



**Regular Session**

**RS**

**Milwaukie City Council**

**COUNCIL REGULAR SESSION**

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**REVISED AGENDA**

**MAY 21, 2024**

(Revised May 17, 2024)

**Council will hold this meeting in-person and through video conference.** The public may attend the meeting by coming to City Hall or joining the Zoom webinar, or watch the meeting on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. **For Zoom login** visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-372>.

**To participate in this meeting by phone** dial 1-253-215-8782 and enter Webinar ID 865 6947 8638 and Passcode: 111508. To raise hand by phone dial \*9.

**Written comments** may be delivered to City Hall or emailed to [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov). Council will take verbal comments.

**Note:** agenda item times are estimates and are subject to change.

**Page #**

- 1. **CALL TO ORDER** (6:00 p.m.)
  - A. **Pledge of Allegiance**
  - B. **Native Lands Acknowledgment**
  
- 2. **ANNOUNCEMENTS** (6:01 p.m.) **2**
  
- 3. **PROCLAMATIONS AND AWARDS**
  - A. **Dogwood Day – Proclamation** (6:05 p.m.) **5**  
Staff: Scott Stauffer, City Recorder
  - B. **Historic Preservation Month – Proclamation** (6:15 p.m.) **6**  
Presenter: Lisa Batey, Mayor
  - C. **Memorial Day – Proclamation** (6:20 p.m.) **7**  
Presenters: Robert Massey, Council President, and Adam Khosroabadi, City Councilor
  - D. **Asian American Pacific Islander Month – Proclamation** (6:25 p.m.) **8**  
Presenter: Adam Khosroabadi, City Councilor
  - E. **Public Works Week – Proclamation** (6:30 p.m.) **9**  
Staff: Peter Passarelli, Public Works Director
  
- 4. **SPECIAL REPORTS**
  - A. **None Scheduled.**
  
- 5. **COMMUNITY COMMENTS** (6:35 p.m.)  
To speak to Council, please submit a comment card to staff. Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed to the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to [ocr@milwaukieoregon.gov](mailto:ocr@milwaukieoregon.gov)), or in person to city staff.**

6. **CONSENT AGENDA** (6:40 p.m.)  
 Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.
- A. **Approval of Council Meeting Minutes of:** 11
    - 1. **April 2, 2024, work session,**
    - 2. **April 2, 2024, regular session,**
    - 3. **April 9, 2024, study session,**
    - 4. **April 16, 2024, work session, and**
    - 5. **April 16, 2024, regular session.**
  - B. **Authorization of a Contract for the Slurry Seal Project – Resolution** 25
7. **BUSINESS ITEMS**
- A. **None Scheduled.**
8. **PUBLIC HEARINGS**
- A. **Solar Project Contracting Authorization – Resolution** (6:45 p.m.) 31  
 Staff: Peter Passarelli, Public Works Director
  - B. **Climate Friendly Equitable Communities (CFEC) Code Adoption – Ordinance** (7:00 p.m.) 39  
 Staff: Laura Weigel, Planning Manager, and  
 Ryan Dyar, Assistant Planner
9. **COUNCIL REPORTS**  
 (Removed from the agenda, moved to the May 21, 2024, work session.)
10. **ADJOURNMENT** (8:15 p.m.)

**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](mailto:ocr@milwaukieoregon.gov) or phone at 503-786-7502. To request Spanish language translation services email [espanol@milwaukieoregon.gov](mailto: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](mailto:ocr@milwaukieoregon.gov) o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a [espanol@milwaukieoregon.gov](mailto: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.

**Executive Sessions**

The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.

2403<sup>rd</sup> Meeting**COUNCIL REGULAR SESSION****MINUTES**

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

MAY 21, 2024

**Council Present:** Councilors Shane Abma, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

<p><b>Staff Present:</b> Joseph Briglio, Acting Assistant City Manager Mandy Byrd, Development Project Manager Ryan Dyar, Associate Planner Justin Gericke, City Attorney Peter Passarelli, Public Works Director</p>	<p>Emma Sagor, Acting City Manager Gabriela Santoyo Gutierrez, Equity &amp; Inclusion Coordinator Scott Stauffer, City Recorder Jherica Zink, Administrative Specialist II</p>
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**Mayor Batey** called the meeting to order at 6:04 p.m.

**1. CALL TO ORDER**

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

**2. ANNOUNCEMENTS**

**Mayor Batey** noted it was election day and announced upcoming activities, including the State of the City address, the return of First Friday events, the curbside bulky waste pick-up days, and Juneteenth and Pride events.

**Mayor Batey** read a Haiku inspired by Dogwood Day and the May 21 election.

**3. PROCLAMATIONS AND AWARDS****A. Dogwood Day – Proclamation**

**Stauffer, Phyllis Hines** with the Susannah Lee Barlow Chapter Daughters of the American Revolution (DAR), and the Milwaukie Historical Society's **Steven Bennett**, remarked on Dogwood Day and announced the winner of the 2024 #milwaukiedogwood Instagram photo contest. **Mayor Batey** proclaimed May 21<sup>st</sup> to be Dogwood Day.

**B. Historic Preservation Month – Proclamation**

**Mayor Batey** and **Bennett** remarked on preserving historic structures and updating the city's historic homes inventory. **Batey** proclaimed May to be Historic Preservation Month.

**C. Memorial Day – Proclamation**

**Council President Massey** remarked on recognizing those who lost their lives in the armed services and **Mayor Batey** proclaimed May 27<sup>th</sup> to be Memorial Day.

**D. Asian American Pacific Islander (AAPI) Heritage Month – Proclamation**

**Councilor Khosroabadi** and Milwaukie resident **Liz Start** commented on the importance of representation and inclusion and recognizing AAPI community members and their contributions to Milwaukie. **Mayor Batey** proclaimed May to be AAPI Heritage Month.

## **E. Public Works Week – Proclamation**

**Passarelli** and **Zink** commented on the important work of public works staff in creating a safe city. **Mayor Batey** proclaimed May 19-25 to be Public Works Week.

## **4. SPECIAL REPORTS**

**A. None Scheduled.**

## **5. COMMUNITY COMMENTS**

**Mayor Batey** reviewed the comment procedures. **Sagor** reported there was no follow-up from the May 7 comments and noted that written correspondence regarding the Israeli-Palestinian conflict, the city's tree code, and downtown parking had been submitted.

**Rod Smith**, Milwaukie resident, asked about the city's plans to care for trees along Highway 224 and suggested the city allow community members help maintain trees on public property. **Mayor Batey** noted that several community groups hold work parties to clean-up natural areas around Milwaukie. **Smith** remarked on a prior occasion when the city had ignored **Smith's** offer to help maintain trees on public property.

## **6. CONSENT AGENDA**

It was moved by **Councilor Khosroabadi** and seconded by **Councilor Abma** to approve the Consent Agenda as presented.

**A. City Council Meeting Minutes:**

1. April 2, 2024, work session,
2. April 2, 2024, regular session,
3. April 9, 2024, study session,
4. April 16, 2024, work session, and
5. April 16, 2024, regular session.

**B. Resolution 21-2024: A resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, approving a construction contract for the 2024 slurry seal project to Black Line, Inc.**

Motion passed with the following vote: **Councilors Abma, Khosroabadi, Massey, and Stavenjord** and **Mayor Batey** voting "aye." [5:0]

## **7. BUSINESS ITEMS**

**A. None Scheduled.**

## **8. PUBLIC HEARING**

**A. Solar Project Contracting Authorization – Ordinance**

**Call to Order:** **Mayor Batey** called the public hearing on the proposed alternative contracting method, to order at 6:55 p.m.

**Purpose:** **Mayor Batey** announced that the purpose of the hearing was to hear the staff report and take public comment on the proposed contracting method.

**Conflict of Interest:** No Council member declared a conflict of interest.

**Staff Presentation:** **Passarelli** and **Byrd** provided an overview of the solar project at the city's Johnson Creek Boulevard (JCB) facility and explained why an alternative contracting design-build method, was necessary for the project.

**Councilor Abma** and **Byrd** remarked on the benefits of design-build contracting.

**Councilor Stavenjord** and **Passarelli** commented on the feasibility of building solar arrays over open spaces instead of on existing rooftops.

**Council President Massey**, **Byrd**, and **Passarelli** noted the timeline for completing the project and using the grant funds before the grant fund expiration deadlines in 2025.

**Mayor Batey** remarked on the idea of covering parking areas with solar arrays.

Correspondence: No correspondence on the hearing topic had been received.

Audience Testimony: No audience member wished to address Council.

Close Public Comment: **It was moved by Councilor Khosroabadi and seconded by Council President Massey to close the public testimony part of the solar project alternative contracting method hearing. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, Stavenjord, and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** closed the public comment part of the hearing at 7:09 p.m.

Council Decision: **It was moved by Councilor Khosroabadi and seconded by Council President Massey to approve the resolution, acting as the Local Contract Review Board, adopting findings in support of using the design-build alternative contracting for the Johnson Creek Solar Project. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

**Resolution 22-2024:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, ADOPTING FINDINGS IN SUPPORT OF USING THE DESIGN-BUILD ALTERNATIVE CONTRACTING FOR THE JOHNSON CREEK SOLAR PROJECT.**

**B. Climate Friendly Equitable Communities (CFEC) Code Adoption – Ordinance**

Call to Order: **Mayor Batey** called the CFEC code adoption hearing to order at 7:10 p.m.

Purpose: **Mayor Batey** announced that the purpose of the hearing was to hear the staff report and take public comment on the proposed code adoption.

Conflict of Interest: No Council member declared a conflict of interest.

Staff Presentation: **Briglio** introduced the topic. **Dyar** provided an overview of the state mandated CFEC code amendments, including how the amendments had been incorporated into the Milwaukie Municipal Code (MMC) related to off-street parking, parking lots, and bicycle parking.

**Councilor Khosroabadi** and **Dyar** commented on when tree canopy requirements would be triggered through CFEC parking lot related actions.

**Council President Massey** and **Dyar** noted the deadline to adopt the CFEC rules.

**Mayor Batey** and **Dyar** discussed how the CFEC process works for removing or shrinking existing parking lots, encouraged shared parking lots, and how the code brought pre-existing parking lots into compliance.

Correspondence: No correspondence on the hearing topic had been received.

Audience Testimony: No audience member wished to address Council.

Council Questions to Staff: **Councilor Stavenjord** appreciated how staff had incorporated the CFEC rules into the MMC.

Close Public Comment: **It was moved by Council President Massey and seconded by Councilor Stavenjord to close the public testimony part of the CFEC code adoption hearing. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, Stavenjord, and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** closed the public comment part of the hearing at 7:33 p.m.

Council Decision: **Mayor Batey** and **Councilor Khosroabadi** expressed frustration with the CFEC rules imposed by the state on cities.

**It was moved by Councilor Stavenjord and seconded by Councilor Abma for the first and second readings by title only and adoption of the ordinance, amending Municipal Code (MMC) Title 19 Zoning Ordinance for the purpose of addressing off-street parking requirements citywide as required under Transportation Planning Rule, Oregon Administrative Rule (OAR) 660-012-0400 – 0450 and OAR 660-012-0630 (File #ZA-2022-005). Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

**Sagor** read the ordinance two times by title only.

**Stauffer** polled the Council with **Councilors Abma, Khosroabadi, Massey, and Stavenjord** and **Mayor Batey** voting “aye.” [5:0]

**Ordinance 2243:**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING 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).**

**9. COUNCIL REPORTS**

**Mayor Batey** noted that Council had given reports at the May 21, 2024, work session and **Councilor Abma** noted the time of the upcoming Pride celebration event.

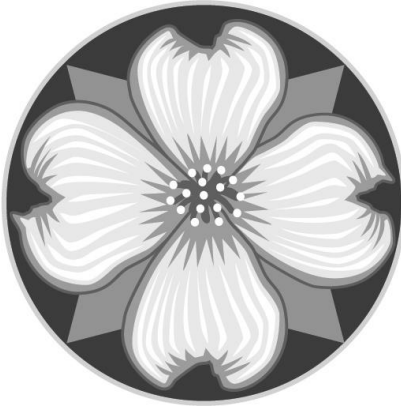
**10. ADJOURNMENT**

**It was moved by Councilor Abma and seconded by Councilor Stavenjord to adjourn the Regular Session. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** adjourned the meeting at 7:40 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Scott Stauffer, City Recorder



**RS Agenda Item**

**2**

# **Announcements**





COMMUNITY EVENT  
Saturday, June 15th 2024

4TH ANNUAL

JUNETEENTH CELEBRATION

MILWAUKIE BALL—MICHEL PARK

11AM-3 PM



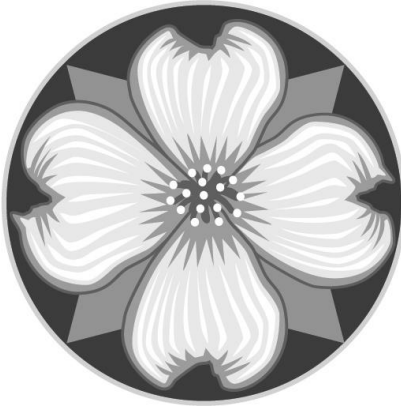
# Mayor's Announcements – May 21, 2024

- **State of the City – Fri., Jun. 7 (4:30 PM)**
  - Join Mayor Lisa Batey to learn more about the city's recent accomplishments and what is to come in 2024 and stay downtown for First Friday.
  - City Hall (Community Room), 10501 SE Main St.
- **First Friday – Fri., Jun. 7 (5-8 PM)**
  - Support downtown businesses at the monthly event through Oct.
  - More information at [www.firstfridaymilwaukie.com](http://www.firstfridaymilwaukie.com)
- **Curbside Bulky Waste Disposal Event – Sat., June 8 or June 15 (Depending on home address)**
  - The city's garbage and recycling collectors offer a curbside pick-up for large, bulky items that do not fit in the weekly collection containers.
  - For more information contact your hauler or visit [milwaukieoregon.gov/bulkywaste](http://milwaukieoregon.gov/bulkywaste).
- **Juneteenth Celebration – Sat., Jun. 15 (11 AM – 3 PM)**
  - All are welcome at a community-led gathering to celebrate, reflect and amplify Black voices in the city.
  - Event includes music, vendors, food, face painting, kid's games, and more!
  - Ball Michel Park, 9781 SE Stanley Ave.
- **Pride Celebration – Sat., Jun. 29 (10 AM – 12 PM)**
  - Join a community-led festive gathering to celebrate LGBTQIA+ Pride Month.
  - South Downtown Plaza, SE Washington St. and SE Main St.
- **LEARN MORE AT [WWW.MILWAUKIEOREGON.GOV](http://WWW.MILWAUKIEOREGON.GOV) OR CALL 503-786-7555**

*A hometown pride day,  
Electoral choice for all,  
It is Dogwood Day!*

*- Office of the City Recorder*

Share your Milwaukie Haiku!  
Email yours to [bateyl@milwaukieoregon.gov](mailto:bateyl@milwaukieoregon.gov)



**RS Agenda Item**

**3**

# **Proclamations & Awards**

## PROCLAMATION

**WHEREAS** the Pacific Dogwood (*cornus nuttallii*) was nurtured and cultivated by the earliest settlers of the Milwaukie area, including the Clackamas people who used the Dogwood to weave baskets and make other utensils, and

**WHEREAS** the Oregon State Legislature incorporated the Town of Milwaukie on May 21, 1903, after years of organized community action that sought to seek local control of the area’s infrastructure and shared spaces, and

**WHEREAS** on April 27, 1952, a plaque was placed by the Susannah Lee Barlow Chapter of the Daughters of the American Revolution at the home of Milwaukie’s first mayor, William Shindler, to mark the location of the then-largest native Pacific Dogwood in the United States, which stood at 65-feet in height and 7-feet in circumference, and

**WHEREAS** on July 9, 1962, the City Council designated the Pacific Dogwood as the city’s official flower and “The Dogwood City of the West” as the city’s nickname, and

**WHEREAS** the people of Milwaukie continue to appreciate the Pacific Dogwood and other Dogwood species by planting them in yards, parks, and shared spaces, and

**WHEREAS**, by designating May 21<sup>st</sup> as Dogwood Day, Milwaukie continues to recognize the beauty of the Dogwood blossom as an emblem of our shared commitment to the earth and to each other.

**NOW, THEREFORE**, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 21, 2024**, to be **DOGWOOD DAY** in Milwaukie, *The Dogwood City of the West*.

**IN WITNESS, WHEREOF**, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 21<sup>st</sup> day of May 2024.

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Lisa M. Batey, Mayor

ATTEST:

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Scott S. Stauffer, City Recorder



**RS 3. A. 5/21/24  
Presentation**

# **Dogwood Day 2024**

Presented by the  
**Milwaukie Historical Society**  
**Susannah Lee Barlow Chapter, DAR**  
and the  
**Office of the City Recorder**



# The Original Dogwood Tree



#### MILWAUKIE'S FAMOUS DOGWOOD TREE

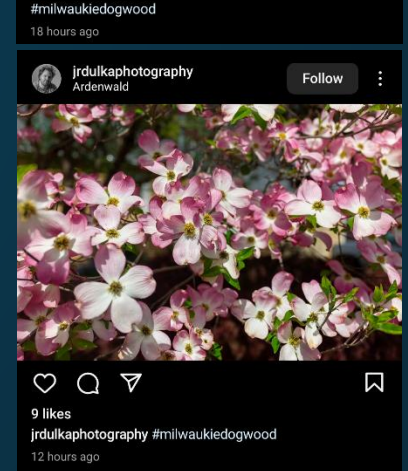
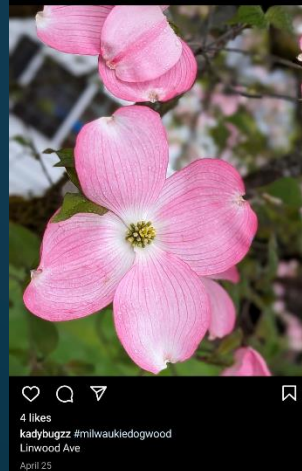
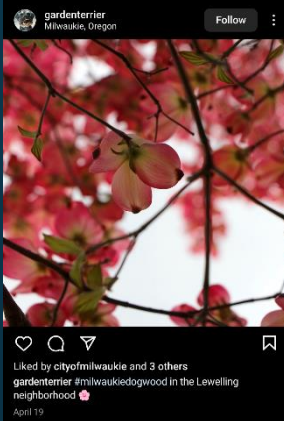
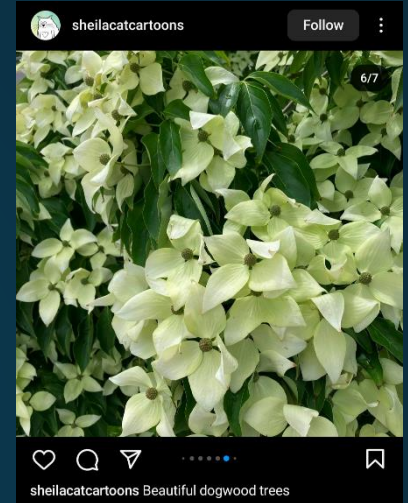
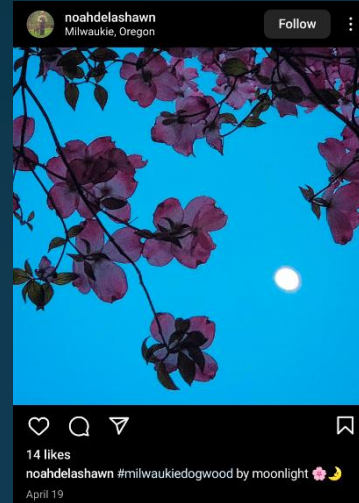
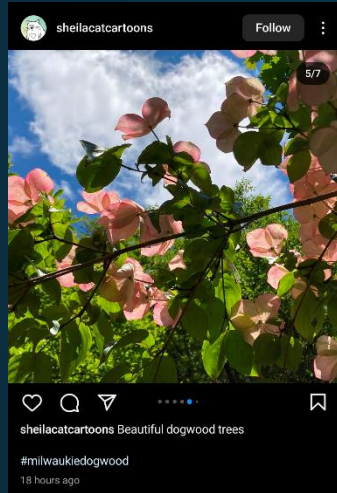
Milwaukee's Nationally Famous Dogwood Tree located at 326 Harrison Street, Milwaukee, is the largest specimen of Pacific Dogwood ever measured by the Tree Society of America. Many thousands have come to see this magnificent tree in FULL BLOOM.

