table 19.303.2 as "CU" are permitted only as conditional uses in conformance with Section 19.905.

C. Nonconforming Uses, Structures, and Development

Existing structures and uses that do not meet the standards for the commercial mixed-use zones may continue in existence. Alteration or expansion of a nonconforming use, structure, or development that brings the use, structure, or development closer to compliance may be allowed through development review pursuant to Section 19.906. Alteration or expansion of a nonconforming use or structure that does not bring the use or structure closer to compliance may be allowed through a Type III variance pursuant to Section 19.911. Except where otherwise stated in this section, the provisions of Chapter 19.800 Nonconforming Uses and Development apply.

D. Prohibited Uses

Uses not listed in Table 19.303.2, and not considered accessory or similar pursuant to Subsections 19.303.2.E and G below, are prohibited. Uses listed with an “N” in Table 19.303.2 are also prohibited.

E. Accessory Uses

Uses that are accessory to a primary use are allowed if they comply with all development standards.

F. Drive-Through Uses

For the purpose of this section, drive-through uses are not considered accessory uses and must be approved through a conditional use review in the NMU Zone in conformance with Section 19.905. Drive-through facilities must also conform to Section 19.606.3.

G. Similar Uses

The Planning Manager, through a Type I review, may determine that a use that is not listed is considered similar to an example use listed in Table 19.303.2. The unlisted use shall be subject to the standards applicable to the similar example use.

Table 19.303.2				
Uses Allowed in Commercial Mixed-Use Zones				
Uses and Use Categories	GMU	NMU	SMU	Standards/Additional Provisions
Residential				
Single detached dwelling	N	CU	CU	Subsection 19.505.1 One- to Four-Unit Residential Development Section 19.905 Conditional Uses
Rowhouse ¹	P	CU	CU	Subsection 19.505.5 Rowhouses
Duplex, Triplex, Quadplex	CU	CU	CU	Section 19.905 Conditional Uses
Multi-unit housing	P	CU	CU	Subsection 19.505.3 Multi-Unit Housing
Cottage cluster housing	P	CU	CU	Subsection 19.505.4 Cottage Cluster Housing
Mixed use ²	P	P	P	Subsection 19.505.7 Nonresidential Development
Live/work units	P	P	P	Subsection 19.505.6 Live/Work Units
Accessory dwelling units	N	CU	CU	Section 19.905 Conditional Uses Subsection 19.910.1 Accessory Dwelling Units
Boarding house	CU	CU	CU	Section 19.905 Conditional Uses
Commercial^{3, 4}				
Production-related office Professional and administrative office	P	P	P	Subsection 19.303.6.C Marijuana testing and research facilities
Drinking establishments Drinking establishments primarily involve the sale of alcoholic beverages for on-site consumption. Examples include taverns, bars, or cocktail lounges.	P	P	CU	Section 19.905 Conditional Uses
Eating establishments	P	P	P	

Proposed Code Amendments

<p>Eating establishments primarily involve the sale of prepared food and beverages for on-site consumption or takeout. Eating establishments may include incidental sales of alcoholic beverages.</p> <p>Examples include restaurants, delicatessens, retail bakeries, coffee shops, concession stands, and espresso bars.</p>				
<p>Indoor recreation</p> <p>Indoor recreation consists of facilities providing active recreational uses of a primarily indoor nature.</p> <p>Examples include gyms; dance studios; tennis, racquetball, and soccer centers; recreational centers; skating rinks; bowling alleys; arcades; shooting ranges; movie theaters, live theaters, and playhouses.</p>	P	P	P	
<p>Retail-oriented sales</p> <p>Sales-oriented retail firms are involved in the sale, leasing, and rental of new or used products to the general public.</p> <p>Examples include stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronics, fabric, gifts, groceries, hardware, household products, jewelry, pets and pet products, pharmaceuticals, plants, printed materials, stationery, and printed and electronic media.</p>	P	P	P	
<p>Marijuana retailer</p>	P	P	N	<p>Subsection 19.303.6.A Marijuana retailers</p>

Proposed Code Amendments

Marijuana retailer means a state-licensed business that sells or distributes marijuana and marijuana-derived products to consumers. A marijuana retailer may sell or distribute recreational or medical marijuana.				
Vehicle sales and rentals ⁵ Vehicle sales and rentals means a business that sells or leases consumer vehicles, including passenger vehicles, motorcycles, light and medium trucks, boats, and other recreational vehicles.	P	N	N	
Personal/business services Personal/business services are involved in providing consumer services. Examples include hair, tanning, and spa services; pet grooming; photo and laundry drop-off; dry cleaners; and quick printing	P	P	P	
Repair-oriented Repair-oriented uses are establishments providing product repair of consumer and business goods. Examples include repair of televisions and radios, bicycles, clocks, jewelry, guns, small appliances, and office equipment; tailors and seamstresses; shoe repair; locksmiths; and upholsterers.	P	P	P	
Vehicle repair and service ⁶ Firms servicing passenger vehicles; light and medium trucks; and other	P	CU	N	Section 19.905 Conditional Uses

Proposed Code Amendments

<p>consumer motor vehicles such as motorcycles, boats and recreational vehicles. Also includes quick-servicing activities, where the driver generally waits in the car before and while the service is performed.</p> <p>Examples include gas stations, quick oil change shops, car washes, vehicle repair, transmission or muffler shops, auto body shops, alignment shops, auto upholstery shop, auto detailing, and tire sales and mounting.</p>				
<p>Day care⁷</p> <p>Day care is the provision of regular child care, with or without compensation, to 4 or more children by a person or person(s) who are not the child's parent, guardian, or person acting in place of the parent, in a facility meeting all State requirements.</p> <p>Examples include nursery schools, before- and after-school care facilities, and child development centers.</p>	P	P	P	
<p>Commercial lodging</p> <p>Commercial lodging includes for-profit residential facilities where tenancy is typically less than one month.</p> <p>Examples include hotels, motels, vacation rentals, and bed-and-breakfast establishments.</p>	P	P	CU	
<p>Automobile parking facility</p> <p>Parking facilities provide automobile parking that is not accessory to a specific use. A fee may or may not be charged. A</p>	N	CU	N	Section 19.611 Parking Structures

Proposed Code Amendments

<p>facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a commercial parking facility.</p> <p>Examples include structured parking, short- and long-term fee parking facilities, commercial district shared parking lots, and commercial shuttle parking.</p>				
Manufacturing and Production				
<p>Manufacturing and production⁸</p> <p>Manufacturing and production uses are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used.</p> <p>Examples include processing of food and related products; catering establishments; breweries, distilleries, and wineries; marijuana processors; weaving or production of textiles or apparel; woodworking, including cabinet makers; manufacture or assembly of machinery, equipment, instruments, including musical instruments, vehicles, appliances, precision items, and other electrical items; and production of artwork and toys. Marijuana production is prohibited.</p> <p>Within the SMU, the following manufacturing and production uses are also prohibited: marijuana processing, automotive manufacture and assembly, and auto-repair shops.</p>	P	P	P	Subsection 19.509.2 Security and odor control for certain marijuana businesses
Institutional				

Proposed Code Amendments

Community service uses	CSU	CSU	CSU	Section 19.904 Community Service Uses
Accessory and Other				
Accessory use	P	P	P	Section 19.503 Accessory Uses
Home occupation	P	P	P	Section 19.507 Home Occupation Standards
Short-term rentals	P	P	P	Section 19.507 Home Occupation Standards

P = Permitted.

N = Not permitted.

CSU = Permitted with community service use approval subject to provisions of Section 19.904. Type III review required to establish a new CSU or for major modification of an existing CSU. Type I review required for a minor modification of an existing CSU.

CU = Permitted with conditional use approval subject to the provisions of Section 19.905. Type III review required to establish a new CU or for major modification of an existing CU. Type I review required for a minor modification of an existing CU.

1. The limit of 4 consecutive rowhouses established in 19.505.5 does not apply in the GMU Zone. In the GMU Zone, there is no limit on the number of consecutive rowhouses.
2. Residential uses built as part of a vertical mixed-use building are not subject to conditional use review in the NMU Zone.
3. In the NMU Zone, unless otherwise specified in this section, all nonresidential uses listed in Table 19.303.2 shall be no greater than 10,000 sq ft in area per use. A nonresidential use greater than 10,000 sq ft in area may be approved through a conditional use review pursuant to Section 19.905.
4. The 10,000 sq ft size limitation in Footnote 3 of Table 19.303.2 does not apply to "retail-oriented sales" uses established within the existing lot and building situated at 4320 SE King Rd, within the lot's boundaries that exist on February 13, 2016, the effective date of Ordinance #2112. Redevelopment of the site is subject to all standards of Table 19.303.2.
5. Vehicle retail sales are permitted in the GMU Zone only when conducted within a completely enclosed building (including inventory display and storage).
6. Vehicle repair and service uses are permitted in the commercial mixed-use zones only when conducted within a completely enclosed building.
7. Day care and child care uses are limited to 5,000 sq ft.
8. Manufacturing and production uses are limited to 5,000 sq ft in floor area per use on the ground floor and are only permitted when associated with, and accessory to, a related retail-oriented sales or eating/drinking establishment use. For purposes of this subsection, manufacturing and production involve goods that are sold or distributed beyond or outside of the associated on-site eating or drinking establishment or retail trade use. For example, a brewing facility that distributes or sells its products elsewhere would be considered a manufacturing and production use, while a restaurant kitchen that prepares food that is purchased on the site would not be considered manufacturing or production.

19.303.3 Development Standards

These development standards are intended to ensure that new development in the commercial mixed-use zones is appropriate for a mixed-use district in terms of building mass and scale, how the building addresses the street, and where buildings are located on a site.

Table 19.303.3 summarizes some of the development standards that apply in the commercial mixed-use zones. Development standards are presented in detail in Subsection 19.303.4.

Table 19.303.3				
Commercial Mixed Use Zones—Summary of Development Standards				
Standard	GMU	NMU	SMU	Standards/ Additional Provisions
A. Lot Standards				
1. Minimum lot size (sq ft)	1,500	1,500	1,500	
2. Minimum street frontage (ft)	25	25	25	
B. Development Standards				
1. Minimum floor area ratio	0.5:1	0.5:1	0.5:1	Subsection 19.303.4.A Floor Area Ratio
2. Building height (ft)				Subsection 19.303.4.B Building Height
a. Base maximum	45	45	35	Section 19.510 Green Building Standards
b. Maximum with height bonus	57–69	Height bonus not available	Height bonus not available	Subsection 19.911.7 Building Height Variance in the General Mixed Use Zone
3. Street setbacks (ft)				Subsection 19.303.4.C Street Setbacks
a. Minimum street setback	0–15 ¹	None	10	Section 19.501.2 Yard Exceptions
b. Maximum street setback	10–20 ²	10	15	
c. Side and rear setbacks	None	None	5/10	
4. Frontage occupancy	50%	None	None	Subsection 19.303.4.D Frontage Occupancy Requirements
				Figure 19.303.4.D Frontage Occupancy Requirements

Proposed Code Amendments

5. Maximum lot coverage	85%	85%	85%	
6. Minimum vegetation	15%	15%	15%	Subsection 19.504.6 Minimum Vegetation
7. Primary building entrances	Yes	Yes	Yes	Subsection 19.303.4.E Primary Building Entrances
8. Off-street parking required standards	Yes	Yes	Yes	Chapter 19.600 Off-Street Parking and Loading
9. Transit street	Yes	Yes	Yes	Subsection 19.505.8 Building Orientation to Transit
10. Transition measures	Yes	Yes	Yes	Subsection 19.504.5 Transition Area Measures
C. Other Standards				
1. Residential density requirements (dwelling units per acre)				Subsection 19.202.4 Density Calculations
a. Stand-alone residential				Subsection 19.303.4.F Residential Density
(1) Minimum	25	11.6	7.0	Subsection 19.501.4 Density Exceptions
(2) Maximum	50	14.5		
b. Mixed-use buildings	None	None		
2. Signs	Yes	Yes	Yes	Subsection 14.16.040 Commercial Zone

1. Residential edge treatments apply to properties as shown in Figure 19.303.5.

2. Commercial edge treatments apply to properties as shown in Figure 19.303.4.C.2.b.

19.303.4 Detailed Development Standards

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

A. Floor Area Ratio

1. Intent

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

2. Standards

- a. The minimum FAR in Table 19.303.3 applies to all nonresidential building development.
- b. Required minimum FAR shall be calculated on a project-by-project basis and may include multiple contiguous parcels. In mixed-use developments, residential floor space will be included in the calculations of FAR to determine conformance with minimum FAR.
- c. If a project is to be developed in phases, the required FAR must be met for the land area in the completed phase(s), without consideration of the land area devoted to future phases.

3. Exemptions

The following are exempt from the minimum FAR requirement:

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

B. Building Height

1. Intent

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

2. Standards

- a. The base maximum building height in the GMU Zone is 45 ft. Height bonuses are available for buildings that meet the standards of Subsection 19.303.4.B.3.
- b. Buildings in the GMU Zone shall provide a step back of at least 15 ft for any street-facing portion of the building above the base maximum height as shown in Figure 19.303.4.B.2.b.
- c. The maximum building height in the NMU Zone is 45 ft. No building height bonuses are available in the NMU Zone.
- d. The maximum building height in the SMU Zone is 35 ft. No building height bonuses are available in the SMU Zone.

19.303.5 Standards for Residential Street Edges

For properties shown as having a residential edge on Figure 19.303.5, and for development that occurs adjacent to or abutting a residential zone, the following standards apply:

- A. A minimum setback of 15 ft shall apply.
 - B. Along the property line adjacent to the residential zone, buildings within 50 ft of 37th Avenue and Monroe Street shall provide a step back of at least 15 ft for any portion of the building above 35 ft.
 - C. An additional minimum 8-ft-wide densely planted buffer is required along property lines where flex space development abuts a residential zone.
-

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, GMU, NMU, SMU

CHAPTER 19.1100 ANNEXATIONS AND BOUNDARY CHANGES

19.1104 EXPEDITED PROCESS**19.1104.1 Administration and Approval Process**

E. The City zoning and Comprehensive Plan designation for an expedited annexation request shall be automatically applied based on the existing Clackamas County zoning designation in accordance with Table 19.1104.1.E, provided below:

Table 19.1104.1.E Zoning and Land Use Designations for Boundary Changes		
County Zoning Designation	Assigned City Zoning Designation	Assigned Comprehensive Plan Land Use Designation
MR2	R-HD	High density residential
PMD	R-HD	High density residential
HDR	R-HD	High density residential
SHD	R-HD	High density residential
C3	C-G	Commercial
OC	NMU	Commercial
RTL	NMU	Commercial
PC	C-CS	Commercial
LI	BI	Industrial
GI	M	Industrial
BP	BI	Industrial

OSM	R-MD/CSU	Public
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TITLE 14 SIGNS

CHAPTER 14.16 Sign Districts

14.16.030 SMALL-SCALE MIXED USE ZONE

No sign shall be installed or maintained in a G-N SMU Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.030.

Table 14.16.030 Standards for Signs in Small-Scale Mixed Use Zone SMU				
Sign Type	Area	Height	Number	Illumination ¹
Wall signs ²	Max. 20% of building face. ³	Cannot extend above roofline or top of a parapet wall, whichever is higher.	Dictated by area requirements. ⁴	External only
Awning signs	Max. 25% of surface of awning, not to exceed 20% of building face.	No higher than the point where the roofline intersects the exterior wall.	1 per frontage per occupancy.	External only
Hanging sign suspended beneath awning or other portion of the building	Max. 1 SF per 1 lineal ft. of awning length.	Min. clearance 8 ft. from ground level to the lowest portion of awning or suspended sign.	1 hanging sign per awning.	External only
Projecting sign	Max. 20% of face of building to which the sign is attached ⁵ .	Min. clearance 8 ft. from ground level to the lowest portion of projecting sign.	1 projecting sign per building face	External only
Daily display signs ⁶	Max. 8 SF per display surface and 16 SF overall.	Max. 6 ft. above ground level.	1 per property or occupancy.	External only

- ¹ Par spot or reflective-type bulbs may be used for indirect illumination of the display surface if properly shielded from direct glare onto streets. Sign illumination must be directed away from, and not be reflected upon, adjacent premises. See Section 14.24.020.
- ² Location: limited to the building surface or surfaces facing the public right-of-way.
- ³ In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign will be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.
- ⁴ Wall signs are permitted in addition to one freestanding sign.
- ⁵ If a projecting sign is located on the same building face as a wall sign, the total of all sign surfaces must not exceed 20% of the face of the building.
- ⁶ Must not be located within required landscaped area, and is only allowed within the public right-of-way subject to the standards of Section 14.20.040.
- ⁷ Existing freestanding or roof signs in the SMU zone established prior to XXX, 2024, the effective date of Ordinance XXX, are allowed to remain and may be re-faced and/or repaired, so long as the size or height of the sign does not increase.

(Ord. 2078 § 2 (Exh. B), 2014; Ord. 2001 § 2, 2009; Ord. 1965 §§ 2, 3, 2006; Ord. 1733 § 1(1) (Exh. A), 1993)

14.16.040 COMMERCIAL ZONES

No sign shall be installed or maintained in the C-L, C-CS, NMU, and GMU Zones, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.040.

Table 14.16.040 Standards for Signs in Commercial Zones C-CS, NMU, and GMU

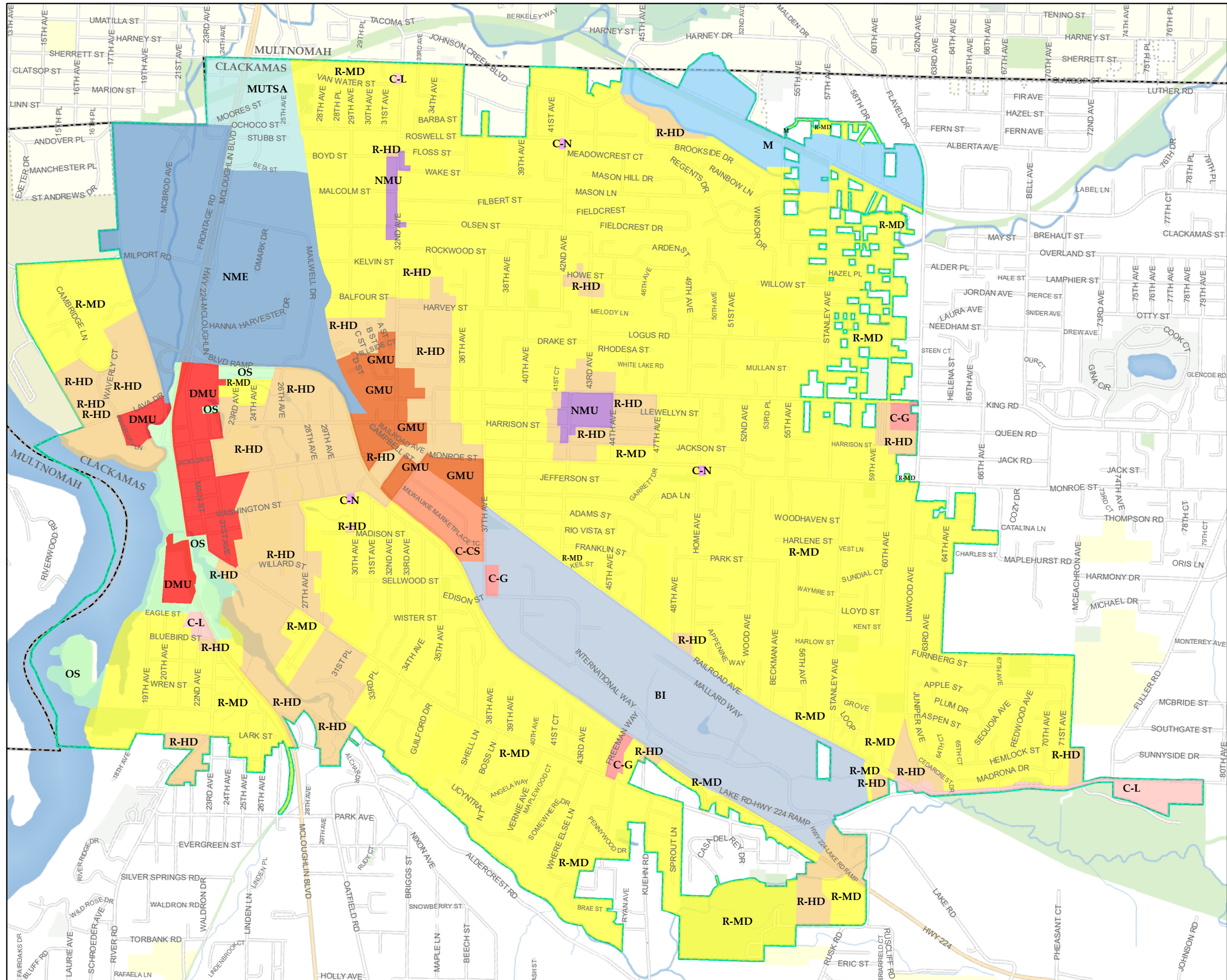
Sign Type	Area	Height	Location	Number	Illumination ¹
Freestanding signs	1.5 sq ft per lineal ft. of street frontage and 1 additional sq ft per each lineal ft. of frontage over 100 ft ²	Max. 25 ft from ground level, 14 ft min. clearance below lowest portion of a sign in any driveway or parking area.	Not permitted on any portion of a street, sidewalk, or public right-of-way. ³	1 multifaced sign per street frontage. ⁴	Permitted

Proposed Code Amendments

Wall signs	Max. 20% of building face. ⁵	Not above roofline or top of parapet wall, whichever is higher.	NA.	No limit.	Permitted
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Existing Milwaukie Zoning

- MUTSA
- BI
- GMU
- C-CS
- DMU
- C-G
- C-L
- C-N
- NMU
- OS
- M
- NME
- R-MD
- R-HD
- City of Milwaukie
- County Boundary

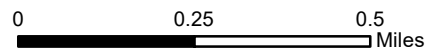


Data Sources: City of Milwaukie GIS, Clackamas County GIS, Metro Data Resource Center

Date: Monday, February 5, 2024

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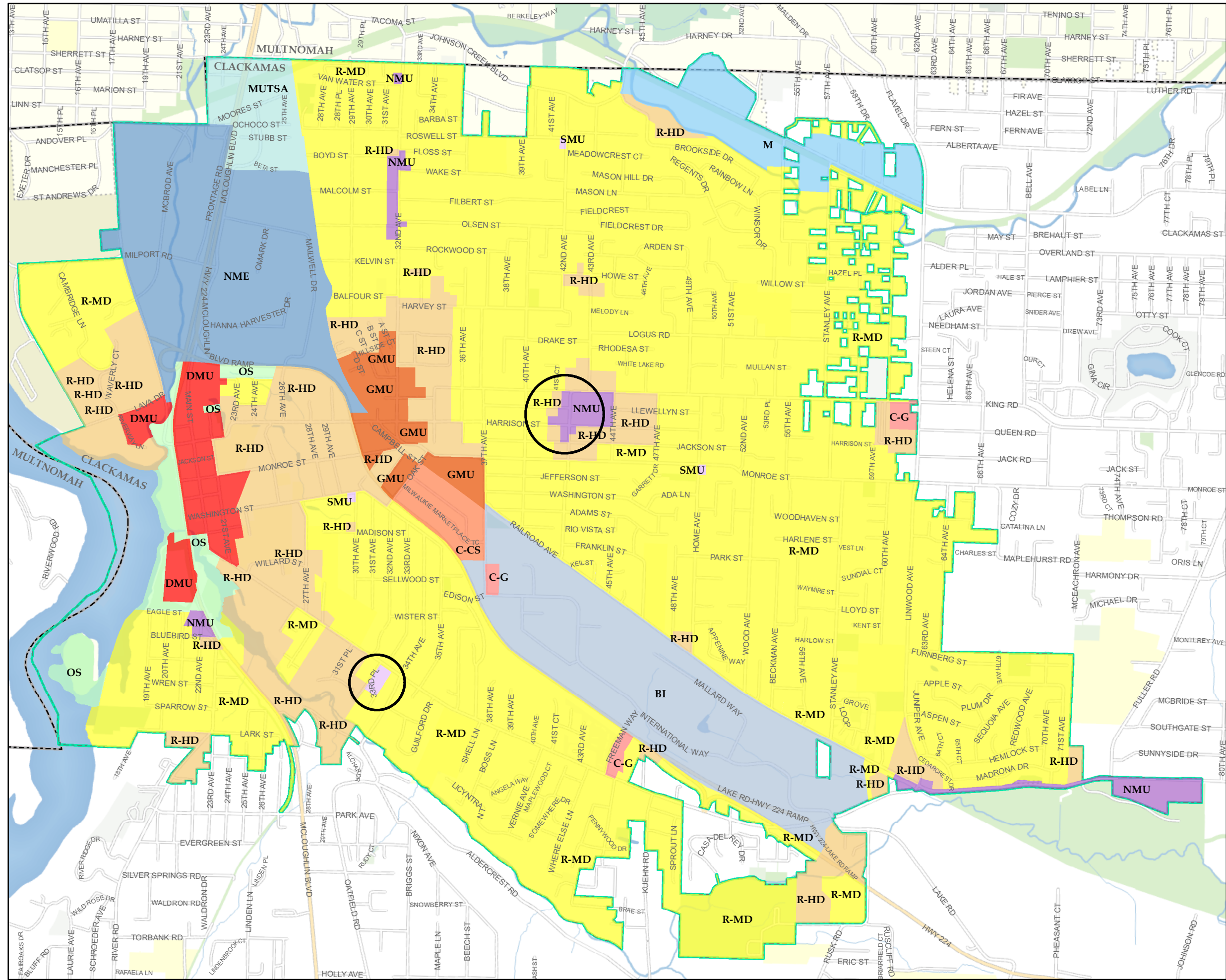
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Proposed Milwaukie Zoning

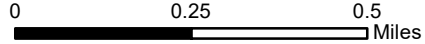
- MUTSA
- BI
- GMU
- C-CS
- DMU
- C-G
- NMU
- SMU
- OS
- M
- NME
- R-MD
- R-HD
- City of Milwaukie
- County Boundary



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Introduction

Land Use Categories

Community Culture

Stewardship & Resiliency

Complete Neighborhoods

Economic Development & Growth

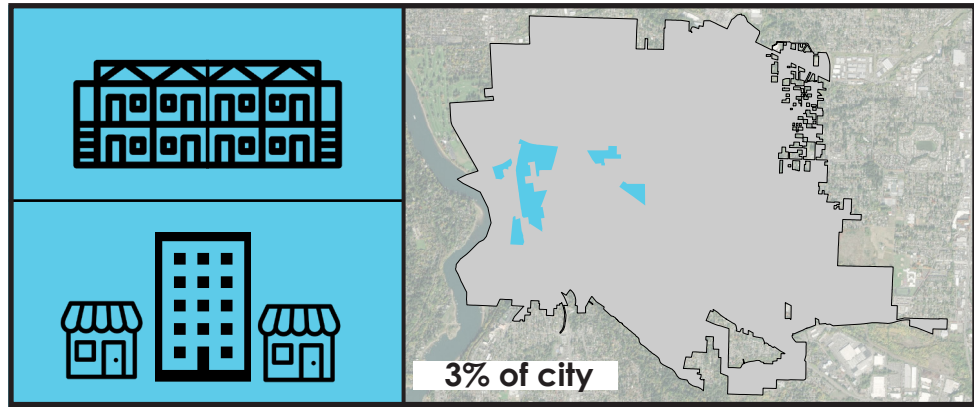
Transportation

Glossary

Appendices

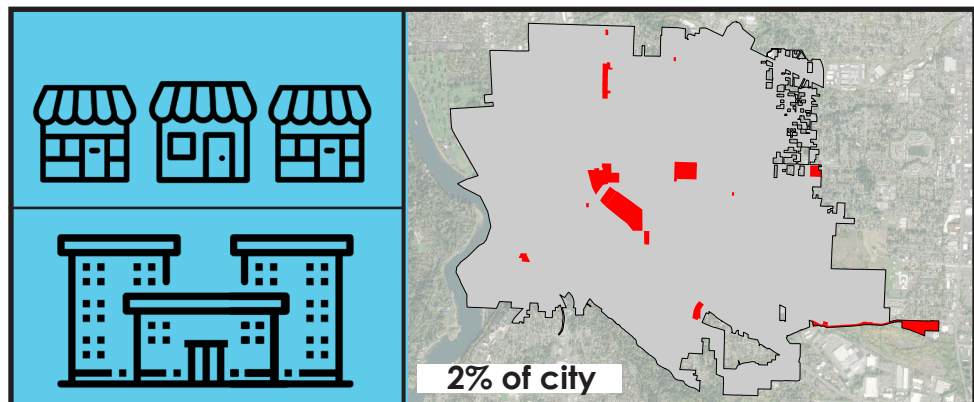
Ancillary Documents

Town Center: Zones DMU & GMU



- Mixed-use development combining residential high-density housing with retail, personal service, commercial, and/or offices, is encouraged.
- The Downtown and Riverfront Land Use Framework Plan and the Downtown Mixed -Use Zone shall implement Subarea 1 of the Town Center Master Plan.
- Downtown Milwaukie is part of the Milwaukie Town Center, which is a regional destination in the Metro 2040 Growth Concept
- The Town Center Area shall be served by multimodal transportation options; therefore, on-street parking, shared parking, and enclosed parking are the most appropriate parking options in the Town Center Area.
- A variety of higher density housing is desired in the Town Center Area. The city shall work cooperatively with the private sector to provide a diverse range of affordable housing.
- Downtown public improvements should be coordinated with private improvement efforts by local property owners and should aim to stimulate and support private investments in the area.
- Central Milwaukie is part of the Milwaukie Town Center that serves the larger Milwaukie community with goods and services and seeks to provide opportunities for a dense combination of commercial retail, office, services, and housing uses.
- The city will continue to work closely with Metro and TriMet in planning for transit improvements.
- More detailed design concepts and principles for these areas are included in the Urban Design section.

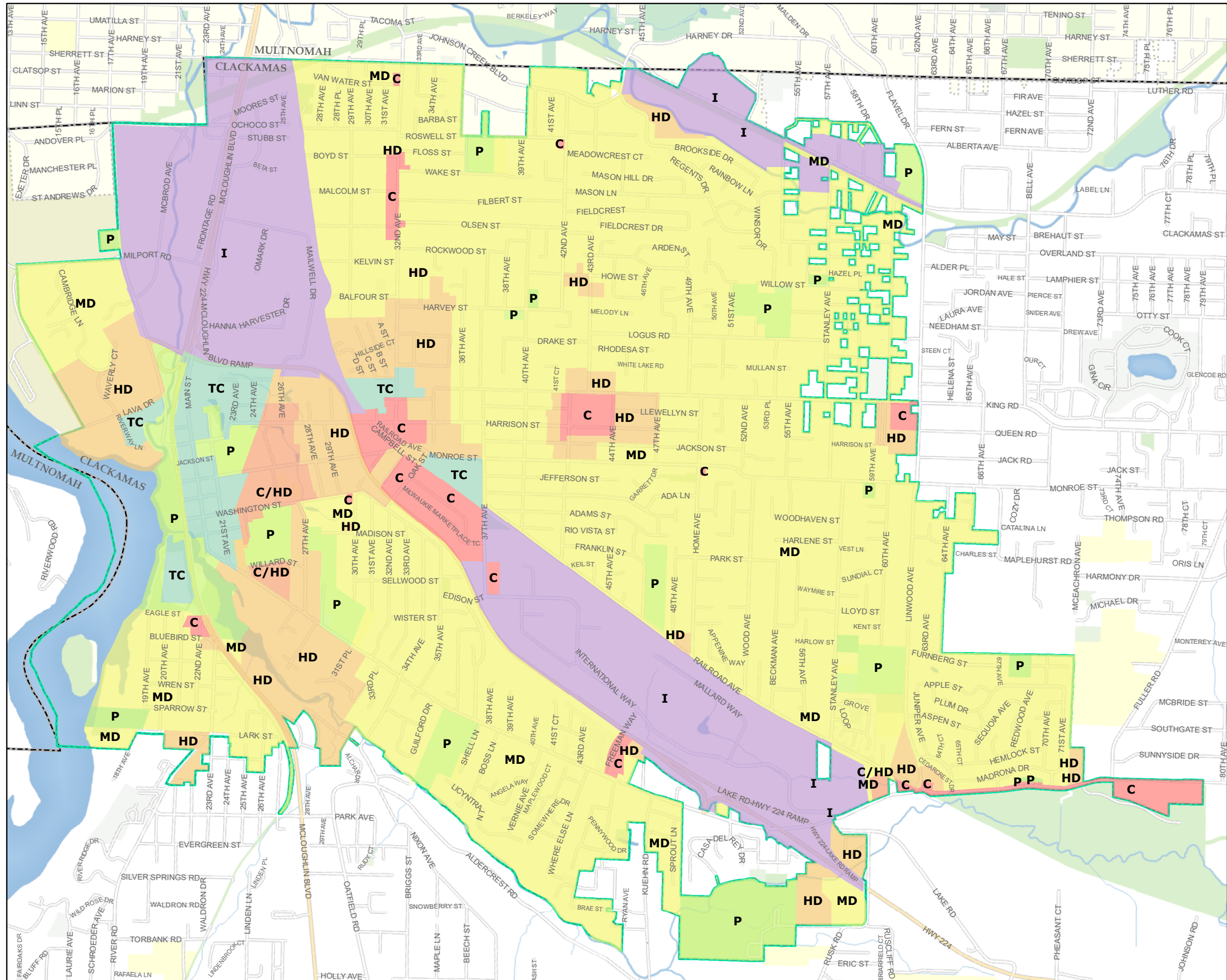
Commercial Zones: ~~NMU~~, ~~C-N~~, ~~C-L~~, C-G, C-CS, SMU





Existing Milwaukie Comprehensive Plan

- C
- C/HD
- HD
- I
- MD
- P
- TC
- City of Milwaukie
- County Boundary

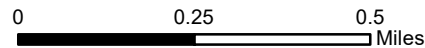


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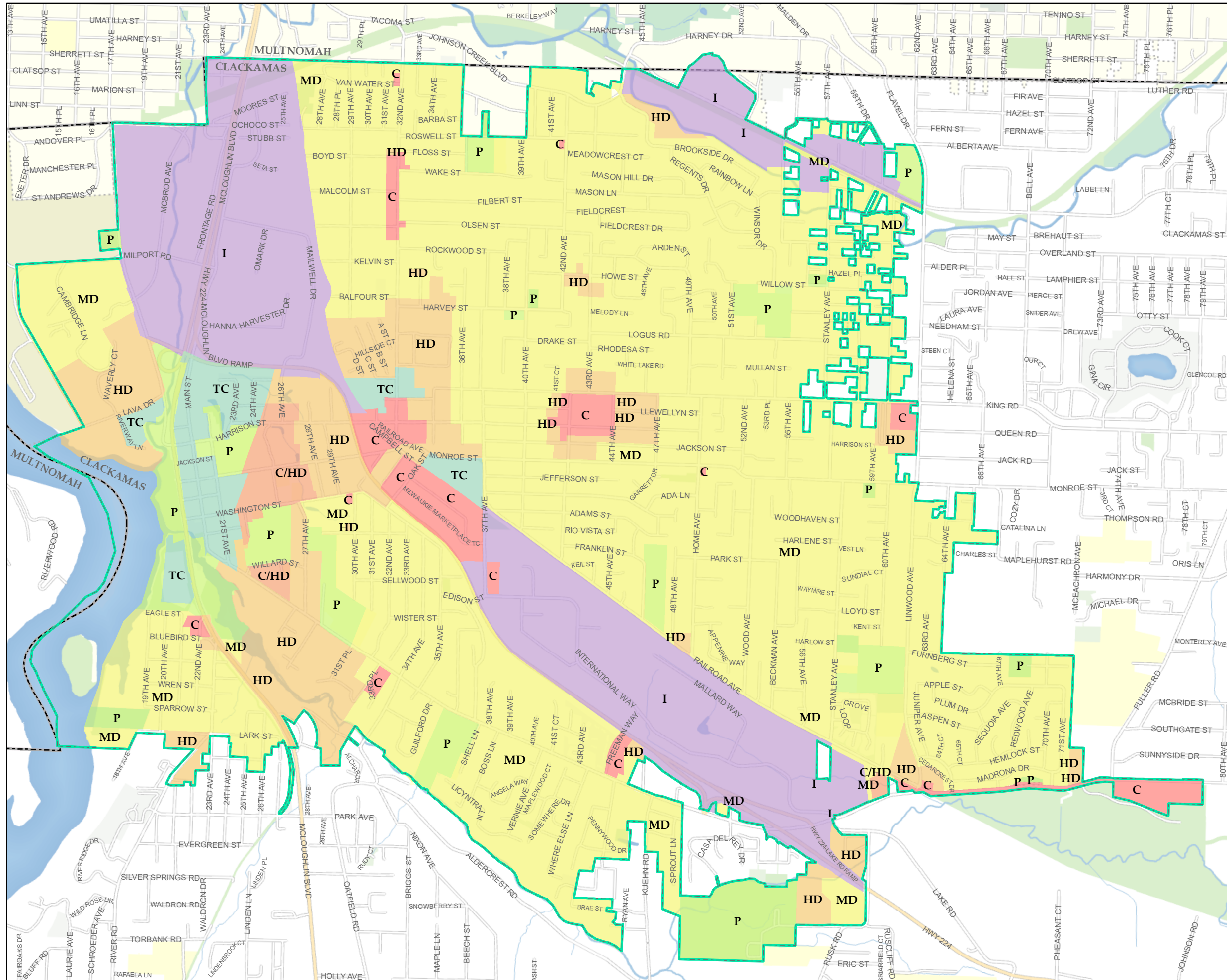
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Proposed Milwaukie Comprehensive Plan

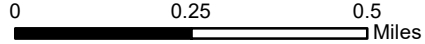
- C
- C/HD
- HD
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MEMORANDUM

TO: Urbsworks, City of Milwaukie

FROM: Cascadia Partners

DATE: November 30th, 2023; revised February 12, 2024

PROJECT: Hubs Implementation Project

SUBJECT: Economic Development Toolkit – Admin Draft

Background

As part of the City of Milwaukie’s Hubs Implementation Project, Cascadia Partners was tasked with researching neighborhood-scale economic development strategies appropriate for application within Neighborhood Hubs - gathering places where residents have access to a variety of services or goods within walking or biking distance of their homes. The following memorandum provides an overview of selected strategies and their potential impacts.

Scale and Approach

Cities can choose to pursue a wide range of economic development strategies based on available resources, intended outcomes, and where they are being applied. Milwaukie’s Neighborhood Hubs are intended to transform gradually over time through an incremental approach to economic development given the local context and the public’s desired outcomes for hubs.

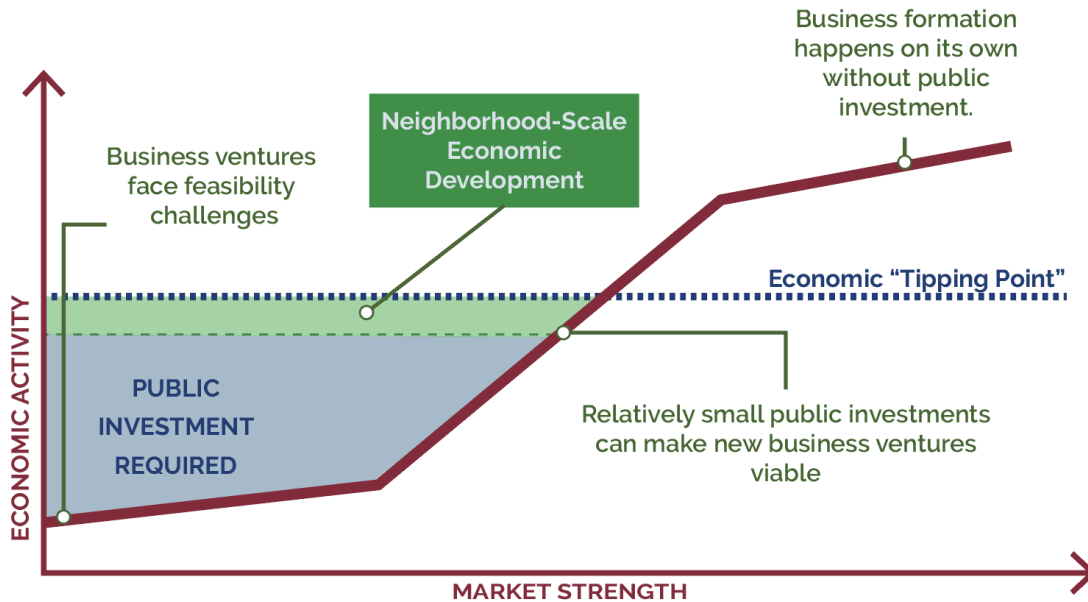
This means that the strategies included in this document are not multi-million-dollar investments intended to transform hubs overnight. Rather, they are neighborhood-scale strategies intended to support existing and future business owners while allowing hubs to change organically to meet the needs of the neighborhoods they serve.

While the strategies in this document are all similar in scale and intended to apply to all hubs, it is important to understand that existing market conditions in each of the hubs will contribute to the near-term impact of each strategy. As figure 1 below illustrates, neighborhood-scale economic development tends to have a higher Impact in markets that are just below the economic “tipping point” where there is enough economic activity to attract new businesses to an area without public intervention. This means that neighborhood-scale economic development strategies will not lead to immediate change in all hubs, but will help some jump-start activity in some hubs, while others will require more time and planning before changes take effect.

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Figure 1: Neighborhood-Scale Economic Development



Overview of Strategies

Cascadia Partners performed an initial round of research that identified 22 small-scale neighborhood economic development strategies. These strategies were further refined based on three sources of input: strategies applicable to the scale of Milwaukie Hubs, public outreach with business owners and neighborhood associations, and staff review of the strategies relative to staff and budgetary resources in Milwaukie..

The strategies that were selected have two characteristics in common. First, they can be implemented at a small geographic scale (i.e. hubs, not citywide). Second, the resources required to implement them are scaled appropriately given the City’s financial means and staff capacity. The final list of strategies is organized into two tiers. Tier 1 strategies are actions that the City of Milwaukie can lead. Tier 2 strategies will require additional partnerships with outside agencies or interest groups. It should be noted that the following strategies represent a short list for further study. All strategies will require further vetting and analysis before they can be considered for implementation.

Tier 1 Strategies – City Leads
<ul style="list-style-type: none"> • Storefront Improvement Program • Hub-Focused Small Scale Seed Grants • Tactical Urbanism • Pre-Lease and Zoning Technical Assistance • Micro-Scale Small Business Placemaking Grants • City-wide Small Business Alliance • Food Truck-Lot Match Resource • Allow and Incentivize Accessory Commercial Units • Church, School, College (CSC) Outreach • Vendor or Food Truck Pop-Ups

<ul style="list-style-type: none"> • Equitable Economic Development Strategies
Tier 2 Strategies - Partnerships Required
<ul style="list-style-type: none"> • Small Business Loans and Technical Assistance • Community Investment Trust

Implementation Considerations

Each of the strategies above are summarized in the following sections of this document. Each strategy summary includes a high-level assessment of capital and administrative costs as described below.

Capital Cost

The primary source of discretionary funding for economic development is a commercial construction excise tax of 1%. Currently, 50% of this tax is used for economic development activities in the City of Milwaukie. In the most recent biannual budget (FY 2023-24), this amounts to approximately \$312,000¹.

For each strategy described on the following pages, a low, medium, or high estimate of capital cost is estimated using a three-dot scale. This cost is estimated relative to the City of Milwaukie’s biannual economic development budget allocation, excluding in-kind staff resources. Cost impact categories and their meaning are summarized below:

- **Low (●○○):** strategies that could be implemented for less than \$20,000 per beneficiary.
- **Med (●●○):** strategies that require up to 25% of the biannual economic development CET budget annually per beneficiary.
- **High (●●●):** strategies requiring a majority or more than the biannual economic development CET budget per beneficiary.

Administrative Cost

Each strategy is also assessed in terms of its potential impact on the City’s Economic Development Department staff capacity. Currently the City’s Economic Development Department consists of 1 FTE, with no immediate plans for further staff expansion. Given these constraints, staff capacity impacts are measured relative to their administrative burden at 1 FTE. Staffing impact categories and their meaning are summarized below:

- **Low (●○○):** strategies with a “low” staff capacity impact would likely require less than .5 FTE to administer and could potentially be implemented with current staffing.
- **Med (●●○):** strategies with a “med” staff capacity impact would likely incur between .5 and 1 FTE and may require sharing of resources across departments.
- **High (●●●):** strategies with a “high” staff capacity impact would require more than 1 FTE to administer .

¹ City of Milwaukie Biannual Budget FY 2023 – 2024, pg 149

Tier 1 Strategies – City Leads

Storefront and Site Improvement Program

What is it?

Storefront improvement programs provide grants that are intended for small-scale revitalization projects such as new paint, improved signage, or lighting. Including site improvements, such as outdoor seating, plantings, or patio covers, helps to further enhance and activate the space beyond the structure. These grants are intended to provide improved visibility for businesses to help attract customers and improve the quality of the urban environment for surrounding homes and businesses. They also help property owners by increasing the value of their property and helping to attract and retain tenants.

Where Has it Worked?

Prosper Portland's Prosperity Investment Program (PIP) offers matching grants to businesses or property owners in certain tax increment financing (TIF) districts. In most districts, Prosper Portland provides a 50% matching grant of up to \$50,000. These grants can be used for hard costs such as signage, lighting, or tenant improvements. They can also be used for soft costs such as architectural fees, or market analysis.

Figure 2: Example of Façade Improvement, Downtown Milwaukie Pilot Program (2011-2012)

Commercial Building 11008 SE Main St

Before



After



How Could This Work in a Neighborhood Hub?

This strategy would be most applicable to hubs with existing commercial storefronts. Improvements could include improved signage, paint, as well as street furniture and other public realm investments. In addition to supporting businesses, façade improvements could help nascent hubs establish their identity and attract additional investment.

Implementation Considerations

Capital Cost: ●●● Administrative Cost: ●●○

It is likely that implementation of this strategy would require an expansion of both the City's financial and staff economic development resources. Administration of the program would require a significant portion of a full-time staff person's resources due to the need to review applications, oversee compliance, and ensure equitable distribution of grants. The amount of money awarded in each grant cycle could scale to the City's resources.

Hub-Focused Small Scale Seed Grants

What is it?

Hub-Focused small scale seed grants provide opportunities for the improvement of individual neighborhood hubs. These grants are intended to fund projects brought forth by community members or small business owners within a specific hub, for the benefit of all hub users. Proposed projects should provide benefits to multiple property owners and/or businesses and generally improve the look, function, or level of activity within a hub. Projects could include hub-specific branding, training/workshops, sign toppers, and temporary installations.

Where Has it Worked?

In Portland, grants are <\$10,000 each and are typically awarded to a culturally-specific organization or faith-based organizations. In Tacoma, the City's Neighborhood Innovative Grant Program allows community groups within Tacoma's eight Neighborhood Council districts to apply for grant funding supporting neighborhood improvement activities or projects. Most grants requested and approved are in the range of \$500 to \$8,000.

How Could This Work in a Neighborhood Hub?

Hub-focused small-scale seed grants could be applied in any of Milwaukie's proposed neighborhood hubs. While the hubs with more active businesses are likely to see more uptake of such a program, even smaller-scale hubs without active business uses could benefit from temporary installations or other improvements.

Implementation Considerations

Capital Cost ●○○ *Administrative Cost* ●●○

Capital costs for small-scale seed grants are highly scalable. In Tacoma, grants as small as \$500 have been awarded. Program administration would likely include development of grant criteria, outreach to property owners, businesses, and neighborhood groups, and on-going oversight of grant-funded projects.

Placemaking Projects

What is it?

Placemaking projects focus on reclaiming public space within underutilized sites, streetscapes and rights of way in and around neighborhood hubs. This strategy relies on short term, low cost, and scalable interventions with a few examples being temporary storefront seating or creating a temporary public plaza. The purpose of these installations is to provide a proof of concept for improvements to public spaces and build support for permanent investments.

Where Has it Worked?

Better Block PSU, a partnership between volunteer-led group Better Block PDX and Portland State University, helps increase commercial activity through activating public spaces and rights of ways. This group specializes in grassroots urban design concepts that promote placemaking and are flexible to meet the needs of various communities. They have been active since 2013 and have executed dozens of placemaking projects in the Portland region. [For example: in 2014, the group transformed a challenging intersection in Southeast Portland into an inviting plaza for less than \\$770 in material costs.](#) This plaza is now a permanent fixture at SE Clinton St and SE 26th Avenues.

*Figure 3: Tactical Urbanism Demonstration by Better Block PDX.
(Photo: Better Block PDX)*



How Could This Work in a Neighborhood Hub?

Tactical urbanism projects are most successful in areas with moderate to high commercial activity that lack engaging streetscapes, public gathering spaces, or multimodal infrastructure like sidewalks and bike lanes. For neighborhood hubs, the most impactful tactical urbanism projects are likely to be those that focus on public and private space adjacent to businesses such as sidewalks, parking lots, and vacant lots. The City of Milwaukie has already conducted an existing conditions assessment of each hub and could use this information to identify hubs with the highest potential for tactical urbanism.

Implementation Considerations

Capital Cost ●○○ Administrative Cost ●○○

Tactical urbanism is by its nature a low-cost approach to pilot testing more permanent infrastructure. As such, capital and administrative costs are likely to be low for this strategy. Further cost reductions could be achieved by applying for assistance from Better Block PSU which has a regional mandate and has worked with numerous smaller jurisdictions outside of Portland such as Washington County, Independence, and Hood River.

Pre-Lease and Zoning Technical Assistance

What is it?

Pre-leasing and zoning technical assistance provide small businesses owners, property owners, and food truck vendors with the necessary resources to be able to lease, buy, or renovate/redevelop commercial space. This type of technical assistance can benefit both property owners and business owners. Technical assistance can include initial reviews of permit applications for renovations or meetings with business owners to help them understand the City's business licensing rules. During these pre-leasing meetings, participants typically learn: the types of businesses that are allowed in the space (due to zoning regulations), the current occupancy classification of the building/land, the permitting process for any proposed changes to the building/land, and direct contact information for staff in the relevant City department.

Where Has it Worked?

The City of Vancouver, Washington provides pre-leasing meetings at no cost to business owners or property owners. This program is seen as a way to encourage new business investments.

How Could This Work in a Neighborhood Hub?

Pre-leasing assistance will generally be more applicable to Hubs with existing commercial space, though such a program could likely apply to mobile vendors as well. Zoning technical assistance is likely to be more valuable to property owners in hubs with vacant or underutilized properties where redevelopment is being considered.

Implementation Considerations

Capital Cost ●○○ *Administrative Cost* ●●○

While capital costs for this program are likely to be low, administrative costs could be moderate to high depending on interest in the technical assistance being provided. There are likely to be opportunities for other departments, such as Code Compliance, Community Development, and Planning, to contribute in-kind staff assistance.

Micro-Scale Small Business Placemaking Grants

What is it?

Micro-scale small business placemaking grants are utilized to implement business or property-specific placemaking projects within public rights way or private off street parking. These grants are typically sought by business or property owners wishing to repurpose a portion of adjacent right of way or parking area for additional seating. Some examples include parklets, wayfinding and street furniture.

Where Has it Worked?

In 2021, the City of Milwaukie offered small outdoor seating grants to business owners located in commercial and mixed-use zones. Eligible uses included sidewalk, patio, and parklet seating. 12 business owners were awarded grants through this program.

In 2017, the City of Portland convened 82 community members in three informational workshops to identify small scale placemaking projects that could be funded. An intentional effort was made to highlight and empower ideas coming from historically underrepresented community members. In total, 11 funded projects ranged from safety corridor improvements to a culturally specific parade and celebration.

How Could This Work in a Neighborhood Hub?

Micro-scale small business placemaking grants are likely to be most impactful in hubs with existing retail business activity and favorable public realm conditions. Favorable public realm conditions include lower traffic adjacent streets and/or available space in adjacent parking lots or sidewalks.

Implementation Considerations

Capital Cost ●○○○ *Administrative Cost* ●●○○

Milwaukie is in a favorable position to implement this strategy because it already has a similar precedent in its 2021 Outdoor Seating Grant pilot program. A program of a similar scale would likely require only moderate administrative costs (application and compliance review) and relatively low capital costs (the pilot program was capped at \$10,000 per year). To expand such a program to hubs, some changes to the program criteria, such as eligible zone districts, would need to be made.

City-Wide Small Business Alliance

What is it?

A city-wide small business alliance would address hub-specific issues seen amongst the small/home business within the hubs. Business alliances provide additional marketing support, partnerships, and resource/event sharing. This is beneficial to business owners through becoming a visual member of the community while allowing hub-residents the ability to identify which businesses are located in their neighborhood.

Where Has it Worked?

The City of Portland has numerous small businesses alliances centered around commercial districts. Two of the most active, The Sellwood-Moreland Business Alliance (SMBA) and Lents Business Association, border Milwaukie. SMBA consists of over 100 businesses that represent various industries ranging from restaurants to theaters and specialty stores. Members are able to expand their client base or be in community with other like-minded small businesses. Lents Business Association, also known as Lents Grown, is a smaller scale business association that similarly is composed of a diverse group of members. They are able to network through alliance based social mixers and attending community events (farmers markets, cultural events, etc).

Figure 4: Lents Grown Festival Organized by the Lents Business Alliance
(Photo: EastPDXNews.com)



How Could This Work in a Neighborhood Hub?

For a city the size of Milwaukie, a single city-wide small business alliance is appropriate. This organization would represent the interests of small businesses within hubs, as well as other parts of the City such as Downtown Milwaukie.

Implementation Considerations

Capital Cost ●○○ Administrative Cost ●○○

This strategy would require little to no allocation from the City's economic development budget. While some initial administrative costs may be incurred to recruit businesses and charter the small business alliance, on-going administrative costs should decline as the organization becomes self-sufficient.

Food Truck-Lot Match Resource

What is it?

Today, semi-permanent food truck/cart parking in the Portland region is scarce and can cost more than \$2,500 per month². Finding a temporary space to host a food truck can be equally challenging. Food truck-lot matching resources foster connections between owners of underutilized properties and food truck proprietors. Property owners can advertise their land and amenities (sewer, water, power hookups, etc) and connect with business owners looking to find a location for their food truck or cart. Timelines for these programs could vary from event-based to long-term food cart pods with more robust infrastructure.

² <https://www.wweek.com/news/2022/05/18/dissatisfaction-at-a-famed-food-cart-pod-demonstrates-why-multnomah-county-wants-to-regulate-them/>

Where Has it Worked?

Several websites exist to find and connect with local food trucks such as this [one](#). In the Portland-area, there are numerous examples of successful food trucks and food cart pods. Many of the area's food cart pods are investing in additional infrastructure such as seating, stages for live music, and areas to serve/consume alcohol. Portland's Midtown Beer [Garden](#) is a good example of how a struggling food cart pod/lot has revamped with new infrastructure to welcome more community members.

How Could This Work in a Neighborhood Hub?

The best candidates for this strategy are hubs that feature vacant lots or lots with large, underutilized surface parking lots. In addition, hubs envisioned as community gathering spaces that feature parks or plazas could be good candidates for temporary engagements.

Implementation Considerations

Capital Cost ●○○○ *Administrative Cost* ●○○○

Capital costs for this strategy would be relatively low, assuming resources are limited to a page on the City of Milwaukie's website and publication through social media channels. A Milwaukie-specific stand-alone website would require more up-front cost and on-going maintenance. Some additional considerations include whether the City would be interested in contributing capital to cover the cost of water and wastewater connections which can represent a substantial cost barrier for property owners.

Allow and Incentivize Accessory Commercial Units

What is it?

Allowing and incentivizing accessory commercial units (ACUs) acts as a bridge between brick-and-mortar businesses and home-based businesses. ACUs have the potential to provide hub-area residents with a way to expand their businesses without the need for further development or leasing of commercial space. ACUs could be added to properties in much the same ways as auxiliary dwelling units (ADUs) either through attached or detached additions or renovations of existing spaces such as garages or basements.

Figure 5: An ACU in Waterloo, Ontario
(Photo: Strongtowns)



Where Has it Worked?

Unlike most of the strategies in this document, ACUs are still relatively rare in most North American cities and there are not many recent examples of cities proactively allowing them. This is due to restrictive zoning and building code that limit the visibility and activity of business activities in residential areas. Despite the lack of recent case studies, there is a growing movement to allow ACUs in cities across the United States and Canada³.

How Could This Work in a Neighborhood Hub?

ACUs are ideally suited to the concept of neighborhood hubs. ACUs could provide a bridge to home-based business owners seeking more visibility and lower rents. The small scale of ACUs means they would provide incremental change to hubs with may be lacking commercial activity (and commercial building stock) today.

Implementation Considerations

Capital Cost ●●○ Administrative Cost ●●●

The permitting process could function similarly to accessory dwelling units (ADUs), but would have the additional considerations of appropriate impact fees and visitation hours. ACUs could be incentivized through providing technical assistance, waiving or reducing SDCs, or streamlining permitting processes. Capital and administrative costs would vary based on the degree of incentivization desired. Administrative costs could be mitigated through sharing of staff resources across departments (planning, community development, building code, etc).

³ <https://www.strongtowns.org/journal/2020/8/15/accessory-commercial-units>

Church, School, College (CSC) Outreach

What is it?

Churches, schools, universities, and hospitals often have excess land that can be repurposed for a higher and better use. Outreach could be done with these institutions located within neighborhood hubs in order to understand their long-term property development goals. Facilitation could be made to assist them with connections with resources to optimize their property usage. Examples of resources could include funding for feasibility studies or gap financing assistance. This collaboration would benefit the institutions in making the best use of their space while opening the possibility of providing usable land to community members and business owners.

Where Has it Worked?

In North Portland, the Portsmouth Union Church recently worked with a developer to convert a piece of its property into a 20-unit apartment building – Portsmouth Commons. The units are targeted at those earning below area median income.

How Could This Work in a Neighborhood Hub?

The best candidates for this strategy are hubs that feature vacant lots or lots with large, underutilized surface parking lots. In addition, hubs envisioned as community gathering spaces that feature parks or plazas could be good candidates for temporary engagements.

Implementation Considerations

Capital Cost ●●● *Administrative Cost* ●●○

Capital costs for this strategy could vary widely depending on the level of involvement desired by the City. If the City acts merely as a convenor between landowners and developers, then capital costs are likely to be low. More intensive involvement could include funding for pre-development assistance, feasibility studies, and waivers of SDCs. Administrative costs would likely be high, but could be spread across multiple departments. It should also be noted that church, school, and college landowners are likely to be mission-driven with a strong interest in affordable housing.

Vendor or Food Truck Pop-Ups

What is it?

Vendor or food truck pop ups are temporary events held on vacant or underutilized properties. These events serve two main purposes - they provide a valuable venue for small businesses to gain exposure and they activate areas that may be overlooked by the community. Small business owners, property owners, and community members benefit from providing unique items and services at underutilized properties.

Where Has it Worked?

The City of Vancouver, BC has developed a tactical urbanism and public space innovation platform called VIVA Vancouver. VIVA's pop-up activation program offers funding and support for community groups, non-profit organizations, and residents. Pop-up activations create public spaces by transforming, or programming, streets, laneways, and similar spaces into public gathering spaces.

Figure 6: VIVA Pop Up Vendor Fair
(Photo: City of Vancouver, BC)



How Could This Work in a Neighborhood Hub?

As this strategy serves the dual purpose of visibility for vendors and activation for underutilized spaces, the best candidates are hubs that lack desired levels of commercial activity today. As demonstrated by the City of Vancouver's pop-up concepts, creativity is the only limitation on the types of locations that can host pop-up events. For example, Vancouver has used parking garage rooftops, alleyways, vacant lots, and parks as venues for such events.

Implementation Considerations

Capital Cost ●○○ Administrative Cost ●●○

Major capital costs associated with this strategy would likely include insurance coverage, event staff, bathrooms and other infrastructure. Major administrative costs would likely include event planning and event staffing though the latter could likely be spread across multiple departments such as community development and public works.

Equitable Economic Development Strategies

What is it?

Equitable economic development strategies guide neighborhood hub investments and business recruitment approaches. These strategies benefit community members, BIPOC businesses, and property owners through providing a diverse collection of businesses and services that appeal to historically underrepresented communities. Some key examples of strategies include: culturally responsive business technical assistance, attracting businesses that support a sense of belonging, and marketing/celebrating the program's geographic areas as multi-cultural destinations.

Where Has it Worked?

The City of Beaverton is currently using BIPOC business recruitment strategies to fill ground floor retail spaces of a city owned parking garage. To develop a leasing strategy, they convened a community advisory committee and a consultant to come up with a tenant selection matrix, which ranks applications according to specific criteria. BIPOC ownership is one of the selection criteria.

Prior to releasing any leasing information about the spaces to the public, Beaverton first marketed the opportunity to community-based organizations that serve BIPOC entrepreneurs and have connected interested business owners with technical assistance and lending resources in order to assist with their applications.

How Could This Work in a Neighborhood Hub?

Equitable economic development strategies are applicable to all neighborhood hubs.

Implementation Considerations

Capital Cost ●○○ *Administrative Cost* ●●●

While capital costs associated with this strategy are likely to be low, administrative costs are likely to be high. Administrative costs include chartering and administration of oversight boards, development and on-going application of equitable development criteria, and on-going program monitoring to ensure the City is attaining desired results.

Tier 2 Strategies – Partnerships Required

Community Investment Trust

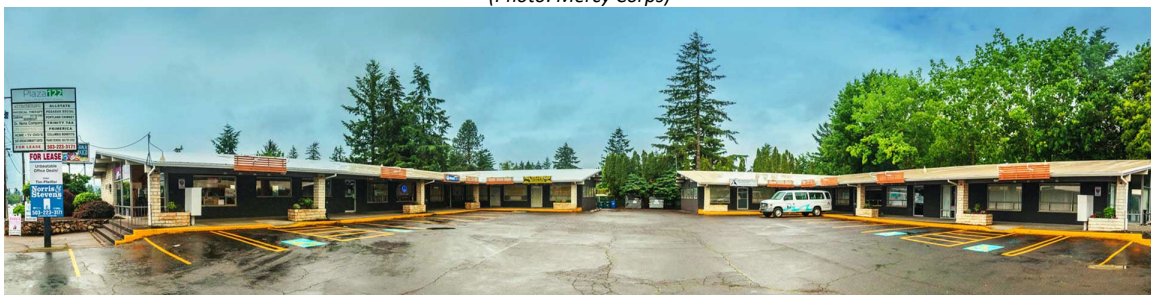
What is it?

Community Investment Trusts (CITs) were pioneered by Mercy Corps in the Portland region and provide an opportunity for local residents to invest in and benefit from commercial development. They provide opportunities for residents to invest relatively small amounts of money in a mission-driven real estate project in their neighborhood.

Where Has it Worked?

Mercy Corps's first Community Investment Trust is the East Portland CIT, located at Plaza 122, a 29,000-square-foot mid-century commercial retail mall in outer Southeast Portland with approximately 26 to 30 businesses and nonprofit tenants. 300 to 500 Portland and Gresham residents within four zip codes (97216, 97233, 97230, 97236) can follow a long-term path to collective ownership of this building in their neighborhood for as little as \$10 and up to \$100 per month.

Figure 7: Plaza 122, A Community Investment Trust Property With 300-500 Local Resident Investors
(Photo: Mercy Corps)



Small Business Loans and Technical Assistance

What is it?

Small business loans coupled with technical assistance are intended to strengthen or jump-start brick-and-mortar, mobile, and home-based businesses by providing access to capital and below-market interest rates.

Where Has it Worked?

Prosper Portland's Thriving Small Business Loan Program provides a low fixed interest rate, 10 year loans, and minimal underwriting requirements as long as participants have completed 15 hours of technical assistance.

Appendix A: Toolkit Database Overview

The economic development database is a Microsoft Excel workbook that includes the following tabs:

- **Strategies:** summary of neighborhood economic development strategies researched as part of the Neighborhood Hubs Implementation Project
 - **Sources:** full list of source documents
 - **Public Input:** summary of city-led public outreach pertaining to economic development strategies
-

Strategies Tabs

The “Strategies” tab summarizes neighborhood economic development strategies researched by Cascadia Partners for the Neighborhood Hubs Implementation Project. Strategies were selected based on an initial round of research, further refined by City of Milwaukie staff, and amended based on business and property owner outreach.

The strategies that were selected have two characteristics in common. First, they have the ability to be implemented at a small geographic scale (i.e. hubs, not citywide). Second, the resources required to implement them are scaled appropriately given the City’s financial means and staff capacity.

Strategy Descriptions and Precedents

Each strategy listed on the strategies tabs includes a brief description and reference to a source document. Relevant page numbers of source documentation are included where applicable. A complete list of source documents can be found on the “Sources” tab.

Strategy Tier

Three tiers of strategies were researched. They are described below:

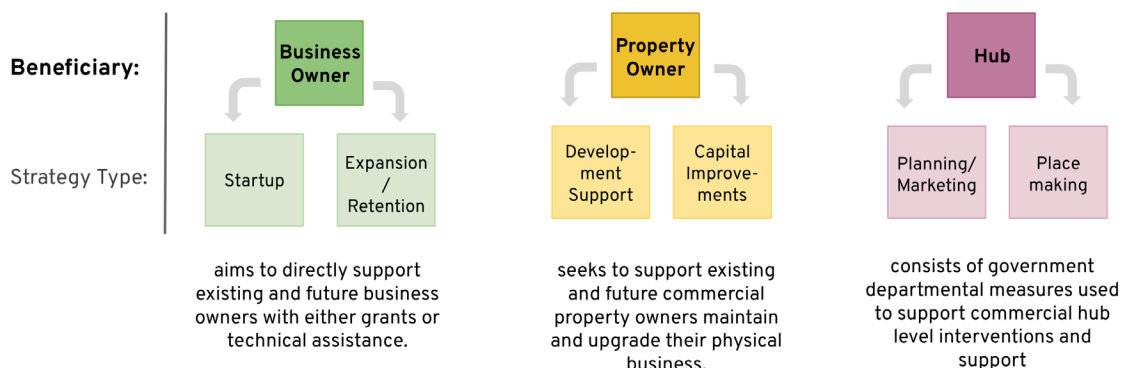
- **Tier 1 Strategies:** strategies for which the City of Milwaukie could play a lead role and that have been identified for further study
- **Tier 2 Strategies:** strategies for which the City of Milwaukie would need additional partners and that have been identified for further study
- **Other Strategies:** strategies not identified for further study

Equity Considerations

Each strategy includes considerations of how implementation can be done in an equitable manner. This could include prioritization of certain populations of concern, or providing outreach in multiple languages, among other strategies.

Beneficiary and Strategy Type

The beneficiary column lists the intended beneficiaries of each strategy, which could include business owners, property owners, or an entire hub. Each strategy is further classified based on the following categories:



Staff Capacity

The “Staff Capacity” column provides a high-level assessment of the impact of each strategy on the City’s Economic Development Department staff capacity. Currently the City’s Economic Development Department consists of 1 FTE, with no plans for further staff expansion. Given these constraints, staff capacity impacts are measured relative to their administrative burden at 1 FTE. Staffing impact categories and their meaning are summarized below:

- **Low:** strategies with a “low” staff capacity impact would likely require less than .5 FTE to administer and could potentially be implemented with current staffing.
- **Med:** strategies with a “med” staff capacity impact would likely incur between .5 and 1 FTE and may require sharing of resources across departments.
- **High:** strategies with a “high” staff capacity impact would require more than 1 FTE to administer and would likely require staff resources beyond what the City currently has available.

Cost

The primary source of discretionary funding for economic development is a commercial construction excise tax of 1%. Currently, 50% of this tax is used for economic development activities in the City of Milwaukie. In the most recent biannual budget (FY 2023-24), this amounts to approximately \$312,000⁴. The “Cost” column classifies each strategy based on its approximate cost relative to this biannual budget allocation, excluding in-kind staff resources. Cost impact categories and their meaning are summarized below:

- **Low:** strategies that could be implemented for less than \$20,000 per beneficiary
- **Med:** strategies that require up to 25% of the biannual economic development CET budget annually per beneficiary.

⁴ City of Milwaukie Biannual Budget FY 2023 – 2024, pg 149

- **High:** strategies requiring a majority or more than the biannual economic development CET budget per beneficiary.

Public Support

The “Public Support” tab lists instances when public input from neighborhood, business, and property owner outreach aligned with a given strategy. See the “Public Engagement” tab for a full summary of public outreach.

In-Kind Resources

In some instances where strategies require additional staff to execute, there may be opportunities to involve staff from other departments. The “In-Kind Resources” column indicates which departments could potentially provide staffing resources to support each strategy.

From: roeter_home@comcast.net
To: [Milwaukie Planning](#)
Cc: campbellneighbors@gmail.com
Subject: Neighborhood Hub Proposed SMU Zone
Date: Friday, February 16, 2024 5:24:33 PM

This Message originated outside your organization.

Hello,

After living across the street from Sunny Corner Market for 32 years I have seen many management changes made at this convenience store. Very few of them were good for the neighborhood.

- The most recent manager has now blocked a large position of their off street parking requiring delivery trucks to either park on Home, blocking one direction of traffic, or on the opposite shoulder of Monroe that within a few years will become a pedestrian friendly walkway.
- They have extended their hours to a neighborhood-friendly 11pm. The door chime and propensity of customers to leave the car running while frequenting the establishment are not conducive for uninterrupted sleep (especially during the summer when it is common to open windows for cooling).
- Homewood Park is relatively new to the neighborhood, less than ½ block from this store. With Alcohol, Cigarettes and Lottery Tickets being the primary business of Sunny Corner Market, I was surprised to see small children's play equipment installed here.
- There have been multiple break-ins and last year armed robbery at this store. This is a *neighborhood* that does not want this criminal activity nor the potential of it increasing with this zoning change.
- The Washington/Monroe Street project currently being managed by ODOT appears to be in conflict with your Neighborhood Hub plans. One is intended to reduce vehicular travel on Monroe and improve livability and that I personally look forward to.
- Milwaukie Wastewater Division has one of its 5 lift stations on the Home Avenue side of the Market's parking lot. Is this City Department agreeable to increased commercial use on this parcel?

The list of in-person interviews on page 2 of the Summary unfortunately includes mostly business owners with their own set of objectives. Your online workshop survey did not mention a need for a zoning change and I am deeply concerned about an increased commercial use of that property. Had I known your intentions I would have stated an opposition to this neighborhood hub. I live next door to Sunny Corner Market and I do not consider it to be a positive change for our community that you bring more noise and litter to the adjacent homeowners. This change will result in eroding the value of our homes.

-
Respectfully,
Kathy Shields-Roeter
10750 SE Home Avenue
503-358-4504

How do you envision the future of your property? What challenges have you encountered or expect to encounter?

Envision: Looking forward to a reduction of vehicle traffic with the Monroe Greenway construction.

Challenges: Sunny Market has expanded their hours past 10pm noise ordinance and no longer has parking available for large truck deliveries. This singular commercial property does not coincide with adjacent residences.

From: [Milwaukie Planning](#)
To: roeter_home@comcast.net
Cc: campbellneighbors@gmail.com
Subject: RE: Commercial Use by Right
Date: Tuesday, February 20, 2024 6:36:00 AM

Good morning Kathy,

The full proposed code amendments are linked on the notice you received. You can review the information here: <https://www.milwaukieoregon.gov/planning/za-2024-001>.

To answer your question: The proposed code amendments have Marijuana Retail as being specifically prohibited in the new SMU zone.

-Vera

VERA KOLIAS, AICP

Senior Planner
she • her
503.786.7653
City of Milwaukie
10501 SE Main St • Milwaukie, OR 97222

Please note that my work schedule is Monday – Thursday from 6 a.m. – 4:30 p.m.

From: roeter_home@comcast.net <roeter_home@comcast.net>
Sent: Saturday, February 17, 2024 11:31 AM
To: Milwaukie Planning <Planning@milwaukieoregon.gov>
Cc: campbellneighbors@gmail.com
Subject: Commercial Use by Right

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This Message originated outside your organization.