—Photograph by Allan J. Delaney



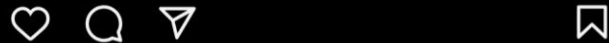
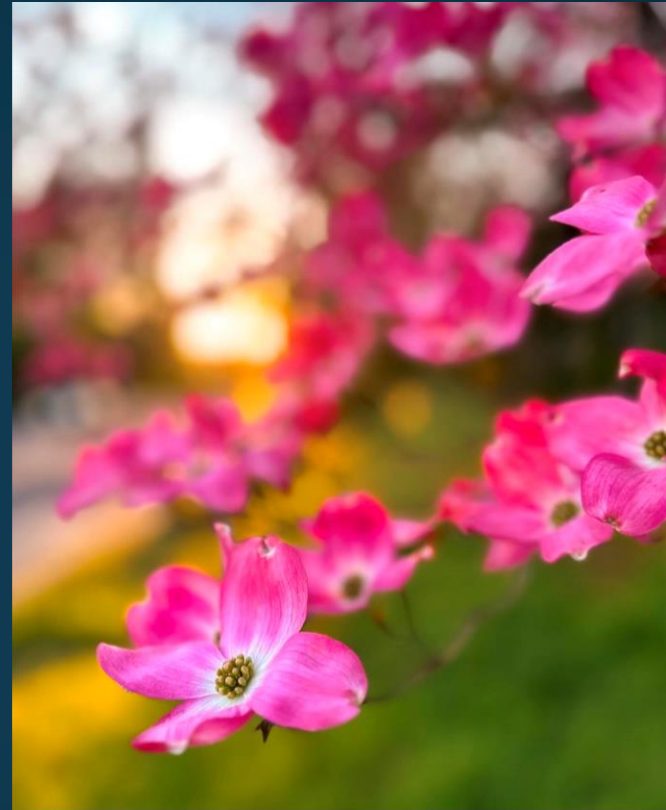
# #milwaukiedogwood

- 33 photos!



# #milwaukiedogwood

- 2024 Honorable Mention  
@kelseyallen97



Liked by mymilwaukie and 39 others

**kelseyallen97** Who let the dogs out so early?

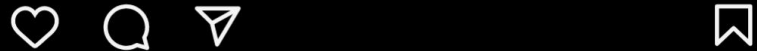
#milwaukiedogwood





## #milwaukiedogwood

- 2024 Winner  
@susanpesznecker



Liked by [mymilwaukie](#), [cityofmilwaukie](#) and 15 others  
[susanpesznecker](#) I'm entering Milwaukie's annual dogwood photo contest- my dad planted this tree back in 1979. Cross fingers! #milwaukiedogwood #whitedogwood #mybackyard #organicgardening @cityofmilwaukie

[View all 2 comments](#)

May 4



# Proclamation 2024



## PROCLAMATION

**WHEREAS** the Pacific Dogwood (*cornus nuttallii*) was nurtured and cultivated by the earliest settlers of the Milwaukie area, including the Clackamas people who used the Dogwood to weave baskets and make other utensils, and

**WHEREAS** the Oregon State Legislature incorporated the Town of Milwaukie on May 21, 1903, after years of organized community action that sought to seek local control of the area’s infrastructure and shared spaces, and

**WHEREAS** on April 27, 1952, a plaque was placed by the Susannah Lee Barlow Chapter of the Daughters of the American Revolution at the home of Milwaukie’s first mayor, William Shindler, to mark the location of the then-largest native Pacific Dogwood in the United States, which stood at 65-feet in height and 7-feet in circumference, and

**WHEREAS** on July 9, 1962, the City Council designated the Pacific Dogwood as the city’s official flower and “The Dogwood City of the West” as the city’s nickname, and

**WHEREAS** the people of Milwaukie continue to appreciate the Pacific Dogwood and other Dogwood species by planting them in yards, parks, and shared spaces, and

**WHEREAS**, by designating May 21<sup>st</sup> as Dogwood Day, Milwaukie continues to recognize the beauty of the Dogwood blossom as an emblem of our shared commitment to the earth and to each other.

**NOW, THEREFORE**, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 21, 2024**, to be **DOGWOOD DAY** in Milwaukie, *The Dogwood City of the West*.

**IN WITNESS, WHEREOF**, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 21<sup>st</sup> day of May 2024.



Happy  
Dogwood  
Day!



susanpesznecker  
Milwaukie, Oregon

Follow



## PROCLAMATION

**WHEREAS** the preservation of historic places is an effective tool for revitalizing neighborhoods, fostering local pride, and maintaining community character and the preservation and reuse of historic buildings is inherently sustainable and environmentally sound, and

**WHEREAS**, since 1973, the National Trust for Historic Preservation and countless communities across the United States have marked May as an annual time to recognize the importance of preserving places that reflect America's history, and

**WHEREAS** modern-day Milwaukie, first settled in 1847 on the historic homeland of the Clackamas people, encompasses a range of potentially historic buildings, from late pioneer-era structures, through Victorian, Craftsman and other historic eras and styles, to exceptional mid-century architecture, and

**WHEREAS** residents of Milwaukie and the many volunteers of the Milwaukie Historical Society have helped raise awareness of historic resources and buildings in our community, including launching the first Historic Homes Tour in 2019, working with fellow residents realizing their homes' histories, and offering assistance with updating Milwaukie's Historic Home Inventory, and

**WHEREAS** the preservation of historic places has a positive impact on communities by strengthening neighborhoods, encouraging local economic growth, providing a physical link to the past, and by being environmentally responsible.

**NOW, THEREFORE**, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 2024** as **HISTORIC PRESERVATION MONTH** in Milwaukie to increase public understanding of the importance of preserving our history for future generations.

**IN WITNESS, WHEREOF**, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this **21<sup>st</sup>** day of **May 2024**.

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Lisa M. Batey, Mayor

ATTEST:

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Scott S. Stauffer, City Recorder

**RS 3. B. 5/21/24  
Presentation**







**M. BERNARD'S SERVICE STATION - GARAGE**

**UNION  
GASOLINE**











E.H. DUNBAR - DRYGOODS & SHOES

R.B. NEFF INC.



Clear Out  
Cakes  
25¢

SCH. T. Ch.  
Egg  
Mach

10¢

HENS  
19¢

BUTTER

PORTLAND SEED CO

1127

AUTO RACES SPEED BOWL

73-103







Wagons **STUDEBAKER** Carriages

**MONROE & ROBERTS**  
**GENERAL BLACKSMITHS**  
**PRACTICAL HORSESHOEING**

**MILWAUKIE FEED STABLE**





FLOUR AND FEED

O. WISSINGER,  
GENERAL MERCHANDISE  
FANCY GROCERIES  
HARDWARE & NOTIONS  
BOOTS & SHOES

POST OFFICE.





P.R.L. & P. Co.  
TICKET OFFICE

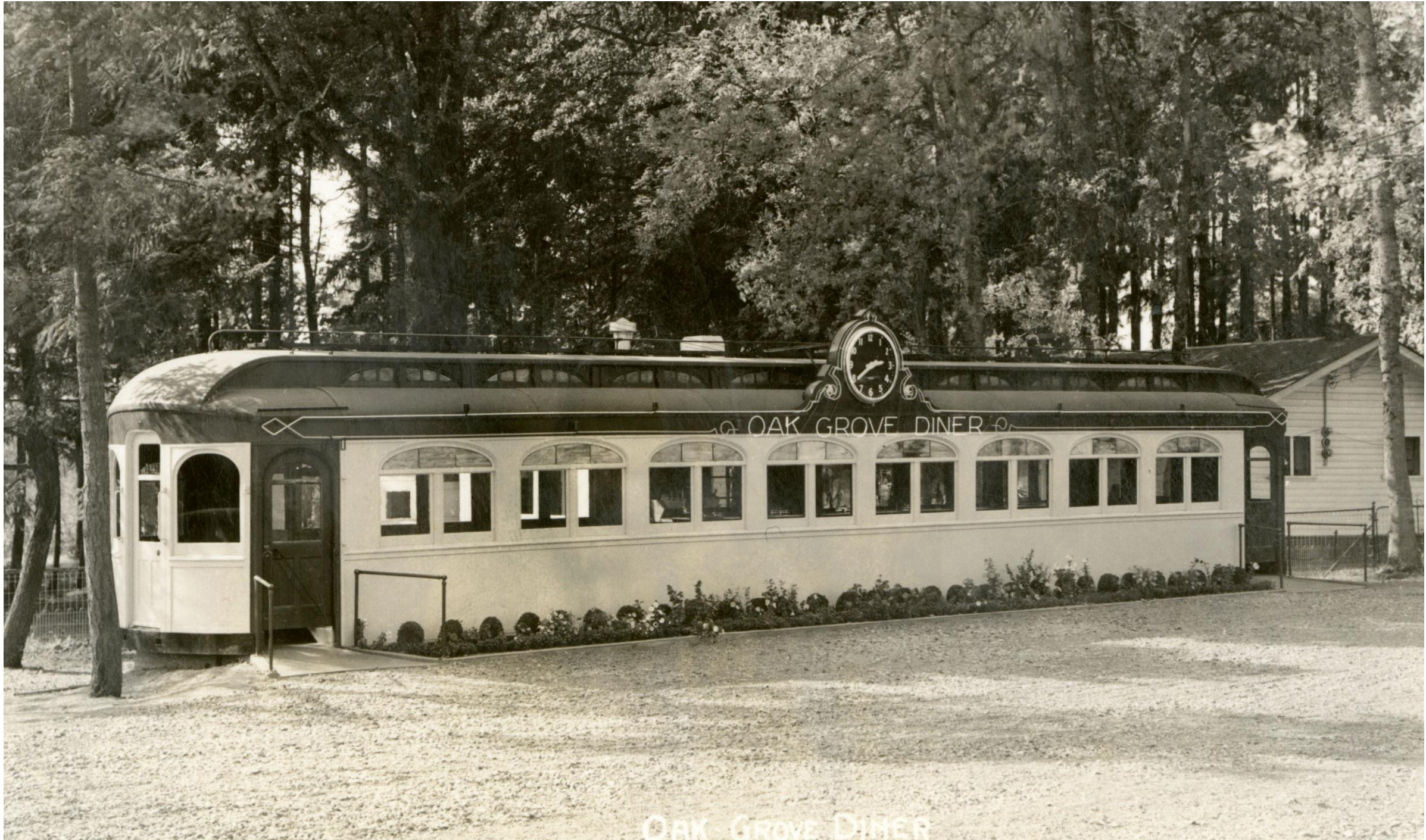
AMERICAN EXPRESS Co.

CONFECTIONERY  
CIGARS AND  
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CREAM  
SOFT WATER

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L.M. CARROLL  
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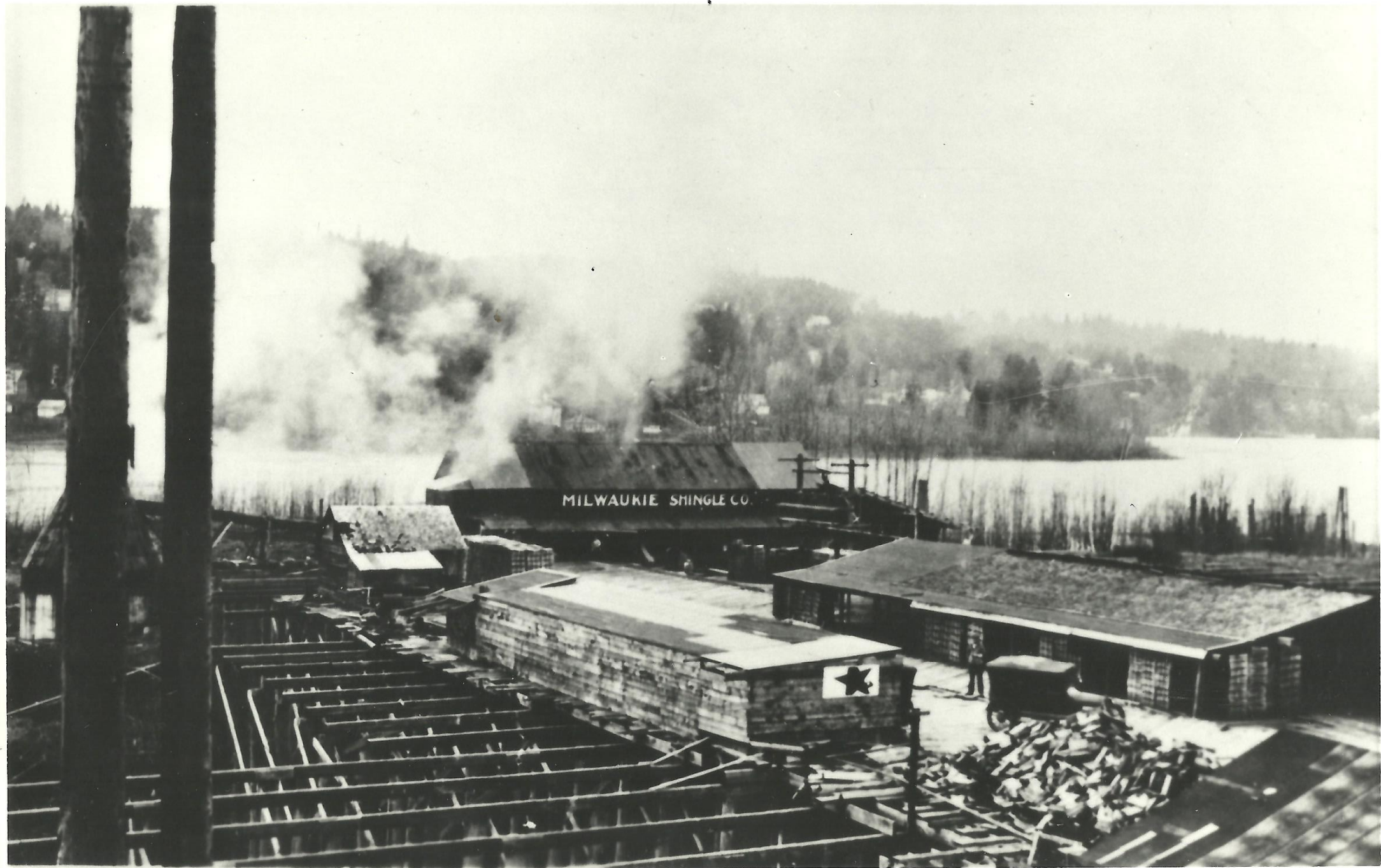






Milwaukie, Oregon.

P222



MILWAUKIE SHINGLE CO.





## PROCLAMATION

**WHEREAS** the United States of America is an enduring symbol of freedom, protected willingly by citizen soldiers who have answered the call to serve, and we must never forget the sacrifices of war and the debt owed to those who defended our right to life, liberty, and the pursuit of happiness; and

**WHEREAS**, Memorial Day, originally known as Decoration Day, originated following the American Civil War, which claimed more lives than any prior conflict and required the establishment of the country's first national cemeteries, and Memorial Day was established as a national holiday in 1971; and

**WHEREAS** Memorial Day provides an opportunity to reflect on and honor the past, renew, and pass on our patriotism, pay tribute to the sacrifices that allow us to continue to live in freedom, and seek peace so that our veterans will not have died in vain; and

**WHEREAS** in 2019 the Milwaukie Police Department and American Legion Post 180 established the Corporal Diffie Veterans Fund to address financial support gaps experienced by veterans and their families in need of emergency assistance, a fund which has grown with the support of other communities in the metro area; and

**WHEREAS** the Milwaukie community recognizes Memorial Day through various activities including a pancake breakfast fundraiser for the Corporal Diffie Veterans Fund.

**NOW, THEREFORE**, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 27<sup>th</sup> to be MEMORIAL DAY** in the City of Milwaukie.

**IN WITNESS, WHEREOF**, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 21<sup>st</sup> day of May 2024.

---

Lisa M. Batey, Mayor

ATTEST:

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Scott S. Stauffer, City Recorder

## PROCLAMATION

**WHEREAS** Asian American Pacific Islander Heritage Month was first observed by the United States Congress in 1977 and has been observed annually since then; and

**WHEREAS** the City of Milwaukie wishes to pay tribute to the generations of Asian Americans, Native Hawaiians, and Pacific Islanders in our community; this month provides us an opportunity to reflect on the vibrant culture and innumerable contributions AAPI residents make to our community; and

**WHEREAS** the national theme for AAPI Heritage Month 2024 is “Advancing Leaders Through Innovation,” Milwaukie encourages greater participation, inclusion, and leadership training for our AAPI residents, acknowledging they will be instrumental to the future success of our city; and

**WHEREAS** the history of Asian Americans and Pacific Islanders is filled with stories of resilience, persistence, and determination, we value AAPI citizens as an integral part of the fabric of our community; and

**WHEREAS** as we celebrate AAPI Heritage Month, we must remain vigilant to prevent anti-Asian hate crimes in our community and must be a welcoming and safe place for AAPI citizens.

**NOW, THEREFORE**, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 2024** to be **ASIAN AMERICAN PACIFIC ISLANDER HERITAGE MONTH** in Milwaukie and do hereby encourage our community to explore AAPI history, culture, and accomplishments and to support local events commemorating this rich heritage.

**IN WITNESS, WHEREOF**, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 21<sup>st</sup> day of May 2024.

---

Lisa M. Batey, Mayor

ATTEST:

---

Scott S. Stauffer, City Recorder

## PROCLAMATION

WHEREAS public works services are important to the health, safety, and well-being of Milwaukie’s citizens; and

WHEREAS these services are provided through dedicated public works professionals who oversee water distribution, water treatment, wastewater treatment, sewer systems, urban forests, equipment services, public properties, solid waste systems, city streets, and water utilities; and

WHEREAS this year marks the 64<sup>th</sup> annual National Public Works Week, and this year’s theme is “Advancing Quality of Life for All.”

NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 19-25, 2024**, as **PUBLIC WORKS WEEK** in Milwaukie.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this **21<sup>st</sup>** day of **May 2024**.