Hello,

I received my public notice in the mail yesterday and continue to be appalled by the proposed change to Neighborhood Commercial (C-N) properties . Is it possible to tell me if the SMU wide variety of commercial uses by right includes the change from a convenience store to a Marijuana Retailer? One would think that the ONLY C-N zoned parcel in a very large residential area would have serious and enforced conditions on permitted use and zone compliance.

Kathy Shields-Roeter
10750 SE Home Avenue
503-358-4504

From: [Vera Kalias](#)
To: roeter_home@comcast.net; Kelly.M.BALL@odot.oregon.gov
Cc: campbellneighbors@gmail.com; [Laura Weigel](#)
Subject: RE: Washington/Monroe Street: SE 37th - SE Linwood Ave, project number: 22141
Date: Thursday, February 22, 2024 11:51:00 AM

Hello Kathy,

Regarding the submitted comments related to the city's Neighborhood Hubs initiative, the proposed code amendments and the Monroe Street Neighborhood Greenway:

- The city does not think that the new small-scale mixed use zone is going to impact the greenway in any way that can't be mitigated with improvements to the right-of-way. Any redevelopment of the site at 5010 SE Monroe St that triggers Development Review is going to clearly identify the public right-of-way and will keep the new development within the tax lot boundaries. Redevelopment will give the city the chance to improve and/or limit the existing access to that site in a way that preserves the greenway's function.
- The intent of the small scale mixed use zone, and the overall Neighborhood Hubs initiative, is to support and create spaces that people can walk or bike to from within the neighborhood, not necessarily attract visitors from outside the community.

You have asked a fair question and we understand the concern, but expanded uses don't necessarily translate to increased trips. Even if vehicle trips increase, there would still be physical improvements that protect and enhance the greenway.

Please let us know if you have any additional questions about this.

-Vera

VERA KOLIAS, AICP

Senior Planner
she • her
503.786.7653
City of Milwaukie
10501 SE Main St • Milwaukie, OR 97222

Please note that my work schedule is Monday – Thursday from 6 a.m. – 4:30 p.m.

From: roeter_home@comcast.net <roeter_home@comcast.net>
Sent: Monday, February 19, 2024 1:10 PM
To: Kelly.M.BALL@odot.oregon.gov
Cc: Milwaukie Planning <Planning@milwaukieoregon.gov>; campbellneighbors@gmail.com
Subject: Washington/Monroe Street: SE 37th - SE Linwood Ave, project number: 22141

This Message originated outside your organization.

Hello,

As long-time home owners on the corner of Home/Monroe my husband and I have been looking forward to the Bicycle and Pedestrian Friendly improvements that will result in improving the

livability of our neighborhood. The below description from the City's website of the intended outcome was greatly encouraging:

Neighborhood Greenways are low-volume, low-speed routes that provide safe, quiet routes for motorists, pedestrians, and bicycles. Neighborhood Greenways often include improvements that reduce vehicle speeds (for example, with curb extensions or mini traffic circles), which makes them safer and more inviting for neighbors, walkers, and bikers, while also reducing cut-through traffic from outside the neighborhood.

We received last week a notice from the City of Milwaukie regarding their intent to change the zoning of the C-N zoned convenience store at the corner of Home/Monroe to a new Small Mixed Use zone. Below is verbiage from the notice that *owners* of C-N zoned properties received:

Your property is currently zoned **Neighborhood Commercial (C-N)**. The proposed amendments would re-zone your property to **Small-Scale Mixed Use (SMU)**. The proposed change would expand the use of your property in a number of ways, such as:

- The C-N zone only allows a limited number of small commercial uses by Conditional Use only. The SMU allows a wide variety of commercial uses by right.
- The minimum lot size in the SMU is 1,500 sq ft as compared to 5,000 sq ft in the C-N zone.
- Maximum lot coverage in the SMU is 85%, as compared to 40% in the C-N zone.

The zoning change appears to be in conflict with the intent of their original design. I am curious if ODOT has been made aware of this change and whether the wide variety of commercial uses by right will require modifications to the design due to the likely consequence of increased traffic through this 4-way stop.

Respectfully,

Kathy Shields-Roeter
10750 SE Home Avenue
503-358-4504

From: [Vera Kolias](mailto:Vera.Kolias)
To: roeter_home@comcast.net
Cc: campbellneighbors@gmail.com
Subject: RE: Neighborhood Hub Proposed SMU Zone
Date: Thursday, February 22, 2024 2:40:00 PM

Hello Kathy,

I wanted to follow-up on your comments on the proposed code amendments.

First, a little bit of background. Please note that the 2020 Comprehensive Plan has specific policies related to Neighborhood Hubs.

The proposed amendments directly implement Section 8 of the Comprehensive Plan (Urban Design and Land Use); specifically, Policy 8.1.4 – Neighborhood Hubs:

- Provide opportunities for the development of neighborhood commercial services and the provision of amenities and gathering places for residents of the surrounding area.
 - Ensure that new development is compatible with the height, massing and building form allowed by zoning on adjacent residential properties. A hub development need not be identical to the height, massing or form of buildings allowed by nearby zoning for a finding of compatibility.
 - Ensure new development contributes to a pedestrian friendly environment along the property frontage.
 - Encourage development of multi-season outdoor seating areas and pedestrian plazas.
 - Provide for a high level of flexibility in design and incentives to accommodate a variety of start-ups, temporary uses and incremental expansions and explore innovative techniques for waiving or deferring full site development and parking requirements.
 - Provide a process to allow start-up and temporary uses that take advantage of incentives and deferral programs to make a smooth transition to status as a permanent use.
- As you know, a market has been at that location for many decades. The proposed zoning amendments do not require any changes to the existing use of the property – it's likely that it will not change much, if at all.
 - Delivery trucks are not permitted to block traffic – if there are issues with this, please contact code enforcement: code@milwaukieoregon.gov.
 - Staff will ask the Engineering Department to review the site related to how they have blocked it.
 - The market's hours of operation comply with city code.
 - Regarding the door chime, those are typically used as a safety measure to alert an employee who is working alone that someone has come into the store. Have you spoken with the business owner about an alternative?
 - It is not unusual for a neighborhood park to be within walking distance of small neighborhood markets; we are unaware of any conflicts or issues with this location.
 - If there have been break-ins and/or robberies at this site, I'm sure that the Police

Department is aware of it.

- The city's wastewater master plan does not indicate any issues with providing service in this area.

We received your email regarding the Monroe Street Neighborhood Greenway that was sent to ODOT. We will provide a separate response to those comments.

Thank you again for submitting these comments regarding the proposed zoning amendments. They will be made part of the record. You are encouraged to participate in the public hearings as well: the first hearing with the Planning Commission will be held on March 12. Details about that are included on the notice you received.

Please let me know if you have any additional questions.

-Vera

VERA KOLIAS, AICP

Senior Planner
she • her
503.786.7653
City of Milwaukie
10501 SE Main St • Milwaukie, OR 97222

Please note that my work schedule is Monday – Thursday from 6 a.m. – 4:30 p.m.

From: Milwaukie Planning
Sent: Tuesday, February 20, 2024 6:33 AM
To: roeter_home@comcast.net
Cc: campbellneighbors@gmail.com
Subject: RE: Neighborhood Hub Proposed SMU Zone

Hello Kathy,

Thank you very much for your comments on the proposed Hubs code amendments. We sent notices to properties within 300 ft for this exact reason – we want to hear from neighbors. Your comments have been made part of the record. Please note that the 2020 Hubs project included extensive outreach and this location was identified as a Neighborhood Hub, so the location isn't new. But you are correct that the proposed code amendments are intended to provide more opportunities for activities and provision of services in the neighborhoods.

We will review and discuss your comments as a team and will get back to you.

-Vera

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Please note that my work schedule is Monday – Thursday from 6 a.m. – 4:30 p.m.

From: roeter_home@comcast.net <roeter_home@comcast.net>

Sent: Friday, February 16, 2024 5:23 PM

To: Milwaukie Planning <Planning@milwaukieoregon.gov>

Cc: campbellneighbors@gmail.com

Subject: Neighborhood Hub Proposed SMU Zone

This Message originated outside your organization.

Hello,

After living across the street from Sunny Corner Market for 32 years I have seen many management changes made at this convenience store. Very few of them were good for the neighborhood.

- The most recent manager has now blocked a large position of their off street parking requiring delivery trucks to either park on Home, blocking one direction of traffic, or on the opposite shoulder of Monroe that within a few years will become a pedestrian friendly walkway.
- They have extended their hours to a neighborhood-friendly 11pm. The door chime and propensity of customers to leave the car running while frequenting the establishment are not conducive for uninterrupted sleep (especially during the summer when it is common to open windows for cooling).
- Homewood Park is relatively new to the neighborhood, less than ½ block from this store. With Alcohol, Cigarettes and Lottery Tickets being the primary business of Sunny Corner Market, I was surprised to see small children’s play equipment installed here.
- There have been multiple break-ins and last year armed robbery at this store. This is a *neighborhood* that does not want this criminal activity nor the potential of it increasing with this zoning change.
- The Washington/Monroe Street project currently being managed by ODOT appears to be in conflict with your Neighborhood Hub plans. One is intended to reduce vehicular travel on Monroe and improve livability and that I personally look forward to.
- Milwaukie Wastewater Division has one of its 5 lift stations on the Home Avenue side of the Market’s parking lot. Is this City Department agreeable to increased commercial use on this parcel?

The list of in-person interviews on page 2 of the Summary unfortunately includes mostly business owners with their own set of objectives. Your online workshop survey did not mention a need for a zoning change and I am deeply concerned about an increased commercial use of that property. Had I known your intentions I would have stated an opposition to this neighborhood hub. I live next door to Sunny Corner Market and I do not consider it to be a positive change for our community that you bring more noise and litter to the adjacent homeowners. This change will result in eroding the value of our homes.

-

Respectfully,

Kathy Shields-Roeter
10750 SE Home Avenue
503-358-4504

How do you envision the future of your property? What challenges have you encountered or expect to encounter?

*Envision: Looking forward to a reduction of vehicle traffic with the Monroe Greenway construction.
Challenges: Sunny Market has expanded their hours past 10pm noise ordinance and no longer has parking available for large truck deliveries. This singular commercial property does not coincide with adjacent residences.*

From: [Vera Kolias](mailto:Vera.Kolias)
To: roeter_home@comcast.net
Cc: campbellneighbors@gmail.com
Subject: RE: Neighborhood Hub Proposed SMU Zone
Date: Monday, February 26, 2024 1:47:00 PM

Hello Kathy,

Responses to your questions are as follows:

- Food carts on a site could be temporary for an event, or could be there for longer periods of time (restaurants are proposed to be permitted by right in the SMU zone, so food carts would be permitted as well). The proposed code language does not have a limit to the number of food carts allowed on a site.
- According to our historic zoning maps, the property at 5010 SE Monroe St has been zoned C-N since at least 1968, but likely even earlier than that.
- The zoning code does not include a purpose statement for the C-N zone, but it would appear that by requiring a conditional use review for any uses in that zone, the intent was to have more discretion in the decision and review the appropriateness of a use in that location.
- I'm not sure I understand your question about outdoor seating, but if the use of a seating area violates city code, then code enforcement would be involved to ensure compliance.

I hope this answers your questions.

-Vera

VERA KOLIAS, AICP

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she • her
503.786.7653
City of Milwaukie
10501 SE Main St • Milwaukie, OR 97222

Please note that my work schedule is Monday – Thursday from 6 a.m. – 4:30 p.m.

From: roeter_home@comcast.net <roeter_home@comcast.net>
Sent: Monday, February 26, 2024 11:00 AM
To: Vera Kolias <KoliasV@milwaukieoregon.gov>
Cc: campbellneighbors@gmail.com
Subject: RE: Neighborhood Hub Proposed SMU Zone

This Message originated outside your organization.

Hello Vera,

Thank you for your response to my stated concerns. Before communicating with my neighbors on this matter I am attempting to gather as many details as possible for their consideration.

- Can you tell me if the introduction of Food Carts is temporary placement for neighborhood

events or they can be permanent? Also, if permanent, is there a limit on number of Food Carts one can have on the property?

- The Market at 5010 SE Monroe appears to have been originally built as a residence. Can you tell me when it became zoned for commercial activity?
- Decades ago when the property was zoned C-N the residential density was quite low. Of the 42 neighbors who were sent the same notice I received 5 of those home existed prior to 1940 with an additional 2 that were built the same year as the property at 5010 SE Monroe. Was the following intended to preserve the integrity of the neighborhood?

19.305.1 Uses Permitted Outright In a C-N Zone the following uses and their accessory uses are permitted outright: A. No uses permitted outright.
- If the *development of multi-season outdoor seating areas and pedestrian plazas* doesn't function as intended will there be a method for those homeowners adversely affected by this change to challenge the expansion of permitted use?

Thank you for your continued dialogue on this matter,

Kathy Shields-Roeter

503-358-4504

From: Vera Kolia <KoliaV@milwaukieoregon.gov>

Sent: Thursday, February 22, 2024 2:40 PM

To: roeter_home@comcast.net

Cc: campbellneighbors@gmail.com

Subject: RE: Neighborhood Hub Proposed SMU Zone

Hello Kathy,

I wanted to follow-up on your comments on the proposed code amendments.

First, a little bit of background. Please note that the 2020 Comprehensive Plan has specific policies related to Neighborhood Hubs.

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Please let me know if you have any additional questions.

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From: Milwaukie Planning

Sent: Tuesday, February 20, 2024 6:33 AM
To: roeter_home@comcast.net
Cc: campbellneighbors@gmail.com
Subject: RE: Neighborhood Hub Proposed SMU Zone

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We will review and discuss your comments as a team and will get back to you.

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From: roeter_home@comcast.net <roeter_home@comcast.net>
Sent: Friday, February 16, 2024 5:23 PM
To: Milwaukie Planning <Planning@milwaukieoregon.gov>
Cc: campbellneighbors@gmail.com
Subject: Neighborhood Hub Proposed SMU Zone

This Message originated outside your organization.

Hello,

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- The most recent manager has now blocked a large position of their off street parking requiring delivery trucks to either park on Home, blocking one direction of traffic, or on the opposite shoulder of Monroe that within a few years will become a pedestrian friendly walkway.
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Respectfully,

Kathy Shields-Roeter
10750 SE Home Avenue
503-358-4504

How do you envision the future of your property? What challenges have you encountered or expect to encounter?

Envision: Looking forward to a reduction of vehicle traffic with the Monroe Greenway construction.

Challenges: Sunny Market has expanded their hours past 10pm noise ordinance and no longer has parking available for large truck deliveries. This singular commercial property does not coincide with adjacent residences.

Disclaimer

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This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd.**

From: [Avarie F](#)
To: [Milwaukie Planning](#)
Subject: Neighborhood Hubs comment
Date: Monday, February 26, 2024 6:21:41 PM

This Message originated outside your organization.

Hello,

I wanted to provide a written comment about the upcoming proposed Neighborhood Hubs zoning changes, voicing that I am wholeheartedly in support of the proposed rezoning and Hub establishment. I live close to the 32nd & Olsen Hub but was not available to attend the neighborhood workshop.

Something I love about Milwaukie is the overarching spirit of community and collectivism. The establishment of these Hubs would further promote these values while providing some currently lacking services and amenities nearby and would benefit our neighborhoods immensely. It's well-established that mixed use zoning contributes to better liveability and affordability, quality of life and health, community engagement and more. The urban planning concept of the 15 minute city strongly appeals to me and updates to zoning code feels like a step toward something similar for Milwaukie, to make sure we aren't just merely another suburb of Portland but instead a supportive, thriving, interconnected village.

Thank you for the opportunity to comment and thank you to the Planning Commission and community members who have contributed to these proposals.

Sincerely,

Avarie Fitzgerald
(Ardenwald Neighborhood)



CITY OF MILWAUKIE

To: Planning Commission

Through: Laura Weigel, Planning Manager

From: Ryan Dyar, Assistant Planner

Date: March 4, 2024, for March 12, 2024, Work Session

Subject: Proposed Code Amendments: Climate Friendly Equitable Community (CFEC), Parking Amendments

ACTION REQUESTED

Open the public hearing for land use file #ZA-2022-005. Discuss the proposed amendments to the Milwaukie Municipal Code (MMC) Title 19 (Zoning), take public testimony, provide direction to staff regarding any desired revisions to the proposed amendments, and recommend City Council approval of file #ZA-2022-005 and adoption of the proposed ordinance and recommended Findings in Support of Approval found in Attachment 1.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[February 27, 2024:](#) Staff provided Planning Commission with an overview of the changes that had been made to the code amendments since they recommended that City Council approve them on February 14, 2023.

[July 25, 2023:](#) Staff provided Planning Commission with an overview of bicycle parking code amendments that would update quantity standards and add new development standards to address longstanding code issues and new issues resulting from CFEC.

[June 12, 2023:](#) The Department of Land Conservation and Development approved an alternative date of June 30, 2024, for the city to comply with Oregon Administrative Rules (OAR) 660-012-0415 through OAR 660-012-0450.

[March 7, 2023:](#) Staff updated City Council on the recommendation from Planning Commission and provided an overview of the code amendments.

[February 14, 2023:](#) Planning Commission recommended that City Council approve the code amendments and Findings in Support of Approval without modification for ZA-2022-005.

[January 10, 2023:](#) Staff updated Planning Commission on the code amendment process and discussed the decision to delay updating the city's requirements for bicycle parking. Staff also presented the updated code language for large parking lots.

[November 8, 2022](#): Staff updated Planning Commission on the code amendment process and asked for direction on updating the city's requirements for bicycle parking.

[September 13, 2022](#): Staff provided Planning Commission with an overview of the new administrative rules and reported on the direction provided by City Council at their August 16th meeting. Planning Commission concurred with the majority City Council response and expressed a desire to eliminate parking mandates citywide in response to the new rules.

[August 16, 2022](#): Staff provided City Council with an overview of the new administrative rules and asked for direction on implementing the new rules related to parking. Most of the City Council expressed a desire to eliminate parking mandates citywide considering the requirements in OAR 660-012-0440, Parking Reform Near Transit Corridors.

[September 21, 2021](#): Council adopts Council Goals for 2021-2022 of climate change mitigation and resilience action, and equity, justice, and inclusion.

[August 18, 2020](#): Council adopts the Milwaukie Comprehensive Plan, which includes several policies aimed at reducing GHG emissions.

[October 2, 2018](#): Council adopts the Climate Action Plan to achieve carbon neutrality by reducing greenhouse gas (GHG) emissions and offsetting or capturing as much carbon as the Milwaukie community emits.

ANALYSIS

Recap of CFEC and Parking Regulation Requirements

The CFEC rulemaking process was initiated by [Executive Order 20-04](#) on March 10, 2020. It directed state agencies and commissions to take action to reduce greenhouse gas emissions. In response, the Department of Land Conservation and Development (DLCD) initiated the CFEC rulemaking process, which amended three sections of the OARs regulating land-use and transportation planning in metropolitan areas. For a detailed overview of the rule changes, please refer to the [staff report](#) from September 13, 2022.

As outlined in the report, many of the changes to administrative rules will be addressed through Milwaukie's ongoing [Transportation System Plan \(TSP\) update](#). Other changes, particularly regarding off-street parking regulations, were required to be implemented before June 30th, 2023. However, the city was granted a one-year extension to comply with the new parking rules, setting the new deadline for compliance to June 30, 2024. Under these parking rules, jurisdictions have the option to either eliminate minimum parking quantity requirements from their zoning codes or adopt more nuanced regulations that allow for some minimum quantity requirements but restrict their application to certain land uses and areas of the city.

On February 14, 2023, the Planning Commission recommended, without modification, a set of code amendments to the City Council to comply with the new off-street parking requirements. These amendments removed off-street parking mandates citywide and introduced other

standards to mitigate the negative impact of large new parking lots. This recommendation was presented to the City Council for a work session on March 7, 2023, but the adoption process was paused upon learning that the state was to commence a CFEC rule correction and clarification [process](#) in April 2023.

During this interim period, staff developed bicycle parking code amendments to address longstanding code issues, ensure provision of bicycle parking in new industrial, commercial, and community service developments (as these requirements historically correlated with the number of required automobile parking spaces), and comply with a new bicycle parking rule developed through the CFEC rulemaking process (OAR-660-012-0630). This process was also paused upon learning about anticipated amendments to OAR 660-012-0630 through the corrections and clarifications rulemaking process.

Proposed Amendment Summary (with changes from February 14, 2023, highlighted)

On November 2, 2023, the Land Conservation and Development Commission adopted the correction and clarification amendments. Staff reviewed these changes and made modifications to the code changes recommended by the Planning Commission on February 14, 2023, following the new requirements. Below is a summary of the amendments in Attachment 1.b and 1.c.

Eliminate Parking Minimums

The amendments in Attachment 1.b and 1.c would remove minimum parking quantity requirements from the zoning code, along with other references to required parking throughout the code. Nothing has changed about this element of the proposal from the February 14, 2023, version that was recommended for approval by the Planning Commission.

Large Parking Lot Compliance

The amendments in Attachment 1.b and 1.c also incorporate the provisions of OAR 660-012-0405, which mandate local jurisdictions to adopt development standards mitigating the negative impacts of newly constructed large parking lots. These rules require standards such as a minimum tree canopy, pedestrian connections throughout the parking lot, and other climate mitigation actions. As proposed, the amendments provide two climate mitigation actions; applicants can provide an onsite solar installation or provide tree canopy coverage beyond a minimum requirement.

The following changes were made through the CFEC correction and clarification rulemaking process.

1. The state increased the threshold for what constitutes a large parking lot from ¼-acre to ½-acre.
2. The rule related to pedestrian connections was amended by removing some prescriptive elements (e.g., mandatory building alignment with pedestrian facilities).

3. A new requirement for a 30% tree canopy was added for all large parking lots—previously, tree canopy was listed only as one of many climate mitigation actions available to applicants. Under the OAR, developments must now meet a baseline canopy requirement of 30% and may choose to provide 40% percent canopy coverage as a climate mitigation action. The state also reduced the climate mitigation action canopy percentage from 50% percent to 40% percent.

The amendments in Attachment 1.b and 1.c related to these requirements reflect the most recent guidance given to staff at the February 27, 2024, work session.

Bicycle Parking Quantity and Development Requirements

The proposed amendments aim to update the city’s bicycle parking requirements to align with new administrative rules—see requirements in [OAR 660-012-0630](#)—and to tackle longstanding challenges identified by staff within the existing code. These changes were discussed with the Planning Commission during a work session on July 25, 2023, and the amendments outlined in Attachment 1.b and 1.c are consistent with the proposals presented during that session.

The CFEC corrections and clarifications rulemaking process restructured the requirements outlined in OAR 660-012-0630 and reduced the parking ratio requirement for multi-unit residential and mixed-use residential developments from one space per dwelling unit to one-half space per dwelling unit. Staff did not propose reducing the current one-to-one ratio, as builders have not previously expressed concerns about these requirements. Moreover, the proposed code includes a clear and straightforward modification process to address situations where the ratios might be deemed inappropriate.

The amendments would have the following impacts:

1. Establishment of new minimum bicycle parking quantity standards and land-use categories based on the methodology employed by the City of Portland. This methodology considers factors such as minimum employee density, land-use visitation rates, and a target bicycle trip mode split of fifteen percent. Currently, the minimum number of bicycle parking spaces for new and redeveloping commercial, industrial, and community service uses is derived from the minimum number of required vehicle parking spaces. With the elimination of minimum vehicle parking requirements, the city requires a new approach to ensure an adequate quantity of bicycle parking spaces. New land-use categories are introduced to replace existing designations, which are outdated and overly complex.
2. Introduction of a clear distinction between short-term and long-term bicycle parking, mandating long-term bicycle parking for all land uses. Presently, long-term requirements apply only to multi-unit developments, when ten percent of vehicle parking is covered, or when ten or more bicycle spaces are required. The proposed

amendments would ensure that new developments provide a minimum of two short-term and two long-term spaces.

3. Addition of new development standards for short and long-term bicycle parking. The existing space and rack standards, while simple, fail to accommodate modern rack designs that are more space-efficient and accessible to a variety of users. The proposed code amendments adopt dimensional standards—also adopted from the City of Portland—for a range of rack configurations. These standards provide builders with multiple options to meet bicycle parking requirements while ensuring high-quality spaces. Particularly for residential development, the proposed amendments would limit the percentage of long-term bicycle parking that can be located inside a dwelling unit to fifty percent and would require residential projects without an elevator to provide all required storage on the ground floor. Developments with twelve or fewer units are exempt from the in-unit maximum requirement if an elevator is provided.
4. Introduction of a modification process to adjust the minimum number of bicycle parking spaces required by the code. The process, established under a Type I land-use application, outlines the required application materials and approval criteria.

Updating Language and Minor Non-CFEC Code Corrections

The proposed amendments encompass minor non-CFEC-related changes aimed at establishing consistent language within the MMC. This involves altering the title "Planning Director" to "Planning Manager" and replacing the term "single-family dwelling" with "single-unit dwelling."

Additionally, staff made a few code corrections to MMC 19.607 to clarify the city's interpretation of certain off-street parking standards for single-detached units and plex development. Notably, these corrections include the allowance of a fourth off-street parking space for quadplexes, which can be situated in the required front yard—single-units, duplexes, and triplexes are limited to three spaces in the required front yard. It's important to note that these changes are also unrelated to the new administrative rules.

Changes Since February 27, 2024, Work Session

At the work session on February 27, 2024, the Planning Commission provided staff with direction to modify the most recent version of the amendments. The following changes were made and are reflected in Attachments 1.b and 1.c.

1. Subsection 19.606.4.C.1 was amended to require that all ¼-acre parking lots provide a minimum of 40% tree canopy coverage over new parking areas. The code presented to the Planning Commission at the work session included a 30% minimum canopy coverage requirement.
2. The tree canopy coverage standard included as a climate mitigation action option in Subsection 19.606.4.C.2 was increased from 40% to 50% to reflect the minimum 40% requirement found in Subsection 19.606.4.C.1.

3. Subsection 19.504.7 was amended to ensure that the pedestrian connectivity and circulation standards in that subsection are applicable for ¼-acre parking lot development and redevelopment, even when Chapter 19.700 is not applicable.
4. Language was amended in Subsection 19.602.3 and added to Subsection 19.602.4 to establish a threshold for when an entire existing off-street parking area ¼-acre or larger—or made a ¼-acre or larger through added parking – must comply with all the development standards for ¼-acre parking lots found in Subsection 19.606.4. Staff proposes requiring existing parking areas that meet the ¼ acre threshold to come into conformance with all the standards in Subsection 19.606.4 when 50% or more of the existing asphalt or pavement is excavated for parking improvements.
5. The priority list in Subsection 19.602.5 was updated to reflect requirements for ¼-acre parking lot standards in Subsection 19.606.4.
6. The requirement that parking spaces located in a required yard and used for boat and RV parking be comprised of a durable and dust-free surface was removed.
7. Subsection 19.606.3.F and Subsection 19.609.4.A.5 were amended to ensure that all required bicycle parking includes adequate lighting.

STAFF RECOMMENDATION

Staff asks that the Planning Commission:

1. Recommend that the City Council approve the proposed amendments to MMC Title 19 (Zoning) presented in Attachments 1-b and 1-c.
2. Recommend that the City Council adopt the proposed ordinance and attached Findings in Support of Approval presented in Attachments 1 and 1-a, respectively.

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 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 four decision-making options as follows:

- A. Recommend that Council approve the proposed amendments per 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. However, the city must take action to comply with OAR 660-012-0400 – 0450 by June 30, 2024.

COMMENTS

Notice of the proposed amendments was posted as required by MMC Section 19.1008. Notice was also provided to the following agencies and departments: City of Milwaukie Building, Engineering, and Public Works Departments; Milwaukie City Attorney; Metro; and Department of Land and Conservation Development. Notice was also posted at City Hall, the Johnson Creek Facility, and the Ledding Library.

Prior to the public hearing in February 2023, one comment was received from Teresa Bresaw of the Lake Road NDA, looking for clarification about the new requirements and expressing reservations about the decision to no longer require off-street parking citywide. The comment also expressed skepticism about the potential efficacy of the new rules. No comments have been received regarding the latest version of the amendments.

ATTACHMENTS

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

	PC Packet	Public Copies	Packet
1. Ordinance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
a. Recommended Findings in Support of Approval	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Draft code amendment language (underline/strikeout)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Draft code amendment language (clean)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

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

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

E-Packet = packet materials available online at <https://www.milwaukieoregon.gov/bc-pc/planning-commission-115>.



COUNCIL ORDINANCE No.

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MILWAUKIE MUNICIPAL CODE (MMC) TITLE 19 ZONING ORDINANCE FOR THE PURPOSE OF ADDRESSING OFF-STREET PARKING REQUIREMENTS CITYWIDE AS REQUIRED UNDER THE TRANSPORTATION PLANNING RULE, OREGON ADMINISTRATIVE RULES (OAR) 660-012-0400 – 0450 AND OAR 660-012-0630 (FILE #ZA-2022-005).

WHEREAS, it is the intent of the City of Milwaukie to: reduce greenhouse gas emissions, remove regulations that contribute to the overbuilding of off-street parking, create a safe and pleasant pedestrian environment, mitigate the negative impacts of large surface parking lots; and

WHEREAS, the proposed code amendments implement several of the goals and policies of the city's comprehensive plan related to climate pollution, housing affordability, and active transportation, and comply with OAR 660-012-0400 – 0450 and OAR 660-012-0630; and

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

WHEREAS, on March 12, 2024, the Milwaukie 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 Milwaukie City Council finds that the proposed amendments are in the public interest of the City of Milwaukie.

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

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

Section 2. Amendments. The Milwaukie Municipal Code (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 _____.

ATTACHMENT 1

Lisa 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-2022-005
Climate Friendly and Equitable Communities Parking Code 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 make code amendments to Title 19 to remove minimum required off-street parking requirements citywide, adopt new quantity and development standards for bicycle parking, amend the off-street parking standards for properties zoned for residential development, and adopt development standards for newly constructed large parking lots. These changes are proposed pursuant to the Climate Friendly Equitable Communities (CFEC) rulemaking process which amended Oregon Administrative Rules (OAR), Chapter 660, Division 12. The land use application file number is ZA-2022-005.
2. The proposed amendments relate to OAR 660-012-0400 – OAR 660-012-0450, and OAR 660-012-0630, which were adopted by the Oregon Land Conservation and Development Commission in 2022 and then amended in November 2023. The rules were developed through the CFEC rulemaking process, which was initiated in response to Governor Brown’s Executive Order 20-04. For any city or county subject to the requirements, the updated rules require those jurisdictions to either remove minimum off-street vehicle parking mandates citywide or adopt more complex regulations that allow for some minimum off-street quantity requirements but disallow jurisdictions from applying those mandates to various land uses (affordable housing) and in certain places (near frequent transit). The new rules also require jurisdictions to adopt regulations that mitigate the impacts of newly constructed surface parking lots that are one-half acre in size or larger and adopt bicycle parking regulations that ensure parking is widely available and functional.
3. Amendments are proposed in several titles of the municipal code, as follows:
Municipal Code - Title 19 Zoning Ordinance
 - Chapter 19.200 DEFINITIONS AND MEASUREMENTS
 - Section 19.201 Definitions
 - Chapter 19.300 BASE ZONES
 - Section 19.303 Commercial Mixed-Use Zones
 - Section 19.304 Downtown Zones
 - Section 19.310 Business Industrial Zone
 - Section 19.312 North Milwaukie Innovation Area
 - Chapter 19.500 SUPPLEMENTAL DEVELOPMENT REGULATIONS
 - Section 19.504 Site Design Standards
 - Section 19.505 Building Design Standards
 - Chapter 19.600 OFF-STREET PARKING AND LOADING
 - Section 19.601 Purpose
 - Section 19.602 Application

- Section 19.603 Review Process and Submission Requirements
 - Section 19.604 General Parking Standards
 - Section 19.605 Vehicle Parking Quantity Requirements
 - Section 19.606 Parking Area Design and Landscaping
 - Section 19.607 Off-Street Parking Standards for Residential Areas
 - Section 19.608 Loading
 - Section 19.609 Bicycle Parking
 - Section 19.610 Carpool and Vanpool Parking
 - Section 19.611 Parking Structures
 - Chapter 19.900 LAND USE APPLICATIONS
 - Section 19.901 Introduction
 - Section 19.905 Conditional Uses
 - Section 19.910 Residential Dwellings
4. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
- MMC Section 19.902 Amendments to Maps and Ordinances
 - MMC Chapter 19.1000 Review Procedures
5. Sections of the MMC not addressed in these findings are found to be not applicable to the decision on this land use application.
6. The application has been processed and public notice provided in accordance with MMC Section 19.1008 Type V Review. Public hearings were held on March 12, 2024, and May 21, 2024, as required by law.
7. MMC Chapter 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 Subsection 19.1001.6 requires that Type V applications be initiated by the Milwaukie City Council, Planning Commission, Planning Manager, or any individual.
- The amendments were initiated by the Planning Manager on December 29, 2022.*
- 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.
- As detailed below, multiple opportunities for public comment and review have been provided. The draft amendments were first posted to the city's website on January 13, 2023. Planning staff notified all NDA chairs and Land Use Committee members about the proposed code amendments via email on January 17, 2023. The Planning Commission held a work session on January 10, 2023, to discuss the proposed amendments. A public hearing was held on February 14, 2023, where the Planning*

Commission adopted a motion recommending that the City Council approve the draft amendments. A work session was then held with the City Council on March 7, 2023, to discuss the recommended amendments. However, the city paused the adoption of the amendments because the state initiated a corrections and clarifications rulemaking process in May 2023 which concluded with the adoption of amended rules on November 2, 2023.

Revised amendments reflecting changes made to the OARs during the state's corrections and clarifications rulemaking along with the bicycle parking amendments discussed with the Planning Commission during a work session on July 25, 2023, were posted to the city's website on February 8, 2024. Staff held another work session with the Planning Commission on February 27, 2024, to discuss the revised amendments. A public hearing was held on March 12, 2024, where the Planning Commission passed a motion to recommend that the City council approve the proposed amendments. A work session was held with the City Council on April 2, 2024, and a public hearing was held with the City Council on May 21, 2024, where the City Council adopted the ordinance approving the 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 Planning Commission's February 14, 2023, hearing was posted as required on January 13, 2023. A notice of Planning Commission's March 12, 2024, hearing was posted on February 8, 2024. A notice of City Council's May 21, 2024, hearing was posted on April 21, 2024.

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

The proposed amendments will apply to all properties in the city. The Planning Manager has determined that the proposal affects a large geographic area.

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

Notice of the proposed amendments was sent to DLCD on January 10, 2023. A revised notice was sent to DLCD on February 7th, 2024.

- (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 January 10, 2023. A revised notice was sent to Metro on February 6, 2024.

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

The proposed amendments will apply to all properties in the city. The Planning Manager has determined that the proposal affects a large geographic area.

- (7) Subsections 19.1008.4 and 19.1008.5 establish the review authority and process for the review of a Type V application.

The Planning Commission held a duly advertised public hearing on February 14, 2023, and passed a motion recommending that the City Council approve the proposed amendments. The amendments recommending approval were then amended by city staff to reflect changes made to the OARs through the CFEC corrections and clarifications rulemaking, requiring the Planning Commission to review the amendments again.

The Planning Commission held a duly advertised public hearing on March 12, 2024, and passed a motion recommending that the City Council approve the revised amendments. The City Council held a duly advertised public hearing on May 21, 2024, and approved the amendments.

8. MMC 19.902 Amendments to Maps and Ordinances

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.

- a. 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.

As noted above, the Planning Commission held a duly advertised public hearing on February 14, 2023, and passed a motion recommending that the City Council approve the proposed amendments. The amendments recommending approval were then amended by city staff to reflect changes made to the OARs through the CFEC corrections and clarifications rulemaking, requiring the Planning Commission to review the amendments again.

The Planning Commission held a duly advertised public hearing on March 12, 2024, and passed a motion recommending that the City Council approve the revised amendments.

The City Council held a duly advertised public hearing on May 21, 2024, and approved the amendments.

- (1) MMC Subsection 19.902.5.B establishes the approval criteria for changes to land use regulations of the Milwaukie Municipal Code.

- (a) MMC Subsection 19.902.5.B.1 requires that the proposed amendment be consistent with other provisions of the Milwaukie Municipal Code.

The proposed amendments remove minimum parking quantity requirements from MMC Section 19.605 for automobiles, remove references to required parking throughout the MMC, and add requirements for newly constructed surface parking lots that are a half-acre in size or larger. These changes are required by changes to the Oregon Administrative Rules.

The proposal also amends MMC Section 19.609, updating the city's bicycle parking requirements to align with new administrative rules in OAR 660-012-0630 and to tackle longstanding challenges identified by staff within the existing code.

Finally, non-substantive amendments are proposed to ensure language consistency throughout the MMC and to clarify the city's interpretation of certain off-street parking standards in MMC Section 19.607 for single-detached units and plex development. The amendments coordinate and are consistent with other provisions of the MMC.

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

The following goals and policies of the Comprehensive Plan support the amendments to remove minimum off-street vehicle parking quantity requirements citywide and to adopt development standards that mitigate the negative impacts of large surface parking lots.

SECTION 6: Climate Change & Energy Goals and Policies

Promote energy efficiency and mitigate the anticipated impacts of climate change in Milwaukie through the use of efficient land use patterns, multimodal transportation options, wise infrastructure investments, and increased community outreach and education as outlined in the City's Climate Action Plan.

GOAL 6.1 - BUILT ENVIRONMENT

Create a built environment that prioritizes energy efficiency and climate resiliency and seamlessly integrates the natural environment.

POLICY 6.1.4 Develop standards and guidelines that contribute to a 40% citywide tree canopy.

POLICY 6.1.5 Create a more energy efficient land use pattern that includes, but is not limited to, infill and cluster development, neighborhood hubs and increased density.

POLICY 6.1.6 Encourage the creation of compact, walkable neighborhoods and neighborhood hubs throughout the City that provide a mix of uses and help reduce transportation emissions and energy usage.

SECTION 7: HOUSING GOALS AND POLICIES

Provide safe, affordable, stable housing for Milwaukie residents of every socioeconomic status and physical ability within dwellings and neighborhoods that are entirely equitable, delightfully livable, and completely sustainable.

GOAL 7.3 Sustainability

Promote environmentally and socially sustainable practices associated with housing development and construction.

POLICY 7.3.8 Allow for a reduction in required off-street parking for new development within close proximity to light rail stations and frequent bus service corridors.

SECTION 8: URBAN DESIGN & LAND USE GOALS & POLICIES

Promote the design of private development and public spaces and facilities to enhance community livability, environmental sustainability, social interaction, and multimodal connectivity and support the unique function of Milwaukie neighborhoods as the centers of daily life.

GOAL 8.2 – Livability

Enhance livability by establishing urban design concepts and standards that help improve the form and function of the built environment.

POLICY 8.2.2 Parking design policies:

A. Establish parking standards that contribute to higher levels of active transportation and increased use of transportation demand management programs to achieve community design patterns that are more sustainable.

B. As technology, development patterns, and transportation options evolve, plan for the potential conversion of parking spaces within the public right-of-way and encourage the redevelopment or conversion of existing private and public parking lots to other uses.

F. Maintain lighting, walkway, and other design standards that contribute to improved public safety.

I. Require canopy trees and swales in parking lots to reduce stormwater runoff and better manage urban temperatures.

J. Prioritize pedestrian and bicycle safety over parking convenience to minimize conflicts between modes.

The proposed amendments implement OAR 660-012-0400 – OAR 660-012-0450, which relate to how local jurisdictions regulate off-street automobile parking. The

amendments to the Transportation Planning Rule are intended to reduce greenhouse gas emissions by curbing reliance on personal automobiles, mitigating the negative impacts of large surface parking lots, and promoting a safe and attractive pedestrian-oriented urban environment. These goals are consistent with the above goals and policies of Milwaukie's Comprehensive Plan.

- (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. The proposed code amendments comply with Metro's Functional Growth Management Plan.

- (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.

Oregon Statewide Planning Goal 12: Transportation

Oregon's Statewide Planning Goal 12 is implemented through the Transportation Planning Rule, Chapter 660 Division 12 of the Oregon Administrative Rules (OAR). The amendments in this application are being proposed to comply with the changes made to the Transportation Planning Rule through the Climate Friendly Equitable Communities rulemaking process. Specifically, these amendments are being proposed to comply with OAR 660-012-0400 – OAR 660-012-0450, and OAR 660-012-0630.

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.

- (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.

Underline/Strikeout Amendments

TITLE 19 ZONING

CHAPTER 19.200 DEFINITIONS AND MEASUREMENTS

19.201 DEFINITIONS

As used in this title:

“Carport” means a stationary structure consisting of a roof, its supports, and not more than 1 wall (or storage cabinets substituting for a wall) used to shelter motor vehicles, recreational vehicles, or boats. ~~A structure is only considered to be a carport when it is being used to meet minimum off-street parking requirements.~~

CHAPTER 19.300 BASE ZONES

19.303 COMMERCIAL MIXED-USE ZONES

19.303.3 Development Standards

These development standards are intended to ensure that new development in the commercial mixed-use zones is appropriate for a mixed-use district in terms of building mass and scale, how the building addresses the street, and where buildings are located on a site.

Table 19.303.3 summarizes some of the development standards that apply in the commercial mixed-use zones. Development standards are presented in detail in Subsection 19.303.4.

Table 19.303.3 Commercial Mixed Use Zones—Summary of Development Standards			
Standard	GMU	NMU	Standards/ Additional Provisions
A. Lot Standards			
1. Minimum lot size (sq ft)	1,500	1,500	
2. Minimum street frontage (ft)	25	25	
B. Development Standards			
1. Minimum floor area ratio	0.5:1	0.5:1	Subsection 19.303.4.A Floor Area Ratio
2. Building height (ft)			Subsection 19.303.4.B Building Height
a. Base maximum	45	45	Section 19.510 Green Building Standards Subsection 19.911.7 Building Height Variance in the General Mixed Use Zone
b. Maximum with height bonus	57–69	Height bonus not available	
3. Street setbacks (ft)			

Proposed Code Amendments

a. Minimum street setback	0–15 ¹	None	Subsection 19.303.4.C Street Setbacks Section 19.501.2 Yard Exceptions
b. Maximum street setback	10–20 ²	10	
c. Side and rear setbacks	None	None	
4. Frontage occupancy	50%	None	Subsection 19.303.4.D Frontage Occupancy Requirements Figure 19.303.4.D Frontage Occupancy Requirements
5. Maximum lot coverage	85%	85%	
6. Minimum vegetation	15%	15%	Subsection 19.504.6 Minimum Vegetation
7. Primary building entrances	Yes	Yes	Subsection 19.303.4.E Primary Building Entrances
8. Off-street parking <u>standards</u> <u>required</u>	Yes	Yes	Chapter 19.600 Off-Street Parking and Loading
9. Transit street	Yes	Yes	Subsection 19.505.8 Building Orientation to Transit
10. Transition measures	Yes	Yes	Subsection 19.504.5 Transition Area Measures
C. Other Standards			
1. Residential density requirements (dwelling units per acre)			Subsection 19.202.4 Density Calculations
a. Stand-alone residential			Subsection 19.303.4.F Residential Density
(1) Minimum	25	11.6	Subsection 19.501.4 Density Exceptions
(2) Maximum	50	14.5	
b. Mixed-use buildings	None	None	
2. Signs	Yes	Yes	Subsection 14.16.040 Commercial Zone

1. Residential edge treatments apply to properties as shown in Figure 19.303.5.

2. Commercial edge treatments apply to properties as shown in Figure 19.303.4.C.2.b.

19.303.6 Additional Provisions

Depending upon the type of use and development proposed, the following sections of the Milwaukie Municipal Code may apply. These sections are referenced for convenience, and do not limit or determine the applicability of other sections within the Milwaukie Municipal Code.

B. Section 19.600 Off-Street Parking and Loading

Contains standards for vehicle and bicycle parking, including ~~required~~ maximum number of spaces and design standards for parking and loading areas where provided.

19.304 DOWNTOWN ZONES

MMC 19.304.4 Development Standards

Table 19.304.4 CONTINUED			
Downtown Zones—Summary of Development Standards			
Standard	DMU	OS	Standards/ Additional Provisions
B. Development Standards CONTINUED			
3. Street setbacks (ft)			Subsection 19.304.5.C Street Setbacks
a. Minimum street setback	0	0	Subsection 19.501.2 Yard Exceptions
b. Side and rear setbacks	None	None	
4. Off-street parking <u>standards</u> required	Yes, where applicable	Yes, where applicable	Subsection 19.304.5.D Off-Street Parking Chapter 19.600 Off-Street Parking and Loading

MMC 19.304.5 Detailed Development Standards

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

D. Off-Street Parking

1. Intent

The desired character for the DMU Zone, particularly along Main Street, is defined by a continuous façade of buildings close to the street, with adjacent on-street parking.

2. Standards

~~a. Off-street parking for residential uses is required at the ratios established in Table 19.605.1. All other applicable standards of Chapter 19.600 apply.~~

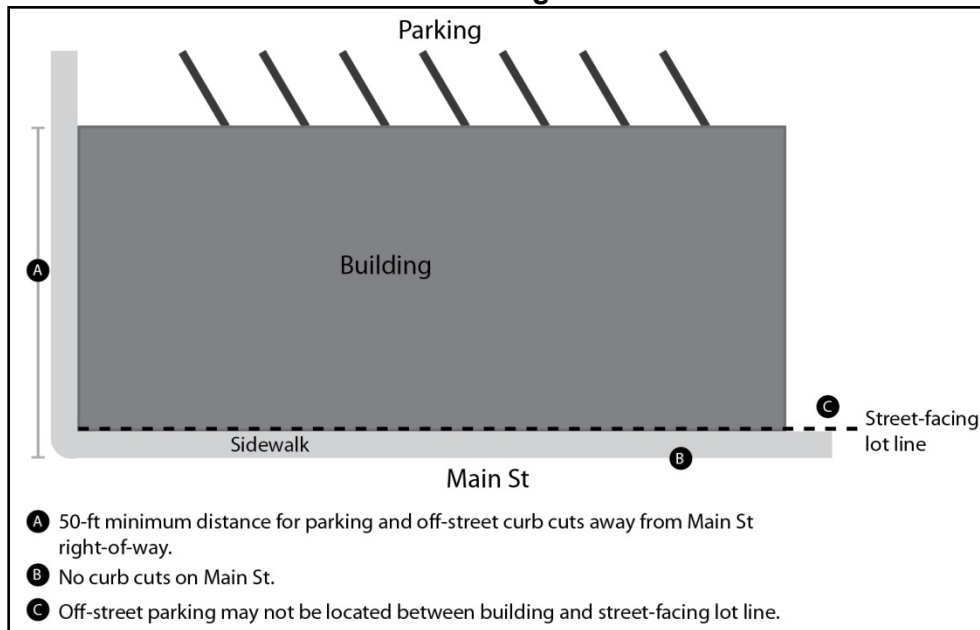
~~ab. No off-street parking is required for nonresidential uses.~~ If off-street parking is provided for residential or nonresidential uses, the parking maximums in Table 19.605.1 will apply. All other applicable standards of Chapter 19.600 will also apply.

~~be. Off-street surface parking lots (including curb cuts) must not be located within 50 ft of the Main Street right-of-way. Off-street surface parking lots approved prior to October 31, 2015, the effective date of Ordinance #2106, are exempt from this prohibition. This exemption applies only to the property owner on file with the Clackamas County Assessor as of October 31, 2015, the effective date of Ordinance #2106, and is dissolved upon transfer of ownership.~~

The Planning Commission may permit off-street parking lots and curb cuts within 50 ft of the Main Street right-of-way only upon finding, through Type III Variance review pursuant to Section 19.911, that:

- (1) The overall project meets the intent of providing a continuous façade of buildings close to Main Street.
 - (2) The off-street parking area or curb cut is visually screened from view from Main Street.
 - (3) The community need for the off-street parking area or curb cut within 50 ft of Main Street outweighs the need to provide a continuous façade of buildings in that area.
- cd. Off-street parking must not be located between a building and the street-facing lot line.

**Figure 19.304.5.D.2
Off-Street Parking Standards**



19.310 BUSINESS INDUSTRIAL ZONE BI

19.310.5 Conditional Uses

- A. Conditional uses may be established in a business industrial district subject to review and action on the specific proposal, pursuant to Section 19.905 Conditional Uses. Approval shall not be granted unless the proposal satisfies the criteria in Section 19.905; and, in addition, the proposed use:
 1. Will have minimal adverse impact on the appropriate development of uses permitted outright on abutting properties and the surrounding area considering location, size, design, and operating characteristics of the use;

2. Is compatible with the character and scale of uses allowed within the district and on a site no larger than necessary for the use and operational requirements of the use;
3. Will provide vehicular and pedestrian access, circulation, parking, and loading areas which are compatible with uses on the same site or adjacent sites; and
4. Is a needed service/product in the district, considering the mix of potential clientele and the need to maintain high-quality development in a highly visible area.

19.310.6 Standards

In the BI district, the following standards shall apply to all uses:

H. Landscaping

15% of the site must be landscaped, except for sites adjacent to Hwy. 224, which shall provide landscaping to 20% of the site. This should consist of a variety of lawn, trees, shrubbery, and ground cover. Street trees must be provided along street frontages and within ~~required~~ off-street parking lots to help delineate entrances, provide shade, and permeable areas for stormwater runoff. A bond or financial guarantee for landscape completion shall be required.

19.312 NORTH MILWAUKIE INNOVATION AREA

19.312.5 Development Standards

These development standards are intended to ensure that new development is appropriate in terms of building mass and scale, how the building addresses the street, and where buildings are located on a site.

Table 19.312.5 summarizes some of the development standards that apply in the NMIA. Development standards are presented in detail in Subsection 19.312.6.

Table 19.312.5			
North Milwaukie Innovation Area — Summary of Development Standards			
Standard	NME	MUTSA	Standards/Additional Provisions
A. Lot Standards			
1. Minimum lot size (sq ft)	None	None	
2. Minimum street frontage (ft)	None	None	
B. Development Standards			
1. Floor area ratio (min/max)	0.5:1/3:1	0.5:1/3:1	
2. Building height (ft)			Subsection 19.312.6.A Building height bonus Subsection 19.510 Green Building Standards
a. Minimum	25	25	
b. Maximum (Height bonus available)	45-90	45-90	
3. Setbacks (ft)			Subsection 19.501.2 Yard Exceptions
a. Minimum front yard setback	None	None	
b. Maximum front yard setback	10-30 ¹	10-30 ¹	
c. Side and rear setbacks	None ²	None ²	
4. Maximum lot coverage	85%	85%	
5. Minimum landscaping	15%	15%	Subsection 19.312.6.G Landscaping
6. Flexible ground-floor space	Yes, where applicable	Yes, where applicable	Subsection 19.312.7.A.6 Flexible ground-floor space
7. Off-street parking standards <u>required</u>	Yes	Yes	Subsection 19.312.6.C Loading and Unloading Areas Subsection 19.312.7.C Parking, Loading and Unloading Areas Chapter 19.600 Off-Street Parking and Loading
8. Frontage occupancy	50%	50%	Subsection 19.312.7.A.7 Frontage occupancy

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.504 SITE DESIGN STANDARDS

19.504.7 On-Site Walkways and Circulation

A. Requirement

All development subject to Chapter 19.700 (excluding single detached, middle housing, and multi-unit residential development), or when specifically required elsewhere in Title 19, shall provide a system of walkways that encourages safe and convenient pedestrian movement within and through the development site. Redevelopment projects that involve remodeling or changes in use must be brought closer into conformance with this requirement to the greatest extent practicable. On-site walkways shall link the site with the public street sidewalk system, where sidewalks exist, or to the edge of the paved public street, where sidewalks do not exist. Walkways are required between parts of a site where the public is invited to walk. Walkways are not required between buildings or portions of a site that are not intended or likely to be used by pedestrians, such as truck loading docks and warehouses.

19.505 BUILDING DESIGN STANDARDS

19.505.3 Multi-Unit Housing

D. Design Guidelines and Standards

Applicable guidelines and standards for multi-unit and residential care facilities are located in Table 19.505.3.D. These standards should not be interpreted as requiring a specific architectural style.

Table 19.505.3.D		
Multi-Unit Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
3. Pedestrian Circulation	Site design should promote safe, direct, and usable pedestrian facilities and connections throughout the development. Ground-floor units should provide a clear transition from the public realm to the private dwellings.	The on-site pedestrian circulation system shall include the following: <ul style="list-style-type: none"> a. Continuous connections between the primary buildings, streets abutting the site, ground level entrances, common buildings, common open space, and vehicle and bicycle parking areas, <u>and transit facilities abutting the site.</u> b. At least 1 pedestrian connection to an abutting street frontage for each 200 linear ft of street frontage. c. Pedestrian walkways shall be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards. d. Walkways shall be constructed with a hard surface material, shall be permeable for stormwater, and shall be no less than 5 ft wide. If adjacent to a parking area where vehicles will overhang the walkway, a 7-ft-wide walkway shall be provided. The walkways shall be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials.

Table 19.505.3.D CONTINUED		
Multi-Unit Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
		e. On-site walkways shall be lighted to an average 5/10-footcandle level. Stairs or ramps shall be provided where necessary to provide a direct route.
4. Vehicle and Bicycle Parking	Vehicle parking should be integrated into the site in a manner that does not detract from the design of the building, the street frontage, or the site. Bicycle parking should be secure, sheltered, and conveniently located.	<p>Parking for the development shall comply with the following:</p> <ul style="list-style-type: none"> a. On-site surface parking areas, garages, and vehicle maneuvering areas shall not be located directly between the façade of a primary building(s) and an abutting street right-of-way. b. Parking located to the side of a dwelling structure shall be limited to 50% of the linear frontage of that side. Drive aisles without adjacent parking spaces do not count as parking areas for purposes of this standard. c. All garages that are part of the same structure that contains dwelling units shall be located at least 4 ft behind the front building façade. d. <u>See Section 19.609 for bicycle parking requirements.</u> For developments with more than 20 units, the covered bicycle parking required by Subsection 19.609.2-B shall meet the following standards. These standards apply instead of, and not in addition to, the standards in Subsections 19.609.3 and 4. <ul style="list-style-type: none"> (1) The parking area shall be inside a building or sheltered to provide complete, year-round protection from precipitation. (2) Entrance to the parking area shall be secured by lock so that only residents have access to the area. (3) The area shall have permanently mounted bicycle racks or hangers that allow the bicycle frame to be locked to the rack or hanger. (4) Spaces and aisles within the parking area shall allow for storage and movement of a bicycle width of 2.5 ft and length of 6.5 ft. (5) The parking area shall have an average illumination of at least 1.0 foot candle. (6) Parking areas not located within a dwelling structure or structured parking shall be located no further than 30 ft from the main entrance of a dwelling structure.

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, GMU, NMU
A. Home Types		
1. Building types allowed, minimum and maximum number per cluster	Detached cottages 3 minimum 12 maximum dwelling units	Detached and Attached 3 minimum 12 maximum dwelling units
B. Home Size		
1. Max building footprint per home	900 sf	
2. Max average floor area per dwelling unit	1,400 sf	
C. Height		
1. Max height	25 ft or 2 stories, whichever is greater	
2. Max structure height between 5 & 10 ft of rear lot line	15 ft	
3. Max height to eaves facing common green	1.618 times the narrowest average width between two closest buildings	
D. Setbacks, Separations, and Encroachments		
1. Separation between structures (minimum)	6 ft	
2. Side and rear site setbacks	5 ft	
3. Front site setback (minimum)	10 ft	
Table 19.505.4.C.1 CONTINUED Cottage Cluster Development Standards		
Standards	R-MD	R-HD, GMU, NMU
4. Front site setback (maximum)	20 ft	
5. Separation between clusters (minimum)	10 ft	
E. Impervious Area, Vegetated Area		
1. Impervious area (maximum)	60%	65%
2. Vegetated site area (minimum)	35%	35%
F. Community and Common Space		
1. Community building footprint (maximum) ¹	1,000 sf	1,000 sf
2. Common Space	19.505.4.E.2	19.505.4.E.2
G. Parking (see also 19.505.4.E.4)		
1. Automobile parking spaces per dwelling unit primary home (minimum) (maximum)	0.5 <u>See MMC Section 19.605</u>	0.5 <u>See MMC Section 19.605</u>
2. Dry, secure bicycle parking spaces per home	1.5 <u>See MMC Section 19.609</u>	

Bicycle Parking spaces per dwelling unit (minimum)	
3. Guest/short term bicycle parking spaces per home (minimum)	0.5

E. Site Design and Other Standards

4. Off-Street Parking

- a. ~~There must be at least 0.5 off-street parking spaces per dwelling unit per Table 19.505.4.B.1. When off-street parking is provided, The parking spaces~~ must be located together with parking spaces for other cottages in a common area, and not located on the same lot as an individual cottage unit.
- b. A cottage cluster parking area must be set back from the street. The distance of the setback is dependent on the orientation of the structure or lot. If the axis of the longest dimension of the parking area has an angle of 45 degrees or more to the lot line, the narrow dimension may be within 5 ft of the street. If the angle is less than 45 degrees, the parking area must be at least 20 ft from the street.
- c. If there are more than 8 units in a cottage cluster and off-street parking is provided, there must be at least 2 separate parking areas with a minimum of 4 parking spaces in each area. A drive aisle connecting the 2 areas is permitted if a separate driveway access for each area is not permitted per Chapter 12.16 Access Management.
- d. Parking spaces may be located within a garage or a carport. Garages or carports in a cottage cluster may not contain more than 4 parking spaces, must be at least 10 ft from any cottage dwelling; and must match the materials, trim, and roof pitch of the cottages. The interior height of a garage or carport shall not exceed 8 ft high, unless a modification is requested for cases that would use space saving parking technology (e.g., interior car stacking) that might require additional interior height. This modification would be requested per Section 19.911 Variances.
- e. Parking spaces that are not in a garage or carport must be screened from common open space, public streets, and adjacent residential uses by landscaping and/or screen, such as a fence. Chain-link fencing with slats ~~are~~ is not allowed as a screen.
- f. Off-street parking may be arranged in clusters, subject to the following standards:
 - (1) Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.
 - (2) Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.
 - (3) Parking clusters must be separated from all other areas by at least 4 ft of landscaping.
 - (4) Clustered parking areas may be covered.
- g. Off-street parking spaces and vehicle maneuvering areas must not be located:

- (1) Within 20 ft of any street property line, except alley property lines;
 - (2) Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys;
 - (3) Off-street parking spaces must not be located within 10 ft of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 ft of other property lines.
- h. Landscaping, fencing, or walls at least 3 ft tall must separate clustered parking areas and parking structures from common courtyards and public streets.
 - i. Garages and carports (whether shared or individual) must not abut common courtyards.
 - ~~j. Individual attached garages up to 200 sq ft must be exempted from the calculation of maximum building footprint for cottages.~~
 - j.k. Individual detached garages must not exceed 400 sq ft in floor area and are exempted from the calculation of maximum building footprint for cottages.
 - k.l. Garage doors for attached and detached individual garages must not exceed 20 ft in width.

CHAPTER 19.600 Off-Street Parking and Loading

19.601 PURPOSE

Chapter 19.600 regulates off-street parking and loading areas on private property outside the public right-of-way. The purpose of Chapter 19.600 is to: ~~provide adequate, but not excessive, off-street parking;~~ support efficient streets; avoid unnecessary conflicts between vehicles, bicycles, and pedestrians; encourage bicycling, transit, and carpooling; minimize parking impacts to adjacent properties; improve the appearance of parking areas; and minimize environmental impacts of parking areas.

Regulations governing the provision of on-street parking within the right-of-way are contained in Chapter 19.700. The management of on-street parking is governed by Chapter 10.20. Chapter 19.600 does not enforce compliance with the Americans with Disabilities Act (ADA). ADA compliance on private property is reviewed and enforced by the Building Official. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2106 § 2 (Exh. F), 2015; Ord. 2025 § 2, 2011)

19.602 APPLICABILITY

19.602.1 General Applicability

The regulations of Chapter 19.600 apply to all off-street parking areas and off-street loading areas, ~~whether required by the City as part of development or a change in use, per Subsection 19.602.3, or voluntarily installed for the convenience of users, per Subsection 19.602.4.~~ Activity that is not described by Subsections 19.602.3 or 4 is exempt from compliance with the provisions of Chapter 19.600. Changes to nonconforming off-street parking and loading are addressed through Chapter 19.600 and not through the provisions of Chapter 19.800.

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.

B. Existing off-street parking and loading areas shall be brought closer into conformance with the standards of Chapter 19.600, per Subsection 19.602.5, when the following types of development or change in use occur:

1. Development that results in an increase of less than 100% of the existing floor area and/or structure footprint.
2. Changes of use, as defined in Section 19.201.
3. Existing off-street parking areas ¼-acre or larger or made a ¼-acre or larger through added parking. Where 50% or more of the existing asphalt or pavement is excavated for parking improvements, the entire off-street parking area must conform with Subsection 19.606.4.

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 19.605.45 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. Any parking area that is ¼-acre or larger or becomes a ¼-acre or larger through added parking must comply with Subsection 19.606.4 when 50% or more of the existing asphalt or pavement is excavated for parking improvements.

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. Any parking area that is ¼-acre or larger or becomes a ¼-acre or larger through added parking must comply with Subsection 19.606.4 when 50% or more of the existing asphalt or pavement is excavated for parking improvements.

19.602.5 Improvements to Existing Off-Street Parking and Loading Areas

A. Purpose

The purpose of Subsection 19.602.5 is to improve nonconforming off-street parking and loading areas as redevelopment occurs. These improvements should occur in conjunction with a development or change in use.

B. Limitations on Required Improvements

The cost of materials for any required improvements shall not exceed 10% of the development permit value of the associated development, redevelopment, and/or tenant improvements associated with a change in use. The cost of capital equipment such as manufacturing or operational equipment is exempt from the building permit value for purposes of this regulation. This exemption does not include building infrastructure such as electrical, plumbing, heating, venting, or air conditioning equipment.

C. Areas of Required Improvement

The Planning Director will evaluate the applicant's parking plan and use the prioritized list below when determining what improvements will be required.

1. Paving and striping of parking areas, per Subsection 19.606.3.A.
- ~~2. Minimum required vehicle parking spaces, per Section 19.605.~~
- ~~2.3.~~ Minimum required bicycle parking spaces, per Section 19.609.
- ~~3.4.~~ Landscaping of existing buffers, islands, and medians, per Subsection 19.606.2.D and Subsection 19.606.4 when applicable.
- ~~4.5.~~ New perimeter landscape buffers, islands, and medians, as applicable, per Subsection 19.606.2 and Subsection 19.606.4 when applicable.
- ~~5.~~ New pedestrian connections, as per Subsection 19.606.3.D, Subsection 19.504.7, and Subsection 19.606.4 when applicable.
6. Other applicable standards within Chapter 19.600, as determined by the Planning Director ~~Manager.~~

19.603 REVIEW PROCESS AND SUBMITTAL REQUIREMENTS

19.603.1 Review Process

The Planning ~~Manager~~ Director shall apply the provisions of Chapter 19.600 in reviewing all land use and development permit applications, except when an application is subject to a quasi-judicial land use review or appeal, in which case the body reviewing the application or appeal has the authority to implement and interpret the provisions of Chapter 19.600.

19.603.2 Submittal Requirements

Except for ~~single-family~~ single detached dwellings or development situations where no off-street parking is being provided, a development or change in use subject to Chapter 19.600 as per Section 19.602 shall submit a parking plan, drawn to scale. The parking plan shall show that all applicable standards are met, and shall include but not be limited to the items listed below, unless waived by the Planning ~~Director~~ Manager.

- A. Delineation of individual spaces and wheel stops.
- B. Drive aisles necessary to serve spaces.
- C. Accessways, including driveways and driveway approaches, to streets, alleys, and properties to be served.
- D. Pedestrian pathways and circulation.
- E. Bicycle parking areas and rack specifications.
- F. Fencing.

- G. Abutting land uses.
- H. Grading, drainage, surfacing, and subgrading details.
- I. Location and design of lighting fixtures and levels of illumination.
- J. Delineation of existing and proposed structures.
- K. Parking and loading area signage.
- L. Landscaping, including the following information.
 1. The location and area of existing and proposed trees, vegetation, and plant materials, including details about the number, size, and species of such items.
 2. Notation of the trees, plants, and vegetation to be removed, and protection measures for existing trees and plants to be preserved.

(Ord. 2025 § 2, 2011)

19.604 GENERAL PARKING STANDARDS

19.604.1 Parking Provided with Development Activity

~~All required off-street parking areas shall be provided at the time the structure is built; at the time a structure or site is enlarged; or when there is change in use or an increase in density or intensity.~~ All required off-street parking areas shall be provided in conformance with the standards of Chapter 19.600 prior to issuance of a certificate of occupancy, or final development permit approval, or as otherwise specified in any applicable land use decision.

19.604.2 Parking Area Location

Accessory parking shall be located in one or more of the following areas:

- A. On the same site as the primary use for which the parking is accessory.
- B. On a site owned by the same entity as the site containing the primary use that meets the standards of Subsection 19.605.4.B.2. Accessory parking that is located in this manner shall not be considered a parking facility for purposes of the base zones in Chapter 19.300.
- C. Where parking is approved in conformance with Subsection 19.605.2.
- D. On a site serving a separate primary use when a shared parking agreement has been procured. ~~Where shared parking is approved in conformance with Subsection 19.605.4.~~

19.604.3 Use of Parking Areas Converting Off-Street Parking Areas

~~All required off-street parking areas shall continually be available for the parking of operable vehicles of intended users of the site. Required parking shall not be rented, leased, sold, or otherwise used for parking that is unrelated to the primary or accessory use of the site, except where a shared parking agreement per Subsection 19.605.4 has been recorded. Subsection 19.604.3 does not prohibit charging fees for parking when the parking serves the primary or accessory uses on site.~~

When converting an automobile parking area to another use, access for emergency vehicles must be maintained, and adequate parking for truck loading should be considered.

19.604.4 Storage Prohibited

~~No required off-street parking area shall be used for storage of equipment or materials, except as specifically authorized by Subsection 19.607.2 Commercial Vehicle, Pleasure Craft, and Recreational Vehicle Parking. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2025 § 2, 2011)~~

19.605 VEHICLE PARKING QUANTITY REQUIREMENTS

The purpose of Section 19.605 is to ensure that development provides adequate, but not excessive, ~~does not provide 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 19.605.45 details requirements for installing electric vehicle (EV) charging infrastructure in new 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.

19.605.1 ~~Minimum and Maximum Requirements~~ Parking Maximums

- A. ~~Development shall provide at least the minimum and not~~ When off-street parking is provided with development, the number of spaces shall not be more than the maximum number of parking spaces as listed in Table 19.605.1. Modifications to the standards in Table 19.605.1 may be made as per Section 19.605. Where multiple ratios are listed, the Planning ~~Manager~~ Director shall determine which ratio to apply to the proposed development or use.
- B. When a specific use has not been proposed or identified at the time of permit review, the Planning Manager ~~Director~~ may elect to assign a use category from Table 19.605.1 to determine the ~~minimum required and~~ maximum allowed parking. Future tenants or property owners are responsible for compliance with Chapter 19.600 per the applicability provisions of Section 19.602.
- C. If a proposed use is not listed in Table 19.605.1, the Planning ~~Manager~~ Director has the discretion to apply the quantity maximum requirements of a similar use listed in the table upon finding that the listed use and unlisted use have similar parking demands. If a similar use is not listed, the quantity maximum allowance requirements will be determined per Subsection 19.605.2.
- D. ~~Where the calculation of minimum parking spaces does not result in a whole number, the result shall be rounded down to the next whole number.~~ Where the calculation of maximum parking spaces does not result in a whole number, the result shall be rounded to the nearest whole number.
- E. Parking spaces for disabled persons, and other improvements related to parking, loading, and maneuvering for disabled persons, shall conform to the Americans with Disabilities Act and shall be subject to review and approval by the Building Official. Spaces reserved for disabled persons are included in the ~~minimum required and~~ maximum allowed number of off-street parking spaces.
- F. Uses that have legally established parking areas that exceed the maximum number of spaces allowed by Section 19.605 prior to June 17, 2010, the effective date of Ordinance #2015, shall be considered nonconforming with respect to the quantity requirements. Such uses shall not be considered parking facilities as defined in Section 19.201.

Table 19.605.1 Minimum To Maximum Off-Street Parking Standards Requirements		
Use	Minimum Required	Maximum Allowed
A. Residential Uses		
1. Single detached dwellings, including manufactured homes.	1 space per primary dwelling unit.	No maximum.
2. Multi-Unit Dwellings	1 space per dwelling unit.	2 spaces per dwelling unit.
3. Middle Housing ¹ a. Duplexes b. Triplexes c. Quadplexes d. Townhouses ² e. Cottage Clusters	0 0 0 0 0.5 spaces per dwelling unit	1 space per dwelling unit 1 space per dwelling unit 1 space per dwelling unit 1 space per dwelling unit 1 space per dwelling unit
4. Residential homes and similar facilities allowed by right in residential zones.	1 space per dwelling unit plus 1 space per employee on the largest shift.	Minimum required parking 1 space per employee on the largest shift plus 1 space per bedroom.
5. Accessory dwelling units (ADU).	No additional space required unless used as a vacation rental, which requires 1 space per rental unit.	No maximum.

Table 19.605.1 CONTINUED Minimum To Maximum Off-Street Parking Standards Requirements		
Use	Minimum Required	Maximum Allowed
B. Community Service and Other Public Uses		
1. Religious institutions.	1 space per 4 seats.	1 space per 2 seats.
2. Day-care center ("family day-care" as defined in Section 19.201 has no parking requirements).	2 spaces per 1,000 sq ft of floor area.	3.5 spaces per 1,000 sq ft of floor area.
3. School—elementary or junior high.	1 space per classroom.	2 spaces per classroom.
4. School—senior high.	0.25 spaces per student, plus 1 space per staff.	0.33 spaces per student, plus 1 space per staff.
5. Meeting room, club, lodge, or association.	5 spaces per 1,000 sq ft of floor area, or 1 space per 4 seats if seats are permanently installed.	16.66 spaces per 1,000 sq ft of floor area, or 1 space per 3 seats if seats are permanently installed.
6. Library, museum, art gallery.	1 space per 1,000 sq ft of floor area.	1.2 spaces per 1,000 sq ft of floor area.
7. Nursing, convalescent, and extended-care facilities.	1 space per 4 beds.	1 space per 3 beds.
C. Lodging Places		

1. Motel, hotel, boarding house.	1 space per lodging unit.	1.5 spaces per lodging unit.
2. Bed and breakfast establishments.	1 space per lodging unit, plus 1 space for the permanent residence.	1.5 spaces per lodging unit, plus 2 spaces for the permanent residence.
D. Commercial Uses—Recreational		
1. Indoor recreation, such as a health club, gym, bowling alley, arcade, etc.	3 spaces for each 1,000 sq ft of floor area.	5.5 spaces per 1,000 sq ft of floor area.
2. Theater, auditorium, or stadium.	1 space per 4 seats.	1 space per 3 seats.
E. Commercial Uses—Retail Goods		
1. Eating and drinking establishments.	4 spaces per 1,000 sq ft floor area.	15 spaces per 1,000 sq ft of floor area.
2. General retail—grocery stores, convenience stores, specialty retail and shops.	2 spaces per 1,000 sq ft of floor area.	5 spaces per 1,000 sq ft of floor area.
3. Bulk retail—furniture and home furnishings, appliances, vehicles, building materials, and similar large items.	1 space per 1,000 sq ft of floor area.	3 spaces per 1,000 sq ft of floor area.
4. Gas stations.	No minimum.	1.25 spaces per 4 pumps.
F. Commercial Uses—Services		
1. General office, including banks.	2 spaces per 1,000 sq ft of floor area.	3.4 spaces per 1,000 sq ft of floor area.
2. Medical/dental office (non-hospital), veterinary clinic.	3.9 spaces per 1,000 sq ft of floor area.	4.9 spaces per 1,000 sq ft of floor area.
Table 19.605.1 CONTINUED		
Minimum To Maximum Off-Street Parking Standards Requirements		
Use	Minimum Required	Maximum Allowed
F. Commercial Uses—Services CONTINUED		
3. Personal services, such as a barbershop, beauty parlor, etc.	4 spaces per 1,000 square floor area.	5.4 spaces per 1,000 sq ft of floor area.
4. Commercial services, such as dry cleaners and repair shops (does not include vehicle repair).	2.8 spaces per 1,000 sq ft of floor area.	5.1 spaces per 1,000 sq ft of floor area.
5. Vehicle repair.	2 spaces per 1,000 sq ft of floor area.	2.5 spaces per 1,000 sq ft of floor area.
6. Quick vehicle repair and servicing, such as oil change and tire shops.	2 spaces per service bay.	3 spaces per service bay.
7. Mortuary/funeral home.	1 space per 5 chapel or parlor seats.	1 space per 3 chapel or parlor seats.