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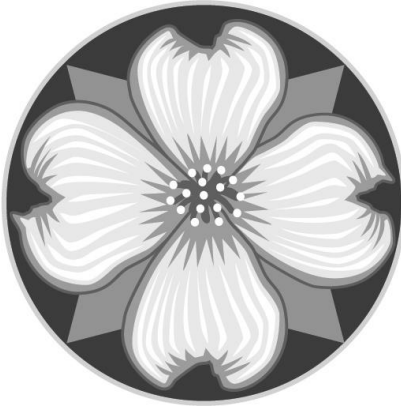
Lisa M. Batey, Mayor

ATTEST:

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Scott S. Stauffer, City Recorder





**RS Agenda Item**

**5**

**Community Comments**



To: Milwaukie City Council  
From: David Chitsazan, Milwaukie Resident (in his personal capacity)  
Re: Palestine Proclamation  
Date: May 21, 2024

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Dear City Council,

Apologies for not being at city council to present, but I would like to provide some further information to help explain the dire situation in Palestine, and express support towards a proposed proclamation (attached 'Proposed Palestine Proclamation v3'). *Figures updated in purple are updates from my April 16<sup>th</sup> comments to today.*

I'd like to emphasize the impact of inaction. Here's the figures on the war from when I first presented in late February 2024 (figures as of February 16, 2024):



And here are the figures as of yesterday, ~~April 16, 2024~~ ~~May 7, 2024~~ May 20, 2024:



Note that the figures in Israel remain the same, while the Palestine numbers have increased by a minimum ~~5,092~~ ~~6,014~~ ~~6,897~~ deaths and ~~8,113~~ ~~9,652~~ ~~11,600~~ injured. For perspective, that's  $\approx 62\%$   $\approx 73\%$   $\approx 86\%$  of the population of Milwaukie<sup>1</sup> dead/injured (getting closer and closer to 100%). Also, in the time since we last spoke on the matter, the IDF murdered seven World Central Kitchen members, who were from Australia, Poland, the UK, a US/Canadian dual citizen, and Palestine<sup>2</sup>. In addition, UNICEF estimates that at least 17,000 children are estimated to be unaccompanied or separated from their parents in the Gaza<sup>3</sup>. I'll repeat a second time for emphasis, 17,000 children are effectively orphans due to this war.

The city of Milwaukie did a great job exercising support with a proclamation in support of the Ukrainian people 20 days into the Ukraine-Russia war, and I'd like to note that we are over 225 days into the Israel-Palestine war.

<sup>1</sup> MilwaukieOregon.gov Milwaukie Community Quick Facts, [https://www.milwaukieoregon.gov/sites/default/files/fileattachments/economic\\_development/page/43561/milwaukie\\_facts\\_flyer\\_2023\\_update.pdf](https://www.milwaukieoregon.gov/sites/default/files/fileattachments/economic_development/page/43561/milwaukie_facts_flyer_2023_update.pdf)

<sup>2</sup> World Central Kitchen, <https://wck.org/news/gaza-team-update>

<sup>3</sup> UNICEF, <https://www.unicef.org/press-releases/stories-loss-and-grief-least-17000-children-are-estimated-be-unaccompanied-or>

I'm a Middle Eastern American and I'm really hurting. Every Middle Eastern person I know is hurting. And the entire world is hurting as civilians and aid givers are being murdered over and over again. I can't begin to imagine how the families of those directly impacted by this war are feeling, as it's exponentially worse than any pain I can imagine.

We've seen protests emerge at Portland State and our neighboring Reed College since we last spoke. The youth of Oregon understand the severity of the situation, it's time for the leaders to step up as well.

Here's a story from a Portland nurse who recently worked in a burn unit in Gaza (<https://katu.com/news/local/portland-nurse-describes-grim-conditions-in-war-torn-gaza#>):

Johnston said they repeatedly had to "delegate resources. That happened with a 7-year-old burn patient who had burns to 90% of their body. And I was part of the team that made the decision not to continue with wound care. He passed away two days later with his wounds infested with maggots.

"It feels like you are working against the inevitability of death," she said.

Additionally, the United Nations Relief and Works Agency for Palestine Refugees announced today it has suspended food distribution in Rafah "due to lack of supplies and insecurity."<sup>4</sup> They are one of the largest suppliers of vital food and medicine to the people of Gaza, and this is the result entirely of Israel blocking the flow of supplies into Gaza.

While Milwaukie doesn't have any direct say over the IDF's horrific attacks on the Palestinian people, the United States remains one of the largest suppliers of weapons to Israel and is the only veto when Israel is called to a ceasefire by the UN<sup>5</sup>. Change occurs through people, especially leaders, stepping up and calling out abhorrent actions when they occur. The Civil Rights and Gay Rights movements didn't get to where they are today with a snap of the finger, it took many brave individuals coming together to stand against oppression. Y'all have a similar call to action here, and I hope that the city will adopt the proposed resolution. Let me know if you have any questions, and thank you very much for listening.

Sincerely,

David

P.S. I'll continue to say it... don't be someone Harriet Tubman would have shot 😊.

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<sup>4</sup> The Jerusalem Post, <https://www.jpost.com/breaking-news/article-802083>

<sup>5</sup> Reuters, [https://www.reuters.com/world/us-casts-third-veto-un-action-since-start-israel-hamas-war-2024-02-20/#:~:text=UNITED%20NATIONS%2C%20Feb%2020%20\(Reuters,to%20the%20release%20of%20hostages](https://www.reuters.com/world/us-casts-third-veto-un-action-since-start-israel-hamas-war-2024-02-20/#:~:text=UNITED%20NATIONS%2C%20Feb%2020%20(Reuters,to%20the%20release%20of%20hostages)

# ***Proposed* PROCLAMATION**

**A Proclamation** in Opposition to the Israeli Defense Forces (“IDF”) and in Support of the Palestinian People.

**WHEREAS** invading a neighboring country, killing its civilian population, and destroying the infrastructure and cultural richness of that country is never to be countenanced; and

**WHEREAS** the IDF initiated unwarranted acts of aggression against Palestine in 2014, by killing over 2,000 Palestinians<sup>1</sup>; and

**WHEREAS** the IDF forces have targeted civilians, committing crimes against humanity, to include attacking every hospital in Gaza, killing at least ~~20,000~~ **25,000** women and children<sup>2</sup>, and blocking of routes for fleeing refugees, demonstrating an utter lack of regard for human life and dignity; and

**WHEREAS** on this, the 137<sup>th</sup> day of the war ravaging their cities and towns, the Palestinian people remain steadfast in their defense of their homeland, having earned the admiration of people around the world; and

**WHEREAS** Milwaukie is home to many Palestinian families and congregations who have family in Palestine or as refugees around the world for whose lives and freedom they are deeply concerned.

**NOW, THEREFORE**, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do declare that the City of Milwaukie joins communities across the globe, in the U.S., and locally, to condemn the attack on the sovereignty of Palestine, and stands with the people of Palestine and their right to self-determination, freedom, and democracy.

**IN WITNESS, WHEREOF**, and with the consent of the City Council of the City of Milwaukie I have set my hand on this 20<sup>th</sup> day of February, 2024.

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<sup>1</sup> Source: Israeli Ministry of Foreign Affairs, [mfa.gov.il/ProtectiveEdge/Documents/PalestinianFatalities.pdf](https://mfa.gov.il/ProtectiveEdge/Documents/PalestinianFatalities.pdf).

<sup>2</sup> Source: US Defense Secretary Lloyd Austin, <https://www.aljazeera.com/news/2024/3/1/more-than-25000-women-and-children-killed-in-gaza-us-defence-secretary>

**From:** [Scott Stauffer](#)  
**To:** [City Council](#)  
**Subject:** FW: Parking for Residents  
**Date:** Tuesday, May 21, 2024 4:14:49 PM

---

Good afternoon – please see the correspondence, below; this will be included in the record of the 5/21 RS.

**SCOTT STAUFFER**

City Recorder  
he • him • his  
City of Milwaukie  
p: 503.786.7502

---

**From:** Valeria Loera <[loeravaleria@gmail.com](mailto:loeravaleria@gmail.com)>  
**Sent:** Wednesday, May 15, 2024 9:43:09 AM  
**To:** Robert Massey <[MasseyR@milwaukieoregon.gov](mailto:MasseyR@milwaukieoregon.gov)>  
**Subject:** Parking for Residents

**This Message originated outside your organization.**

---

Hi there,

My partner and I are moving into a condo on 10606 SE Main St, what might be the heart of Downtown Milwaukie. Our unit comes with a one-car garage but we have two cars. My partner works from home full time and I work from home two days a week with the potential of moving to full-time as well.

I reach out to you because I was wondering if the City of Milwaukie ever makes the exception of allowing a resident to have a parking permit? I see on the website that permits are only for employees but a parking permit would alleviate us from having to move a car every 2-4 hours.

I had reached out to Kari Foteff, Parking Enforcement Officer, and she advised I reach out to City Council.

Please advise.

Thank you,  
Valeria

**From:** [Harriet Toombs](#)  
**To:** [City Council](#)  
**Subject:** Fwd: Private property tree removal  
**Date:** Tuesday, May 21, 2024 1:52:00 PM

---

I apologize for the confusion in my original attempt to send this. Hopefully this works better.

----- Forwarded message -----

**From:** **Harriet Toombs** <[harriet.toombs@gmail.com](mailto:harriet.toombs@gmail.com)>  
**Date:** Tue, May 21, 2024 at 11:28 AM  
**Subject:** Fwd: Private property tree removal  
**To:** <[khosroabadias@milwaukieoregon.gov](mailto:khosroabadias@milwaukieoregon.gov)>, <[masseyr@milwaukieoregon.gov](mailto:masseyr@milwaukieoregon.gov)>, <[abmas@milwaukieoregon.gov](mailto:abmas@milwaukieoregon.gov)>, <[stavenjord@milwaukieoregon.gov](mailto:stavenjord@milwaukieoregon.gov)>, <[bateyl@mileaukieoregon.gov](mailto:bateyl@mileaukieoregon.gov)>

To the Milwaukie Council Members,

I am sending this communication to you in hopes that I can get some answers to my questions regarding the Tree Removal Rules.

I would appreciate your consideration of my dilemma and a response to my request to waive the replacement of my dead and dying trees. I invite you to view my property and see how full of trees and shrubs it is. I am concerned about the ancient cherry trees causing extensive damage to my and/or my neighbor's house.

I await your reply.

----- Forwarded message -----

**From:** **Harriet Toombs** <[harriet.toombs@gmail.com](mailto:harriet.toombs@gmail.com)>  
**Date:** Wed, May 15, 2024, 6:58 PM  
**Subject:** Re: Private property tree removal  
**To:** Urban Forest <[UrbanForest@milwaukieoregon.gov](mailto:UrbanForest@milwaukieoregon.gov)>

TY for your response. How do I determine whether the city will provide an exemption? Who do I contact?

Harriet Toombs

On Wed, May 15, 2024, 11:04 AM Urban Forest <[UrbanForest@milwaukieoregon.gov](mailto:UrbanForest@milwaukieoregon.gov)> wrote:

Harriet,

The city may be able to provide you with exemptions from the replanting requirement for some/all of the trees, if there is not adequate planting space on the property.

However, I will also let you know that Milwaukie does have an annual Friends of Trees planting event each fall. Residents in the city can purchase trees at \$35 per tree and have their volunteers plant them for you. I believe that FoT also offers these trees for free if you meet certain criteria. You can learn more here: <https://friendsoftrees.org/get-a-tree/>

Thanks,

## COURTNEY WILSON

Urban Forester

ISA Certified Arborist Municipal Specialist #PN-8650A

ISA Tree Risk Assessment Qualified

503.786.7655

CITY OF MILWAUKIE

6101 SE Johnson Creek Blvd • Milwaukie, OR 97206

To learn more, visit [milwaukieoregon.gov/trees](http://milwaukieoregon.gov/trees)

---

**From:** Harriet Toombs <[harriet.toombs@gmail.com](mailto:harriet.toombs@gmail.com)>

**Sent:** Friday, May 10, 2024 2:25 PM

**To:** Urban Forest <[UrbanForest@milwaukieoregon.gov](mailto:UrbanForest@milwaukieoregon.gov)>

**Subject:** Private property tree removal

**This Message originated outside your organization.**

---

To whom it may concern:

I have 5 cherry trees that are at least 60 y/o on my property. They are dead and dying. I understand the permit process. My question is do you allow any exceptions to replanting a "new" tree in their place? If you visit my yard I have over 50 trees and shrubs on my 10000 sf lot. The trees that need to be removed are in a location where very few plants/trees can survive. I've lived in this house for 46 years. I know the conditions.

Aside from having no room to plant new trees the cost for this widow who lives on Social

Security, the replacement costs are prohibitive. Estimates I received start are between \$1500-2500

I've checked and the size trees required begin at \$300 and go up from there. I would also need to hire someone to plant them. I'm looking at a \$30000 investment minimum.

My only other option is to leave them and wait for them to go over in a storm. Due to the location they will almost certainly hit my and/or my neighbors' house.

As you can see I have quite the dilemma. My hunch is this is an unintended consequence. I will appreciate any suggestions you may have.

Sincerely,

Harriet Toombs

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**CITY OF MILWAUKIE  
CITY COUNCIL**

10722 SE Main Street  
P) 503-786-7502  
F) 503-653-2444  
ocr@milwaukieoregon.gov

# Speaker Card

The City of Milwaukie encourages all residents to express their views to their city leaders in a **respectful** and **appropriate** manner. If you wish to speak before the City Council, fill out this card and hand it to the City Recorder. Note that this Speaker Card, once submitted to the City Recorder, becomes part of the public record.

**Name:** Bob Smith

**Address:**

**Phone:**

**Email:**

**Organization:**

**Meeting Date:** Tue May 21

**Topic:** Helping the city

**Agenda Item You Wish to Speak to:**

#5 Community Comments

**Note:** Council generally does not respond to comments during this meeting. The city manager will respond to comments at the next regular session.

#7 Other Business, Topic: \_\_\_\_\_

#8 Public Hearing, Topic: \_\_\_\_\_

**You are Speaking...**

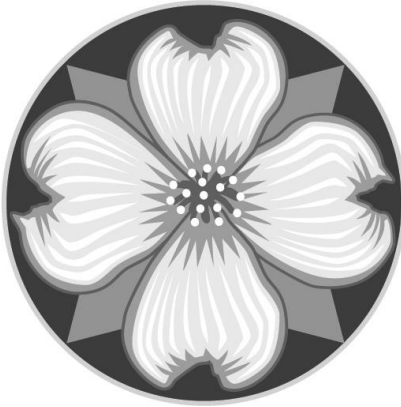
in Support

in Opposition

from a Neutral Position

to ask a Question

**Comments:**



**RS Agenda Item**

**6**

# **Consent Agenda**

**COUNCIL WORK SESSION**

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**MINUTES****APRIL 2, 2024**

**Council Present:** Councilors Shane Abma, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

**Staff Present:** Joseph Briglio, Community Development Director      Michael Osborne, Finance Director  
Justin Gericke, City Attorney      Peter Passarelli, Public Works Director  
Brent Husher, Library Director      Emma Sagor, Assistant City Manager  
Brandi Leos, Human Resources Director      Scott Stauffer, City Recorder  
Ann Ober, City Manager

**Mayor Batey** called the meeting to order at 4:05 p.m.

**1. Consolidated Fee Schedule Updates – Discussion**

**Sagor** noted that budget documents had been put on the city’s website to inform the public on the city’s budget process.

**Sagor** explained that staff were looking for Council feedback to inform, refine, and develop the 2025-2026 biennium budget (BN 25-26), provided an overview of what the consolidated fee schedule is, and presented the proposed changes to the fee schedule.

The group discussed the proposed changes to the building fees. **Passarelli** explained why erosion control fees were increasing within the engineering fees. The group clarified the changes to the planning fees and the difference between fees and fines. The group discussed the 3% increase for the administrative charge for Bancroft Financing for commercial system development charges (SDCs) and the effect of offering this as a service on staff’s time and the feasibility of continuing to offer the service.

**Passarelli** reviewed the proposed utility rate adjustments. **Council President Massey** and **Passarelli** commented on the fluctuations in previous year’s rates and predictions for future rates. The group commented on the proposed BN 25-26 utility rates.

**Sagor** provided an update on research conducted for payment credit card charges. **Mayor Batey, Sagor,** and **Council President Massey** commented on how payments were processed through the state’s electronic permit site, Accela. **Sagor** presented next steps for processing credit card payments which did not at that time include adding a fee.

**Sagor** explained that solid waste rates were being analyzed by a contractor and there would be no proposed changes until the analysis was finished. The group discussed previous conversations around equitable rates for waste management, how rates were determined, and some history of waste haulers in the city.

**Mayor Batey, Sagor,** and **Osborne** commented on the proposal to not change business registration fees and **Batey** expressed interest in having a business registration fee analysis completed.

**Sagor** explained the key points that were kept in mind while compiling the BN 25-26, the outside factors affecting costs and revenue, and reviewed the five-year forecast. **Councilor Stavenjord** and **Sagor** clarified what was in the projected forecast and discussed where cuts would be made if new revenues were not established.

The group discussed the five-year forecast. **Sagor** shared staff recommendations to increase right-of-way (ROW) fees for energy providers to limit cuts to city services in the next biennium. **Sagor** reviewed how the increase in ROW fees would affect the five-year forecast and what the projected impacts could be to the average residential consumer. The group clarified how goal related positions would be affected by the proposed revenue changes.

**Sagor** noted the next steps for the budget process.

## **2. Adjourn**

**Mayor Batey** announced that after the meeting Council would meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2 a) to consider the employment of a public officer, employee, staff member, or individual agent.

**Mayor Batey** adjourned the meeting at 5:23 p.m.

Respectfully submitted,

---

Nicole Madigan, Deputy City Recorder

**COUNCIL REGULAR SESSION****MINUTES**

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

APRIL 2, 2024

**Council Present:** Councilors Shane Abma, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

**Staff Present:** Tony Cereghino, Police Captain  
Ryan Dyer, Associate Planner  
Justin Gericke, City Attorney  
Brent Husher, Library Director  
Brandi Leos, Human Resources Director  
Ann Ober, City Manager

Peter Passarelli, Public Works Director  
Emma Sagor, Assistant City Manager  
Scott Stauffer, City Recorder  
Luke Strait, Police Chief  
Kelli Tucker, Accounts & Contracts Specialist  
Laura Weigel, Planning Manager

**Mayor Batey** called the meeting to order at 6:05 p.m.

**1. CALL TO ORDER**

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

**2. ANNOUNCEMENTS**

**Mayor Batey** announced upcoming activities, including the Transportation System Plan (TSP) update process, a wetland clean-up and Earth Day events, and a prescription drug drop-off and document shredding day. **Batey** read a haiku in tribute to departing staff.

**A. Police Chief Luke Strait's Farewell**

**Ober** and **Mayor Batey** remarked on Strait's service to the city. **Strait** commented on eventful moments in Milwaukie of the last three decades.

Council expressed appreciation for Strait's years of service to the city.

**Strait** expressed gratitude for the opportunity to serve the Milwaukie community and remarked on the evolution of police work since the 1990s.

**3. PROCLAMATIONS AND AWARDS****A. Child Abuse Prevention Month – Proclamation**

**Cereghino**, and **Karen Rush** and **Amanda McVay** with the Children's Center of Clackamas County, discussed the services provided at the Center and the importance of supporting children. **Mayor Batey** proclaimed April to be Child Abuse Prevention Month.

**B. National Library Week – Proclamation**

**Husher** remarked on the value of local libraries and noted services provided at the Ledding Library. **Mayor Batey** proclaimed April 7-13, 2024, to be National Library Week.

**4. SPECIAL REPORTS****A. Drug Addiction Problem – Remarks**

**Jackson Hall**, unincorporated Clackamas County resident, discussed the impacts of addiction on families and relayed experiences about an individual lost to drug abuse.

Council thanked Hall for speaking, relayed experiences dealing with addiction, and noted what the city and county were doing to address drug addiction.

## **5. COMMUNITY COMMENTS**

**Mayor Batey** reviewed the public comment procedures. **Ober** reported there was no follow-up from the March 19 comments. No audience member wished to speak to Council.

## **6. CONSENT AGENDA**

**It was moved by Council President Massey and seconded by Councilor Abma to approve the Consent Agenda as presented.**

### **A. City Council Meeting Minutes:**

- 1. March 5, 2024, work session, and**
- 2. March 5, 2024, regular session.**

**B. Resolution 12-2024: A resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, authorizing a contract with Bonfire Interactive, Ltd. For software as a service to support competitive public solicitations of goods and services.**

**C. An Oregon Liquor and Cannabis Commission (OLCC) application for Naphtali's, 6221 SE Furnberg Street – Off-Premises Sales.**

**Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** recessed the meeting at 7:25 p.m. and reconvened at 7:41 p.m.

Councilor Abma left the meeting at 7:25 p.m. and returned at 7:44 p.m.

## **7. BUSINESS ITEMS**

### **A. Climate Friendly Equitable Communities (CFEC) Code - Update**

**Weigel** and **Dyar** reviewed the city's CFEC work, noting that the CFEC rules had been initiated by a state executive order, and noting previous reports to Council and the Planning Commission. They explained that the new rules remove citywide parking requirements, add a requirement, for large parking lots and update bicycle parking standards.

**Mayor Batey, Dyar, and Weigel** noted that the new state rules precluded the city from mandating parking requirements in any zone. Council expressed dismay that the state's new parking rules had overturned the city's ability to develop thoughtful parking rules.

**Dyar** reviewed changes to large parking lot standards related to minimum tree canopy coverage. The group discussed how the new state standards would interact with the city's canopy requirements and potentially impact new and remodeled building developments.

**Dyar** explained CFEC changes to bicycle parking standards related to quantity, modification processes, and development standards. **Councilor Khosroabadi** and **Dyar** noted the process changes would apply to multi-family housing units. **Councilor Abma** and **Dyar** commented on the rules' intentionality in requiring wall hook bicycle storage.

**Councilor Stavenjord** and **Dyar** commented on how the CFEC rules addressed protections for electric bicycles in outdoor storage facilities and whether the rules removed barriers to parking for family bicycling situations.

**Councilor Khosroabadi** supported removing parking requirements to lower rental rates and asked if the bicycle requirements and elevators would cause rents to go up. **Dyar** and **Mayor Batey** commented on how bicycle requirements could impact rental rates and how bicycle storage spaces had been included in recent new housing developments.

**Mayor Batey** supported the proposed bicycle and parking lot standards but had concerns about the parking requirements. **Batey** and **Weigel** commented on maximum parking requirements.

## **8. PUBLIC HEARING**

### **A. Water System Development Charge (SDC) Changes – Resolution**

Call to Order: **Mayor Batey** called the hearing on the water SDCs to order at 8:36 p.m.

Purpose: **Mayor Batey** announced that the purpose of the hearing was to hear the staff report and take public comment on the proposed water SDC changes.

Conflict of Interest: No Council member declared a conflict of interest.

Staff Presentation: **Passarelli** reviewed the methodology process the city had undertaken that resulted in the proposed water SDC changes.

**John Ghilarducci** and **Zech Hazel**, consultants with the FCS Group, provided an overview of what SDCs are and the proposed rate changes which were based on the city's planned water infrastructure projects to be funded by the SDCs. They explained that the proposed rates would be scaled based on house size and meter size and noted how the proposed rates compared to water SDCs charged by other cities in the region.

**Mayor Batey** and **Passarelli** remarked on how the water SDC projects list had been developed and reviewed. The group noted that the last time the SDCs had been updated was in 2011 and that the charges were indexed to increase for inflation.

**Councilor Abma** and **Passarelli** discussed why Milwaukie's water SDC rate had been low compared to other cities. **Councilor Stavenjord**, **Passarelli**, and **Ghilarducci** remarked on what would trigger the next water SDC review, noting the adoption of a new water system master plan as a good time to revisit the SDCs.

**Councilor Abma** and **Ghilarducci** commented on why no one had attended the hearing to protest the proposed SDC increase.

Correspondence: No correspondence on the hearing topic had been received.

Audience Testimony: No audience member wished to address Council.

Council Questions to Staff: Council had no further questions.

Close Public Comment: **It was moved by Council President Massey and seconded by Councilor Abma to close the public testimony part of the water SDC changes hearing. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, Stavenjord, and Mayor Batey voting "aye." [5:0]**

**Mayor Batey** closed the public comment part of the hearing at 8:56 p.m.

Council Decision: **It was moved by Councilor Khosroabadi and seconded by Council President Massey to approve the resolution establishing new system development charges for water improvements. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, Stavenjord, and Mayor Batey voting "aye." [5:0]**

**Resolution 13-2024:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ESTABLISHING NEW SYSTEM DEVELOPMENT CHARGES FOR WATER IMPROVEMENTS.**

**9. COUNCIL REPORTS**

**A. Oregon Department of Transportation (ODOT) Letter for Council Consideration**

**Mayor Batey** explained the request for a Council letter to ODOT regarding Hwy 224 project issues. It was Council consensus to send the letter on behalf of the entire Council.

**Scattered Housing Sites Letter**

**Mayor Batey** and **Councilor Stavenjord** reported that Council had been asked to submit a letter regarding the county's plans to relocate residents of low-income housing properties scattered across the county. **Stavenjord** suggested Council wait until after the next county Housing Advisory Board meeting before acting on the letter. The group discussed when the letter was needed and agreed to revisit it in May.

**Council Reports**

**Council President Massey** reported on meetings of the Park and Recreation Board (PARB) and North Clackamas Watershed Council (NCWC). **Mayor Batey** noted that NCWC had continued to seek federal support for the Kellogg Creek Dam removal project.

**Councilor Stavenjord** discussed the upcoming Clackamas County Coordinating Committee (C4) retreat and announced that the city had been recommended to receive county funds for a cooling center at the Ledding Library and a rent-assistance program. The group noted other Milwaukie and Oak Grove area funding requests that had been considered by the county.

**Mayor Batey** noted that Council would consider the appointments of youth board and committee members at an upcoming meeting. **Councilor Stavenjord** expressed support for the appointments and working with the new youth members.

**Mayor Batey** reported attending a recent Clackamas Rotary Club meeting where the TSP Advisory Committee (TSPAC) membership had been a point of concern.

**B. City Manager Ann Ober Farewell**

**Mayor Batey** commented on Ober's work and thanked Ober for serving Milwaukie. **Ober** thanked Council for the opportunity to do good work. **Councilor Khosroabadi** thanked Ober for being a leader for all Milwaukie community members.

**10. ADJOURNMENT**

**It was moved by Council President Massey and seconded by Councilor Khosroabadi to adjourn the Regular Session. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting "aye." [5:0]**

**Mayor Batey** adjourned the meeting at 9:30 p.m.

Respectfully submitted,

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Scott Stauffer, City Recorder



## COUNCIL STUDY SESSION

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

## MINUTES

APRIL 9, 2024

**Council Present:** Councilors Shane Abma, Adam Khosroabadi, Rebecca Stavenjord, and Council President Robert Massey, and Mayor Lisa Batey

**Staff Present:** Joseph Briglio, Community Development Director      Peter Passarelli, Public Works Director  
Brent Husher, Library Director      Emma Sagor, Assistant City Manager  
Nicole Madigan, Deputy City Recorder      Scott Stauffer, City Recorder

**Council President Massey** called the meeting to order at 5:18 p.m.

### 1. Exceed Enterprises – Discussion

Representatives of Exceed Enterprises **Nadja Sailesman**, Chief Executive Officer and **Cosette LeMay**, Director of Development and Communications provided an overview of the history, services, and programs that Exceed Enterprises provides to Clackamas, Multnomah, and Washington counties. **LeMay** shared ways that community members could get involved and noted an upcoming fundraising event.

**Council President Massey** and **Sailesman** discussed Exceed's business operations around locations and clients serviced. **Councilor Stavenjord**, **Sailesman**, and **LeMay** commented on partnerships for providing housing services.

**Council President Massey** stated that having a business like Exceed in Milwaukie was a source of pride for the community and thanked Sailesman and LeMay for their work.

Mayor Batey joined the meeting via Zoom.

### 2. Parker Meggitt/Osborne Electric Company (OECO)

**Robert Gustine**, General Manager of Parker Meggitt/OECO provided an overview of the business's history, operations, products, and sustainable practices.

**Councilor Abma** and **Gustine** discussed Parker Meggitt/OECO's building's solar panels.

**Gustine** noted ways that Parker Meggitt/OECO gives back to the community and presented Parker Meggitt/OECO's leadership team and employee demographics. **Gustine** noted ways the company had incentivized work schedules to retain and recruit new employees. **Councilor Abma** and **Stavenjord** and **Gustine** discussed work schedules, employee retention practices and recruitment.

**Gustine** presented a breakdown of Parker Meggitt/OECO's revenues sources, the kind of manufacturing skills that are needed to work for Parker Meggitt/OECO, and the obstacles that face Parker Meggitt/OECO in hiring and retaining employees. **Councilor Abma**, **Mayor Batey**, and **Gustine** commented on the need for public transportation options along International Way. **Gustine** and **Councilor Stavenjord** commented on ways to recruit younger applicants.

**Mayor Batey** stated there would be follow up with TriMet to address the need for public transportation to the businesses on International Way. **Batey** and **Gustine** discussed the

sustainable features of the Parker Meggitt/OECO building's roof, childcare needs for employees, and making connections with young people entering the work force.

**Batey** commended Gustine on Parker Meggitt/OECO's work at Minthorn Springs.

### **3. Adjourn**

**Council President Massey** announced that after the meeting and following the swearing-in ceremony of Police Chief Ryan Burdick Council would meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

**Council President Massey** adjourned the meeting at 6:23 p.m.

Respectfully submitted,

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Nicole Madigan, Deputy City Recorder

## COUNCIL WORK SESSION

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

## MINUTES

APRIL 16, 2024

**Council Present:** Councilors Adam Khosroabadi and Rebecca Stavenjord, and Council President Robert Massey

**Council Absent:** Councilor Shane Abma and Mayor Lisa Batey

**Staff Present:** Ryan Burdick, Police Chief  
Justin Gericke, City Attorney  
Brent Husher, Library Director

Michael Osborne, Finance Director  
Emma Sagor, Acting City Manager  
Scott Stauffer, City Recorder

**Council President Massey** announced that Mayor Batey had been excused from the meeting and called the meeting to order at 4:04 p.m.

### 1. Neighborhood District Association (NDA) Program – Update

**Wachs** provided an overview of the NDA grant program, its history, annual reports, and shared feedback on the program from NDA leaders. **Council President Massey** and **Wachs** commented on how the NDAs spend their funds.

**Wachs** and **Sagor** discussed NDA and city efforts to maximize event and program funding and looked into changes for how NDAs are insured. **Wachs** reviewed proposed programmatic changes, including renaming the NDA program to the Milwaukie Neighborhood Enhancement Program (MNEP), revising funding eligibility requirements into defined categories, and adopting different distribution and reporting processes. The group remarked on how NDAs report their expenses and what changes might be proposed, including a requirement that funds be spent within two years.

**Wachs** noted staff would revisit the changes in two years and outlined next steps to implement them. **Council President Massey** advocated for using plain language in the wording of program requirements.

**Councilor Stavenjord** supported the general direction of the proposed changes and commented on growing pains that NDAs had experienced with events and multi-cultural programs. **Sagor** noted the possibility of tying NDA grant funding to the city's equity and inclusion goals. The group remarked on challenges of the current grant process.

**Council President Massey** announced that agenda item 3. Supervisory Control and Data Acquisition (SCADA) Project had been removed from the agenda and the Clackamas 800 Digital Radio report had been added to the agenda.

### Clackamas 800 (C800) Digital Radio – Update (added to the agenda)

**Burdick** introduced Mark Buccholz, Washington County 9-1-1 Center executive director, and provided an overview of the C800 project, its record of costing more than originally thought, and the work to get the project back on track.

**Buccholz** explained how the Washington County center had been brought in to help the C800 project get back on track and deal with a \$4 million budget overrun which had been caused by inflation, the COVID-19 pandemic, annual forest fires, and a doubling of the operational size without consideration for increased costs with more sites to maintain.

**Buccholz** discussed steps taken to review C800's contracts and suggested the future of C800 should be stable. **Council President Massey** and **Buccholz** remarked on what the region and county could learn from, including how to accurately estimate the cost of maintaining capital assets.

The group remarked on how C800 was structured and who was responsible for the project and whether the project would need additional funding in the future. **Buccholz** observed that better project management and reporting to the board could have prevented much of the cost overruns. **Burdick** thanked **Buccholz** for cleaning-up the project.

**Councilor Stavenjord** and **Buccholz** noted the C800 project cost increases for the next five years and capital work needed at project sites on Mount Hood. They also noted that the result of an ongoing litigation and possible Federal Emergency Management Agency (FEMA) natural hazard reimbursements may generate revenue for the project.

The group noted that **Burdick** was the city's representative to the C800 project and that the C800 website was out of date and would be updated.

## **2. Budget Process Overview – Discussion**

**Sagor** explained staff wanted to provide Council with a budget process preview and review a question about a line item in Council's budget.

**Osborne** reviewed the budget process timeline and **Council President Massey** and **Osborne** commented on desired outcomes of the budget process. **Osborne** observed that all governments were dealing with budget shortfalls.

**Stauffer** provided an overview of Council's recent budget for lobbying services and asked for Council feedback on including the lobbyist funding in the next biennium. **Councilor Stavenjord** and **Stauffer** noted the city's use of lobbyist services provided through the Metro Mayor's Consortium and the League of Oregon Cities (LOC).

**Councilor Stavenjord** and **Council President Massey** supported leaving the lobbyist funds in the budget and were not comfortable deciding to change course with two Council members absent. They commented on how the lobbying funds could be used to help the city shape its lobbying goals and messaging.

**Stauffer** summarized that funding for lobbyist services would remain in the budget and Council would have a chance to discuss it again during the Budget Committee meetings and again later in the year. The group discussed the value of Council receiving regular updates on its budget and use of lobbyist funds.

## **3. Supervisory Control and Data Acquisition (SCADA) Project – Update**

(removed from the agenda)

## **4. Adjourn**

**Mayor Batey** adjourned the meeting at 5:31 p.m.

Respectfully submitted,

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Scott Stauffer, City Recorder

**COUNCIL REGULAR SESSION**

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

**MINUTES**

APRIL 16, 2024

**Council Present:** Councilors Adam Khosroabadi and Rebecca Stavenjord, and Council President Robert Massey

**Council Absent:** Councilor Shane Abma and Mayor Lisa Batey

**Staff Present:** Justin Gericke, City Attorney  
Riley Gill, Environmental Services Coordinator  
Vera Kolas, Senior Planner

Emma Sagor, Acting City Manager  
Scott Stauffer, City Recorder  
Jeff Tolentino, Assistant City Engineer

**Council President Massey** called the meeting to order at 6:00 p.m.

**1. CALL TO ORDER**

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

**2. ANNOUNCEMENTS**

**Council President Massey** announced that Mayor Batey and Councilor Abma had been excused from the meeting, and noted upcoming activities, including the city's Transportation System Plan (TSP) update process, Earth Day events, a prescription drug drop-off and shredding event, and the return of the Milwaukie Farmers Market.

**Massey** read a haiku highlighting the Dogwood tree.

**3. PROCLAMATIONS AND AWARDS**

**A. Earth Day – Proclamation**

**Gill** commented on the city's climate action work and Earth Day activities. **Council President Massey** proclaimed April 20, 2024, to be Earth Day in Milwaukie.

**4. SPECIAL REPORTS**

**A. None Scheduled.**

**5. COMMUNITY COMMENTS**

**Council President Massey** reviewed the comment procedures. **Sagor** reported there was no follow-up from the April 2 comments. No audience member wished to speak to Council and **Stauffer** reported there was one written comment in the packet.

**6. CONSENT AGENDA**

It was moved by **Councilor Stavenjord** and seconded by **Councilor Khosroabadi** to approve the Consent Agenda as presented.

**A. City Council Meeting Minutes:**

1. **March 10, 2024, Council dinner,**
2. **March 12, 2024, special session,**
3. **March 12, 2024, study session,**

4. March 19, 2024, work session, and

5. March 19, 2024, regular session.

~~B. A resolution of the City Council of the City of Milwaukie, Oregon, making youth board and committee member appointments.~~ (removed from the agenda)

C. Resolution 14-2024: A resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, authorizing an increase in the project authorization for construction services for the Public Safety Building (PSB) seismic retrofit project.

D. Resolution 15-2024: A resolution of the City Council of the City of Milwaukie, Oregon, authorizing an intergovernmental agreement for Metro's local share program for the neighborhood park construction.

E. Resolution 16-2024: A resolution of the City Council of the City of Milwaukie, Oregon, granting an exemption from property taxes under Oregon Revised Statute (ORS) 307.540 to 307.548 for any qualifying nonprofit low-income housing project within city limits.

F. An Oregon Liquor and Cannabis Commission (OLCC) application for Bob's Red Mill, 5000 SE International Way – Limited On-Premises Sales.

Motion passed with the following vote: Councilors Khosroabadi, Massey, and Stavenjord voting "aye." [3:0]

## **7. BUSINESS ITEMS**

A. Clackamas 800 (C800) Digital Radio – Update (moved to the April 16, 2024, work session agenda)

## **8. PUBLIC HEARING**

### **A. Willard Street Right-of-Way (ROW) Vacation – Ordinance**

Call to Order: Council President Massey called the public hearing on the proposed street vacations, to order at 6:14 p.m.

Purpose: Council President Massey announced that the purpose of the hearing was to hear the staff report and take public comment on the proposed ROW vacation.

Conflict of Interest: No Council member declared a conflict of interest.

Staff Presentation: Tolentino explained that the requested street vacation had been agreed to by the city as a part of the 2017 Milwaukie High School (MHS) reconstruction.

Correspondence: No correspondence on the hearing topic had been received.

Audience Testimony: No audience member wished to address Council.

Council Questions to Staff: Council had no further questions for staff.

Close Public Comment: It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to close the public testimony part of the Willard Street ROW vacation hearing. Motion passed with the following vote: Councilors Khosroabadi, Massey, and Stavenjord voting "aye." [3:0]

Council President Massey closed the public comment part of the hearing at 6:18 p.m.