8. Car wash.	No minimum.	2 spaces per wash bay for self-service washes, or 2 spaces per 1,000 sq ft of floor area for full-service washes.
G. Industrial Uses		
1. Manufacturing.	1 space per 1,000 sq ft of floor area.	2 spaces per 1,000 sq ft of floor area.
2. Storage, warehouse, wholesale establishment less than 150,000 sq ft.	0.5 spaces per 1,000 sq ft of floor area.	1 space per 1,000 sq ft of floor area.
3. Storage, warehouse, wholesale establishment 150,000 sq ft or greater.	0.3 spaces per 1,000 sq ft of floor area.	0.4 spaces per 1,000 sq ft of floor area.
4. Mini-warehouse; self-service storage.	1 space per 45 storage units, plus 1 space per employee of the largest shift.	1 space per 20 storage units, plus 1 space per employee of the largest shift.

- 1 ~~For middle housing developments located on streets classified as Arterials or Collectors in the Transportation System Plan, 0.5 off-street parking spaces per dwelling unit are required.~~
- 2 ~~For townhouse developments of 8 or more townhouses, 0.5 off-street parking spaces per dwelling unit are required. Successive or phased townhouse developments to avoid this requirement are not permitted.~~

19.605.2 Maximum Quantity Modifications and Required Parking Determinations

Subsection 19.605.2 allows for the modification of ~~minimum and~~ maximum parking ratios from Table 19.605.1 as well as the determination of ~~minimum and~~ maximum parking requirements. Parking determinations shall be made when the proposed use is not listed in Table 19.605.1 and for developments with parking demands that are ~~either lower than the minimum required or~~ higher than the maximum allowed.

A. Applicability

The procedures of Subsection 19.605.2 shall apply in the following situations:

1. If the proposed use is not listed in Table 19.605.1 and the ~~quantity requirements~~ maximum allowed quantity for a similar listed use cannot be applied.
2. If the applicant seeks a modification from the ~~minimum required or~~ maximum allowed quantities as calculated per Table 19.605.1.

B. Application

Determination of parking ratios in situations listed above shall be reviewed as a Type II land use decision, per Section 19.1005 Type II Review. The application for a determination must include the following:

1. Describe the proposed uses of the site, including information about the size and types of the uses on site, and information about site users (employees, customers, residents, etc.).
2. Identify factors specific to the proposed use and/or site, such as the proximity of transit, parking demand management programs, availability of shared parking, and/or special characteristics of the customer, client, employee or resident population that affect parking demand.
3. Provide data and analysis specified in Subsection 19.605.2.B.3 to support the determination request. The Planning Manager may waive requirements of Subsection

19.605.2.B.3 if the information is not readily available or relevant, so long as sufficient documentation is provided to support the determination request.

- a. Analyze parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from the Institute of Transportation Engineers, American Planning Association, Urban Land Institute, or other similar organizations.
 - b. Review parking standards for the proposed use or similar uses found in parking regulations from other jurisdictions.
 - c. Present parking quantity and parking use data from existing developments that are similar to the proposed development. The information about the existing development and its parking demand shall include enough detail to evaluate similarities and differences between the existing development and the proposed development.
 - d. For middle housing, provide occupancy and use data quantifying conditions of the on-street parking system within one block of the middle housing development.
 - ~~e. Identify factors specific to the site, such as the preservation of a priority tree or trees, or planting of new trees to achieve 40% canopy, as identified in Chapter 46.32.~~
4. Propose a ~~minimum and~~ maximum parking ratio. For phased projects, and for projects where the tenant mix is unknown or subject to change, the applicant may propose a ~~maximum range (low and high number of parking spaces)~~ for each development phase ~~and both a minimum and maximum number of parking spaces to be provided at buildout of the project.~~
 5. Address the approval criteria in Subsection 19.605.2.C.

C. Approval Criteria

The Planning Manager shall consider the following criteria in deciding whether to approve the determination or modification. The Planning Manager, based on the applicant's materials and other data the Planning Manager deems relevant, shall set the ~~minimum parking requirement and~~ maximum parking allowed. Conditions of approval may be placed on the decision to ensure compliance with the parking determination.

1. All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use in other locations; parking quantity ~~allowances requirements~~ for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.
- ~~2. In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to decrease the amount of minimum required parking shall meet the following criteria:~~
 - ~~a. The use, frequency, and proximity of transit, parking demand management programs, and/or special characteristics of the site users will reduce expected vehicle use and parking space demand for the proposed use or development, as compared with the standards in Table 19.605.1.~~
 - ~~b. The reduction of off-street parking will not adversely affect available on-street parking.~~

~~c. The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site, or is otherwise consistent with city or comprehensive plan policy.~~

~~23.~~ In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to increase the amount of maximum allowed parking shall meet the following criteria:

- a. The proposed development has unique or unusual characteristics that create a higher-than-typical parking demand.
- b. The parking demand cannot be accommodated by shared or joint parking arrangements or by increasing the supply of spaces that are exempt from the maximum amount of parking allowed under Subsection 19.605.3.A.
- c. The requested increase is the smallest increase needed based on the specific circumstances of the use and/or site.

19.605.3 Exemptions and ~~By-Right Reductions~~ to Quantity Allowances Requirements

The following exemptions and by-right reductions cannot be used to further modify any parking modification or determination granted under Subsection 19.605.2.

A. Exemptions to Maximum Quantity Allowance

The following types of parking do not count toward the maximum amount of parking allowed on a site. This exemption applies only to the quantity requirements of Section 19.605 and not to the other requirements of Chapter 19.600. The City may impose conditions to ensure that parking spaces associated with these parking types are appropriately identified and used for the intended purpose.

1. Spaces for a parking facility.
2. Spaces for a transit facility or park and ride facility.
3. Storage or display areas for vehicle sales.
4. Employee carpool parking, when spaces are dedicated or reserved for that use.
5. Fleet parking.
6. Truck loading areas.

~~B. Reductions to Minimum Parking Requirements~~

~~Applicants are allowed to utilize multiple reductions from Subsections 19.605.3.B.2-7, provided that the total reduction in required parking does not exceed 25% of the minimum quantity requirement listed in Table 19.605.1. The total reduction in required parking is increased to 30% in the Downtown Mixed Use Zone DMU. The total reduction in required parking is increased to 50% for affordable housing units as defined in Subsection 19.605.3.B.8. Applicants may not utilize the reduction in Subsection 19.605.3.B.1 in conjunction with any other reduction in Subsection 19.605.3.B.~~

~~1. Reductions for Neighborhood Commercial Areas~~

~~The minimum parking requirements of Table 19.605.1 shall be reduced by 50% for the properties described below:~~

- ~~a. Properties zoned Commercial Limited (C-L).~~
- ~~b. Properties zoned Commercial Neighborhood (C-N).~~

- c. ~~Properties in the Neighborhood Mixed-Use (NMU) Zone in the area bounded by 40th Ave, King Rd, 44th Ave, and Jackson St.~~

~~2. Proximity to Public Transit~~

- a. ~~Parking for commercial and industrial uses may be reduced by up to 10% if the development is within 500 ft walking distance, as defined in Subsection 19.605.3.B.2.d, of a transit stop with a peak hour service frequency of 30 minutes or less.~~
- b. ~~Parking for multi-unit developments and middle housing may be reduced by up to 20% if the development is within 500 ft walking distance, as defined in Subsection 19.605.3.B.2.d, of a transit stop with a peak hour service frequency of 30 minutes or less.~~
- c. ~~Parking for all uses except single detached dwellings may be reduced by 25% if the development is within 1,000 ft walking distance, as defined in Subsection 19.605.3.B.2.d, of a light rail transit stop, or if it is located in the Downtown Mixed Use Zone DMU.~~
- d. ~~In determining walking distance, the applicant shall measure the shortest route along sidewalks, improved pedestrian ways, or streets if sidewalks or improved pedestrian ways are not present. Walking distance shall be measured along the shortest course from the point on the development site that is nearest to the transit stop.~~

~~3. Multitenant Commercial Sites~~

~~Where multiple commercial uses occur on the same site, minimum parking requirements shall be calculated as described below. The Planning Manager shall have the authority to determine when multiple uses exist on a site.~~

- a. ~~Use with highest parking requirement. The use that has the largest total number of minimum parking spaces required shall be required to provide 100% of the minimum number of parking spaces.~~
- b. ~~All other uses. All other uses on the site shall be required to provide 80% of the minimum number of parking spaces.~~

~~4. Carpool/Vanpool~~

~~Commercial and industrial developments that provide at least 2 carpool/vanpool parking spaces may reduce the required number of parking spaces by up to 10%. This reduction may be taken whether the carpool/vanpool space is required pursuant to Section 19.610 or voluntarily provided.~~

~~5. Bicycle Parking~~

~~The minimum amount of required parking for all non-single detached residential uses, other than middle housing, may be reduced by up to 10% for the provision of covered and secured bicycle parking in addition to what is required by Section 19.609. A reduction of one vehicle parking space is allowed for every 6 additional bicycle parking spaces installed. The bicycle spaces shall meet all other standards of Section 19.609. If a reduction of 5 or more stalls is granted, then on-site changing facilities for bicyclists, including showers and lockers, are required. The area of an existing parking space in an off-street parking area may be converted to bicycle parking to utilize this reduction.~~

6.—Car Sharing

Required parking may be reduced by up to 5% if at least one off-street parking space is reserved for a vehicle that is part of a car sharing program. The car sharing program shall be sufficiently large enough, as determined by the Planning Manager, to be accessible to persons throughout Milwaukie and its vicinity. The applicant must provide documentation from the car sharing program that the program will utilize the space provided.

7.—Provision of Transit Facility Improvements

The number of existing required parking spaces may be reduced by up to 10% for developments that provide facilities such as bus stops and pull-outs, bus shelters, or other transit-related facilities. A reduction of one parking space is allowed for each 100 sq ft of transit facility provided on the site.

8.—Affordable Housing

Parking minimums in Table 19.605.1 may be reduced for the following:

- a.— For any multi-unit dwelling unit or middle housing dwelling unit that meets the exemption standards as defined in Section 3.60.050, the minimum parking requirement for that unit may be reduced by 25%.

19.605.4 Shared Parking

Some or all of a use's required parking spaces may be accommodated off-premises on the parking area of a different site through shared parking, pursuant to the standards of Subsection 19.605.4. The standards of Subsection 19.605.4 do not apply to voluntary shared parking agreements that are not created in order to conform to the quantity requirements of Section 19.605.

A.—Review

The Planning Director shall determine, in accordance with Section 19.1004 Type I Review, whether the shared parking standards are met. The Planning Director may require a nonconforming parking area be brought into conformance, or closer to conformance as per Subsection 19.602.5, before it may be used for shared parking.

B.—Standards

- 1.— The applicant must demonstrate that the shared parking area has a sufficient quantity of spaces for the uses that will share the parking area. The Planning Director may require the applicant to provide data substantiating the claim that the proposed parking is sufficient for multiple uses during peak hours of demand for each use.
- 2.— The nearest parking spaces shall be no further than 1,000 ft from the principal structure(s) or use(s). The measurement shall be along a route that is adequately illuminated; has vertical or horizontal separation from travel lanes within the right-of-way; uses legal crosswalks for right-of-way crossing; and has an asphalt, concrete, or similar surface material. The applicant may propose to construct new facilities or modify existing facilities to comply with Subsection 19.605.4.B.2.
- 3.— Legal documentation between the property owners that guarantees access to the shared parking shall be recorded with the County. The documentation shall be reviewed and approved by the Planning Director prior to being recorded. The

~~agreement shall run with the land and not be tied to property ownership. The agreement shall not be terminated without City approval. The request for terminating the agreement must demonstrate that the properties in the agreement and their uses will comply with the quantity requirements of Section 19.605 after dissolution of the agreement. A copy of the recorded documentation shall be provided to the City prior to obtaining a building permit. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2186 § 2, 2019; Ord. 2161 § 2, 2018; Ord. 2112 § 2 (Exh. B), 2015; Ord. 2106 § 2 (Exh. F), 2015; Ord. 2054 § 2, 2012; Ord. 2025 § 2, 2011)~~

19.605.54 Electric Vehicle (EV) Charging Requirements

Required EV charging spaces. All new 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 new 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 new 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 new multi-unit and mixed-use buildings with 5 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 new 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.

(Ord. 2236 § 2, 2023; Ord. 2224 § 2, 2022; Ord. 2221 § 2 (Exh. B), 2022; Ord. 2218 § 2 (Exh. B), 2022; Ord. 2186 § 2, 2019; Ord. 2161 § 2, 2018; Ord. 2112 § 2 (Exh. B), 2015; Ord. 2106 § 2 (Exh. F), 2015; Ord. 2051 § 2, 2012; Ord. 2025 § 2, 2011)

19.606 PARKING AREA DESIGN AND LANDSCAPING

The purpose of Section 19.606 is to ensure that off-street parking areas are safe, environmentally sound, aesthetically pleasing, and that they have efficient circulation. The requirements in Subsection 19.606.4 apply to all types of development where a new quarter-acre parking lot or larger is provided. All other ~~These~~ standards apply to all types of development where parking is provided, except for middle housing, single detached dwellings, and adult foster/care homes. ~~residential homes.~~

19.606.1 Parking Space and Aisle Dimensions

- A. The dimensions for required off-street parking spaces and abutting drive aisles, where provided ~~required~~, shall be no less than in Table 19.606.1. The minimum dimensions listed in Table 19.606.1 are illustrated in Figure 19.606.1.

Table 19.606.1 Minimum Parking Space And Aisle Dimensions					
Angle (A)	Width (B)	Curb Length (C)	1-Way Aisle Width (D)	2-Way Aisle Width (D)	Depth (E)
0° (Parallel)	8.5'	22'	12'	19'	8.5'
30°	9'	17'	12'	19'	16.5'
45°	9'	12'	13'	19'	18.5'
60°	9'	10'	17'	19'	19'
90°	9'	9'	22'	22'	18'

19.606.2 Landscaping

- C. Perimeter Landscaping

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

1. Dimensions

The minimum width of perimeter landscape areas are shown in Table 19.606.2.C.1. Where a curb provides the border for a perimeter landscape area, the dimension shall be measured from the inside of the curb(s). The Planning ~~Director~~ Manager may

reduce the required minimum width of a perimeter landscaping area where existing development or site constraints make it infeasible to provide drive aisles, parking spaces, and the perimeter landscaping buffer width listed in Table 19.606.2.C.1.

19.606.3 Additional Design Standards

A. Paving and Striping

Paving and striping are required for all ~~required~~ maneuvering and standing areas. Off-street parking areas shall have a durable and dust-free hard surface, shall be maintained for all-weather use, and shall be striped to show delineation of parking spaces and directional markings for driveways and accessways. Permeable paving surfaces may be used to reduce surface water runoff and protect water quality.

D. Pedestrian Access and Circulation

Subsection 19.504.97 establishes standards that are applicable to an entire property for on-site walkways and circulation. The purpose of Subsection 19.606.3.D is to provide safe and convenient pedestrian access routes specifically through off-street parking areas.

Walkways required by Subsection 19.606.3.D are considered part of the on-site walkway and circulation system required by Subsection 19.504.97.

1. Pedestrian access shall be provided for off-street parking areas so that no parking space is further than 100 ft away, measured along vehicle drive aisles, from a building entrance, or a walkway that meets the standards of Subsection 19.606.3.D.2.
2. Walkways through off-street parking areas must be continuous, must lead to a building entrance, and meet the design standards of Subsection 19.504.97.E.

E. Internal Circulation

1. General Circulation

The Planning ~~Manager~~ Director has the authority to review the pedestrian, bicycle, and vehicular circulation of the site and impose conditions to ensure safe and efficient on-site circulation. Such conditions may include, but are not limited to, on-site signage, pavement markings, addition or modification of curbs, and modifying drive aisle dimensions.

2. Connections to Adjacent Parking Areas

Where feasible, parking areas shall be designed to connect with parking areas on adjacent sites to eliminate the use of the street for cross movements.

3. Drive-Through Uses and Queuing Areas

The following standards apply to uses with drive-through services and uses such as gas stations and quick vehicle service facilities where vehicles queue rather than park on the site. The Planning ~~Manager~~ Director has the authority to determine when the standards apply to a proposed use.

- a. The drive-up/drive-through facility shall be along a building face that is oriented to an alley, driveway, or interior parking area, and shall not be on a building face oriented toward a street.
- b. None of the drive-up, drive-in, or drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) are located within 20 ft of the right-of-way.

- c. Queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way. Applicants may be required to submit additional information regarding the expected frequency and length of queues for a proposed use.

F. Lighting

Lighting is required for parking areas with more than 10 vehicle spaces and must be provided for all bicycle parking areas regardless of the number of required spaces. The ~~Planning Director~~ Manager may require lighting for vehicle parking areas of less than 10 spaces if the parking area would not be safe due to the lack of lighting. Lighting shall be designed to enhance safe access for vehicles, bicyclists, and pedestrians on the site, and shall meet the following standards:

1. Lighting luminaires shall have a cutoff angle of 90 degrees or greater to ensure that lighting is directed toward the parking surface.
2. Parking area lighting shall not cause a light trespass of more than 0.5 footcandles measured vertically at the boundaries of the site.
3. Pedestrian walkways and bicycle parking areas in off-street parking areas shall have a minimum illumination level of 0.5 footcandles, measured horizontally at the ground level.
4. Where practicable, lights shall be placed so they do not shine directly into any WQR and/or HCA location. The type, size, and intensity of lighting shall be selected so that impacts to habitat functions are minimized.

19.606.4 Surface Parking Areas Over ¼-Acre

A. Purpose and Applicability

To comply with OAR 660-012-0405 and to mitigate the negative impacts of large surface parking lots such as increased ambient temperatures, increased stormwater run-off, and diminished pedestrian connectivity, all newly proposed surface parking areas that are greater than ¼-acre in size must comply with the standards in Subsection 19.606.4.

For existing parking lots ¼-acre or greater in size, Subsection 19.606.4 is applicable when 50% or more of the existing asphalt or pavement is excavated for parking improvements. See Section 19.602 for additional applicability details.

B. Measurement

Calculating the ¼-acre threshold (10,890 sq ft) is based on the cumulative area measured around the perimeter of all new off-street parking spaces, vehicle maneuvering lanes, vehicle maneuvering areas, interior walkways, and interior landscaping areas. The calculation must include all new off-street parking areas, even when parking areas are scattered throughout a property or span multiple lots but serve a common use or uses.

C. General Requirements

Parking areas that are over ¼-acre in size must comply with all the standards below.

1. Development standards.
 - a. The standards of 19.606.4.C.1 apply in addition to the applicable pedestrian access and circulation standards in Subsections 19.606.3.D, 19.504.7, and Section 19.505. Where there is a conflict with those standards, the standards in Subsection 19.606.4 take precedence.

- b. Walkway crossings at intersections with drive aisles and driveways must be provided. Crossing facilities must be demarcated by either a raised surface or by utilizing a separate surface material. Demarcation with the use of paint alone is not permitted.
 - c. Development must provide trees along driveways or a minimum of 40% tree canopy coverage over new parking areas. Tree plantings must be consistent with the planting requirements in 19.606.4.D.
2. Climate Mitigation Actions. Developments not required to comply with OAR 330-135-0010 must provide one of the following:
- a. Installation of solar panels with a generation capacity of at least 0.5 kilowatts per parking space on the property. Panels may be located anywhere on the property so long as their placement complies with other development standards in the Milwaukie Municipal Code.
 - b. Tree canopy covering at least 50% of the parking lot at maturity but no more than 15 years after planting, as measured per Subsection 19.606.4.D.

D. Tree Canopy Coverage Standards

The following standards apply when providing tree canopy coverage under Subsection 19.606.4.C.2.c.

1. Calculating Parking Lot Area to be Covered by Tree Canopy

When calculating the area required to be covered by a tree canopy for the purposes of this Subsection, the following rules must be followed:

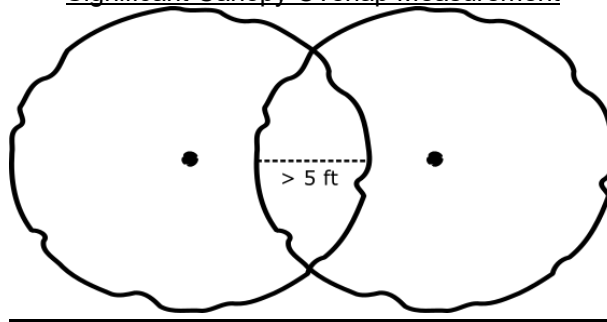
- a. All surface areas on which a vehicle is designed to maneuver, such as drives, drive-through lanes, drive aisles, and parking stalls, must be included.
- b. Areas not used for passenger vehicles, such as loading areas, interior landscaped areas, interior walkways not designed to be used by a passenger vehicle, and areas that are permanently used for outdoor storage, can be excluded when calculating this area.

2. Calculating Tree Canopy Coverage

When calculating tree canopy coverage to comply with this Subsection, the following rules must be followed:

- a. The expected diameter of the tree crown at 15 years must be used to calculate tree canopy coverage, regardless of if the tree is mature at that time.
- b. The area under the expected canopy at 15 years that is either paved surface, including parking stalls and maneuvering areas, loading areas, walkways that are interior to the parking area, and interior and perimeter parking area landscaping will count towards meeting the required canopy coverage standard.
- c. The existing canopy of trees preserved on-site and providing coverage of the subject parking area can be counted towards the canopy coverage standard. The current diameter of a preserved tree's crown must be used to calculate tree canopy coverage. Or, if the tree was newly planted, the expected diameter of the tree crown area at 15 years can be used. Preserved trees used to meet this standard must be at least 2 in diameter at breast height if deciduous and at least 5 ft tall if coniferous.

- d. Trees located off-site, including those in the public right-of-way, do not count towards the canopy coverage standard.
- e. Newly planted trees that are isolated in disconnected individual planters are permitted but do not count towards the canopy coverage standard. The canopy of preserved trees that are isolated and at least 12 in diameter at breast height can count toward the canopy coverage standard.
- f. Canopy that covers structures does not count towards the canopy coverage standard unless covering a roofed but unenclosed structure that is used for protecting an automobile, bicycle, garbage/recycling area, or similar area from the elements.
- g. Canopy area of significant overlap does not count towards the canopy coverage standard. Significant overlap is defined as any overlap greater than 5 ft. The overlap measurement is the length of a line segment within the overlap area of a line between tree canopy trucks/centers. See Figure 19.606.4 for an example of this measurement.

Figure 19.606.4Significant Canopy Overlap Measurement**3. Tree Plan Submittal Requirements**

The following must be submitted to demonstrate compliance with this standard at the time development permits are submitted or with any land-use application subject to this Subsection and Subsection 19.906.

- a. A tree plan must be submitted to the Urban Forester or designee per the submittal requirements in Subsection 16.32.042.H
- b. The tree plan shall be prepared by an ISA-certified arborist in coordination with local utility providers. The final tree plan must be reviewed and approved by the Urban Forester.

4. General Tree Planting and Maintenance Requirements

In providing trees under Subsection 19.606.4, plantings shall comply with the following standards.

- a. Trees must be planted in continuous trenches in perimeter and interior landscaping areas and spaced to maintain a continuous canopy 15 years after planting. Canopy spacing will be measured based on the expected diameter of the tree crown 15 years after planting. Sections of the canopy are considered continuous when there

is no space greater than 3 ft between two or more projected crown areas. Gaps in the canopy are permitted to accommodate other features of the parking area, such as drive aisles.

- b. Applicants must submit a soil volume and protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.G Soil Volume Standards.
- c. Applicants must submit a tree protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.F Tree Protection Standards.
- d. Trees must be maintained to ensure their survival and long-term health. Inspection of tree health will occur at the time of site development and, to ensure tree survival, three to five years after planting.

19.607 OFF-STREET PARKING STANDARDS FOR RESIDENTIAL AREAS

19.607.1 Residential Driveways and Vehicle Parking Areas

Subsection 19.607.1 is intended to preserve residential neighborhood character by establishing off-street parking standards. The provisions of Subsection 19.607.1 apply to passenger vehicles and off-street parking areas for single detached dwellings, duplexes, triplexes, quadplexes, townhouses, cottage clusters, and residential homes in all zones, unless specifically stated otherwise.

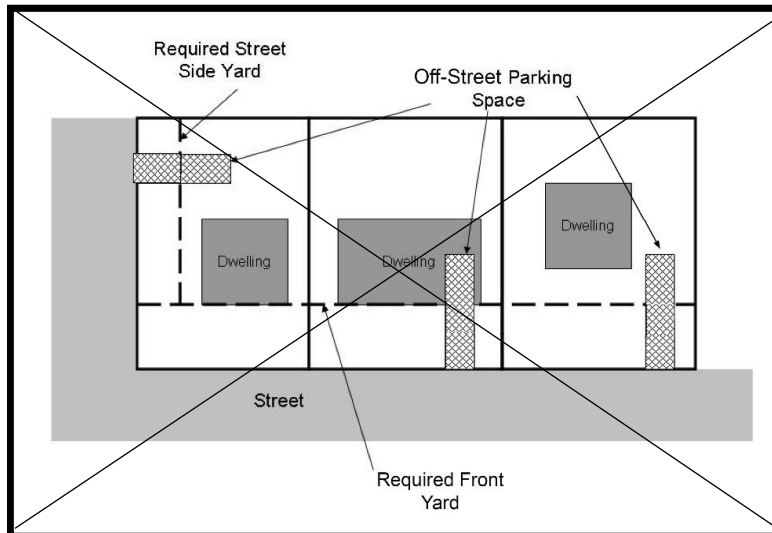
A. Dimensions

Off-street parking space dimensions for ~~required~~ parking spaces are 9 ft wide x 18 ft deep.

B. Location

- ~~1. Off street vehicle parking shall be located on the same lot as the associated dwelling, unless shared parking is approved per Subsection 19.605.4. Tandem (end to end) parking is allowed for individual units.~~
- 12. No portion of an off-street parking space ~~the required parking space~~ is allowed within the following areas. See ~~Figure 19.607.1.B.2~~. These standards do not apply to off-street parking for cottage clusters, which are subject to the standards in Subsection 19.505.4.
 - a. Within an adjacent public street right-of-way or access easement.
 - b. Over a public sidewalk.

~~**Figure 19.607.1.B.2**
Parking Space Location~~



C. Parking Surface Materials

Parking of vehicles shall only be allowed on surfaces described in Subsection 19.607.1.C.

1. The following areas are required to have a durable and dust-free hard surface, and shall be maintained for all-weather use. The use of pervious concrete, pervious paving, driveway strips, or an in-ground grid or lattice surface is encouraged to reduce stormwater runoff.

~~a. Required parking space(s).~~

~~a. b.~~ All vehicle parking spaces and maneuvering areas located within a required front ~~or, street-side, or~~ side yard. Areas for boat or RV parking are exempt from this requirement and may be graveled.

~~b. e.~~ All off-street parking and maneuvering areas for an adult foster/care home. ~~residential home.~~

2. Maneuvering areas and ~~unrequired~~ parking areas that are outside of a required front, street-side, or side yard are allowed to have a gravel surface.

D. Parking Area Limitations

Uncovered parking spaces and maneuvering areas for vehicles, and for recreational vehicles and pleasure craft as described in Subsection 19.607.2.B, have the following area limitations. See Figure 19.607.1.D. The pole portion of a flag lot is not included in these area limitations.

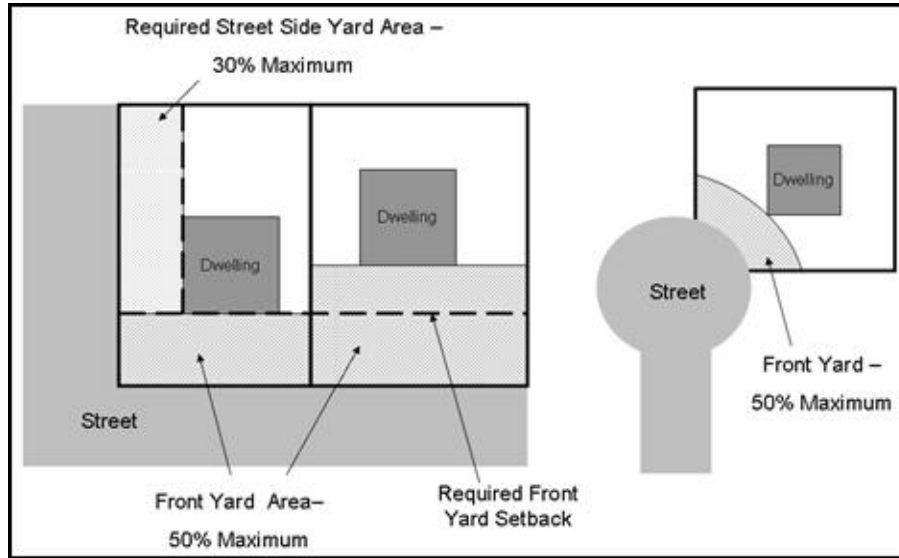
These standards do not apply to off-street parking for cottage clusters, which are subject to the standards in Subsection 19.505.4; nor to townhouses, which are subject to the standards in Subsection 19.505.5.

1. Uncovered parking spaces and maneuvering areas cannot exceed 50% of the front yard area.
2. Uncovered parking spaces and maneuvering areas cannot exceed 30% of the required street side yard area.
3. No more than 3 residential parking spaces are allowed within the required front yard. A residential parking space in the required front yard is any 9- x 18-ft rectangle that is entirely within the required front yard that does not overlap with another 9- x 18-ft

rectangle within the required front yard. Quadplexes are permitted a fourth parking space within the required front yard.

Figure 19.607.1.D

Front and Street Side Yard Parking Area Limits



19.607.2 Commercial Vehicle, Pleasure Craft, and Recreational Vehicle Parking

Subsection 19.607.2 is intended to preserve residential neighborhood character by minimizing the impacts created by the parking and storing of commercial vehicles, pleasure crafts, and recreational vehicles. The standards of Subsection 19.607.2 apply to off-street parking areas for cottage clusters, rowhouses, duplexes, triplexes, quadplexes, single-family single detached dwellings, and adult foster/care homes residential homes in all zones.

- A. Commercial vehicles shall not be permitted to be parked or stored in the front yard or required street side yard on cottage cluster, rowhouse, duplex, single-family single detached dwelling, or residential home properties. Commercial vehicles may be present anywhere on these properties for up to 12 hours in 1 day if the vehicle is engaged in loading or unloading materials for a residence(s).
- B. Recreational vehicles and pleasure crafts on middle housing, cottage cluster, rowhouse, duplex, single-family single detached, or adult foster/care home residential home properties must comply with the following regulations:
 1. On residential lots less than 1 acre, only 1 recreational vehicle or private pleasure craft that is not located in an enclosed structure such as a garage shall be allowed. Canoes and other crafts less than 12 ft long shall be exempt from this requirement. On lots larger than 1 acre, 1 additional recreational vehicle or private pleasure craft that is not located in an enclosed structure is allowed for each 1/2 acre of area over 1 acre.
 2. No vehicle or pleasure craft shall be lived in, have housekeeping maintained, or have hook-up to utilities while parked or stored on, or otherwise attached or moored to, a lot used for middle housing, a cottage cluster, rowhouse, duplex, single-family single detached dwelling, or adult foster/care home residential home.

19.608 LOADING

19.608.2. Number of Loading Spaces

The Planning ~~Director~~ Manager shall determine whether to require off-street loading for commercial, industrial, public, and semipublic uses. The ratios listed below should be the minimum required unless the Planning Director finds that a different number of loading spaces are needed upon reviewing the loading needs of a proposed use.

A. Residential Buildings

Buildings where all of the floor area is in residential use should meet the following standards:

1. Fewer than 50 dwelling units on a site that abuts a local street: no loading spaces required.
2. All other buildings: 1 loading space.

B. Nonresidential and Mixed-Use Buildings

Buildings where any floor area is in nonresidential uses should meet the following standards:

1. Less than 20,000 sq ft of total floor area: no loading spaces required.
 2. 20,000 to 50,000 sq ft of total floor area: 1 loading space.
 3. More than 50,000 sq ft of total floor area: 2 loading spaces.
-

19.609 BICYCLE PARKING

19.609.1 Applicability

~~Bicycle parking shall be provided for all new commercial, industrial, community service use, middle housing, and multi-unit residential development. Temporary and seasonal uses (e.g., fireworks and Christmas tree stands) and storage units are exempt from Section 19.609. Bicycle parking shall be provided in the Downtown Mixed Use Zone and at transit centers.~~

Bicycle parking must be provided for all new commercial, industrial, community service use, cottage-cluster, mixed-use, and multi-unit residential development. Temporary and seasonal uses (e.g., fireworks and Christmas tree stands), single-detached dwellings, plex developments, single-room occupancy housing, townhouses, and adult foster/care homes are exempt from Section 19.609.

This section includes requirements for both short and long-term bicycle parking. Short-term parking facilities include bicycle parking that is convenient, easily accessible, visible to site visitors and occupants, and generally intended for bicycles parked for two hours or less in one location. Long-term bicycle parking facilities are generally only accessible to the users of the parking, are in a secure location, provide protection from the elements, and are intended for bicycles parked for longer than two hours.

19.609.2 Quantity of Spaces

~~A. The quantity of required bicycle parking spaces shall be as described in this subsection. In no case shall less than 2 spaces be provided.~~

- ~~1. Unless otherwise specified, the number of bicycle parking spaces shall be at least 10% of the minimum required vehicle parking for the use.~~
 - ~~2. The number of bicycle parking spaces at transit centers shall be provided at the ratio of at least 1 space per 100 daily boardings.~~
 - ~~3. Multi-unit residential and middle housing development with 4 or more units must provide one space per unit. Parking for cottage cluster developments is specified in Table 19.505.4.C.1.~~
- ~~B. Covered or enclosed bicycle parking. A minimum of 50% of the bicycle spaces shall be covered and/or enclosed (in lockers or a secure room) in any of the following situations:~~
- ~~1. When 10% or more of vehicle parking is covered.~~
 - ~~2. If more than 10 bicycle parking spaces are required.~~
 - ~~3. Multifamily residential development with 4 or more units.~~
- A. Development must provide the number of bicycle parking spaces as listed in Table 19.609.2. In no case shall less than 2 short-term and 2 long-term spaces be provided, unless specifically stated otherwise. Modifications to the standards in Table 19.609.2 may be made as per Section 19.609.3.
- B. When a specific use has not been proposed or identified at the time of permit review, the Planning Manager may elect to assign a use category from Table 19.609.2 to determine the bicycle parking required. Future tenants or property owners are responsible for compliance with Chapter 19.600 per the applicability provisions of Section 19.602.
- C. If a proposed use is not listed in Table 19.609.2, the Planning Manager has the discretion to apply the quantity requirements of a similar use listed in the table upon finding that the listed use and unlisted use have similar parking demands.
- D. Where the calculation of minimum bicycle parking spaces does not result in a whole number, the result shall be rounded up to the next whole number.