Council Decision: It was moved by Councilor Khosroabadi and seconded by Councilor Stavenjord to approve the first and second reading by title only and adoption of the ordinance vacating the public street right-of-way within a segment of Willard Street. Motion passed with the following vote: Councilors Khosroabadi, Massey, and Stavenjord voting "aye." [3:0]

## **Ordinance 2241:**

### **AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, VACATING THE PUBLIC STREET RIGHT-OF-WAY WITHIN A SEGMENT OF WILLARD STREET.**

#### **B. Title 17 (Land Division) Code Amendments – Ordinance**

Call to Order: **Council President Massey** called the public hearing on the proposed street vacations, to order at 6:20 p.m.

Purpose: **Council President Massey** announced that the purpose of the hearing was to hear the staff report and take public comment on the proposed code amendments.

Conflict of Interest: No Council member declared a conflict of interest.

Staff Presentation: **Kolias** provided an overview of the proposed code changes that were meant to bring Milwaukie Municipal Code (MMC) Title 17 into compliance with state law and organize the section for clarity with updated and added language. The Planning Commission had recommended that Council adopt the code changes.

**Kolias** noted a minor text change to the proposed ordinance text and that the reference to a previous version of Title 17 should be removed.

Correspondence: No correspondence on the hearing topic had been received.

Audience Testimony: No audience member wished to address Council.

Council Questions to Staff: Council had no further questions.

Close Public Comment: **It was moved by Councilor Khosroabadi and seconded by Councilor Stavenjord to close the public testimony part of the Title 17 Land Division code amendments hearing. Motion passed with the following vote: Councilors Khosroabadi, Massey, and Stavenjord voting “aye.” [3:0]**

**Council President Massey** closed the public comment part of the hearing at 6:32 p.m.

Council Decision: **It was moved by Councilor Khosroabadi and seconded by Councilor Stavenjord to approve the first and second reading by title only and adoption of the ordinance amending Municipal Code Title 17 Land Division, and Title 19 Zoning, to making changes of select sections for the purposes of clarification and improved effectiveness (File #ZA-2023-006). Motion passed with the following vote: Councilors Khosroabadi, Massey, and Stavenjord voting “aye.” [3:0]**

#### **Resolution 2242:**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE TITLE 17 LAND DIVISION, AND TITLE 19 ZONING, TO MAKE CHANGES TO SELECT SECTIONS FOR THE PURPOSE OF CLARIFICATION AND IMPROVED EFFECTIVENESS (FILE #ZA-2023-006).**

## **9. COUNCIL REPORTS**

**Councilor Khosroabadi** reported on recent Community Action Board (CAB) work.

**Councilor Stavenjord** discussed the proposed Council letter on the disposition of scattered housing sites in Milwaukie and noted that Council would receive an update on the Hillside Park redevelopment project and the scattered sites at a meeting in May.

**Councilor Stavenjord** thanked staff for working to recruit new board and committee youth members and looked forward to working with the new committee members.

## **10. ADJOURNMENT**

**It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to adjourn the Regular Session. Motion passed with the following vote: Councilors Khosroabadi, Massey, and Stavenjord voting “aye.” [3:0]**

**Council President Massey** adjourned the meeting at 6:37 p.m.

Respectfully submitted,

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Scott Stauffer, City Recorder



**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Emma Sagor, Interim City Manager

**Reviewed:** Jennifer Garbely, City Engineer

**From:** Christopher Benn, Engineering Technician II

**Subject:** **2024 Slurry Seal Project (CIP 2024-S17)**

**Date Written:** May 9, 2024

**ACTION REQUESTED**

Council is asked to adopt a resolution authorizing the city manager to sign a contract for the slurry seal project with Black Line Inc. and establish construction authorization for the project.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

The Street Surface Slurry Sealing project is included in the Fiscal Year (FY) 2023-2028 Capital Improvement Plan (CIP) for construction in FY 2024 and was adopted by Council in 2006. The Street Surface Maintenance Program (SSMP) established a fee to improve the state of Milwaukie's Streets. The SSMP fee is collected as part of the city utility bills, based on the way properties are utilized.

Per the 2023-2028 CIP, \$500,000 has been allocated annually through 2028 for Street Surface Slurry Seal Programs.

**ANALYSIS**

The goal of the SSMP is to raise Milwaukie's roadway network's pavement condition index (PCI) to an average of 75. Key to reaching that goal, is to improve the surface condition of existing streets by use of a slurry seal application on roadways in fair condition with PCIs between 65-72. A slurry seal is a cost-effective method of reconditioning roads before their PCI deteriorates below a fair condition, thereby extending the servable life of the roadways.

The criterion for selecting roads relies principally on excluding all roads that are not residential streets. Of the 148 linear miles of road surfaces in the city of Milwaukie, 50.73 linear miles are designated as residential roads; therefore approximately 35% of Milwaukie's roads are potential candidates for slurry sealing. After careful analysis 6.6 linear miles of residential road sections were selected for the 2024 summer slurry seal program.

These sections include:

- 19th Avenue: from Sparrow St to Eagle St
- 29th Avenue: from Kelvin St to Olsen St
- 29th Avenue: from Olsen St to Malcom St
- 36th Avenue: from Wake St to Roswell St
- 39th Avenue: from Roswell St to Wake St
- 39th Court: from Angela Way to Dead End
- 41st Street: from Olsen St to Dead End/Private Drive
- 43rd Avenue: from Roswell St to Meadowcrest Ct
- Harvey Street: from 49th Av to 50th Av
- Hazel Street: from 38th Av to 40th Av
- Hollywood Avenue: from Laurel St to Firwood St
- Howe Street: from 40th Av to 42nd Av
- Keil Street: from 44th Av to Railroad Av
- Kuehn Road: from Lake Rd to City Limits
- Leone Lane: from 50th Av to Dead End
- Llewellyn Street: from 51st Av to Dead End

- 44th Avenue: from Railroad Av to Keil St
- 45th Avenue: from Rio Vista St to Adams St
- 46th Avenue: from Adams St to Franklin St
- 47th Avenue: from Mason Ln to Fieldcrest St
- 47th Avenue: from Adams St to Washington St
- 47th Avenue: from Franklin St to Railroad Av
- 50th Avenue: from Harvey St to Willow St
- 51st Avenue: from King Rd to Harrison St
- 55th Avenue: from Firwood St to Dead End
- 56th Avenue: from Willow St to Firwood St
- Adams Street: from 42nd Av to 45th Av
- Adams Street: from 45th Av to 46th Av
- Adams Street: from 46th Av to 47th Av
- Angela Way: from Boss Ln to Vernie Av
- Barbara Lynn Way: from Kuehn Rd to Dead End
- Bluebird Street: from 19th Av to 21st Av
- Bluebird Street: from 21st Av to 22nd Av
- Cheshire Lane: from Somewhere Dr to Maplewood Ct
- Drefshill Street: from Stanley Av to Dead End
- Fieldcrest Drive: from Fieldcrest St to Fieldcrest Rd
- Fieldcrest Street & Road: from 42nd Av to Fieldcrest Dr
- Firwood Street: from Stanley Av to 56th Av
- Harrison Street: from 51st Av to Dead End
- Maplewood Court: from Vernie Ave to Dead End
- Mason Lane: from Mason Cir to Winsor Dr
- Mason Lane: from Regents Dr to Mason Cir
- Morris Street: from Stanley Av to Dead End
- Mullan Street: from Dead End W to Dead End E
- Pennywood Drive: from Pennywood Court to Dead End
- Pollard Place: from Sprout Lane to Kuehn Road
- Rainbow Circle: from Rainbow Ln to Dead End
- Rainbow Lane: from Regents Dr to Rainbow Cir
- Rainbow Lane: from Rainbow Cir to Brookside Dr
- Rainbow Lane: from Brookside Dr to Winsor Dr
- Rainbow Lane: from Winsor Dr to 55th Av
- Rio Vista St: from 42nd Av to 45th Av
- Rockwood Street: from 32nd Av to 38th Av
- Somewhere Drive: from Where Else Lane to Dead End
- Sparrow Street: from 20th Av to 22nd Av
- Sprout Lane: from Barbara Lynn Way to Dead End
- Wake Street: from 32nd Av to Dead End
- Weedman Court: from Somewhere Dr to Dead End
- Weedman Street: from Weedman Ct to Where Else Lane
- Willow Street: from Stanley Av to Dead End E
- Willow Street: from 50th Av to 49th Av

Milwaukie’s engineering department is participating with the City of Hillsboro’s Public Works Department in a joint solicitation bidding process. Hillsboro implemented a competitive bid process on behalf of all joint solicitation participants. After receiving four competitive bids, Hillsboro awarded the lowest bidder, Black Line Inc., for the 2024 Slurry Seal contract. For Milwaukie’s portion of the total job scope, the bid is summarized below:

<b>Contractor</b>	<b>Move-in, Bond, Insurance, Cleanup</b>	<b>Traffic Control &amp; Public Notification</b>	<b>Preparation &amp; Application of Slurry Seal</b>	<b>Install &amp; Replace Pavement Markings</b>	<b>Total Bid Amount</b>
Black Line Inc.	\$14,000	\$14,000	\$192,264.07	\$33,942.50	\$254,206.57
Engineer’s Estimate	\$10,000	\$20,000	\$250,000.00	\$20,000.00	\$300,000.00

**BUDGET IMPACT**

This project is funded by the city’s SSMP fund.

**CLIMATE IMPACT**

Construction activity has some impact on the environment due to emissions from transport of materials, heavy equipment uses, and the manufacturing of material such as aggregate filler and asphalt emulsion.

**EQUITY IMPACT**

The reconditioning of neighborhood streets directly impacts accessibility for all residents, especially including those with disabilities and who may experience other mobility challenges. Reconditioning roads with crack seal and slurry seal creates smooth and safe surfaces for all to use. It is critical to meaningfully distribute resources throughout the entire city that are going to have the most positive impact.

**WORKLOAD IMPACT**

None. The city's engineering team will oversee the construction process.

**COORDINATION, CONCURRENCE, OR DISSENT**

Managers from engineering and finance reviewed and approved the project scope and budget. Project information, including the construction schedule and potential traffic impacts, will be shared with the community through the city website, mailings, social media posts, and the impacted neighborhood district association.

**STAFF RECOMMENDATION**

Staff recommends the award of the slurry seal project to Black Line Inc., with a project authorization of \$300,000.00.

**ALTERNATIVES**

Council could choose to:

1. award the project as presented, or
2. reject proposal in the public interest.

**ATTACHMENTS**

1. Resolution
2. Project Map



**COUNCIL RESOLUTION No.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, APPROVING A CONSTRUCTION CONTRACT FOR THE 2024 SLURRY SEAL PROJECT TO BLACK LINE, INC.**

**WHEREAS** resources to construct slurry seal improvements were identified within the city’s 2023-2024 Street Surface Maintenance Program (SSMP) budget; and

**WHEREAS** a joint solicitation process with the City of Hillsboro was completed following a formal competitive bid process under Milwaukie’s Public Contracting Rule (PCR) 40; and

**WHEREAS** Black Line, Inc. was the lowest responsive and responsible bidder.

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie, Oregon, that the city manager is authorized to execute a contract with Black Line, Inc. for construction of the 2024 slurry seal project, to waive any irregularities, and the city engineer or assistant city engineer is authorized to administer the project in accordance with the project specifications with a project authorization of \$300,000.00

Introduced and adopted by the City Council on **May 21, 2024.**

This resolution is effective immediately.

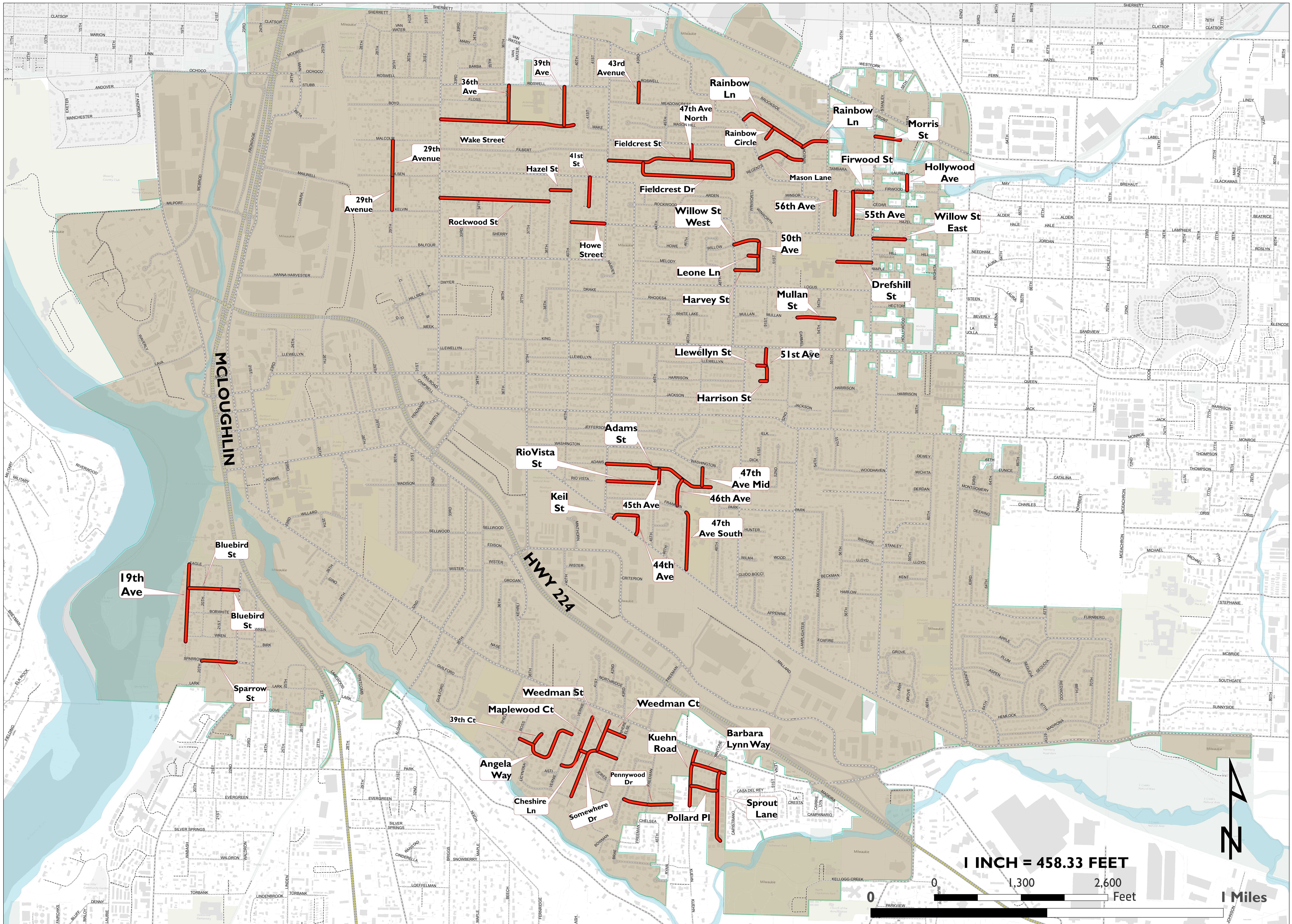
\_\_\_\_\_  
Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott S. Stauffer, City Recorder

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Justin D. Gericke, City Attorney

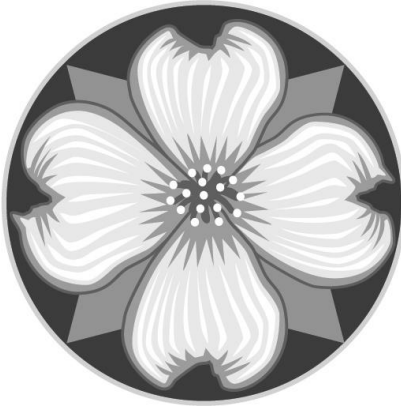


Milwaukie Slurry Seal 2024

- Slurry Seal Streets
- Milwaukie City Limits



CITY OF MILWAUKIE



**RS Agenda Item**

**8**

**Public Hearings**

## COUNCIL STAFF REPORT

**To:** Mayor and City Council  
Emma Sagor, Acting City Manager

**Date Written:** April 22, 2024

**Reviewed:** Mandy Byrd, Development Project Manager, and  
Kelli Tucker, Accounting & Contracts Specialist

**From:** Peter Passarelli, Public Works Director

**Subject:** **Johnson Creek Solar Project – Alternative Contracting Method**

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### ACTION REQUESTED

Council is asked to approve the attached resolution to adopt Construction Manager/General Contractor (CM/CG) as the alternative contracting method for the Johnson Creek Solar project.

### HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

April 2023: The city applied for capital funding from the state during the 2023 legislative session for the design and construction of a 120 kilowatt (kW) – direct current (DC) Solar system at its Johnson Creek Public Works Facility.

[November 7, 2023:](#) Council adopted a resolution authorizing the city manager to sign a grant agreement with the state to receive general fund dollars for the Johnson Creek Boulevard (JCB) facility solar project.

### ANALYSIS

The State of Oregon Department of Administrative Services (DAS) awarded funding to Milwaukie for design and construction of a solar panel installation at its Johnson Creek Public Works Facility. This project will be a rooftop installation to take advantage of the open roof space available on the facilities at Johnson Creek.

This project will use Energy Trust of Oregon’s (ETO) incentives program, which entails choosing from a list of certified trade allies for the design and construction of the city’s solar installation. By working directly with an ETO trade ally, the city will benefit from ETO incentive programs and rebates.

Design services will include the assessment of existing conditions, including electrical infrastructure, roof structure analysis, building orientation, sun exposure/shading, etc., and the design of a solar array system (including construction drawings and specifications) that meets project goals.

Construction services will include any reinforcement needed for the roof structure, electrical connections, and installation of the solar array as designed.

This project lends itself to a design-build contracting method because:

- A) To define the project scope, staff needs to tap the expertise of the trade allies that can design the solar array system;

- B) In a traditional contracting method (hard bid/low bid), staff would need to separate design from construction because a fully developed design/scope would be needed to put out to bid;
- C) Due to public contracting rule [Oregon Revised Statute \(ORS\) 279.B.040](#), if a firm designs the project scope, that firm is then excluded from bidding on the installation; and
- D) None of the trade allies that staff have approached are willing to take on the design portion only since that would preclude them from participating in the construction/install bid.

Therefore, in this instance, it is in the city's best interest for design and installation to be handled together by the same contractor.

### **Project Schedule**

- Contract Solicitation – Summer - 2024
- Design-Build Contract Award – Fall 2024
- Project Design – Winter 2024 - 2025
- Projection Construction – Spring 2025
- Project Completion – Summer 2025

### **BUDGET IMPACT**

This project is primarily funded with DAS grant funds received through the state. For the remaining portion, the project has already been identified in the current capital improvement plan and is programmed for fiscal year (FY) 2025.

### **CLIMATE IMPACT**

Building operations are one the largest culprits of carbon emissions in Milwaukie, comprising 44% of Milwaukie's 2020 local emissions. These emissions come from the fuels and energy that are used to operate equipment, power lights and technology, and run heating and cooling systems. The city's Climate Action Plan (CAP) addresses the carbon intensity of various energy sources (electricity, methane, and other fuels) as well as the energy efficiency of city buildings and assets. The CAP identifies adding solar as one way to reduce emissions and to promote future resilience of the community.

This solar project will help the city address climate change by increasing the city's alternative clean energy sources. Adding solar power to the Johnson Creek office aligns with the city's climate goal to become completely carbon neutral by 2045.

### **EQUITY IMPACT**

By installing solar panels at the Johnson Creek campus, the city will continue down the path of reducing its carbon footprint. From an equity standpoint, carbon emissions and climate change tend to have the most negative impacts on vulnerable and diverse populations, people of color, and disabled populations.

Additionally, by continuing to model solar installations at city facilities, the city will continue to popularize solar for residents and businesses alike, furthering climate goals which are directly related to equity. The city's climate action plan rates community solar projects as one action item that fully addresses inequities (see [CAP](#) page 30).

### **WORKLOAD IMPACT**

City staff will manage the project from solicitation through to installation.



### **COORDINATION, CONCURRENCE, OR DISSENT**

This project will involve coordination with building, planning, and engineering departments.

### **STAFF RECOMMENDATION**

Staff recommends that Council authorize staff to use an alternative contracting method (Design-Build) for this unique project to achieve the best outcomes.

### **ALTERNATIVES**

Council could direct staff to use traditional contracting (low bid/hard bid) which could result in an underdeveloped design that doesn't fully realize the potential for solar at the Johnson Creek Public Works Facility.

### **ATTACHMENT**

1. Resolution

Exhibit A: Findings

**COUNCIL RESOLUTION No.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, ADOPTING FINDINGS IN SUPPORT OF USING THE DESIGN-BUILD ALTERNATIVE CONTRACTING FOR THE JOHNSON CREEK SOLAR PROJECT.**

**WHEREAS** the city adopted Public Contracting Rules (PCR) by Resolution 52-2022 to be in effect as of June 30, 2022; and

**WHEREAS** the design-build form of alternative contracting is allowed per PCR 10.105.A; and

**WHEREAS** the use of a design-build procurement for the Johnson Creek solar project complies with PCR 10.105.A by allowing the city to select a contractor based on qualifications and expertise beyond normal construction work; and

**WHEREAS** the use of a design-build procurement for the Johnson Creek solar project requires the inclusion of equity criteria in its solicitation and promotes contracting opportunities to minority-owned, women-owned, service-disabled veteran-owned and emerging small businesses.

**Now, Therefore,** be it Resolved that the City Council, acting as the local contract review board for the City of Milwaukie, hereby adopts findings attached as Exhibit A pursuant to the authority granted to the board by Milwaukie Municipal Code (MMC) Chapter 3.05.030, to allow the use of the design-build alternative contracting method for the Johnson Creek solar project.

Introduced and adopted by the City Council on **May 21, 2024.**

This resolution is effective immediately.

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Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

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Scott S. Stauffer, City Recorder

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Justin D. Gericke, City Attorney

## EXHIBIT A

### FINDINGS IN SUPPORT OF ALTERNATIVE CONTRACTING METHOD FOR THE JOHNSON CREEK SOLAR PROJECT

#### Introduction

Use of Alternative Contracting methods, such as design-build, is made possible under ORS Chapter 279C and the city's adopted Public Contracting Rules (PCR), which permits certain contracts or classes of contracts to be exempt from competitive public bidding under strict procedural safeguards. Like other alternative contracting methods, design-build has significantly different legal requirements than a typical low-bid project delivery method.

Pursuant to ORS 279C.335 and PCR 10.110, a local contract review board may exempt specific contracts from traditional, competitive bidding by showing that an alternative contracting process is unlikely to encourage favoritism or diminish competition and will result in cost savings and other substantial benefits to the public agency. PCR 10.110.D provides for public notice and opportunity for public comment on draft findings in favor of an exemption before final adoption.

Under ORS 279C.330, "findings" means the justification for a contracting agency conclusion that includes, but is not limited to, information regarding:

- Operational, budget, and financial data;
- Public benefits;
- Value engineering;
- Specialized expertise required;
- Public safety;
- Market conditions;
- Technical complexity; and
- Funding sources.

#### Findings

##### Operational, Budget, and Financial Data

In August 2023, the city was awarded grant funds from the Oregon Department of Administrative Services to install solar panels at the Johnson Creek Public Works facility.

This solar installation is estimated to produce approximately 118,000 kWh of electricity annually which would provide approximately 65% of the current facility's total load.

Design-build provides opportunities for cost saving in a variety of ways, primarily by allowing for smooth transition from design and scoping of the project to construction and installation. Rather than utilizing two different firms, one for design and another for installation, in a design-build, the city will benefit from the continuity of one firm handling both the design and the install.

### **Public Benefit**

The project will be built by a qualified contractor that has experience with solar panel projects. The energy savings from this project will benefit Milwaukie residents for years to come.

### **Value Engineering**

The design-build process provides many benefits and opportunities for cost savings. Design-build sets up a collaborative approach between the contractor and the city from the design phase through to construction completion, saving the city the time and money it would have taken to complete two separate solicitations. The design-build contractor will tailor the project design to existing conditions, project goals, city priorities, and environmental factors. The design-build contractor will be invested in the design, knowing that they, themselves, will do the installation as well. This contracting method will provide the greatest value to the city.

The design-build process is collaborative and flexible, offering opportunities to maximize sustainability, to limit environmental impact, to utilize and substitute sustainable/green materials, and to reduce costs over the entire life-cycle of the project.

The design-build contracting method also allows the city to award a minimum of 20% of the total score towards equity criteria, increasing the contracting opportunities for disadvantaged business owners and promoting economic growth amongst disadvantaged businesses. A portion of the 20% will be awarded to proposers that are certified with the State of Oregon Certification Office for Business Inclusion and Diversity (COBID), while the remaining equity score may be based on (but is not limited to) whether proposers award or attempt to award subcontracts to COBID-certified businesses or commit to a certain percentage of materials/labor be given to COBID-certified businesses through subcontracts.

All these beneficial actions by the design-build contracting method will improve design, expedite construction, eliminate potential for costly change orders, and encourage utilization of disadvantaged businesses. The benefits of value engineering are not available with the low-bid process.

### **Specialized Expertise Required**

The design-build contractor must be a certified trade ally of the Energy Trust of Oregon (ETO) and must design and install a project that will meet the grant funding requirements and any applicable ETO incentives. The design-build contractor must provide a solar

installation that will function well for many years into the future despite the ever-changing landscape of technology.

The design-build selection process is based on experience, qualifications, expertise, project approach, proposed energy savings, and pricing. The proposed project cost is, however, less important than the overall qualifications and specialized expertise of the selected design-build contractor. The City will benefit by contracting with a solar vendor that has established experience and specialized expertise to manage this project. A low-bid process does not provide an opportunity to obtain the most qualified contractor with the specialized expertise needed for the project. In addition, the contractor will be able to provide expertise on well-sourced materials, made in the U.S.A., with proven track record of durability and cost-effectiveness.

### **Public Safety**

The Project will provide for safe public access and compliance with ADA requirements. All work during the project will be done in accordance with Oregon Occupational Safety and Health Administration (OR-OSHA) safety regulations. The selected design-build contractor will be highly qualified and capable of showing evidence of construction safety practices that are at the highest level of integrity.

The design-build method of delivery is a collaborative approach and provides for a high level of responsibility and visible adherence to public safety. The contractor's performance on prior projects in satisfying these safety needs, and inclusive design / ADA compliance, can be determined as part of the City's contractor selection process. This determination is not available under the low-bid process.

### **Market Conditions**

The design-build contracting process is a modern construction delivery method used by both public and private organizations. The design-build contractor is tasked with keeping the Project Team up to date on the latest technology in both the design and installation of the solar panels. The design-build contractor will inform the Project Team of current market conditions, labor and materials availability, and construction methodologies that can reduce design and construction time and costs.

Using the design-build process will allow trades and vendors to become involved earlier in the process. The current market for construction services has become increasingly tight with substantial increases in material and labor costs for public and private construction projects. By involving the same firm who does the design, to also perform the installation, the project team will achieve a higher quality product for the City and its residents.

### **Technical Complexity**

Solar technology is a specialized area with technical complexities that will be best addressed through a collaborative team approach, with the design-build contractor working directly with the City to achieve project goals.

The design-build process enables the City to competitively select a contractor who has expert level knowledge in solar technology and will provide a sound design, quality workmanship, dependable performance, fair and reasonable pricing, and efficient project management. Under a low-bid process, the technical competence of the contractor is difficult to evaluate.

### **Funding Sources**

The State of Oregon Department of Administrative Services (DAS) awarded \$375,000 in General Funds to Milwaukie for design and construction of a solar panel installation at its Johnson Creek Public Works Facility. The design-build process, with its not-to-exceed negotiated contract price, will provide the necessary predictability.

The design-build method of contracting provides cost controls, by using the same firm for design and construction, that benefit the City. The collaborative approach, the design and existing conditions analysis, and constructability reviews provide the best and most effective project outcome. It is critical, and also consistent with the spirit of collaboration encouraged throughout the process, that everyone on the Project Team works towards a budget of which they can take ownership.

### **Summary**

After careful consideration, the City has found the Alternative Contracting Method design-build more appropriate than a traditional low-bid process to meet the overall project objectives for the Johnson Creek Solar Project. Upon approval of the alternative contracting method, the city plans to release a formal solicitation on or near the end of June 2024.

RS 8. A. 5/21/24  
Presentation

# Johnson Creek Solar Project

May 21, 2024

Peter Passarelli, Public Works Director  
Mandy Byrd, Development Project Mgr.







# Johnson Creek Solar Project

## Funding/Budget

- State Grant Funding
  - \$375,000 from Department of Administrative Services (DAS)
  - Grant funding must be spent by 06/30/2025
- Estimated Project Budget

Item	Cost
Construction	\$310,000
Site Improvements	\$ 75,000
Design and Engineering	\$ 25,000
Contingency	\$ 25,000
Permits	\$ 15,000
<b>Total</b>	<b>\$450,000</b>



# Johnson Creek Solar Project Scope

Lends itself to Design-Build

## Design

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## Construction

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 Structural Analysis

 Roof Modifications/Reinforcement

 Electrical Analysis

 Electrical Modifications

 Solar Panel Design

 Solar Panel Install



# Johnson Creek Solar Project

## Next Steps

- Resolution Adoption – Spring 2024
- Contract Solicitation – Summer 2024
- Design-Build Contract Award – Fall 2024
- Project Design – Winter 2024 - 2025
- Projection Construction – Spring 2025
- Project Completion – Summer 2025



*Mock-up of what a solar array  
at JCB might look like*



# Questions?

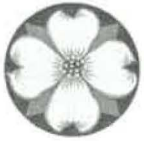
Peter Passarelli, Public Works Director

[passarellip@milwaukieoregon.gov](mailto:passarellip@milwaukieoregon.gov)

Mandy Byrd, Development Project Mgr.

[byrdm@milwaukieoregon.gov](mailto:byrdm@milwaukieoregon.gov)





# PUBLIC HEARING ATTENDANCE SHEET

*If you wish to have appeal standing and/or to be on the mailing list for Council information from tonight's hearing, please sign-in below.*

## 5/21/2024 | 8. A. Solar Project Contracting Authorization – Resolution

Land Use File No. (none)

NAME	ADDRESS	PHONE	EMAIL

## 5/21/2024 | 8. B. Climate Friendly Equitable Communities (CFEC) Code Adoption – Ordinance

Land Use File No. ZA-2022-005

NAME	ADDRESS	PHONE	EMAIL

**COUNCIL STAFF REPORT**

**To:** Mayor and City Council  
Emma Sagor, Interim City Manager

**Reviewed:** Joseph Briglio, Community Development Director, and  
Laura Weigel, Planning Manager

**From:** Ryan Dyar, Assistant Planner

**Subject:** **Climate Friendly Equitable Communities (CFEC) Parking Reform**

**Date Written:** April 5, 2024

**ACTION REQUESTED**

Council is asked to approve the code amendments (land use file #ZA-2022-005) proposed to comply with recent changes to state administrative rules related to how jurisdictions regulate off-street parking. Approval would remove off-street parking minimum quantity standards citywide, apply new development standards for parking lots ¼-acre or larger, and update the city's bicycle parking requirements.

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

[August 18, 2020:](#) Council adopted an updated Comprehensive Plan, which included several policies aimed at reducing greenhouse gas (GHG) emissions.

September 21, 2021: Council adopted goals for 2021-2022, which included climate change mitigation and resilience action, and equity, justice, and inclusion.

[August 16, 2022:](#) Staff provided Council with an overview of the new Oregon Administrative Rules (OARs) and asked for direction on implementing the new rules related to parking.

[September 13, 2022:](#) Staff provided Planning Commission with an overview of the new OARs.

[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.

[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.

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

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

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

[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 rulemaking.

[February 27, 2024](#): Staff provided Planning Commission with an overview of the changes that had been made to the code amendments since the February 14, 2023, meeting.

[March 12, 2024](#): Planning Commission recommended that Council approve the code amendments and Findings in Support of Approval with a modification for ZA-2022-005 to add in minimum bicycle parking requirements for various types of public transit stations, as requested by staff.

[April 2, 2024](#): Staff updated Council on the recommendation from Planning Commission and provided an overview of the code amendments.

## **ANALYSIS**

### **Recap of CFEC and Parking Regulation Requirements**

On March 10, 2020, Governor Kate Brown issued Executive Order 20-04, directing state agencies to reduce climate pollution. In response, the Oregon Land Conservation and Development Commission (LCDC) initiated the CFEC rulemaking process which amended OAR Chapter 660, Division 8, Division 12, and Division 44. For a detailed overview of the rule changes, please refer to the [staff report](#) from September 13, 2022.

The new rules, adopted in May 2022, and amended in November 2023, apply to cities and counties in Oregon's eight federally designed transportation planning areas, including the Portland Metro region. The rules aim to promote more environmentally friendly modes of transportation. The proposed amendments in ZA-2022-005 specifically relate to compliance with the provisions in OAR Chapter 660, Division 12, Rules 0400-0450 and Rule 0630. The former governs how local governments regulate off-street parking for automobiles and Rule 0630 governs how local governments regulate bicycle parking. The rules stipulate that jurisdictions must amend their land use regulations to comply with the new automobile parking requirements in Rules 0400-450 before June 30, 2023, but the city was granted an extension to June 30, 2024. While the city is not required to comply with the new bicycle parking rule until it conducts a major update of its Transportation System Plan (TSP), staff are proposing amendments now to address CFEC-related and longstanding issues with the current code.

### **Proposed Amendments**

Staff reviewed the administrative rules and consulted with DLCD staff to develop the proposed amendments which are summarized below.

#### Eliminate Automobile Parking Minimums and OAR 660-012-0405 Compliance

Attachments 1b and 1c contain a draft of the code amendments that would remove minimum automobile parking quantity requirements and references to required automobile parking from the zoning code. The proposed amendments also implement the provisions of [OAR 660-012-0405](#), which collectively aim to promote parking efficiency, ensure pedestrian safety, and mitigate the negative impacts of automobile parking infrastructure. Specifically, the rule requires that development codes ensure carpool/vanpool spaces have prioritized placement in new developments, that they encourage shared parking, and that they require that builders account for the drawbacks of large newly constructed or reconstructed surface parking lots by providing shade trees or by investing in green energy. It should be noted that Rule 0405 requires parking lots ½ acre or larger to comply with the new standards, but that the Planning Commission reduced the threshold to ¼ acre or larger.

With regards to carpool/vanpool and shared parking requirements, the Milwaukie Municipal Code (MMC) already complies with the new rules. To satisfy the new tree canopy requirements

for large surface parking lots, staff drafted amendments with the city’s urban forester that leverage the standards and processes for residential tree canopy in Title 16 of the MMC (see Subsection 19.606.4 in Attachments 1b and 1c). Under the current draft code, all large parking lots would be required to provide a canopy covering at least 40% of the parking and maneuvering area. It is important to highlight that Rule 0405 requires 30% canopy coverage, but that the Planning Commission recommended 40% to advance the city’s goal of achieving 40% canopy coverage citywide by 2040.

In addition to providing a baseline tree canopy, the rule requires builders to mitigate the negative impacts of large surface parking areas by choosing to implement one of three specified “climate mitigation actions.” Mitigation action options include installing on-site solar panels, providing additional tree canopy coverage (50% recommended by the Planning Commission), or paying a fee-in-lieu of solar development or additional canopy coverage into a city or state fund for equitable solar or wind energy development. Rule 0405 also allows builders to comply by implementing some combination of the three actions; however, jurisdictions would have to stipulate those combinations in their code to ensure the requirements are clear and objective for residential development. Staff did not include any combined options and excluded the fee-in-lieu option from the proposed code amendments because there is currently no city fund set up to accept the fee-in-lieu payment and funds contributed to the state cannot be earmarked for use in any specific jurisdiction.

Finally, Rule 0405 requires that large parking lots include sufficient pedestrian facilities to ensure safety and accessibility. The MMC historically has required new parking areas to provide walkways; the difference between those requirements and what is proposed in Attachments 1b and 1c relates to a specific design requirement in the OAR that pedestrian crossings at driveways and drive aisles be raised or constructed of distinctive materials.

#### 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 (see [staff report](#) from July 25, 2023 work session with Planning Commission for full details about the existing challenges and solutions).

The amendments establish new minimum bicycle parking quantity standards and land-use categories. The proposed standards utilize factors such as employee density, visitation rates, and desired bicycle trip mode split to calculate bicycle parking. 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.

Another key aspect of the proposed amendments is the clarification of short-term and long-term parking requirements. The proposed code includes a clear distinction between the two, with a mandate for a minimum of two short-term and two long-term spaces for all land use. 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. This change ensures that all new developments provide sufficient bicycle parking options for both short-term visitors and long-term users.



The proposed amendments also introduce updated development standards for bicycle parking. These standards accommodate modern rack designs that are space-efficient and accessible, offering builders multiple options to meet requirements while ensuring high-quality spaces. Specific provisions are also included for residential developments, including limitations on in-unit parking percentages and requirements for projects without elevators.

Finally, the amendments introduce a modification process to adjust the minimum number of bicycle parking spaces required by the code. This process provides a framework for developers to request modifications based on specific project needs and approval criteria.

#### Updating Language for Consistency 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, Attachment 1b and 1c include 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 detached units, duplexes, and triplexes are limited to three spaces in the required front yard.

#### **BUDGET IMPACT**

There are no impacts on the city budget to implement these code amendments, as staff are equipped to handle the task.

#### **CLIMATE IMPACT**

The CFEC process was initiated to reduce GHG emissions and help communities—especially those most harmed by climate change and prior planning policies—become more resilient in response to a warming planet.

Roughly 38% of Oregon's GHG pollution comes from the transportation sector. Analysis in the [Oregon Statewide Transportation Strategy Monitoring Report \(2018\)](#) shows that to meet the state's pollution reduction targets, Oregon needs cleaner fuels, improved vehicle efficiency, and a reduction in vehicle miles traveled. The amended rules aim to curtail transportation-related GHG pollution by requiring local governments to prioritize transportation infrastructure and land-use regulations that increase the viability of other modes and by shortening the distance residents must travel to access goods and services.

#### **EQUITY IMPACT**

Code amendments are expected to improve equity outcomes principally by reducing the overall cost of housing production and by promoting more efficient land-use patterns that [increase the viability](#) of more affordable modes of transportation.