Table 19.609.2: Minimum Required Bicycle Spaces		
Use	Long-term Spaces	Short-term Spaces
A. Residential Uses		
<u>Multi-Unit Residential Development (5 or more units on site)</u>	<u>1.0 per unit</u>	<u>2 or one per 20 units</u>
<u>Cottage Cluster Development</u>	<u>1.5 per unit</u>	<u>0.5 per unit</u>
B. Commercial Uses		
<u>Retail Sales and Services</u>	<u>0.20 per 1000 sq ft of floor area</u>	<u>0.23 per 1000 sq ft of floor area</u>
<u>Retail Restaurants and Bars</u>	<u>0.27 per 1000 sq ft of floor area</u>	<u>0.63 per 1000 sq ft of floor area</u>
<u>Temporary Lodging</u>	<u>0.10 per 1000 sq ft of floor area</u>	<u>0.01 per 1000 sq ft of floor area</u>
<u>Office</u>	<u>0.43 per 1000 sq ft of floor area</u>	<u>0.03 per 1000 sq ft of floor area</u>
<u>Major Event Entertainment</u>	<u>0.07 per 1000 sq ft of floor area</u>	<u>0.20 per 1000 sq ft of floor area</u>

Medical Office (non-hospital)	0.28 per 1000 sq ft of floor area	0.29 per 1000 sq ft of floor area
C. Industrial Uses		
Manufacturing and Production	0.16 per 1000 sq ft of floor area	0.01 per 1,000 sq ft of floor area
Warehouse and Freight Movement	0.08 per 1000 sq ft of floor area	0.003 per 1000 sq ft of floor area
Self-storage or Mini Warehouse	0.005 per 1000 sq ft of floor area	0.018 per 1000 sq ft of floor area
D. Institutional Uses		
Religious Institution	0.07 per 1000 sq ft of floor area	0.44 per 1,000 sq ft of floor area
Daycare	0.26 per 1000 sq ft of floor area	0.03 per 1,000 sq ft of floor area
Elementary or Middle School	2 per classroom	1 per 100,000 sq ft of floor area
High School	4 per classroom	1 per 100,000 sq ft of floor area
College (excluding dormitories)	0.07 per 1000 sq ft of floor area	0.06 per 1000 sq ft of floor area
Library, Museum, Community Center, Performance Theater	0.25 per 1000 sq ft of floor area	0.10 per 1,000 sq ft of floor area
Medical Center or Hospital	0.27 per 1000 sq ft of floor area	0.01 per 1000 sq ft of floor area
Parks and Open Area	None	Neighborhood Parks: 4 per park Community Parks or Natural Areas: 8 per park/area
Transit Center	None	1 space per 100 daily boardings

19.609.3 ~~Space Standards and Racks~~ Bicycle Parking Quantity Modification and Required Parking Determinations

A. ~~The dimension of each bicycle parking space shall be a minimum of 2 x 6 ft. A 5-ft wide access aisle must be provided. If spaces are covered, 7 ft of overhead clearance must be provided. Bicycle racks must be securely anchored and designed to allow the frame and 1 wheel to be locked to a rack using a high security, U-shaped, shackle lock.~~

B. ~~Lighting shall conform to the standards of Subsection 19.606.3.F.~~

Subsection 19.609.3 allows for the modification of minimum bicycle parking quantities from Table 19.609.2 as well as the determination of minimum bicycle parking requirements when a proposed use is not listed in Table 19.609.2.

A. Applicability

The procedures of Subsection 19.609.3 will apply in the following situations:

1. If the proposed use is not listed in Table 19.609.2 and the quantity requirements for a similar use, as determined by the Planning Manager, cannot be applied.
2. If the applicant seeks a modification from the minimum required quantities as calculated per Table 19.609.2.

B. Application

Determination or modification of bicycle parking ratios in situations listed above shall be reviewed as a Type I land use decision, per Section 19.1004 Type I Review. The application for a determination or modification must include the following:

1. Describe the proposed uses of the site, including information about the size and types of the uses on-site, and information about site users (employees, customers, residents, etc.).
2. Identify factors specific to the proposed use and/or site, such as the proximity of bicycle infrastructure, availability of shared bicycle parking, and/or special characteristics of the customer, client, employee, or resident population that affect bicycle parking demand.
3. Provide data and analysis specified in Subsection 19.609.3.B.3 to support the determination or modification request. The Planning Manager may waive requirements of Subsection 19.609.2.B.3 if the information is not readily available or relevant.
 - a. Analyze bicycle parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from cycling organizations, transportation planning associations, or other relevant sources.
 - b. Present bicycle parking quantity and utilization data from existing developments that are similar to the proposed development. The information about the existing development and its bicycle parking demand must include enough detail to evaluate similarities and differences between the existing development and the proposed development.
 - c. Identify factors specific to the site, such as the availability of secure bicycle parking facilities or the integration of bicycle infrastructure in the vicinity.
4. Propose a minimum bicycle parking ratio. For phased projects or projects where the tenant mix is unknown or subject to change, the applicant may propose a range (low and high number of bicycle parking spaces) for each development phase and a minimum number of bicycle parking spaces to be provided at the completion of the project.
5. Address the approval criteria in Subsection 19.609.3.C.

C. Approval Criteria

The Planning Manager will consider the following criteria in deciding whether to approve the determination or modification. The Planning Manager, based on the applicant's materials and other data the Planning Manager deems relevant, will set the minimum bicycle parking requirement. Conditions of approval may be placed on the decision to ensure compliance with the bicycle parking determination.

1. All modifications and determinations must demonstrate that the proposed bicycle parking quantities are reasonable based on existing bicycle parking demand for similar uses in other locations, bicycle parking requirements for the use in other Portland metropolitan area jurisdictions, and professional literature about the bicycle parking demands of the proposed use.
2. The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site or is otherwise consistent with City or Comprehensive Plan policy.

3. In addition to the criteria in Subsection 19.609.2.C.1 and Subsection 19.609.2.C.2, requests for modifications to decrease the amount of minimum required bicycle parking must meet one or more of the following criteria:
- a. Alternative and Climate-Friendly Transportation Amenities: The development includes other amenities that promote alternative transportation methods, such as secure bicycle sharing programs, on-site electric vehicle charging stations, or carpooling initiatives.
 - b. Specific Demographic Considerations: The targeted demographic for the development has inherent characteristics that make them unlikely to cycle or start cycling. For example, if the development is primarily frequented by or developed for older residents or individuals with disabilities, who may have limited mobility options, the need for extensive bicycle parking could be reduced.
 - c. Comprehensive Bicycle Infrastructure Plan: The applicant can propose a comprehensive bicycle infrastructure plan that outlines future measures to enhance bicycle accessibility and promote cycling within the development or the surrounding area. This plan could include commitments to improve signage, create bike-sharing programs, or establish connections to existing cycling networks. By demonstrating a long-term commitment to bicycle infrastructure, the applicant may be granted a reduction in current parking requirements.
 - d. Availability of Future Expansion Space: If the applicant can demonstrate that there is available space within the development that can be easily converted to additional bicycle parking in the future, they could be allowed a reduction in the current requirement.
 - e. Proximity to Existing Bicycle Infrastructure: The development is located in close proximity to well-established bicycle parking, such as ample existing short-term bicycle parking, or previously established shared long-term parking in a multi-tenant space/development. This assumes that users of the new facility can easily access existing parking and may not need additional on-site parking.

19.609.4 Location-Bicycle Parking Development Standards

A.—~~Bicycle parking facilities shall meet the following requirements:~~

- ~~1.— Located within 50 ft of the main building entrance.~~
- ~~2.— Closer to the entrance than the nearest non-ADA designated vehicle parking space.~~
- ~~3.— Designed to provide direct access to a public right-of-way.~~
- ~~4.— Dispersed for multiple entrances.~~
- ~~5.— In a location that is visible to building occupants or from the main parking lot.~~
- ~~6.— Designed not to impede pedestrians along sidewalks or public rights-of-way.~~
- ~~7.— Separated from vehicle parking areas by curbing or other similar physical barriers.~~

A. General Development Standards for Bicycle Parking

Long-term and short-term bicycle parking must be provided in lockers or racks that meet the following standards:

1. The area devoted to bicycle parking must be hard-surfaced.
2. Where bicycle parking is provided in racks, the racks must meet the following standards:

- a. The rack must be designed so that the bicycle frame and one wheel can be locked to a rigid portion of the rack with a U-shaped shackle lock when both wheels are left on the bicycle.
 - b. If the rack is a horizontal rack, it must support the bicycle at two points, including the frame.
 - c. The rack must be securely anchored with tamper-resistant hardware.
3. Bicycle parking spaces, aisles, and clearances must meet the minimum dimensional standards contained in Table 19.609.4.A.3. See examples of bicycle parking spacing options in Figures 19.609.4.A.3.a-g.

Table 19.609.4.A.3					
Minimum Bicycle Parking Space Dimensions					
	<u>Length</u>	<u>Width</u>	<u>Height</u>	<u>Maneuvering Area Width</u>	<u>Clearance to rack from walls</u>
<u>Standard Spacing</u>	<u>6 ft</u>	<u>2 ft</u>	<u>3 ft 4 in</u>	<u>5 ft</u>	<u>2 ft 6 in</u>
<u>Horizontal Side by Side</u>	<u>6 ft</u>	<u>1 ft 6 in</u>	<u>3 ft 4 in</u>	<u>5 ft</u>	<u>2 ft 6 in</u>
<u>Horizontal Wall Attached</u>	<u>6 ft</u>	<u>2 ft</u>	<u>3 ft 4 in</u>	<u>5 ft</u>	<u>1 ft</u>
<u>Horizontal Diagonal (45-60 degrees)</u>	<u>6 ft</u>	<u>1 ft 6 in</u>	<u>3 ft 4 in</u>	<u>5 ft</u>	<u>3 ft</u>
<u>Vertical Spaces [1]</u>	<u>3 ft 4 in</u>	<u>1 ft 5 in</u>	<u>6 ft</u>	<u>5 ft</u>	-
<u>Stacked Spaces [2]</u>	-	<u>1 ft 5 in</u>	-	<u>8 ft</u>	-
<u>Larger Bicycle Space</u>	<u>8 ft</u>	<u>3 ft</u>	<u>3 ft 4 in</u>	<u>5 ft</u>	<u>3 ft</u>

- 1. The spacing allowed for vertical bicycle parking spaces requires a minimum vertical stagger of 8 inches between each space.
- 2. The spacing for stacked bicycle parking requires a vertical stagger to be included in the manufacturer’s design.

Figure 19.609.4.A.3.a
Standard Bicycle Parking

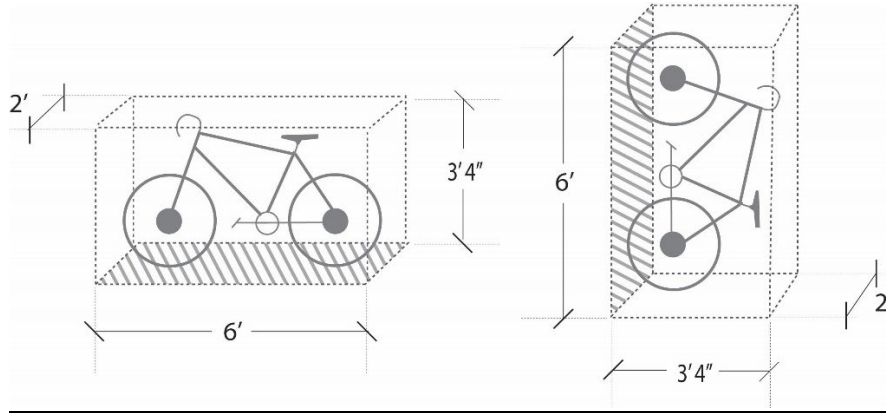


Figure 19.609.4.A.3.b

Horizontal Side-by-Side Bicycle Parking

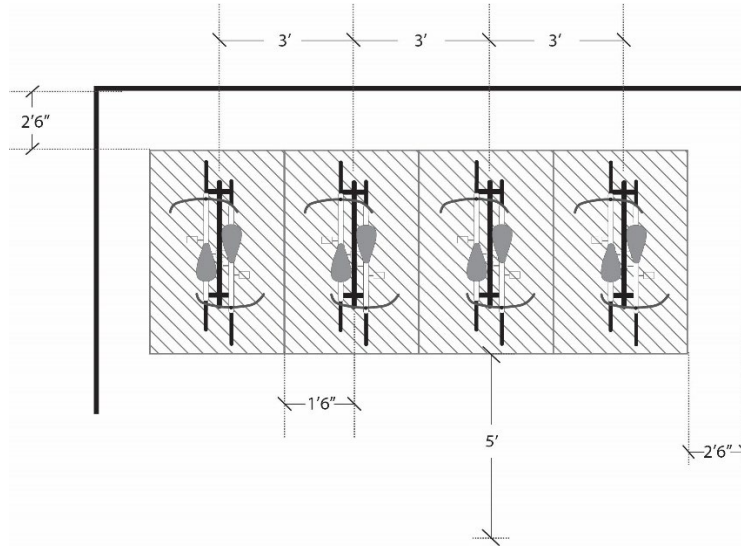


Figure 19.609.4.A.3.c

Horizontal Wall Attached Bicycle Parking

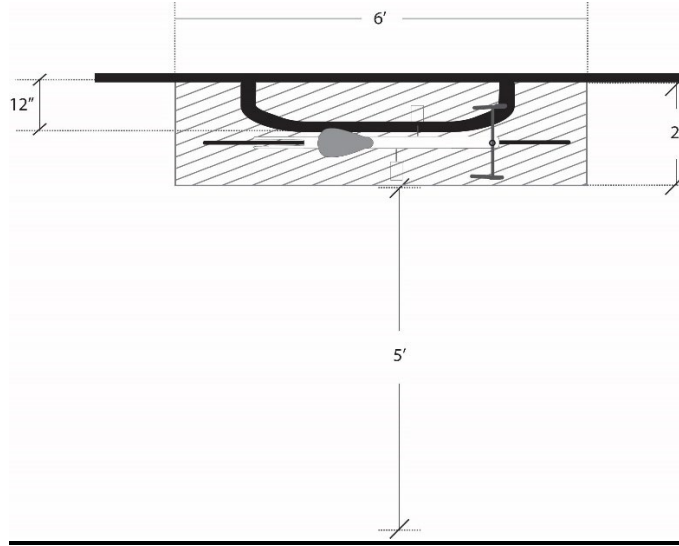


Figure 19.609.4.A.3.d
Horizontal Diagonal (45-60 degree) Bicycle Parking

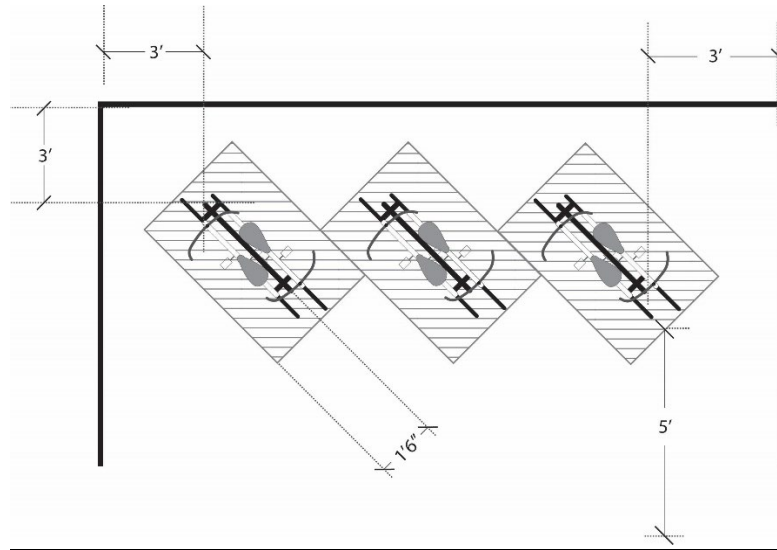


Figure 19.609.4.A.3.e
Vertical Bicycle Parking

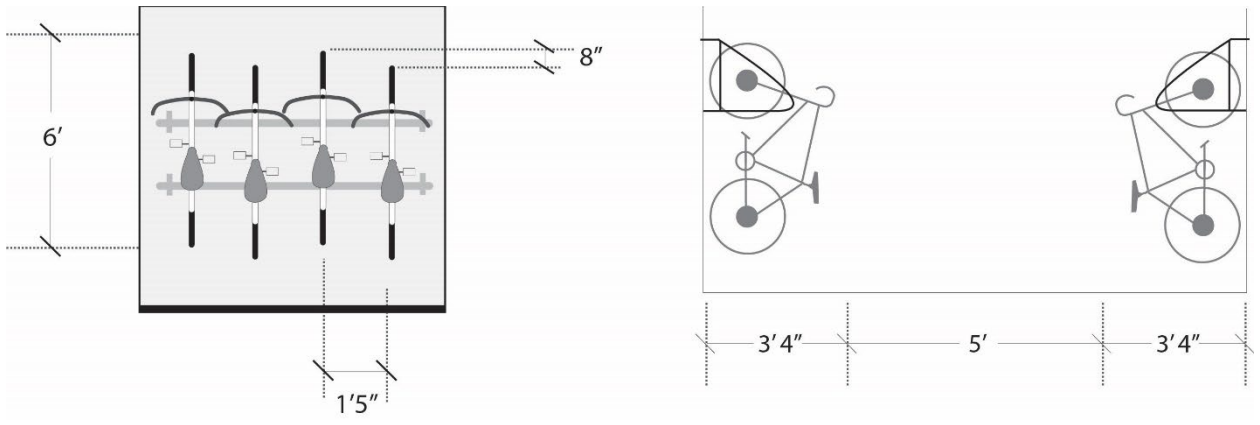


Figure 19.609.4.A.3.f

Stacked Bicycle Parking

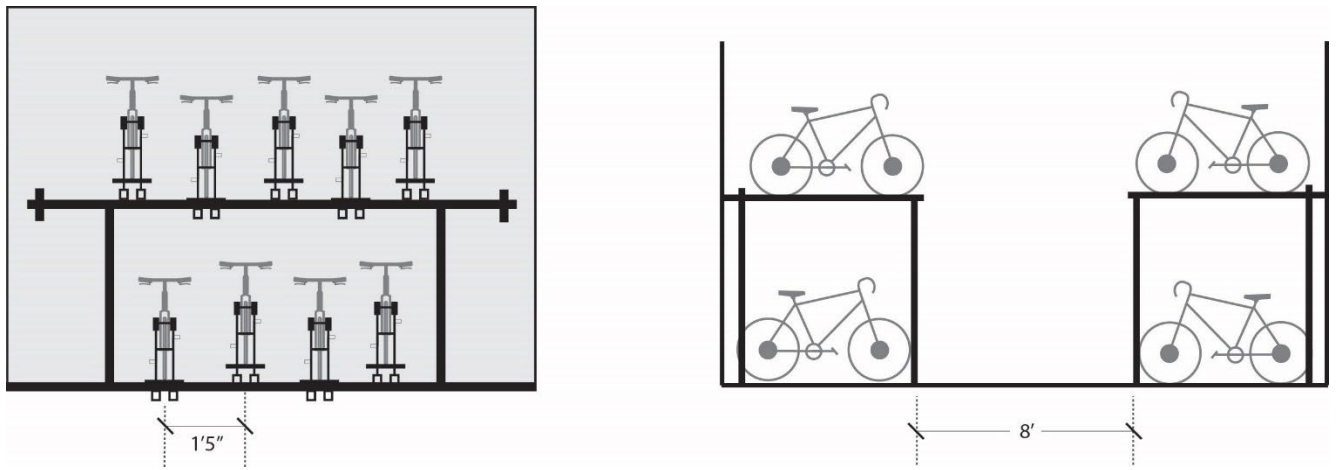
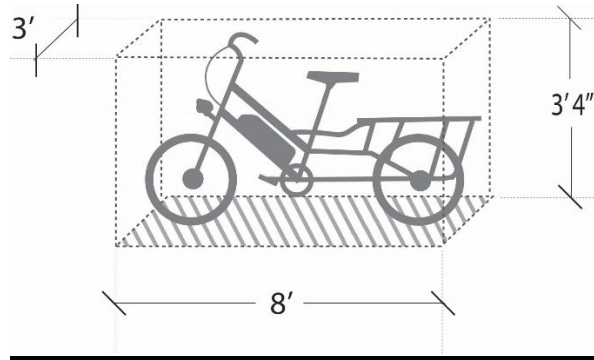


Figure 19.609.4.A.3.g

Large Bicycle Parking Space



4. Bicycle lockers are fully enclosed and secure bicycle parking spaces that meet the following standards:
 - a. The locker must be securely anchored to the ground.
 - b. Locker spaces must have a minimum depth of 6 ft and an access door that is at least 2 ft wide. If providing more than one bicycle parking space through a triangle locker layout, a 2 ft wide door must be provided on each side of the locker.
5. All bicycle parking areas must provide lighting consistent with the standards in 19.606.3.D.
6. The following bicycle parking information must be submitted with applications for a building permit or land-use review:
 - a. Location and number of bicycle parking spaces for short- and long-term bicycle parking along with the access route to long-term bicycle parking.
 - b. The model or design of the bicycle parking facilities to be installed.
 - c. Dimensions of all aisles and maneuvering areas.

B. Standards for Long-Term Bicycle Parking

In addition to the general standards established in Subsection 19.609.4.A, long-term bicycle parking must be provided in lockers or racks that meet the following standards:

1. Locational Standards. Long-term bicycle parking must be provided in one or more of the following locations:
 - a. Within a building, including on individual building floors.
 - b. On-site, including in parking areas and structured parking.
 - c. Within a residential dwelling unit. Up to 50% of long-term bicycle parking spaces may be provided within a residential dwelling unit if they meet the following requirements:
 - (1) Parking space must include a rack that meets the dimensional requirements for a standard bicycle rack per Table 19.609.4.
 - (2) For multifamily and mixed-use developments without an elevator, in-unit long-term bicycle parking can only be located on the ground floor.
 - d. Exceptions. Sites containing residential development with 12 or fewer dwelling units may provide up to 100% of required long-term bicycle parking spaces in dwelling units. All other applicable standards in MMC Subsection 19.609.4.B must still be

met, including the prohibition of in-unit bicycle parking on upper floors unless the building has an elevator.

- e. For schools, all long-term bicycle parking must be placed within the building on the ground floor, within 100 ft of a main entrance, or some combination of the two.
- f. For sites with multiple primary uses, long-term bicycle parking must be provided in an area that can be accessed from each use. If bicycle parking is provided in a common area on the site, the area must be accessible to all tenants.
- g. All long-term bicycle parking must be covered. Where covered bicycle parking is not within a building or locker, the cover must be permanent, impervious to precipitation, and project a minimum of 2 ft beyond the bicycle parking spaces on the portion of the structure that is not enclosed by a wall.

2. Security Standards. Long-term bicycle parking must meet the following security standards:

a. Long-term bicycle parking for residential uses must be provided within one of the following:

- (1) A restricted access, lockable room or enclosure, designated primarily for bicycle parking.
- (2) A bicycle locker.
- (3) A residential dwelling unit, subject to the limitations in MMC Subsection 19.906.4.B.1.c.

b. Long-term bicycle parking for all other uses must be located in one of the following locations.

- (1) A restricted access, lockable room or enclosure.
- (2) A bicycle locker.

3. Additional Development Standards. The following standards apply to sites with more than 20 long-term bicycle parking spaces:

- a. Minimum number of horizontal bicycle parking spaces. At least 30% of spaces must be in a horizontal rack, or on the lower level of a stacked bicycle parking rack. For elementary and middle schools (K-8), all spaces located outside of the building must be in a horizontal rack.
- b. Parking for larger bicycles. At least 5% of spaces must accommodate a larger bicycle space, placed in a horizontal rack. These spaces may be included to meet the minimum percentage requirements for Subparagraph B.3.a. See Figure 19.609.4.A.7.
- c. Electrical outlet requirement. At least 5% of spaces must be located within 10 ft of an electrical socket. Each electrical socket must be accessible to horizontal bicycle parking spaces.

C. Standards for Short-Term Bicycle Parking

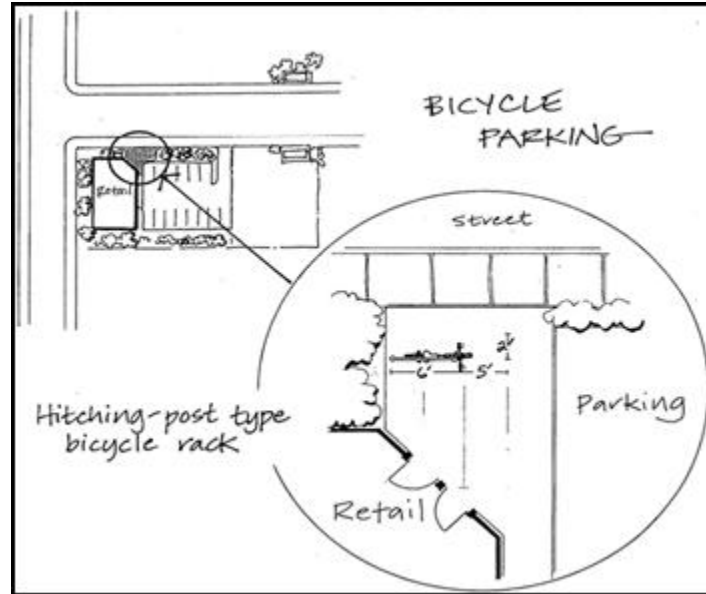
In addition to the general standards established in Subsection 19.609.4.A, short-term bicycle parking must meet the following standards:

1. Short-term bicycle parking must meet the following locational requirements:

- a. Be located on-site, outside of a building.

- b. Must be at the same grade as the sidewalk or at a location that can be reached by an accessible route.
 - c. Be located within 50 ft of the main entrance, or for buildings with multiple main entrances, must be dispersed and located within 50 ft of the main entrance on each façade. For sites with multiple primary buildings, short-term parking must be dispersed and located within 50 ft of the main entrance for each primary building.
 - d. Must be visible to building occupants.
 - e. Must be designed not to impede pedestrians along sidewalks or public rights-of-way.
 - f. If located adjacent to automobile parking, must be separated from vehicle parking areas by curbing or other similar physical barriers.
- B- 2.** The public right-of-way may be utilized for bicycle parking when parking cannot be reasonably accommodated on the site and the location is convenient to the building's front entrance. The bicycle parking area in the right-of-way must leave a clear, unobstructed width of sidewalk that meets the Engineering Department's Public Works Standards for sidewalk passage. See Figure 19.609 for illustration of space and locational standards. A right-of-way permit is required.

Figure 19.609.4.C.2
Bicycle Parking in the Public Right-of-Way



19.610 CARPOOL AND VANPOOL PARKING

19.610.2 Number of Spaces

The number of carpool/vanpool parking spaces shall be at least 10% of the minimum amount of required parking spaces provided. ~~The minimum amount of required parking spaces shall take into account the reduction allowed by Subsection 19.605.3.B.4.~~

19.611 PARKING STRUCTURES

The purpose of Section 19.611 is to regulate the design and location of structured parking, and to provide appropriate incentives for the provision of structured parking. Structured parking is allowed to accommodate parking ~~that is required~~ for a specific use, or as a parking facility that is a use by itself.

19.611.1 Permitted Zones and Review Procedures

- A. Parking structures, including underground parking, are allowed in all zoning districts except the ~~moderate density~~ Moderate Density Residential and Open Space Zones. A parking structure can be permitted through approval of a Community Service Use application in all zones except the Open Space Zone. A parking structure to be used for commercial parking in the Downtown Mixed Use Zone must be permitted through approval of a conditional use application.

19.611.2 Compliance with Other Sections of Chapter 19.600

- A. ~~Spaces in parking structures can be used to satisfy the minimum quantity requirements of Section 19.605.~~ Spaces in parking structures are exempt from counting against maximum parking allowances if the spaces are utilized for types of parking listed in Subsection 19.605.3.A.

CHAPTER 19.900 LAND USE APPLICATIONS

19.901 INTRODUCTION

Uses or development that are regulated by Titles 14, 17, and 19 of the Milwaukie Municipal Code shall submit and obtain approval for all required land use applications prior to establishment or construction. Table 19.901 below contains a complete list of the City’s land use applications and the location of the provisions that govern their submittal, review, and approval. It also identifies the review type(s) associated with each application type. The review type determines who is given notice about land use and development proposals, when the City has to make a decision on a land use application, and who makes the final decision. Descriptions of the different review types and the procedures associated with them are located in Chapter 19.1000. Decision makers for each review type are listed in Table 19.1001.5.

Table 19.901 Land Use Applications		
Application Type	Municipal Code Location	Review Types
Parking:	Chapter 19.600	
Quantity Determination	Subsection 19.605.2	II
Quantity Modification	Subsection 19.605.2	II
Shared Parking	Subsection 19.605.4	I
Structured Parking	Section 19.611	II, III

19.905 CONDITIONAL USES

19.905.5 Conditions of Approval

The Planning Commission, or Planning ~~Manager~~ Director in the case of minor modifications, may impose conditions of approval that are suitable and necessary to assure compatibility of the proposed use with other uses in the area and minimize and mitigate potential adverse impacts caused by the proposed use.

Conditions of approval may include, but are not limited to, the following aspects of the proposed use:

- A. Limiting the hours, days, place, and manner of operation.
- B. Requiring structure and site design features that minimize environmental impacts such as those caused by noise, vibration, air pollution, glare, odor, carbon emissions, and dust.
- C. Requiring additional front, rear, or side yard width.
- D. Limiting building height, size, or location or limiting lot coverage.
- E. Limiting or otherwise designating the size, number, or location of vehicle access points from the street.
- F. Requiring additional landscaping or screening of off-street parking and loading areas.
- G. Limiting or otherwise designating the location, intensity, and shielding of outdoor lighting.
- H. Requiring screening or landscaping for the protection of surrounding properties.
- I. Requiring and designating the size, height, location, and materials for fences.

- J. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.
 - K. Requiring adequate public transportation facilities and public utilities prior to occupancy.
 - ~~L. Requiring off-street parking.~~
-

19.910 RESIDENTIAL DWELLINGS

19.910.3 Manufactured Dwelling Parks

D. Development Requirements

All manufactured dwelling parks shall meet the following minimum requirements:

- 7. ~~When provided, off-street parking and recreational vehicle parking shall be developed provided as per Chapter 19.600. If 24-ft wide streets are constructed, an additional off-street parking space per each 2 manufactured dwelling spaces shall be provided as visitor spaces. These parking spaces shall be within 100 ft of the manufactured dwellings they serve.~~

Code Amendments – Clean Version

TITLE 19 ZONING

CHAPTER 19.200 DEFINITIONS AND MEASUREMENTS

19.201 DEFINITIONS

As used in this title:

“Carport” means a stationary structure consisting of a roof, its supports, and not more than 1 wall (or storage cabinets substituting for a wall) used to shelter motor vehicles, recreational vehicles, or boats.

CHAPTER 19.300 BASE ZONES

19.303 COMMERCIAL MIXED-USE ZONES

19.303.3 Development Standards

These development standards are intended to ensure that new development in the commercial mixed-use zones is appropriate for a mixed-use district in terms of building mass and scale, how the building addresses the street, and where buildings are located on a site.

Table 19.303.3 summarizes some of the development standards that apply in the commercial mixed-use zones. Development standards are presented in detail in Subsection 19.303.4.

Table 19.303.3 Commercial Mixed Use Zones—Summary of Development Standards			
Standard	GMU	NMU	Standards/ Additional Provisions
A. Lot Standards			
1. Minimum lot size (sq ft)	1,500	1,500	
2. Minimum street frontage (ft)	25	25	
B. Development Standards			
1. Minimum floor area ratio	0.5:1	0.5:1	Subsection 19.303.4.A Floor Area Ratio
2. Building height (ft)			Subsection 19.303.4.B Building Height
a. Base maximum	45	45	Section 19.510 Green Building Standards
b. Maximum with height bonus	57–69	Height bonus not available	Subsection 19.911.7 Building Height Variance in the General Mixed Use Zone

3. Street setbacks (ft) a. Minimum street setback b. Maximum street setback c. Side and rear setbacks	0–15 ¹ 10–20 ² None	None 10 None	Subsection 19.303.4.C Street Setbacks Section 19.501.2 Yard Exceptions
4. Frontage occupancy	50%	None	Subsection 19.303.4.D Frontage Occupancy Requirements Figure 19.303.4.D Frontage Occupancy Requirements
5. Maximum lot coverage	85%	85%	
6. Minimum vegetation	15%	15%	Subsection 19.504.6 Minimum Vegetation
7. Primary building entrances	Yes	Yes	Subsection 19.303.4.E Primary Building Entrances
8. Off-street parking standards	Yes	Yes	Chapter 19.600 Off-Street Parking and Loading
9. Transit street	Yes	Yes	Subsection 19.505.8 Building Orientation to Transit
10. Transition measures	Yes	Yes	Subsection 19.504.5 Transition Area Measures
C. Other Standards			
1. Residential density requirements (dwelling units per acre) a. Stand-alone residential (1) Minimum (2) Maximum b. Mixed-use buildings	25 50 None	11.6 14.5 None	Subsection 19.202.4 Density Calculations Subsection 19.303.4.F Residential Density Subsection 19.501.4 Density Exceptions
2. Signs	Yes	Yes	Subsection 14.16.040 Commercial Zone

1. Residential edge treatments apply to properties as shown in Figure 19.303.5.

2. Commercial edge treatments apply to properties as shown in Figure 19.303.4.C.2.b.

19.303.6 Additional Provisions

Depending upon the type of use and development proposed, the following sections of the Milwaukie Municipal Code may apply. These sections are referenced for convenience, and do not limit or determine the applicability of other sections within the Milwaukie Municipal Code.

B. Section 19.600 Off-Street Parking and Loading

Contains standards for vehicle and bicycle parking, including maximum number of spaces and design standards for parking and loading areas where provided.

19.304 DOWNTOWN ZONES

MMC 19.304.4 Development Standards

Table 19.304.4 CONTINUED			
Downtown Zones—Summary of Development Standards			
Standard	DMU	OS	Standards/ Additional Provisions
B. Development Standards CONTINUED			
3. Street setbacks (ft)			Subsection 19.304.5.C Street Setbacks
a. Minimum street setback	0	0	Subsection 19.501.2 Yard Exceptions
b. Side and rear setbacks	None	None	
4. Off-street parking standards	Yes, where applicable	Yes, where applicable	Subsection 19.304.5.D Off-Street Parking Chapter 19.600 Off-Street Parking and Loading

MMC 19.304.5 Detailed Development Standards

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

D. Off-Street Parking

1. Intent

The desired character for the DMU Zone, particularly along Main Street, is defined by a continuous façade of buildings close to the street, with adjacent on-street parking.

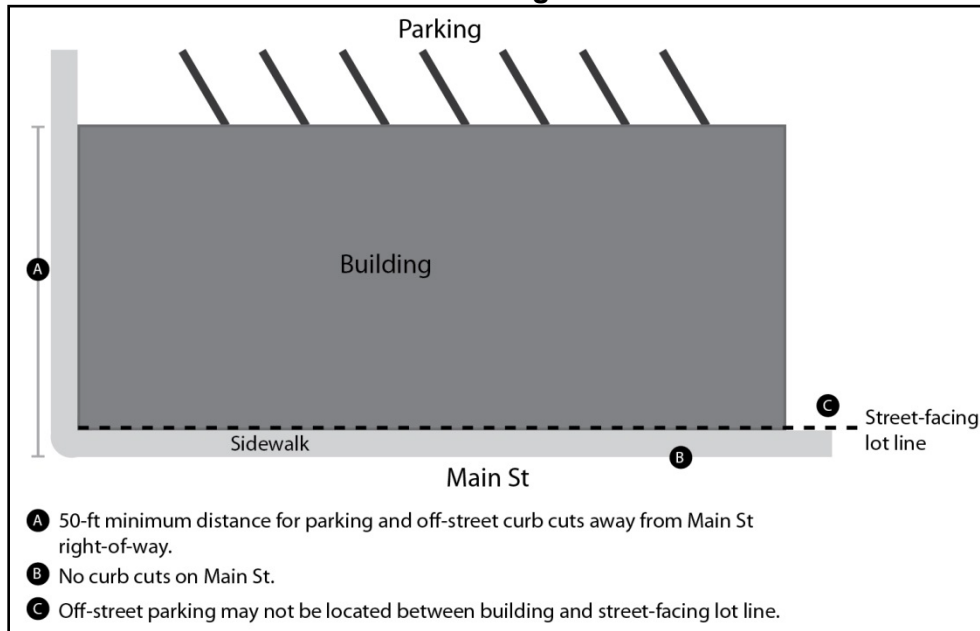
2. Standards

- a. If off-street parking is provided for residential or nonresidential uses, the parking maximums in Table 19.605.1 will apply. All other applicable standards of Chapter 19.600 will also apply.
- b. Off-street surface parking lots (including curb cuts) must not be located within 50 ft of the Main Street right-of-way. Off-street surface parking lots approved prior to October 31, 2015, the effective date of Ordinance #2106, are exempt from this prohibition. This exemption applies only to the property owner on file with the Clackamas County Assessor as of October 31, 2015, the effective date of Ordinance #2106, and is dissolved upon transfer of ownership.