[Research](#) has demonstrated that minimum off-street parking mandates increase the cost of housing and other development. Off-street automobile parking is land-intensive and can be expensive to build, especially in urbanized areas where land is limited. These standards discourage and can prevent builders from developing new housing, limit the number of units provided (reducing the overall supply of housing), and discourage the provision of more affordable housing.

The cost of providing off-street parking is typically embedded in the overall cost of development and therefore hidden in the total cost of rents, mortgage payments, goods, and services. Everyone ends up paying, regardless of whether they use the parking; this is especially harmful to lower-income households who are [less likely to own or have access to](#) an automobile.

### **WORKLOAD IMPACT**

Code amendments enacting parking reform will not have a significant impact on staff. If off-street parking mandates are removed citywide, in certain instances when parking is not provided, staff will save time in the land-use and building permitting review process because they will not have to confirm compliance with the regulations in MMC 19.600. While adding additional development standards for bicycle parking will likely add time to permit and land-use review, it should also save time by increasing the clarity of the code requirements to the benefit of staff and applicants.

### **COORDINATION, CONCURRENCE, OR DISSENT**

DLCD reviewed the proposed amendments and confirmed that they comply with the new administrative rules. Metro was also provided with notice of the proposed changes but did not provide comments.

### **STAFF RECOMMENDATION**

In consideration of the unanimous recommendation from Planning Commission to approve the amendments, staff recommend that Council approve the proposed amendments to comply with the new state transportation administrative rules.

### **ATTACHMENTS**

1. Ordinance
  - a. Recommended Findings in Support of Approval
  - b. Draft code amendment language (underline/strikeout)
  - c. Draft code amendment language (clean)



**COUNCIL ORDINANCE No.**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING 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 city’s intent to reduce greenhouse gas emissions, remove regulations that contribute to the overbuilding of off-street parking, create a safe and pleasant pedestrian environment, and mitigate the negative impacts of large surface parking lots, and

**WHEREAS** the Climate Friendly Equitable Communities (CFEC) rulemaking process, which was initiated in response to Oregon Governor Kate Brown’s Executive Order 20-04, amended OAR, Chapter 660, Division 12, and

**WHEREAS** the proposed code amendments comply with OAR 660-012-0400 – 0450 and OAR 660-012-0630 and implement several of the goals and policies of the city's Comprehensive Plan related to climate pollution, housing affordability, and active transportation, 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 City Council finds that the proposed amendments are in the public interest of the city.

**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\_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Lisa Batey, Mayor

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 18, 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 7<sup>th</sup>, 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.

<b>Table 19.303.3 Commercial Mixed Use Zones—Summary of Development Standards</b>			
<b>Standard</b>	<b>GMU</b>	<b>NMU</b>	<b>Standards/ Additional Provisions</b>
<b>A. Lot Standards</b>			
1. Minimum lot size (sq ft)	1,500	1,500	
2. Minimum street frontage (ft)	25	25	
<b>B. Development Standards</b>			
1. Minimum floor area ratio	0.5:1	0.5:1	<b>Subsection 19.303.4.A</b> Floor Area Ratio
2. Building height (ft)			<b>Subsection 19.303.4.B</b> Building Height
a. Base maximum	45	45	<b>Section 19.510</b> Green Building Standards <b>Subsection 19.911.7</b> Building Height Variance in the General Mixed Use Zone
b. Maximum with height bonus	57–69	Height bonus not available	
3. Street setbacks (ft)			<b>Subsection 19.303.4.C</b> Street Setbacks
a. Minimum street setback	0–15 <sup>1</sup>	None	

b. Maximum street setback c. Side and rear setbacks	10–20 <sup>2</sup> None	10 None	<b>Section 19.501.2</b> Yard Exceptions
4. Frontage occupancy	50%	None	<b>Subsection 19.303.4.D</b> Frontage Occupancy Requirements <b>Figure 19.303.4.D</b> Frontage Occupancy Requirements
5. Maximum lot coverage	85%	85%	
6. Minimum vegetation	15%	15%	<b>Subsection 19.504.6</b> Minimum Vegetation
7. Primary building entrances	Yes	Yes	<b>Subsection 19.303.4.E</b> Primary Building Entrances
8. Off-street parking <u>standards required</u>	Yes	Yes	<b>Chapter 19.600</b> Off-Street Parking and Loading
9. Transit street	Yes	Yes	<b>Subsection 19.505.8</b> Building Orientation to Transit
10. Transition measures	Yes	Yes	<b>Subsection 19.504.5</b> Transition Area Measures
<b>C. Other Standards</b>			
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	<b>Subsection 19.202.4</b> Density Calculations <b>Subsection 19.303.4.F</b> Residential Density <b>Subsection 19.501.4</b> Density Exceptions
2. Signs	Yes	Yes	<b>Subsection 14.16.040</b> 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**

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

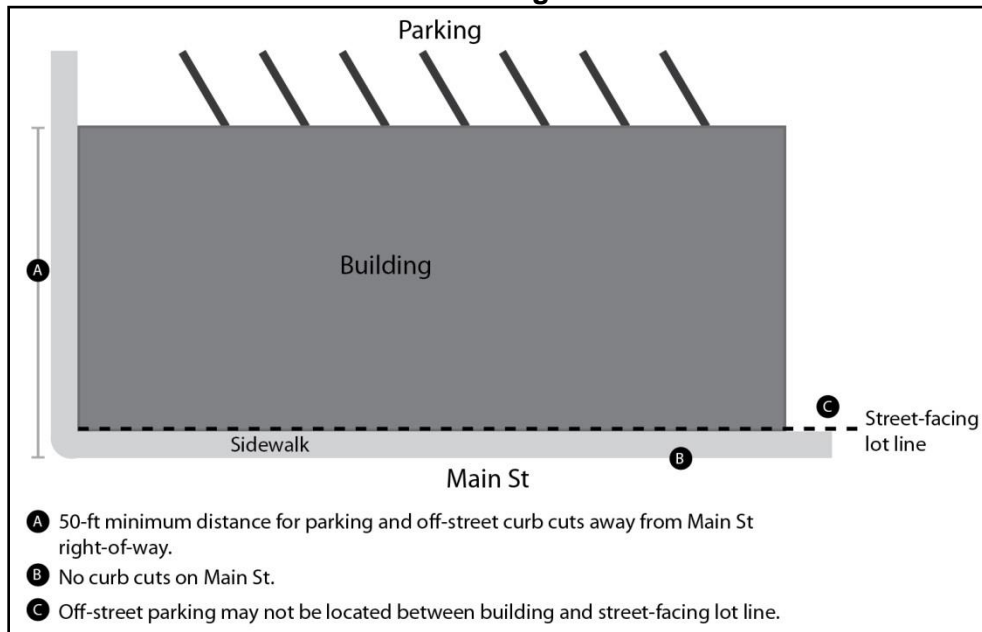
ab. ~~No off-street parking is required for nonresidential uses.~~ If off-street parking is provided for residential or nonresidential uses, the parking maximums in Table 19.605.1 will apply. All other applicable standards of Chapter 19.600 will also apply.

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.

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**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.

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

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**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.

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**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.	<p>The on-site pedestrian circulation system shall include the following:</p> <ul style="list-style-type: none"> <li>a. Continuous connections between the primary buildings, streets abutting the site, ground level entrances, common buildings, common open space, <del>and</del> vehicle and bicycle parking areas, <u>and transit facilities abutting the site.</u></li> <li>b. At least 1 pedestrian connection to an abutting street frontage for each 200 linear ft of street frontage.</li> <li>c. Pedestrian walkways shall be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards.</li> <li>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.</li> </ul>

<b>Table 19.505.3.D CONTINUED</b>		
<b>Multi-Unit Design Guidelines and Standards</b>		
<b>Design Element</b>	<b>Design Guideline (Discretionary Process)</b>	<b>Design Standard (Objective Process)</b>
		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"> <li>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.</li> <li>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.</li> <li>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.</li> <li>d. <del>See Section 19.609 for bicycle parking requirements. 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.</del> <ul style="list-style-type: none"> <li>(1) <del>The parking area shall be inside a building or sheltered to provide complete, year-round protection from precipitation.</del></li> <li>(2) <del>Entrance to the parking area shall be secured by lock so that only residents have access to the area.</del></li> <li>(3) <del>The area shall have permanently mounted bicycle racks or hangers that allow the bicycle frame to be locked to the rack or hanger.</del></li> <li>(4) <del>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.</del></li> <li>(5) <del>The parking area shall have an average illumination of at least 1.0 foot candle.</del></li> <li>(6) <del>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.</del></li> </ul> </li> </ul>

**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.

<b>Table 19.505.4.C.1 Cottage Cluster Development Standards</b>		
<b>Standards</b>	<b>R-MD</b>	<b>R-HD, GMU, NMU</b>
<b>A. Home Types</b>		
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>B. Home Size</b>		
1. Max building footprint per home	900 sf	
2. Max average floor area per dwelling unit	1,400 sf	
<b>C. Height</b>		
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	
<b>D. Setbacks, Separations, and Encroachments</b>		
1. Separation between structures (minimum)	6 ft	
2. Side and rear site setbacks	5 ft	
3. Front site setback (minimum)	10 ft	
<b>Table 19.505.4.C.1 CONTINUED Cottage Cluster Development Standards</b>		
<b>Standards</b>	<b>R-MD</b>	<b>R-HD, GMU, NMU</b>
4. Front site setback (maximum)	20 ft	
5. Separation between clusters (minimum)	10 ft	
<b>E. Impervious Area, Vegetated Area</b>		
1. Impervious area (maximum)	60%	65%
2. Vegetated site area (minimum)	35%	35%
<b>F. Community and Common Space</b>		
1. Community building footprint (maximum) <sup>1</sup>	1,000 sf	1,000 sf
2. Common Space	19.505.4.E.2	19.505.4.E.2
<b>G. Parking (see also 19.505.4.E.4)</b>		
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)	
<del>3. Guest/short-term bicycle parking spaces per home (minimum)</del>	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.

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## 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)

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### 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.

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## 19.603 REVIEW PROCESS AND SUBMITTAL REQUIREMENTS

### 19.603.1 Review Process

The Planning ~~Director~~ 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-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)

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## 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.

<b>Table 19.605.1</b>		
<b><del>Minimum To</del> Maximum Off-Street Parking <u>Standards</u> Requirements</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Allowed</b>
<b>A. Residential Uses</b>		

1. Single detached dwellings, including manufactured homes.	<del>1 space per primary dwelling unit.</del>	No maximum.
2. Multi-Unit Dwellings	<del>1 space per dwelling unit.</del>	2 spaces per dwelling unit.
3. Middle Housing <sup>1</sup> a. Duplexes b. Triplexes c. Quadplexes d. Townhouses <sup>2</sup> e. Cottage Clusters	<del>0</del> <del>0</del> <del>0</del> <del>0</del> <del>0.5 spaces per dwelling unit</del>	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.	<del>1 space per dwelling unit plus 1 space per employee on the largest shift.</del>	<u>Minimum required parking 1 space per employee on the largest shift plus 1 space per bedroom.</u>
5. Accessory dwelling units (ADU).	<del>No additional space required unless used as a vacation rental, which requires 1 space per rental unit.</del>	No maximum.

<b>Table 19.605.1 CONTINUED</b>		
<b>Minimum To Maximum Off-Street Parking Standards Requirements</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Allowed</b>
<b>B. Community Service and Other Public Uses</b>		
1. Religious institutions.	<del>1 space per 4 seats.</del>	1 space per 2 seats.
2. Day-care center (“family day-care” as defined in Section 19.201 has no parking requirements).	<del>2 spaces per 1,000 sq ft of floor area.</del>	3.5 spaces per 1,000 sq ft of floor area.
3. School—elementary or junior high.	<del>1 space per classroom.</del>	2 spaces per classroom.
4. School—senior high.	<del>0.25 spaces per student, plus 1 space per staff.</del>	0.33 spaces per student, plus 1 space per staff.
5. Meeting room, club, lodge, or association.	<del>5 spaces per 1,000 sq ft of floor area, or 1 space per 4 seats if seats are permanently installed.</del>	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.	<del>1 space per 1,000 sq ft of floor area.</del>	1.2 spaces per 1,000 sq ft of floor area.
7. Nursing, convalescent, and extended-care facilities.	<del>1 space per 4 beds.</del>	1 space per 3 beds.
<b>C. Lodging Places</b>		
1. Motel, hotel, boarding house.	<del>1 space per lodging unit.</del>	1.5 spaces per lodging unit.
2. Bed and breakfast establishments.	<del>1 space per lodging unit, plus 1 space for the permanent residence.</del>	1.5 spaces per lodging unit, plus 2 spaces for the permanent residence.
<b>D. Commercial Uses—Recreational</b>		

1. Indoor recreation, such as a health club, gym, bowling alley, arcade, etc.	<del>3 spaces for each 1,000 sq ft of floor area.</del>	5.5 spaces per 1,000 sq ft of floor area.
2. Theater, auditorium, or stadium.	<del>1 space per 4 seats.</del>	1 space per 3 seats.
<b>E. Commercial Uses—Retail Goods</b>		
1. Eating and drinking establishments.	<del>4 spaces per 1,000 sq ft floor area.</del>	15 spaces per 1,000 sq ft of floor area.
2. General retail—grocery stores, convenience stores, specialty retail and shops.	<del>2 spaces per 1,000 sq ft of floor area.</del>	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.	<del>1 space per 1,000 sq ft of floor area.</del>	3 spaces per 1,000 sq ft of floor area.
4. Gas stations.	<del>No minimum.</del>	1.25 spaces per 4 pumps.
<b>F. Commercial Uses—Services</b>		
1. General office, including banks.	<del>2 spaces per 1,000 sq ft of floor area.</del>	3.4 spaces per 1,000 sq ft of floor area.
2. Medical/dental office (non-hospital), veterinary clinic.	<del>3.9 spaces per 1,000 sq ft of floor area.</del>	4.9 spaces per 1,000 sq ft of floor area.
<b>Table 19.605.1 CONTINUED</b>		
<b>Minimum To Maximum Off-Street Parking Standards Requirements</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Allowed</b>
<b>F. Commercial Uses—Services CONTINUED</b>		
3. Personal services, such as a barbershop, beauty parlor, etc.	<del>4 spaces per 1,000 square floor area.</del>	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).	<del>2.8 spaces per 1,000 sq ft of floor area.</del>	5.1 spaces per 1,000 sq ft of floor area.
5. Vehicle repair.	<del>2 spaces per 1,000 sq ft of floor area.</del>	2.5 spaces per 1,000 sq ft of floor area.
6. Quick vehicle repair and servicing, such as oil change and tire shops.	<del>2 spaces per service bay.</del>	3 spaces per service bay.
7. Mortuary/funeral home.	<del>1 space per 5 chapel or parlor seats.</del>	1 space per 3 chapel or parlor seats.
8. Car wash.	<del>No minimum.</del>	2 spaces per wash bay for self-service washes, or 2 spaces per 1,000 sq ft of floor area for full-service washes.
<b>G. Industrial Uses</b>		
1. Manufacturing.	<del>1 space per 1,000 sq ft of floor area.</del>	2 spaces per 1,000 sq ft of floor area.

2. Storage, warehouse, wholesale establishment less than 150,000 sq ft.	<del>0.5 spaces per 1,000 sq ft of floor area.</del>	1 space per 1,000 sq ft of floor area.
3. Storage, warehouse, wholesale establishment 150,000 sq ft or greater.	<del>0.3 spaces per 1,000 sq ft of floor area.</del>	0.4 spaces per 1,000 sq ft of floor area.
4. Mini-warehouse; self-service storage.	<del>1 space per 45 storage units, plus 1 space per employee of the largest shift.</del>	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 16.32.~~
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. 2051 § 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.

<b>Table 19.606.1 Minimum Parking Space And Aisle Dimensions</b>					
<b>Angle (A)</b>	<b>Width (B)</b>	<b>Curb Length (C)</b>	<b>1-Way Aisle Width (D)</b>	<b>2-Way Aisle Width (D)</b>	<b>Depth (E)</b>
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:

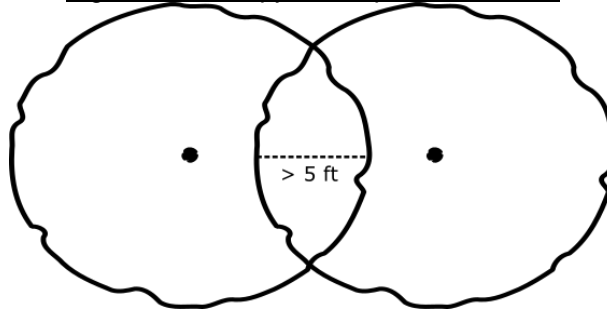
- a. The expected diameter of the tree crown at 15 years must be used to calculate tree canopy coverage, regardless of if the tree is mature at that time.
- b. The area under the expected canopy at 15 years that is either paved surface, including parking stalls and maneuvering areas, loading areas, walkways 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 19.606.4**

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.

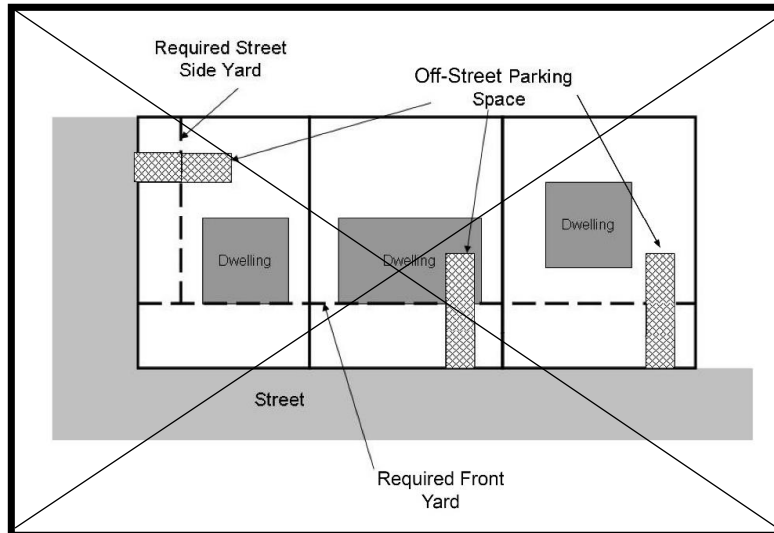
A. Dimensions

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

B. Location

- ~~1. 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 ~~of, 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

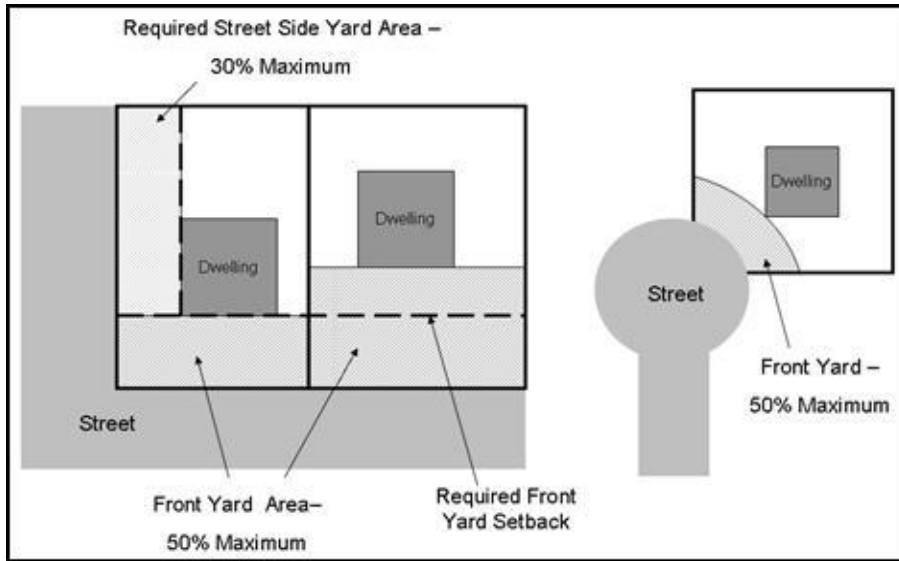
Uncovered parking spaces and maneuvering areas for vehicles, and for recreational vehicles and pleasure craft as described in Subsection 19.607.2.B, have the following area limitations. See Figure 19.607.1.D. The pole portion of a flag lot is not included in these area limitations.