The Planning Commission may permit off-street parking lots and curb cuts within 50 ft of the Main Street right-of-way only upon finding, through Type III Variance review pursuant to Section 19.911, that:

- (1) The overall project meets the intent of providing a continuous façade of buildings close to Main Street.
 - (2) The off-street parking area or curb cut is visually screened from view from Main Street.
 - (3) The community need for the off-street parking area or curb cut within 50 ft of Main Street outweighs the need to provide a continuous façade of buildings in that area.
- c. Off-street parking must not be located between a building and the street-facing lot line.

**Figure 19.304.5.D.2
Off-Street Parking Standards**



19.310 BUSINESS INDUSTRIAL ZONE BI

19.310.5 Conditional Uses

- A. Conditional uses may be established in a business industrial district subject to review and action on the specific proposal, pursuant to Section 19.905 Conditional Uses. Approval shall not be granted unless the proposal satisfies the criteria in Section 19.905; and, in addition, the proposed use:
1. Will have minimal adverse impact on the appropriate development of uses permitted outright on abutting properties and the surrounding area considering location, size, design, and operating characteristics of the use;
 2. Is compatible with the character and scale of uses allowed within the district and on a site no larger than necessary for the use and operational requirements of the use;

3. Will provide vehicular and pedestrian access, circulation, and loading areas which are compatible with uses on the same site or adjacent sites; and
4. Is a needed service/product in the district, considering the mix of potential clientele and the need to maintain high-quality development in a highly visible area.

19.310.6 Standards

In the BI district, the following standards shall apply to all uses:

H. Landscaping

15% of the site must be landscaped, except for sites adjacent to Hwy. 224, which shall provide landscaping to 20% of the site. This should consist of a variety of lawn, trees, shrubbery, and ground cover. Street trees must be provided along street frontages and within off-street parking lots to help delineate entrances, provide shade, and permeable areas for stormwater runoff. A bond or financial guarantee for landscape completion shall be required.

19.312 NORTH MILWAUKIE INNOVATION AREA**19.312.5 Development Standards**

These development standards are intended to ensure that new development is appropriate in terms of building mass and scale, how the building addresses the street, and where buildings are located on a site.

Table 19.312.5 summarizes some of the development standards that apply in the NMIA. Development standards are presented in detail in Subsection 19.312.6.

Table 19.312.5			
North Milwaukie Innovation Area — Summary of Development Standards			
Standard	NME	MUTSA	Standards/Additional Provisions
A. Lot Standards			
1. Minimum lot size (sq ft)	None	None	
2. Minimum street frontage (ft)	None	None	
B. Development Standards			
1. Floor area ratio (min/max)	0.5:1/3:1	0.5:1/3:1	
2. Building height (ft)			
a. Minimum	25	25	Subsection 19.312.6.A Building height bonus Subsection 19.510 Green Building Standards
b. Maximum (Height bonus available)	45-90	45-90	
3. Setbacks (ft)			Subsection 19.501.2 Yard Exceptions
a. Minimum front yard setback	None	None	
b. Maximum front yard setback	10-30 ¹	10-30 ¹	
c. Side and rear setbacks	None ²	None ²	
4. Maximum lot coverage	85%	85%	
5. Minimum landscaping	15%	15%	Subsection 19.312.6.G Landscaping
6. Flexible ground-floor space	Yes, where applicable	Yes, where applicable	Subsection 19.312.7.A.6 Flexible ground-floor space
7. Off-street parking standards	Yes	Yes	Subsection 19.312.6.C Loading and Unloading Areas Subsection 19.312.7.C Parking, Loading and Unloading Areas Chapter 19.600 Off-Street Parking and Loading
8. Frontage occupancy	50%	50%	Subsection 19.312.7.A.7 Frontage occupancy

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.504 SITE DESIGN STANDARDS

19.504.7 On-Site Walkways and Circulation

A. Requirement

All development subject to Chapter 19.700 (excluding single detached, middle housing, and multi-unit residential development), or when specifically required elsewhere in Title 19, shall provide a system of walkways that encourages safe and convenient pedestrian movement within and through the development site. Redevelopment projects that involve remodeling or changes in use must be brought closer into conformance with this requirement to the greatest extent practicable. On-site walkways shall link the site with the public street sidewalk system, where sidewalks exist, or to the edge of the paved public street, where sidewalks do not exist. Walkways are required between parts of a site where the public is invited to walk. Walkways are not required between buildings or portions of a site that are not intended or likely to be used by pedestrians, such as truck loading docks and warehouses.

19.505 BUILDING DESIGN STANDARDS

19.505.3 Multi-Unit Housing

D. Design Guidelines and Standards

Applicable guidelines and standards for multi-unit and residential care facilities are located in Table 19.505.3.D. These standards should not be interpreted as requiring a specific architectural style.

Table 19.505.3.D		
Multi-Unit Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
3. Pedestrian Circulation	Site design should promote safe, direct, and usable pedestrian facilities and connections throughout the development. Ground-floor units should provide a clear transition from the public realm to the private dwellings.	The on-site pedestrian circulation system shall include the following: <ul style="list-style-type: none"> a. Continuous connections between the primary buildings, streets abutting the site, ground level entrances, common buildings, common open space, vehicle and bicycle parking areas, and transit facilities abutting the site. b. At least 1 pedestrian connection to an abutting street frontage for each 200 linear ft of street frontage. c. Pedestrian walkways shall be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards. d. Walkways shall be constructed with a hard surface material, shall be permeable for stormwater, and shall be no less than 5 ft wide. If adjacent to a parking area where vehicles will overhang the walkway, a 7-ft-wide walkway shall be provided. The walkways shall be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials.

Proposed Code Amendments – Clean Version

Table 19.505.3.D CONTINUED		
Multi-Unit Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
		e. On-site walkways shall be lighted to an average 5/10-footcandle level. Stairs or ramps shall be provided where necessary to provide a direct route.
4. Vehicle and Bicycle Parking	Vehicle parking should be integrated into the site in a manner that does not detract from the design of the building, the street frontage, or the site. Bicycle parking should be secure, sheltered, and conveniently located.	Parking for the development shall comply with the following: <ul style="list-style-type: none"> a. On-site surface parking areas, garages, and vehicle maneuvering areas shall not be located directly between the façade of a primary building(s) and an abutting street right-of-way. b. Parking located to the side of a dwelling structure shall be limited to 50% of the linear frontage of that side. Drive aisles without adjacent parking spaces do not count as parking areas for purposes of this standard. c. All garages that are part of the same structure that contains dwelling units shall be located at least 4 ft behind the front building façade. d. See Section 19.609 for bicycle parking requirements.

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, GMU, NMU
A. Home Types		
1. Building types allowed, minimum and maximum number per cluster	Detached cottages 3 minimum 12 maximum dwelling units	Detached and Attached 3 minimum 12 maximum dwelling units
B. Home Size		
1. Max building footprint per home	900 sf	

2. Max average floor area per dwelling unit	1,400 sf	
C. Height		
1. Max height	25 ft or 2 stories, whichever is greater	
2. Max structure height between 5 & 10 ft of rear lot line	15 ft	
3. Max height to eaves facing common green	1.618 times the narrowest average width between two closest buildings	
D. Setbacks, Separations, and Encroachments		
1. Separation between structures (minimum)	6 ft	
2. Side and rear site setbacks	5 ft	
3. Front site setback (minimum)	10 ft	
Table 19.505.4.C.1 CONTINUED Cottage Cluster Development Standards		
Standards	R-MD	R-HD, GMU, NMU
4. Front site setback (maximum)	20 ft	
5. Separation between clusters (minimum)	10 ft	
E. Impervious Area, Vegetated Area		
1. Impervious area (maximum)	60%	65%
2. Vegetated site area (minimum)	35%	35%
F. Community and Common Space		
1. Community building footprint (maximum) ¹	1,000 sf	1,000 sf
2. Common Space	19.505.4.E.2	19.505.4.E.2
G. Parking (see also 19.505.4.E.4)		
1. Automobile parking spaces per dwelling unit (maximum)	See MMC Section 19.605	
2. Bicycle Parking spaces per dwelling unit (minimum)	See MMC Section 19.609	

E. Site Design and Other Standards

4. Off-Street Parking

- a. When off-street parking is provided, parking spaces must be located together with parking spaces for other cottages in a common area, and not located on the same lot as an individual cottage unit.
- b. A cottage cluster parking area must be set back from the street. The distance of the setback is dependent on the orientation of the structure or lot. If the axis of the

longest dimension of the parking area has an angle of 45 degrees or more to the lot line, the narrow dimension may be within 5 ft of the street. If the angle is less than 45 degrees, the parking area must be at least 20 ft from the street.

- c. If there are more than 8 units in a cottage cluster and off-street parking is provided, there must be at least 2 separate parking areas with a minimum of 4 parking spaces in each area. A drive aisle connecting the 2 areas is permitted if a separate driveway access for each area is not permitted per Chapter 12.16 Access Management.
- d. Parking spaces may be located within a garage or a carport. Garages or carports in a cottage cluster may not contain more than 4 parking spaces, must be at least 10 ft from any cottage dwelling; and must match the materials, trim, and roof pitch of the cottages. The interior height of a garage or carport shall not exceed 8 ft high, unless a modification is requested for cases that would use space saving parking technology (e.g., interior car stacking) that might require additional interior height. This modification would be requested per Section 19.911 Variances.
- e. Parking spaces that are not in a garage or carport must be screened from common open space, public streets, and adjacent residential uses by landscaping and/or screen, such as a fence. Chain-link fencing with slats is not allowed as a screen.
- f. Off-street parking may be arranged in clusters, subject to the following standards:
 - (1) Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.
 - (2) Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.
 - (3) Parking clusters must be separated from all other areas by at least 4 ft of landscaping.
 - (4) Clustered parking areas may be covered.
- g. Off-street parking spaces and vehicle maneuvering areas must not be located:
 - (1) Within 20 ft of any street property line, except alley property lines;
 - (2) Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys;
 - (3) Off-street parking spaces must not be located within 10 ft of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 ft of other property lines.
- h. Landscaping, fencing, or walls at least 3 ft tall must separate clustered parking areas and parking structures from common courtyards and public streets.
- i. Garages and carports (whether shared or individual) must not abut common courtyards.
- j. Individual detached garages must not exceed 400 sq ft in floor area and are exempted from the calculation of maximum building footprint for cottages.
- k. Garage doors for attached and detached individual garages must not exceed 20 ft in width.

CHAPTER 19.600 Off-Street Parking and Loading

19.601 PURPOSE

Chapter 19.600 regulates off-street parking and loading areas on private property outside the public right-of-way. The purpose of Chapter 19.600 is to: support efficient streets; avoid unnecessary conflicts between vehicles, bicycles, and pedestrians; encourage bicycling, transit, and carpooling; minimize parking impacts to adjacent properties; improve the appearance of parking areas; and minimize environmental impacts of parking areas.

Regulations governing the provision of on-street parking within the right-of-way are contained in Chapter 19.700. The management of on-street parking is governed by Chapter 10.20. Chapter 19.600 does not enforce compliance with the Americans with Disabilities Act (ADA). ADA compliance on private property is reviewed and enforced by the Building Official. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2106 § 2 (Exh. F), 2015; Ord. 2025 § 2, 2011)

19.602 APPLICABILITY

19.602.1 General Applicability

The regulations of Chapter 19.600 apply to all off-street parking areas and off-street loading areas. Activity that is not described by Subsections 19.602.3 or 4 is exempt from compliance with the provisions of Chapter 19.600. Changes to nonconforming off-street parking and loading are addressed through Chapter 19.600 and not through the provisions of Chapter 19.800.

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.

B. Existing off-street parking and loading areas shall be brought closer into conformance with the standards of Chapter 19.600, per Subsection 19.602.5, when the following types of development or change in use occur:

1. Development that results in an increase of less than 100% of the existing floor area and/or structure footprint.
2. Changes of use, as defined in Section 19.201.
3. Existing off-street parking areas $\frac{1}{4}$ -acre or larger or made a $\frac{1}{4}$ -acre or larger through added parking. Where 50% or more of the existing asphalt or pavement is excavated for parking improvements, the entire off-street parking area must conform with Subsection 19.606.4.

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 19.605.4 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. Any parking area that is $\frac{1}{4}$ -acre or larger or becomes a $\frac{1}{4}$ -acre or larger through added parking must comply with Subsection 19.606.4 when 50% or more of the existing asphalt or pavement is excavated for parking improvements.
- 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. Any parking area that is $\frac{1}{4}$ -acre or larger or becomes a $\frac{1}{4}$ -acre or larger through added parking must comply with Subsection 19.606.4 when 50% or more of the existing asphalt or pavement is excavated for parking improvements.

19.602.5 Improvements to Existing Off-Street Parking and Loading Areas

A. Purpose

The purpose of Subsection 19.602.5 is to improve nonconforming off-street parking and loading areas as redevelopment occurs. These improvements should occur in conjunction with a development or change in use.

B. Limitations on Required Improvements

The cost of materials for any required improvements shall not exceed 10% of the development permit value of the associated development, redevelopment, and/or tenant improvements associated with a change in use. The cost of capital equipment such as manufacturing or operational equipment is exempt from the building permit value for purposes of this regulation. This exemption does not include building infrastructure such as electrical, plumbing, heating, venting, or air conditioning equipment.

C. Areas of Required Improvement

The Planning Director will evaluate the applicant's parking plan and use the prioritized list below when determining what improvements will be required.

1. Paving and striping of parking areas, per Subsection 19.606.3.A.
2. Minimum required bicycle parking spaces, per Section 19.609.
3. Landscaping of existing buffers, islands, and medians, per Subsection 19.606.2.D and Subsection 19.606.4 when applicable.
4. New perimeter landscape buffers, islands, and medians, as applicable, per Subsection 19.606.2 and Subsection 19.606.4 when applicable.
5. New pedestrian connections, as per Subsection 19.606.3.D, Subsection 19.504.7, and Subsection 19.606.4 when applicable.
6. Other applicable standards within Chapter 19.600, as determined by the Planning Manager.

19.603 REVIEW PROCESS AND SUBMITTAL REQUIREMENTS

19.603.1 Review Process

The Planning Manager shall apply the provisions of Chapter 19.600 in reviewing all land use and development permit applications, except when an application is subject to a quasi-judicial land use review or appeal, in which case the body reviewing the application or appeal has the authority to implement and interpret the provisions of Chapter 19.600.

19.603.2 Submittal Requirements

Except for single detached dwellings or development situations where no off-street parking is being provided, a development or change in use subject to Chapter 19.600 as per Section 19.602 shall submit a parking plan, drawn to scale. The parking plan shall show that all applicable standards are met, and shall include but not be limited to the items listed below, unless waived by the Planning Manager.

- A. Delineation of individual spaces and wheel stops.
- B. Drive aisles necessary to serve spaces.
- C. Accessways, including driveways and driveway approaches, to streets, alleys, and properties to be served.
- D. Pedestrian pathways and circulation.
- E. Bicycle parking areas and rack specifications.
- F. Fencing.
- G. Abutting land uses.
- H. Grading, drainage, surfacing, and subgrading details.
- I. Location and design of lighting fixtures and levels of illumination.
- J. Delineation of existing and proposed structures.
- K. Parking and loading area signage.
- L. Landscaping, including the following information.
 - 1. The location and area of existing and proposed trees, vegetation, and plant materials, including details about the number, size, and species of such items.
 - 2. Notation of the trees, plants, and vegetation to be removed, and protection measures for existing trees and plants to be preserved.

(Ord. 2025 § 2, 2011)

19.604 GENERAL PARKING STANDARDS

19.604.1 Parking Provided with Development Activity

All off-street parking areas shall be provided in conformance with the standards of Chapter 19.600 prior to issuance of a certificate of occupancy, or final development permit approval, or as otherwise specified in any applicable land use decision.

19.604.2 Parking Area Location

Accessory parking shall be located in one or more of the following areas:

- A. On the same site as the primary use for which the parking is accessory.
- B. On a site owned by the same entity as the site containing the primary use that meets the standards of Subsection 19.605.4.B.2. Accessory parking that is located in this manner shall not be considered a parking facility for purposes of the base zones in Chapter 19.300.
- C. Where parking is approved in conformance with Subsection 19.605.2.
- D. On a site serving a separate primary use when a shared parking agreement has been procured.

19.604.3 Converting Off-Street Parking Areas

When converting an automobile parking area to another use, access for emergency vehicles must be maintained, and adequate parking for truck loading should be considered.

19.605 VEHICLE PARKING QUANTITY REQUIREMENTS

The purpose of Section 19.605 is to ensure that development does not provide 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 19.605.4 details requirements for installing electric vehicle (EV) charging infrastructure in new 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.

19.605.1 Parking Maximums

- A. When off-street parking is provided with development, the number of spaces shall not be more than the maximum number of parking spaces as listed in Table 19.605.1. Modifications to the standards in Table 19.605.1 may be made as per Section 19.605. Where multiple ratios are listed, the Planning Manager shall determine which ratio to apply to the proposed development or use.
- B. When a specific use has not been proposed or identified at the time of permit review, the Planning Manager may elect to assign a use category from Table 19.605.1 to determine the maximum allowed parking. Future tenants or property owners are responsible for compliance with Chapter 19.600 per the applicability provisions of Section 19.602.
- C. If a proposed use is not listed in Table 19.605.1, the Planning Manager has the discretion to apply the maximum requirements of a similar use listed in the table upon finding that the listed use and unlisted use have similar parking demands. If a similar use is not listed, the maximum allowance will be determined per Subsection 19.605.2.
- D. Where the calculation of maximum parking spaces does not result in a whole number, the result shall be rounded to the nearest whole number.
- E. Parking spaces for disabled persons, and other improvements related to parking, loading, and maneuvering for disabled persons, shall conform to the Americans with Disabilities Act and shall be subject to review and approval by the Building Official. Spaces reserved for disabled persons are included in the maximum allowed number of off-street parking spaces.
- F. Uses that have legally established parking areas that exceed the maximum number of spaces allowed by Section 19.605 prior to June 17, 2010, the effective date of Ordinance

#2015, shall be considered nonconforming with respect to the quantity requirements. Such uses shall not be considered parking facilities as defined in Section 19.201.

Table 19.605.1 Maximum Off-Street Parking Standards	
Use	Maximum Allowed
A. Residential Uses	
1. Single detached dwellings, including manufactured homes.	No maximum.
2. Multi-Unit Dwellings	2 spaces per dwelling unit.
3. Middle Housing ¹ a. Duplexes b. Triplexes c. Quadplexes d. Townhouses ² e. Cottage Clusters	1 space per dwelling unit 1 space per dwelling unit 1 space per dwelling unit 1 space per dwelling unit 1 space per dwelling unit
4. Residential homes and similar facilities allowed by right in residential zones.	Minimum required parking <u>1 space per employee on the largest shift plus 1 space per bedroom.</u>
5. Accessory dwelling units (ADU).	No maximum.

Table 19.605.1 CONTINUED Maximum Off-Street Parking Standards	
Use	Maximum Allowed
B. Community Service and Other Public Uses	
1. Religious institutions.	1 space per 2 seats.
2. Day-care center ("family day-care" as defined in Section 19.201 has no parking requirements).	3.5 spaces per 1,000 sq ft of floor area.
3. School—elementary or junior high.	2 spaces per classroom.
4. School—senior high.	0.33 spaces per student, plus 1 space per staff.
5. Meeting room, club, lodge, or association.	16.66 spaces per 1,000 sq ft of floor area, or 1 space per 3 seats if seats are permanently installed.
6. Library, museum, art gallery.	1.2 spaces per 1,000 sq ft of floor area.
7. Nursing, convalescent, and extended-care facilities.	1 space per 3 beds.

C. Lodging Places	
1. Motel, hotel, boarding house.	1.5 spaces per lodging unit.
2. Bed and breakfast establishments.	1.5 spaces per lodging unit, plus 2 spaces for the permanent residence.
D. Commercial Uses—Recreational	
1. Indoor recreation, such as a health club, gym, bowling alley, arcade, etc.	5.5 spaces per 1,000 sq ft of floor area.
2. Theater, auditorium, or stadium.	1 space per 3 seats.
E. Commercial Uses—Retail Goods	
1. Eating and drinking establishments.	15 spaces per 1,000 sq ft of floor area.
2. General retail—grocery stores, convenience stores, specialty retail and shops.	5 spaces per 1,000 sq ft of floor area.
3. Bulk retail—furniture and home furnishings, appliances, vehicles, building materials, and similar large items.	3 spaces per 1,000 sq ft of floor area.
4. Gas stations.	1.25 spaces per 4 pumps.
F. Commercial Uses—Services	
1. General office, including banks.	3.4 spaces per 1,000 sq ft of floor area.
2. Medical/dental office (non-hospital), veterinary clinic.	4.9 spaces per 1,000 sq ft of floor area.
Table 19.605.1 CONTINUED	
Maximum Off-Street Parking Standards	
Use	Maximum Allowed
F. Commercial Uses—Services CONTINUED	
3. Personal services, such as a barbershop, beauty parlor, etc.	5.4 spaces per 1,000 sq ft of floor area.
4. Commercial services, such as dry cleaners and repair shops (does not include vehicle repair).	5.1 spaces per 1,000 sq ft of floor area.
5. Vehicle repair.	2.5 spaces per 1,000 sq ft of floor area.
6. Quick vehicle repair and servicing, such as oil change and tire shops.	3 spaces per service bay.
7. Mortuary/funeral home.	1 space per 3 chapel or parlor seats.

8. Car wash.	2 spaces per wash bay for self-service washes, or 2 spaces per 1,000 sq ft of floor area for full-service washes.
G. Industrial Uses	
1. Manufacturing.	2 spaces per 1,000 sq ft of floor area.
2. Storage, warehouse, wholesale establishment less than 150,000 sq ft.	1 space per 1,000 sq ft of floor area.
3. Storage, warehouse, wholesale establishment 150,000 sq ft or greater.	0.4 spaces per 1,000 sq ft of floor area.
4. Mini-warehouse; self-service storage.	1 space per 20 storage units, plus 1 space per employee of the largest shift.

19.605.2 Maximum Quantity Modifications and Parking Determinations

Subsection 19.605.2 allows for the modification of maximum parking ratios from Table 19.605.1 as well as the determination of maximum parking requirements. Parking determinations shall be made when the proposed use is not listed in Table 19.605.1 and for developments with parking demands that are higher than the maximum allowed.

A. Applicability

The procedures of Subsection 19.605.2 shall apply in the following situations:

1. If the proposed use is not listed in Table 19.605.1 and the maximum allowed quantity for a similar listed use cannot be applied.
2. If the applicant seeks a modification from the maximum allowed quantities as calculated per Table 19.605.1.

B. Application

Determination of parking ratios in situations listed above shall be reviewed as a Type II land use decision, per Section 19.1005 Type II Review. The application for a determination must include the following:

1. Describe the proposed uses of the site, including information about the size and types of the uses on site, and information about site users (employees, customers, residents, etc.).
2. Identify factors specific to the proposed use and/or site, such as the proximity of transit, parking demand management programs, availability of shared parking, and/or special characteristics of the customer, client, employee or resident population that affect parking demand.
3. Provide data and analysis specified in Subsection 19.605.2.B.3 to support the determination request. The Planning Manager may waive requirements of Subsection 19.605.2.B.3 if the information is not readily available or relevant, so long as sufficient documentation is provided to support the determination request.
 - a. Analyze parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from

the Institute of Transportation Engineers, American Planning Association, Urban Land Institute, or other similar organizations.

- b. Review parking standards for the proposed use or similar uses found in parking regulations from other jurisdictions.
 - c. Present parking quantity and parking use data from existing developments that are similar to the proposed development. The information about the existing development and its parking demand shall include enough detail to evaluate similarities and differences between the existing development and the proposed development.
 - d. For middle housing, provide occupancy and use data quantifying conditions of the on-street parking system within one block of the middle housing development.
4. Propose a maximum parking ratio. For phased projects, and for projects where the tenant mix is unknown or subject to change, the applicant may propose a maximum for each development phase.
 5. Address the approval criteria in Subsection 19.605.2.C.

C. Approval Criteria

The Planning Manager shall consider the following criteria in deciding whether to approve the determination or modification. The Planning Manager, based on the applicant's materials and other data the Planning Manager deems relevant, shall set the maximum parking allowed. Conditions of approval may be placed on the decision to ensure compliance with the parking determination.

1. All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use in other locations; parking quantity allowances for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.
2. In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to increase the amount of maximum allowed parking shall meet the following criteria:
 - a. The proposed development has unique or unusual characteristics that create a higher-than-typical parking demand.
 - b. The parking demand cannot be accommodated by shared or joint parking arrangements or by increasing the supply of spaces that are exempt from the maximum amount of parking allowed under Subsection 19.605.3.A.
 - c. The requested increase is the smallest increase needed based on the specific circumstances of the use and/or site.

19.605.3 Exemptions to Quantity Allowances

The following exemptions and by-right reductions cannot be used to further modify any parking modification or determination granted under Subsection 19.605.2.

A. Exemptions to Maximum Quantity Allowance

The following types of parking do not count toward the maximum amount of parking allowed on a site. This exemption applies only to the quantity requirements of Section 19.605 and not to the other requirements of Chapter 19.600. The City may impose conditions to ensure that parking spaces associated with these parking types are appropriately identified and used for the intended purpose.

1. Spaces for a parking facility.
2. Spaces for a transit facility or park and ride facility.
3. Storage or display areas for vehicle sales.
4. Employee carpool parking, when spaces are dedicated or reserved for that use.
5. Fleet parking.
6. Truck loading areas.

19.605.4 Electric Vehicle (EV) Charging Requirements

Required EV charging spaces. All new 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 new 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 new 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 new multi-unit and mixed-use buildings with 5 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 new 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.

(Ord. 2236 § 2, 2023; Ord. 2224 § 2, 2022; Ord. 2221 § 2 (Exh. B), 2022; Ord. 2218 § 2 (Exh. B), 2022; Ord. 2186 § 2, 2019; Ord. 2161 § 2, 2018; Ord. 2112 § 2 (Exh. B), 2015; Ord. 2106 § 2 (Exh. F), 2015; Ord. 2051 § 2, 2012; Ord. 2025 § 2, 2011)

19.606 PARKING AREA DESIGN AND LANDSCAPING

The purpose of Section 19.606 is to ensure that off-street parking areas are safe, environmentally sound, aesthetically pleasing, and that they have efficient circulation. The requirements in Subsection 19.606.4 apply to all types of development where a new quarter-acre parking lot or larger is provided. All other standards apply to all types of development where parking is provided, except for middle housing, single detached dwellings, and adult foster/care homes.

19.606.1 Parking Space and Aisle Dimensions

- A. The dimensions for off-street parking spaces and abutting drive aisles, where provided, shall be no less than in Table 19.606.1. The minimum dimensions listed in Table 19.606.1 are illustrated in Figure 19.606.1.

Table 19.606.1 Minimum Parking Space And Aisle Dimensions					
Angle (A)	Width (B)	Curb Length (C)	1-Way Aisle Width (D)	2-Way Aisle Width (D)	Depth (E)
0° (Parallel)	8.5'	22'	12'	19'	8.5'
30°	9'	17'	12'	19'	16.5'
45°	9'	12'	13'	19'	18.5'
60°	9'	10'	17'	19'	19'
90°	9'	9'	22'	22'	18'

19.606.2 Landscaping

- C. Perimeter Landscaping

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

1. Dimensions

The minimum width of perimeter landscape areas are shown in Table 19.606.2.C.1. Where a curb provides the border for a perimeter landscape area, the dimension shall be measured from the inside of the curb(s). The Planning Manager may reduce the

required minimum width of a perimeter landscaping area where existing development or site constraints make it infeasible to provide drive aisles, parking spaces, and the perimeter landscaping buffer width listed in Table 19.606.2.C.1.

19.606.3 Additional Design Standards

A. Paving and Striping

Paving and striping are required for all maneuvering and standing areas. Off-street parking areas shall have a durable and dust-free hard surface, shall be maintained for all-weather use, and shall be striped to show delineation of parking spaces and directional markings for driveways and accessways. Permeable paving surfaces may be used to reduce surface water runoff and protect water quality.

D. Pedestrian Access and Circulation

Subsection 19.504.7 establishes standards that are applicable to an entire property for on-site walkways and circulation. The purpose of Subsection 19.606.3.D is to provide safe and convenient pedestrian access routes specifically through off-street parking areas.

Walkways required by Subsection 19.606.3.D are considered part of the on-site walkway and circulation system required by Subsection 19.504.7.

1. Pedestrian access shall be provided for off-street parking areas so that no parking space is further than 100 ft away, measured along vehicle drive aisles, from a building entrance, or a walkway that meets the standards of Subsection 19.606.3.D.2.
2. Walkways through off-street parking areas must be continuous, must lead to a building entrance, and meet the design standards of Subsection 19.504.7.E.

E. Internal Circulation

1. General Circulation

The Planning Manager has the authority to review the pedestrian, bicycle, and vehicular circulation of the site and impose conditions to ensure safe and efficient on-site circulation. Such conditions may include, but are not limited to, on-site signage, pavement markings, addition or modification of curbs, and modifying drive aisle dimensions.

2. Connections to Adjacent Parking Areas

Where feasible, parking areas shall be designed to connect with parking areas on adjacent sites to eliminate the use of the street for cross movements.

3. Drive-Through Uses and Queuing Areas

The following standards apply to uses with drive-through services and uses such as gas stations and quick vehicle service facilities where vehicles queue rather than park on the site. The Planning Manager has the authority to determine when the standards apply to a proposed use.

F. Lighting

Lighting is required for parking areas with more than 10 vehicle spaces and must be provided for all bicycle parking areas regardless of the number of required spaces. The Planning Manager may require lighting for vehicle parking areas of less than 10 spaces if the parking area would not be safe due to the lack of lighting. Lighting shall be designed to

enhance safe access for vehicles, bicyclists, and pedestrians on the site, and shall meet the following standards:

19.606.4 Surface Parking Areas Over ¼-Acre

A. Purpose and Applicability

To comply with OAR 660-012-0405 and to mitigate the negative impacts of large surface parking lots such as increased ambient temperatures, increased stormwater run-off, and diminished pedestrian connectivity, all newly proposed surface parking areas that are greater than ¼-acre in size must comply with the standards in Subsection 19.606.4.

For existing parking lots 1/2-acre or greater in size, Subsection 19.606.4 is applicable when 50% or more of the existing asphalt or pavement is excavated. Required improvements for parking lots subject to the provisions of Subsection 19.606.4 are not limited by Subsection 19.602.5.

B. Measurement

Calculating the ¼-acre threshold (10,890 sq ft) is based on the cumulative area measured around the perimeter of all new off-street parking spaces, vehicle maneuvering lanes, vehicle maneuvering areas, interior walkways, and interior landscaping areas. The calculation must include all new off-street parking areas, even when parking areas are scattered throughout a property or span multiple lots but serve a common use or uses.

C. General Requirements

Parking areas that are over ¼-acre in size must comply with all the standards below.

1. Development standards.

- a. The standards of 19.606.4.C.1 apply in addition to the applicable pedestrian access and circulation standards in Subsections 19.606.3.D, 19.504.7, and Section 19.505. Where there is a conflict with those standards, the standards in Subsection 19.606.4 take precedence.
- b. Walkway crossings at intersections with drive aisles and driveways must be provided. Crossing facilities must be demarcated by either a raised surface or by utilizing a separate surface material. Demarcation with the use of paint alone is not permitted.
- c. Development must provide trees along driveways or a minimum of 40% tree canopy coverage over new parking areas. Tree plantings must be consistent with the planting requirements in 19.606.4.D.

2. Climate Mitigation Actions. Developments not required to comply with OAR 330-135-0010 must provide one of the following:

- a. Installation of solar panels with a generation capacity of at least 0.5 kilowatts per parking space on the property. Panels may be located anywhere on the property so long as their placement complies with other development standards in the Milwaukie Municipal Code.
- b. Tree canopy covering at least 50% of the parking lot at maturity but no more than 15 years after planting, as measured per Subsection 19.606.4.D.

D. Tree Canopy Coverage Standards

The following standards apply when providing tree canopy coverage under Subsection 19.606.4.C.2.c.

1. Calculating Parking Lot Area to be Covered by Tree Canopy

When calculating the area required to be covered by a tree canopy for the purposes of this Subsection, the following rules must be followed:

- a. All surface areas on which a vehicle is designed to maneuver, such as drives, drive-through lanes, drive aisles, and parking stalls, must be included.
- b. Areas not used for passenger vehicles, such as loading areas, interior landscaped areas, interior walkways not designed to be used by a passenger vehicle, and areas that are permanently used for outdoor storage, can be excluded when calculating this area.

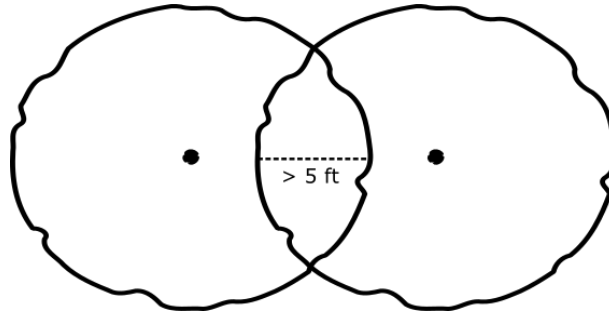
2. Calculating Tree Canopy Coverage

When calculating tree canopy coverage to comply with this Subsection, the following rules must be followed:

- a. The expected diameter of the tree crown at 15 years must be used to calculate tree canopy coverage, regardless of if the tree is mature at that time.
- b. The area under the expected canopy at 15 years that is either paved surface, including parking stalls and maneuvering areas, loading areas, walkways that are interior to the parking area, and interior and perimeter parking area landscaping will count towards meeting the required canopy coverage standard.
- c. The existing canopy of trees preserved on-site and providing coverage of the subject parking area can be counted towards the canopy coverage standard. The current diameter of a preserved tree's crown must be used to calculate tree canopy coverage. Or, if the tree was newly planted, the expected diameter of the tree crown area at 15 years can be used. Preserved trees used to meet this standard must be at least 2 in diameter at breast height if deciduous and at least 5 ft tall if coniferous.
- d. Trees located off-site, including those in the public right-of-way, do not count towards the canopy coverage standard.
- e. Newly planted trees that are isolated in disconnected individual planters are permitted but do not count towards the canopy coverage standard. The canopy of preserved trees that are isolated and at least 12 in diameter at breast height can count toward the canopy coverage standard.
- f. Canopy that covers structures does not count towards the canopy coverage standard unless covering a roofed but unenclosed structure that is used for protecting an automobile, bicycle, garbage/recycling area, or similar area from the elements.
- g. Canopy area of significant overlap does not count towards the canopy coverage standard. Significant overlap is defined as any overlap greater than 5 ft. The overlap measurement is the length of a line segment within the overlap area of a line between tree canopy trucks/centers. See Figure 19.606.4 for an example of this measurement.

Figure 19.606.4

Significant Canopy Overlap Measurement



3. Tree Plan Submittal Requirements

The following must be submitted to demonstrate compliance with this standard at the time development permits are submitted or with any land-use application subject to this Subsection and Subsection 19.906.

- a. A tree plan must be submitted to the Urban Forester or designee per the submittal requirements in Subsection 16.32.042.H
- b. The tree plan shall be prepared by an ISA-certified arborist in coordination with local utility providers. The final tree plan must be reviewed and approved by the Urban Forester.

4. General Tree Planting and Maintenance Requirements

In providing trees under Subsection 19.606.4, plantings shall comply with the following standards.

- a. Trees must be planted in continuous trenches in perimeter and interior landscaping areas and spaced to maintain a continuous canopy 15 years after planting. Canopy spacing will be measured based on the expected diameter of the tree crown 15 years after planting. Sections of the canopy are considered continuous when there is no space greater than 3 ft between two or more projected crown areas. Gaps in the canopy are permitted to accommodate other features of the parking area, such as drive aisles.
- b. Applicants must submit a soil volume and protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.G Soil Volume Standards.
- c. Applicants must submit a tree protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.F Tree Protection Standards.
- d. Trees must be maintained to ensure their survival and long-term health. Inspection of tree health will occur at the time of site development and, to ensure tree survival, three to five years after planting.

19.607 OFF-STREET PARKING STANDARDS FOR RESIDENTIAL AREAS

19.607.1 Residential Driveways and Vehicle Parking Areas

Subsection 19.607.1 is intended to preserve residential neighborhood character by establishing off-street parking standards. The provisions of Subsection 19.607.1 apply to passenger vehicles and off-street parking areas for single detached dwellings, duplexes, triplexes, quadplexes,

townhouses, cottage clusters, and residential homes in all zones, unless specifically stated otherwise.

A. Dimensions

Off-street parking space dimensions for ~~required~~ parking spaces are 9 ft wide x 18 ft deep.

B. Location

1. No portion of an off-street parking space is allowed within the following areas. These standards do not apply to off-street parking for cottage clusters, which are subject to the standards in Subsection 19.505.4.
 - a. Within an adjacent public street right-of-way or access easement.
 - b. Over a public sidewalk.

C. Parking Surface Materials

Parking of vehicles shall only be allowed on surfaces described in Subsection 19.607.1.C.

1. The following areas are required to have a durable and dust-free hard surface, and shall be maintained for all-weather use. The use of pervious concrete, pervious paving, driveway strips, or an in-ground grid or lattice surface is encouraged to reduce stormwater runoff.
 - a. All vehicle parking spaces and maneuvering areas located within a required front, street-side, or side yard. Areas for boat or RV parking are exempt from this requirement and may be graveled.
 - b. All off-street parking and maneuvering areas for an adult foster/care home.
2. Maneuvering areas and parking areas that are outside of a required front, street-side, or side yard are allowed to have a gravel surface.

D. Parking Area Limitations

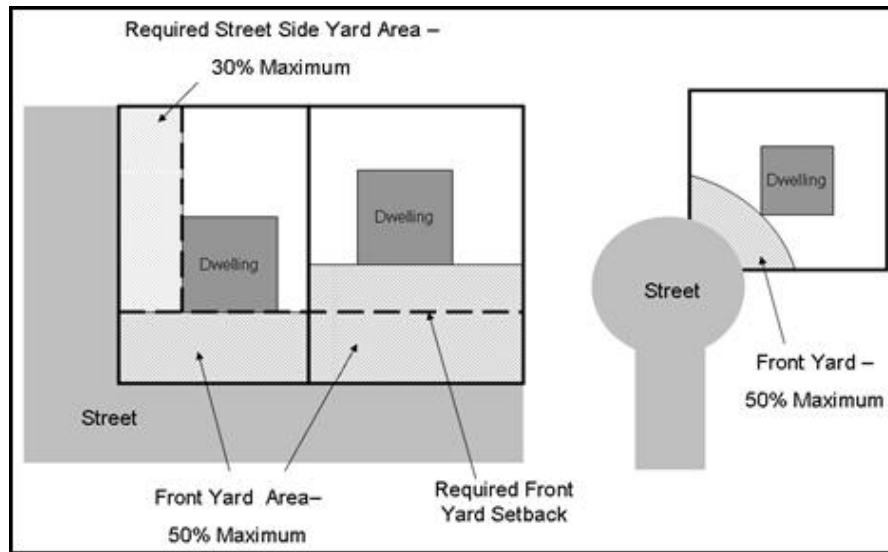
Uncovered parking spaces and maneuvering areas for vehicles, and for recreational vehicles and pleasure craft as described in Subsection 19.607.2.B, have the following area limitations. See Figure 19.607.1.D. The pole portion of a flag lot is not included in these area limitations.

These standards do not apply to off-street parking for cottage clusters, which are subject to the standards in Subsection 19.505.4; nor to townhouses, which are subject to the standards in Subsection 19.505.5.

1. Uncovered parking spaces and maneuvering areas cannot exceed 50% of the front yard area.
2. Uncovered parking spaces and maneuvering areas cannot exceed 30% of the required street side yard area.
3. No more than 3 residential parking spaces are allowed within the required front yard. A residential parking space in the required front yard is any 9- x 18-ft rectangle that is entirely within the required front yard that does not overlap with another 9- x 18-ft rectangle within the required front yard. Quadplexes are permitted a fourth parking space within the required front yard.

Figure 19.607.1.D

Front and Street Side Yard Parking Area Limits

**19.607.2 Commercial Vehicle, Pleasure Craft, and Recreational Vehicle Parking**

Subsection 19.607.2 is intended to preserve residential neighborhood character by minimizing the impacts created by the parking and storing of commercial vehicles, pleasure crafts, and recreational vehicles. The standards of Subsection 19.607.2 apply to off-street parking areas for cottage clusters, rowhouses, duplexes, triplexes, quadplexes, single detached dwellings, and adult foster/care homes in all zones.

- A. Commercial vehicles shall not be permitted to be parked or stored in the front yard or required street side yard on cottage cluster, rowhouse, duplex, single detached dwelling, or residential home properties. Commercial vehicles may be present anywhere on these properties for up to 12 hours in 1 day if the vehicle is engaged in loading or unloading materials for a residence(s).
- B. Recreational vehicles and pleasure crafts on middle housing, single detached, or adult foster/care home properties must comply with the following regulations:
 1. On residential lots less than 1 acre, only 1 recreational vehicle or private pleasure craft that is not located in an enclosed structure such as a garage shall be allowed. Canoes and other crafts less than 12 ft long shall be exempt from this requirement. On lots larger than 1 acre, 1 additional recreational vehicle or private pleasure craft that is not located in an enclosed structure is allowed for each 1/2 acre of area over 1 acre.
 2. No vehicle or pleasure craft shall be lived in, have housekeeping maintained, or have hook-up to utilities while parked or stored on, or otherwise attached or moored to, a lot used for middle housing, single detached dwelling, or adult foster/care home.

19.608 LOADING**19.608.2. Number of Loading Spaces**

The Planning Manager shall determine whether to require off-street loading for commercial, industrial, public, and semipublic uses. The ratios listed below should be the minimum required

unless the Planning Director finds that a different number of loading spaces are needed upon reviewing the loading needs of a proposed use.

A. Residential Buildings

Buildings where all of the floor area is in residential use should meet the following standards:

1. Fewer than 50 dwelling units on a site that abuts a local street: no loading spaces required.
2. All other buildings: 1 loading space.

B. Nonresidential and Mixed-Use Buildings

Buildings where any floor area is in nonresidential uses should meet the following standards:

1. Less than 20,000 sq ft of total floor area: no loading spaces required.
2. 20,000 to 50,000 sq ft of total floor area: 1 loading space.
3. More than 50,000 sq ft of total floor area: 2 loading spaces.

19.609 BICYCLE PARKING

19.609.1 Applicability

Bicycle parking must be provided for all new commercial, industrial, community service use, cottage-cluster, mixed-use, and multi-unit residential development. Temporary and seasonal uses (e.g., fireworks and Christmas tree stands), single-detached dwellings, plex developments, single-room occupancy housing, townhouses, and adult foster/care homes are exempt from Section 19.609.

This section includes requirements for both short and long-term bicycle parking. Short-term parking facilities include bicycle parking that is convenient, easily accessible, visible to site visitors and occupants, and generally intended for bicycles parked for two hours or less in one location. Long-term bicycle parking facilities are generally only accessible to the users of the parking, are in a secure location, provide protection from the elements, and are intended for bicycles parked for longer than two hours.

19.609.2 Quantity of Spaces

- A. Development must provide the number of bicycle parking spaces as listed in Table 19.609.2. In no case shall less than 2 short-term and 2 long-term spaces be provided, unless specifically stated otherwise. Modifications to the standards in Table 19.609.2 may be made as per Section 19.609.3.
- B. When a specific use has not been proposed or identified at the time of permit review, the Planning Manager may elect to assign a use category from Table 19.609.2 to determine the bicycle parking required. Future tenants or property owners are responsible for compliance with Chapter 19.600 per the applicability provisions of Section 19.602.
- C. If a proposed use is not listed in Table 19.609.2, the Planning Manager has the discretion to apply the quantity requirements of a similar use listed in the table upon finding that the listed use and unlisted use have similar parking demands.

- D. Where the calculation of minimum bicycle parking spaces does not result in a whole number, the result shall be rounded up to the next whole number.

Table 19.609.2: Minimum Required Bicycle Spaces		
Use	Long-term Spaces	Short-term Spaces
A. Residential Uses		
Multi-Unit Residential Development (5 or more units on site)	1.0 per unit	2 or one per 20 units
Cottage Cluster Development	1.5 per unit	0.5 per unit
B. Commercial Uses		
Retail Sales and Services	0.20 per 1000 sq ft of floor area	0.23 per 1000 sq ft of floor area
Retail Restaurants and Bars	0.27 per 1000 sq ft of floor area	0.63 per 1000 sq ft of floor area
Temporary Lodging	0.10 per 1000 sq ft of floor area	0.01 per 1000 sq ft of floor area
Office	0.43 per 1000 sq ft of floor area	0.03 per 1000 sq ft of floor area
Major Event Entertainment	0.07 per 1000 sq ft of floor area	0.20 per 1000 sq ft of floor area
Medical Office (non-hospital)	0.28 per 1000 sq ft of floor area	0.29 per 1000 sq ft of floor area
C. Industrial Uses		
Manufacturing and Production	0.16 per 1000 sq ft of floor area	0.01 per 1,000 sq ft of floor area
Warehouse and Freight Movement	0.08 per 1000 sq ft of floor area	0.003 per 1000 sq ft of floor area
Self-storage or Mini Warehouse	0.005 per 1000 sq ft of floor area	0.018 per 1000 sq ft of floor area
D. Institutional Uses		
Religious Institution	0.07 per 1000 sq ft of floor area	0.44 per 1,000 sq ft of floor area
Daycare	0.26 per 1000 sq ft of floor area	0.03 per 1,000 sq ft of floor area
Elementary or Middle School	2 per classroom	1 per 100,000 sq ft of floor area
High School	4 per classroom	1 per 100,000 sq ft of floor area
College (excluding dormitories)	0.07 per 1000 sq ft of floor area	0.06 per 1000 sq ft of floor area
Library, Museum, Community Center, Performance Theater	0.25 per 1000 sq ft of floor area	0.10 per 1,000 sq ft of floor area
Medical Center or Hospital	0.27 per 1000 sq ft of floor area	0.01 per 1000 sq ft of floor area
Parks and Open Area	None	Neighborhood Parks: 4 per park Community Parks or Natural Areas: 8 per park/area
Transit Center	None	1 space per 100 daily boardings

19.609.3 Bicycle Parking Quantity Modification and Required Parking Determinations

Subsection 19.609.3 allows for the modification of minimum bicycle parking quantities from Table 19.609.2 as well as the determination of minimum bicycle parking requirements when a proposed use is not listed in Table 19.609.2.

A. Applicability

The procedures of Subsection 19.609.3 will apply in the following situations:

1. If the proposed use is not listed in Table 19.609.2 and the quantity requirements for a similar use, as determined by the Planning Manager, cannot be applied.
2. If the applicant seeks a modification from the minimum required quantities as calculated per Table 19.609.2.

B. Application

Determination or modification of bicycle parking ratios in situations listed above shall be reviewed as a Type I land use decision, per Section 19.1004 Type I Review. The application for a determination or modification must include the following:

1. Describe the proposed uses of the site, including information about the size and types of the uses on-site, and information about site users (employees, customers, residents, etc.).
2. Identify factors specific to the proposed use and/or site, such as the proximity of bicycle infrastructure, availability of shared bicycle parking, and/or special characteristics of the customer, client, employee, or resident population that affect bicycle parking demand.
3. Provide data and analysis specified in Subsection 19.609.3.B.3 to support the determination or modification request. The Planning Manager may waive requirements of Subsection 19.609.2.B.3 if the information is not readily available or relevant.
 - a. Analyze bicycle parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from cycling organizations, transportation planning associations, or other relevant sources.
 - b. Present bicycle parking quantity and utilization data from existing developments that are similar to the proposed development. The information about the existing development and its bicycle parking demand must include enough detail to evaluate similarities and differences between the existing development and the proposed development.
 - c. Identify factors specific to the site, such as the availability of secure bicycle parking facilities or the integration of bicycle infrastructure in the vicinity.
4. Propose a minimum bicycle parking ratio. For phased projects or projects where the tenant mix is unknown or subject to change, the applicant may propose a range (low and high number of bicycle parking spaces) for each development phase and a minimum number of bicycle parking spaces to be provided at the completion of the project.
5. Address the approval criteria in Subsection 19.609.3.C.

C. Approval Criteria

The Planning Manager will consider the following criteria in deciding whether to approve the determination or modification. The Planning Manager, based on the applicant's materials and

other data the Planning Manager deems relevant, will set the minimum bicycle parking requirement. Conditions of approval may be placed on the decision to ensure compliance with the bicycle parking determination.

1. All modifications and determinations must demonstrate that the proposed bicycle parking quantities are reasonable based on existing bicycle parking demand for similar uses in other locations, bicycle parking requirements for the use in other Portland metropolitan area jurisdictions, and professional literature about the bicycle parking demands of the proposed use.
2. The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site or is otherwise consistent with City or Comprehensive Plan policy.
3. In addition to the criteria in Subsection 19.609.2.C.1 and Subsection 19.609.2.C.2, requests for modifications to decrease the amount of minimum required bicycle parking must meet one or more of the following criteria:
 - a. **Alternative and Climate-Friendly Transportation Amenities:** The development includes other amenities that promote alternative transportation methods, such as secure bicycle sharing programs, on-site electric vehicle charging stations, or carpooling initiatives.
 - b. **Specific Demographic Considerations:** The targeted demographic for the development has inherent characteristics that make them unlikely to cycle or start cycling. For example, if the development is primarily frequented by or developed for older residents or individuals with disabilities, who may have limited mobility options, the need for extensive bicycle parking could be reduced.
 - c. **Comprehensive Bicycle Infrastructure Plan:** The applicant can propose a comprehensive bicycle infrastructure plan that outlines future measures to enhance bicycle accessibility and promote cycling within the development or the surrounding area. This plan could include commitments to improve signage, create bike-sharing programs, or establish connections to existing cycling networks. By demonstrating a long-term commitment to bicycle infrastructure, the applicant may be granted a reduction in current parking requirements.
 - d. **Availability of Future Expansion Space:** If the applicant can demonstrate that there is available space within the development that can be easily converted to additional bicycle parking in the future, they could be allowed a reduction in the current requirement.
 - e. **Proximity to Existing Bicycle Infrastructure:** The development is located in close proximity to well-established bicycle parking, such as ample existing short-term bicycle parking, or previously established shared long-term parking in a multi-tenant space/development. This assumes that users of the new facility can easily access existing parking and may not need additional on-site parking.

19.609.4 Bicycle Parking Development Standards

A. General Development Standards for Bicycle Parking

Long-term and short-term bicycle parking must be provided in lockers or racks that meet the following standards:

1. The area devoted to bicycle parking must be hard-surfaced.
2. Where bicycle parking is provided in racks, the racks must meet the following standards:
 - a. The rack must be designed so that the bicycle frame and one wheel can be locked to a rigid portion of the rack with a U-shaped shackle lock when both wheels are left on the bicycle.
 - b. If the rack is a horizontal rack, it must support the bicycle at two points, including the frame.
 - c. The rack must be securely anchored with tamper-resistant hardware.
3. Bicycle parking spaces, aisles, and clearances must meet the minimum dimensional standards contained in Table 19.609.4.A.3. See examples of bicycle parking spacing options in Figures 19.609.4.A.3.a-g.

Table 19.609.4					
Minimum Bicycle Parking Space Dimensions					
	Length	Width	Height	Maneuvering Area Width	Clearance to rack from walls
Standard Spacing	6 ft	2 ft	3 ft 4 in	5 ft	2 ft 6 in
Horizontal Side by Side	6 ft	1 ft 6 in	3 ft 4 in	5 ft	2 ft 6 in
Horizontal Wall Attached	6 ft	2 ft	3 ft 4 in	5 ft	1 ft
Horizontal Diagonal (45-60 degrees)	6 ft	1 ft 6 in	3 ft 4 in	5 ft	3 ft
Vertical Spaces [1]	3 ft 4 in	1 ft 5 in	6 ft	5 ft	-
Stacked Spaces [2]	-	1 ft 5 in	-	8 ft	-
Larger Bicycle Space	8 ft	3 ft	3 ft 4 in	5 ft	3 ft

1. The spacing allowed for vertical bicycle parking spaces requires a minimum vertical stagger of 8 inches between each space.
2. The spacing for stacked bicycle parking requires a vertical stagger to be included in the manufacturer’s design.

**Figure 19.609.4.A.3.a
Standard Bicycle Parking**

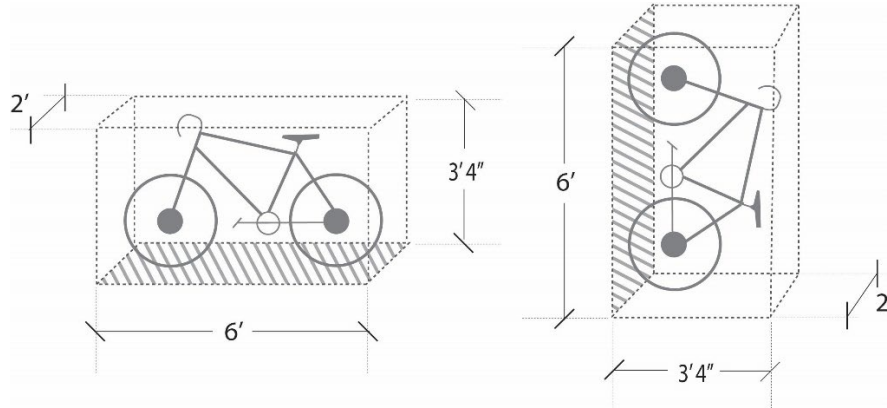


Figure 19.609.4.A.3.b

Horizontal Side-by-Side Bicycle Parking

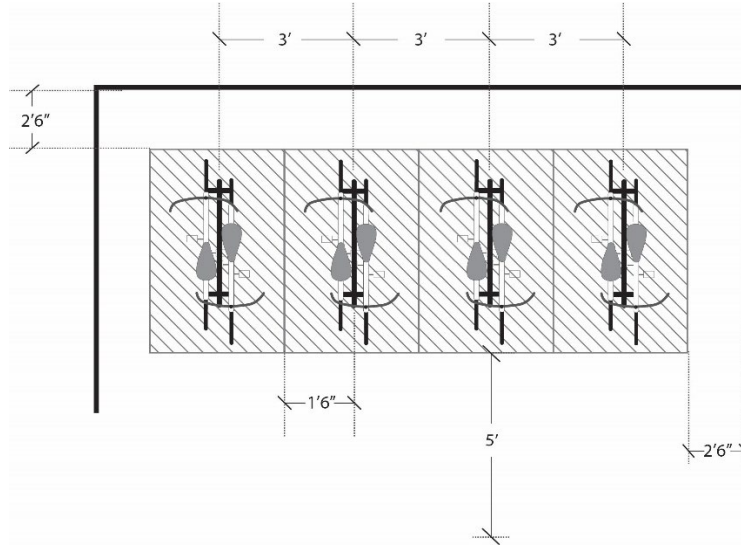


Figure 19.609.4.A.3.c

Horizontal Wall Attached Bicycle Parking

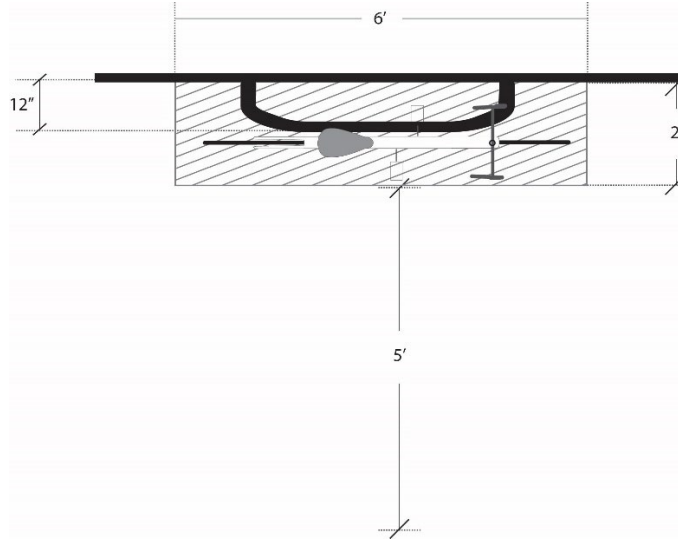


Figure 19.609.4.A.3.d

Horizontal Diagonal (45-60 degree) Bicycle Parking

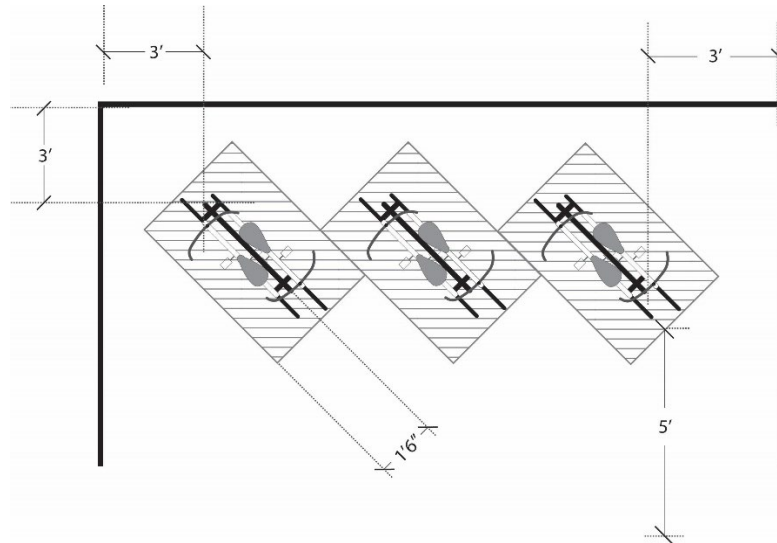


Figure 19.609.4.A.3.e

Vertical Bicycle Parking

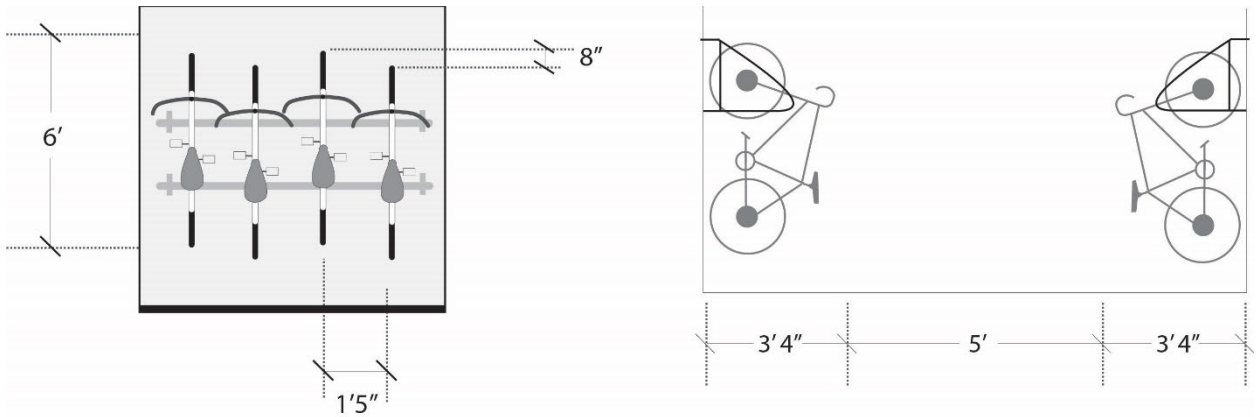


Figure 19.609.4.A.3.f
Stacked Bicycle Parking

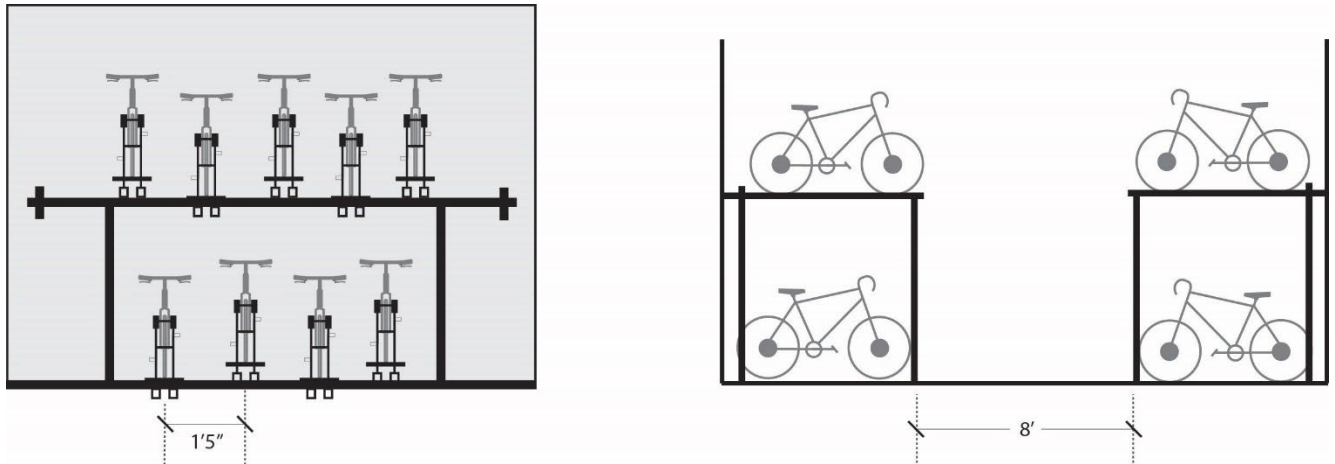
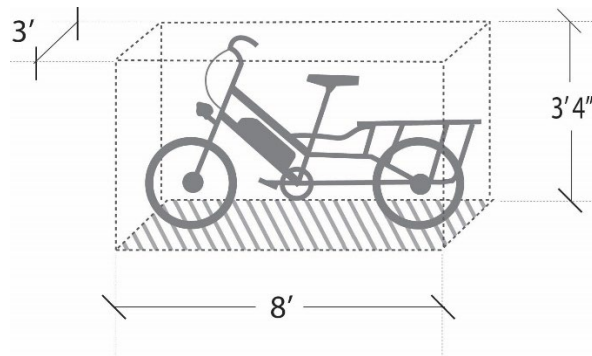


Figure 19.609.4.A.3.g
Large Bicycle Parking Space



4. Bicycle lockers are fully enclosed and secure bicycle parking spaces that meet the following standards:

- a. The locker must be securely anchored to the ground.

- b. Locker spaces must have a minimum depth of 6 ft and an access door that is at least 2 ft wide. If providing more than one bicycle parking space through a triangle locker layout, a 2 ft wide door must be provided on each side of the locker.
5. All bicycle parking areas must provide lighting consistent with the standards in 19.606.3.D.
6. The following bicycle parking information must be submitted with applications for a building permit or land-use review:
 - a. Location and number of bicycle parking spaces for short- and long-term bicycle parking along with the access route to long-term bicycle parking.
 - b. The model or design of the bicycle parking facilities to be installed.
 - c. Dimensions of all aisles and maneuvering areas.

B. Standards for Long-Term Bicycle Parking

In addition to the general standards established in Subsection 19.609.4.A, long-term bicycle parking must be provided in lockers or racks that meet the following standards:

1. Locational Standards. Long-term bicycle parking must be provided in one or more of the following locations:
 - a. Within a building, including on individual building floors.
 - b. On-site, including in parking areas and structured parking.
 - c. Within a residential dwelling unit. Up to 50% of long-term bicycle parking spaces may be provided within a residential dwelling unit if they meet the following requirements:
 - (1) Parking space must include a rack that meets the dimensional requirements for a standard bicycle rack per Table 19.609.4.
 - (2) For multifamily and mixed-use developments without an elevator, in-unit long-term bicycle parking can only be located on the ground floor.
 - d. Exceptions. Sites containing residential development with 12 or fewer dwelling units may provide up to 100% of required long-term bicycle parking spaces in dwelling units. All other applicable standards in MMC Subsection 19.609.4.B must still be met, including the prohibition of in-unit bicycle parking on upper floors unless the building has an elevator.
 - e. For schools, all long-term bicycle parking must be placed within the building on the ground floor, within 100 ft of a main entrance, or some combination of the two.
 - f. For sites with multiple primary uses, long-term bicycle parking must be provided in an area that can be accessed from each use. If bicycle parking is provided in a common area on the site, the area must be accessible to all tenants.
 - g. All long-term bicycle parking must be covered. Where covered bicycle parking is not within a building or locker, the cover must be permanent, impervious to precipitation, and project a minimum of 2 ft beyond the bicycle parking spaces on the portion of the structure that is not enclosed by a wall.
2. Security Standards. Long-term bicycle parking must meet the following security standards:

- a. Long-term bicycle parking for residential uses must be provided within one of the following:
 - (1) A restricted access, lockable room or enclosure, designated primarily for bicycle parking.
 - (2) A bicycle locker.
 - (3) A residential dwelling unit, subject to the limitations in MMC Subsection 19.906.4.B.1.c.
- b. Long-term bicycle parking for all other uses must be located in one of the following locations.
 - (1) A restricted access, lockable room or enclosure.
 - (2) A bicycle locker.

3. Additional Development Standards. The following standards apply to sites with more than 20 long-term bicycle parking spaces:

- a. Minimum number of horizontal bicycle parking spaces. At least 30% of spaces must be in a horizontal rack, or on the lower level of a stacked bicycle parking rack. For elementary and middle schools (K-8), all spaces located outside of the building must be in a horizontal rack.
- b. Parking for larger bicycles. At least 5% of spaces must accommodate a larger bicycle space, placed in a horizontal rack. These spaces may be included to meet the minimum percentage requirements for Subparagraph B.3.a. See Figure 19.609.4.A.7.
- c. Electrical outlet requirement. At least 5% of spaces must be located within 10 ft of an electrical socket. Each electrical socket must be accessible to horizontal bicycle parking spaces.

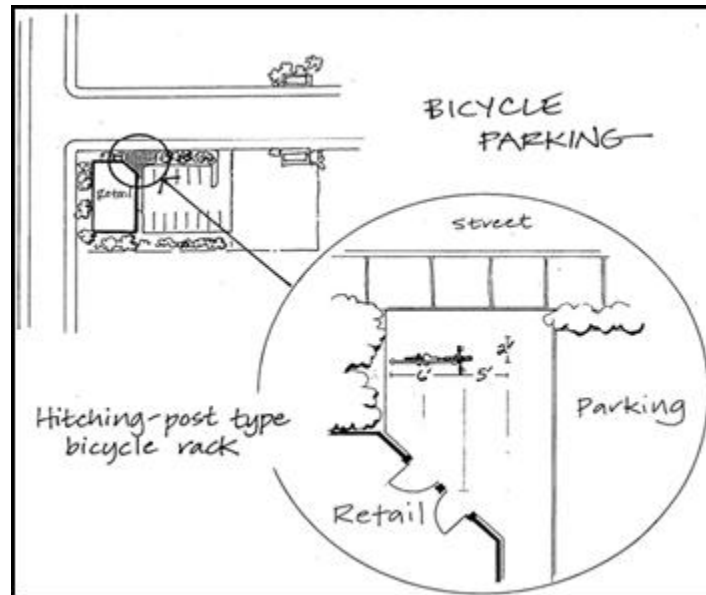
C. Standards for Short-Term Bicycle Parking

In addition to the general standards established in Subsection 19.609.4.A, short-term bicycle parking must meet the following standards:

1. Short-term bicycle parking must meet the following locational requirements:
 - a. Be located on-site, outside of a building.
 - b. Must be at the same grade as the sidewalk or at a location that can be reached by an accessible route.
 - c. Be located within 50 ft of the main entrance, or for buildings with multiple main entrances, must be dispersed and located within 50 ft of the main entrance on each façade. For sites with multiple primary buildings, short-term parking must be dispersed and located within 50 ft of the main entrance for each primary building.
 - d. Must be visible to building occupants.
 - e. Must be designed not to impede pedestrians along sidewalks or public rights-of-way.
 - f. If located adjacent to automobile parking, must be separated from vehicle parking areas by curbing or other similar physical barriers.
2. The public right-of-way may be utilized for bicycle parking when parking cannot be reasonably accommodated on the site and the location is convenient to the building's front entrance. The bicycle parking area in the right-of-way must leave a clear,

unobstructed width of sidewalk that meets the Engineering Department's Public Works Standards for sidewalk passage. See Figure 19.609 for illustration of space and locational standards. A right-of-way permit is required.

Figure 19.609.4.C.2
Bicycle Parking in the Public Right-of-Way



19.610 CARPOOL AND VANPOOL PARKING

19.610.2 Number of Spaces

The number of carpool/vanpool parking spaces shall be at least 10% of the minimum amount of parking spaces provided.

19.611 PARKING STRUCTURES

The purpose of Section 19.611 is to regulate the design and location of structured parking, and to provide appropriate incentives for the provision of structured parking. Structured parking is allowed to accommodate parking for a specific use, or as a parking facility that is a use by itself.

19.611.1 Permitted Zones and Review Procedures

- A. Parking structures, including underground parking, are allowed in all zoning districts except the Moderate Density Residential and Open Space Zones. A parking structure can be permitted through approval of a Community Service Use application in all zones except the Open Space Zone. A parking structure to be used for commercial parking in the Downtown Mixed Use Zone must be permitted through approval of a conditional use application.

19.611.2 Compliance with Other Sections of Chapter 19.600

- A. Spaces in parking structures are exempt from counting against maximum parking allowances if the spaces are utilized for types of parking listed in Subsection 19.605.3.A.

CHAPTER 19.900 LAND USE APPLICATIONS

19.901 INTRODUCTION

Uses or development that are regulated by Titles 14, 17, and 19 of the Milwaukie Municipal Code shall submit and obtain approval for all required land use applications prior to establishment or construction. Table 19.901 below contains a complete list of the City’s land use applications and the location of the provisions that govern their submittal, review, and approval. It also identifies the review type(s) associated with each application type. The review type determines who is given notice about land use and development proposals, when the City has to make a decision on a land use application, and who makes the final decision. Descriptions of the different review types and the procedures associated with them are located in Chapter 19.1000. Decision makers for each review type are listed in Table 19.1001.5.

Table 19.901 Land Use Applications		
Application Type	Municipal Code Location	Review Types
Parking:	Chapter 19.600	
Quantity Determination	Subsection 19.605.2	II
Quantity Modification	Subsection 19.605.2	II
Structured Parking	Section 19.611	II, III

19.905 CONDITIONAL USES

19.905.5 Conditions of Approval

The Planning Commission, or Planning Manager in the case of minor modifications, may impose conditions of approval that are suitable and necessary to assure compatibility of the proposed use with other uses in the area and minimize and mitigate potential adverse impacts caused by the proposed use.

Conditions of approval may include, but are not limited to, the following aspects of the proposed use:

- A. Limiting the hours, days, place, and manner of operation.
- B. Requiring structure and site design features that minimize environmental impacts such as those caused by noise, vibration, air pollution, glare, odor, carbon emissions, and dust.
- C. Requiring additional front, rear, or side yard width.
- D. Limiting building height, size, or location or limiting lot coverage.
- E. Limiting or otherwise designating the size, number, or location of vehicle access points from the street.
- F. Requiring additional landscaping or screening of off-street parking and loading areas.

- G. Limiting or otherwise designating the location, intensity, and shielding of outdoor lighting.
 - H. Requiring screening or landscaping for the protection of surrounding properties.
 - I. Requiring and designating the size, height, location, and materials for fences.
 - J. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.
 - K. Requiring adequate public transportation facilities and public utilities prior to occupancy.
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19.910 RESIDENTIAL DWELLINGS

19.910.3 Manufactured Dwelling Parks

D. Development Requirements

All manufactured dwelling parks shall meet the following minimum requirements:

- 7. When provided, off-street parking and recreational vehicle parking shall be developed as per Chapter 19.600.