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.

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## 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.

<b>Table 19.609.2: Minimum Required Bicycle Spaces</b>		
<b>Use</b>	<b>Long-term Spaces</b>	<b>Short-term Spaces</b>
<b>A. Residential Uses</b>		
<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>B. Commercial Uses</b>		
<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>
<u>Medical Office (non-hospital)</u>	<u>0.28 per 1000 sq ft of floor area</u>	<u>0.29 per 1000 sq ft of floor area</u>
<b>C. Industrial Uses</b>		
<u>Manufacturing and Production</u>	<u>0.16 per 1000 sq ft of floor area</u>	<u>0.01 per 1,000 sq ft of floor area</u>

<u>Warehouse and Freight Movement</u>	<u>0.08 per 1000 sq ft of floor area</u>	<u>0.003 per 1000 sq ft of floor area</u>
<u>Self-storage or Mini Warehouse</u>	<u>0.005 per 1000 sq ft of floor area</u>	<u>0.018 per 1000 sq ft of floor area</u>
<b>D. Institutional Uses</b>		
<u>Religious Institution</u>	<u>0.07 per 1000 sq ft of floor area</u>	<u>0.44 per 1,000 sq ft of floor area</u>
<u>Daycare</u>	<u>0.26 per 1000 sq ft of floor area</u>	<u>0.03 per 1,000 sq ft of floor area</u>
<u>Elementary or Middle School</u>	<u>2 per classroom</u>	<u>1 per 100,000 sq ft of floor area</u>
<u>High School</u>	<u>4 per classroom</u>	<u>1 per 100,000 sq ft of floor area</u>
<u>College (excluding dormitories)</u>	<u>0.07 per 1000 sq ft of floor area</u>	<u>0.06 per 1000 sq ft of floor area</u>
<u>Library, Museum, Community Center, Performance Theater</u>	<u>0.25 per 1000 sq ft of floor area</u>	<u>0.10 per 1,000 sq ft of floor area</u>
<u>Medical Center or Hospital</u>	<u>0.27 per 1000 sq ft of floor area</u>	<u>0.01 per 1000 sq ft of floor area</u>
<u>Parks and Open Area</u>	<u>None</u>	<u>Neighborhood Parks: 4 per park</u>  <u>Community Parks or Natural Areas: 8 per park/area</u>
<u>High-Capacity Transit Facility</u>	<u>12</u>	<u>4</u>
<u>Park and Ride Facilities</u>	<u>12</u>	<u>4</u>
<u>Transit Centers</u>	<u>30</u>	<u>12</u>

**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.

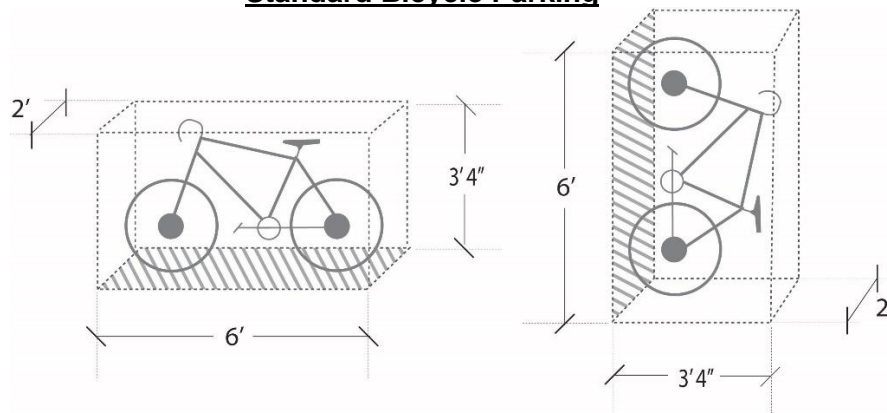


- c. The rack must be securely anchored with tamper-resistant hardware.
- 3. Bicycle parking spaces, aisles, and clearances must meet the minimum dimensional standards contained in Table 19.609.4.A.3. See examples of bicycle parking spacing options in Figures 19.609.4.A.3.a-g.

<b>Table 19.609.4.A.3</b>					
<b>Minimum Bicycle Parking Space Dimensions</b>					
	<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>

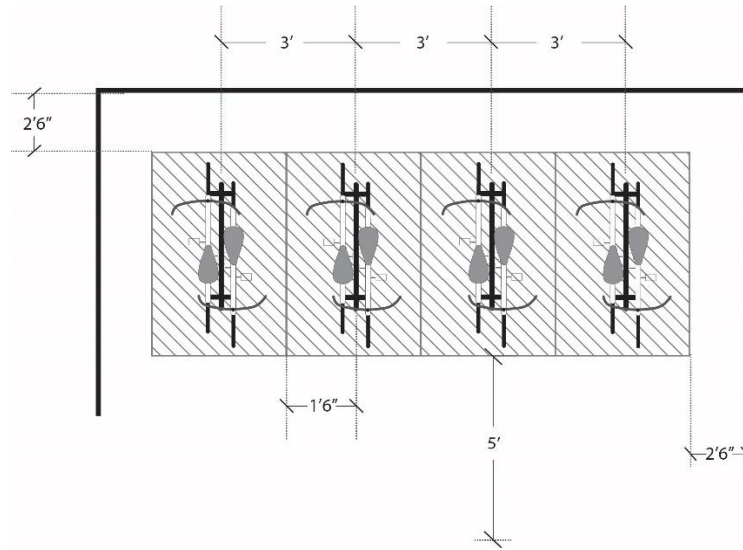
- 1. The spacing allowed for vertical bicycle parking spaces requires a minimum vertical stagger of 8 inches between each space.
- 2. The spacing for stacked bicycle parking requires a vertical stagger to be included in the manufacturer's design.

**Figure 19.609.4.A.3.a**  
**Standard Bicycle Parking**



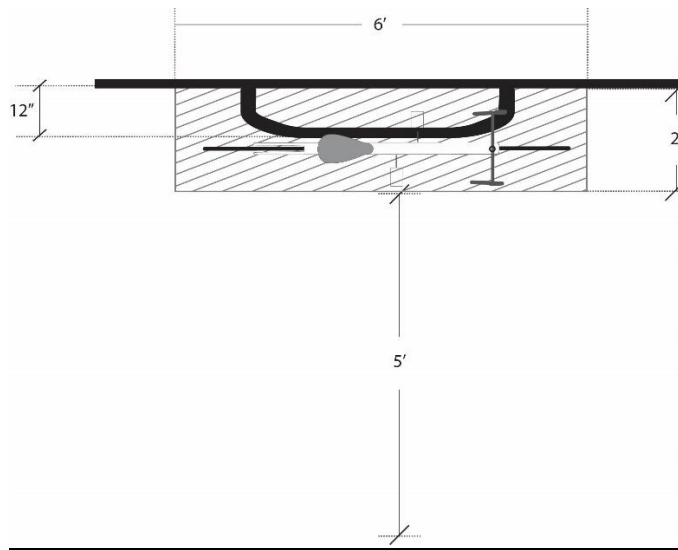
**Figure 19.609.4.A.3.b**

**Horizontal Side-by-Side Bicycle Parking**



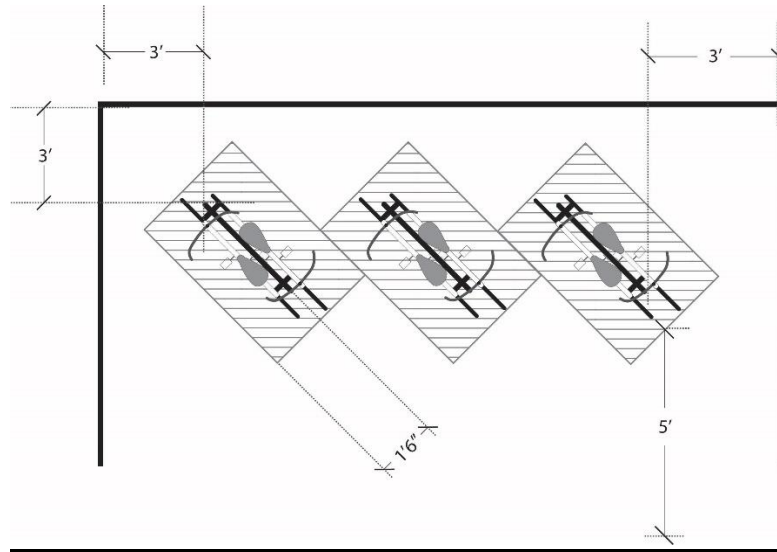
**Figure 19.609.4.A.3.c**

**Horizontal Wall Attached Bicycle Parking**



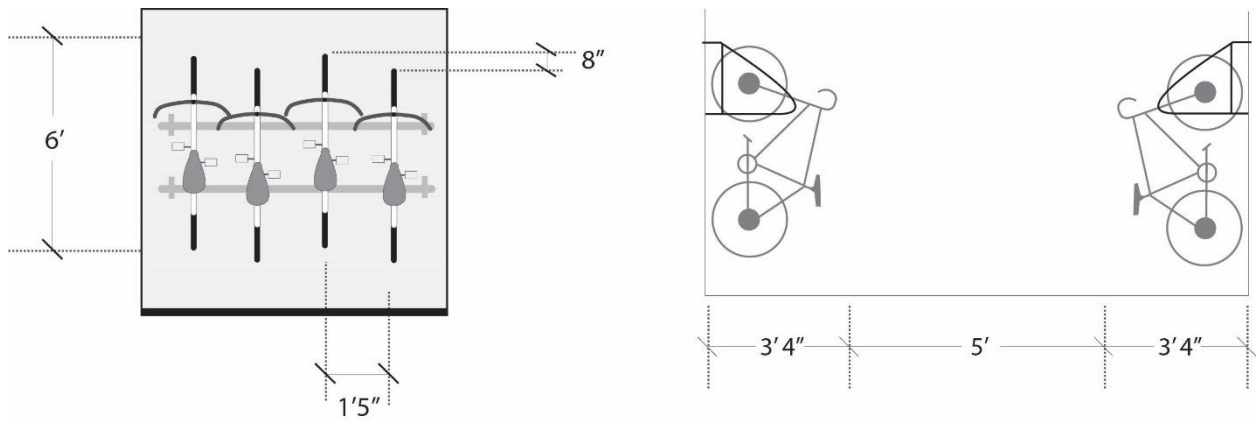
**Figure 19.609.4.A.3.d**

**Horizontal Diagonal (45-60 degree) Bicycle Parking**

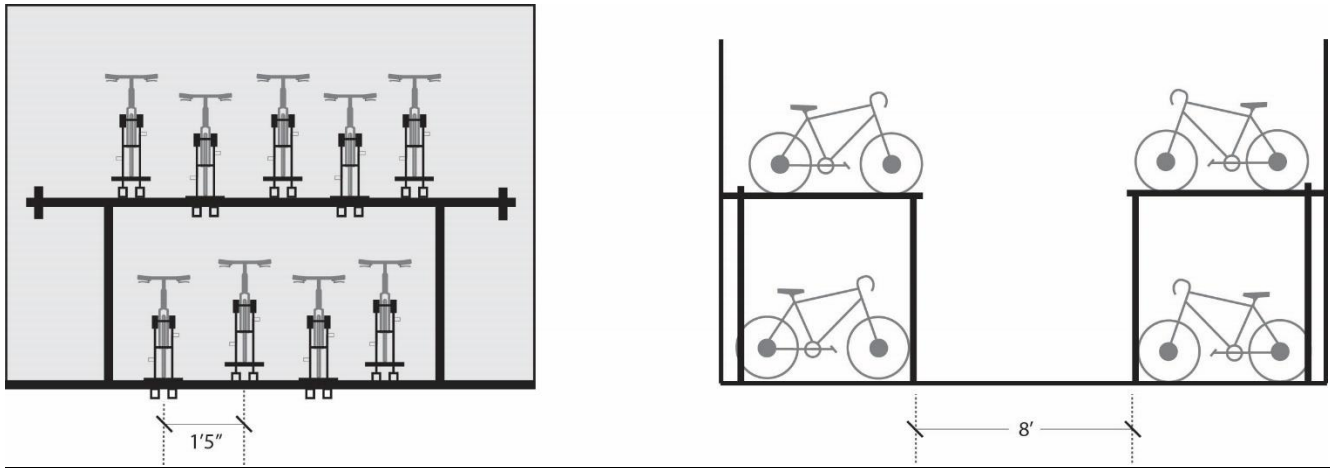


**Figure 19.609.4.A.3.e**

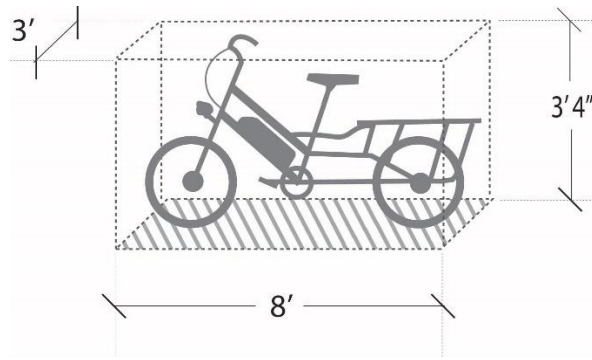
**Vertical Bicycle Parking**



**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

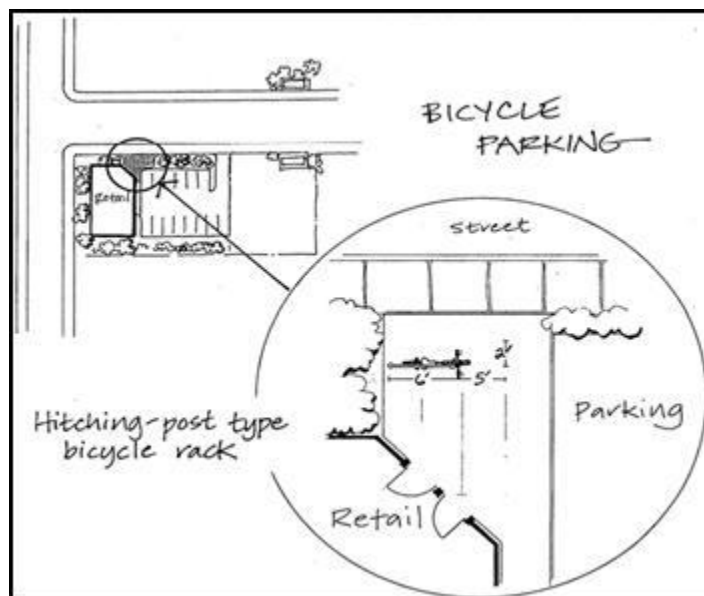
In addition to the general standards established in Subsection 19.609.4.A, short-term bicycle parking must meet the following standards:

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
<del>Shared Parking</del>	<del>Subsection 19.605.4</del>	<del>I</del>
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.~~

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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 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.

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

3. Street setbacks (ft) a. Minimum street setback b. Maximum street setback c. Side and rear setbacks	0–15 <sup>1</sup> 10–20 <sup>2</sup> None	None 10 None	<b>Subsection 19.303.4.C</b> Street Setbacks <b>Section 19.501.2</b> Yard Exceptions
4. Frontage occupancy	50%	None	<b>Subsection 19.303.4.D</b> Frontage Occupancy Requirements <b>Figure 19.303.4.D</b> Frontage Occupancy Requirements
5. Maximum lot coverage	85%	85%	
6. Minimum vegetation	15%	15%	<b>Subsection 19.504.6</b> Minimum Vegetation
7. Primary building entrances	Yes	Yes	<b>Subsection 19.303.4.E</b> Primary Building Entrances
8. Off-street parking standards	Yes	Yes	<b>Chapter 19.600</b> Off-Street Parking and Loading
9. Transit street	Yes	Yes	<b>Subsection 19.505.8</b> Building Orientation to Transit
10. Transition measures	Yes	Yes	<b>Subsection 19.504.5</b> Transition Area Measures
<b>C. Other Standards</b>			
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	<b>Subsection 19.202.4</b> Density Calculations <b>Subsection 19.303.4.F</b> Residential Density <b>Subsection 19.501.4</b> Density Exceptions
2. Signs	Yes	Yes	<b>Subsection 14.16.040</b> 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**

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

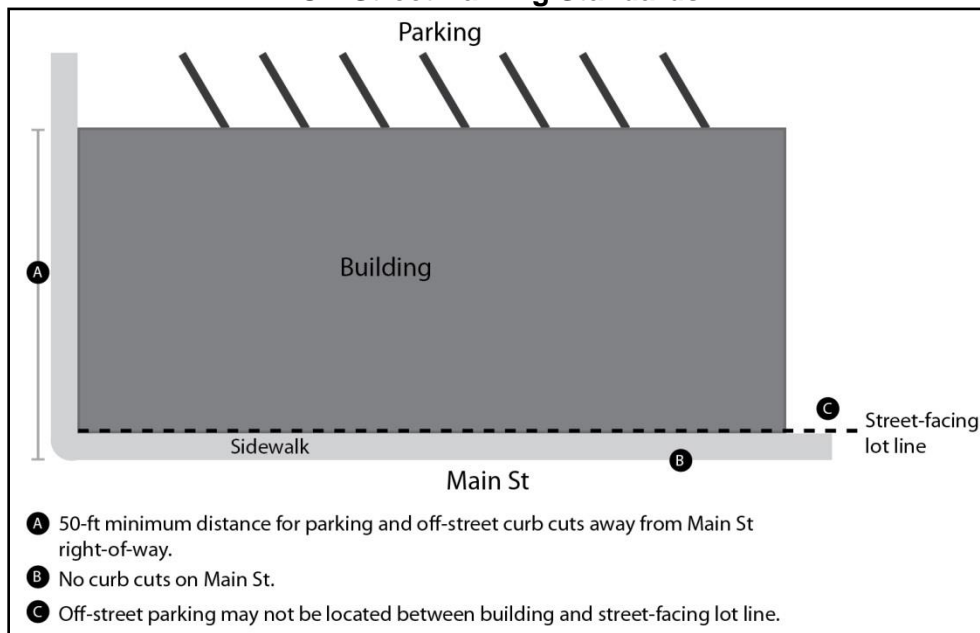
2. Standards

- 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.

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**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.

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

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**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"> <li>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.</li> <li>b. At least 1 pedestrian connection to an abutting street frontage for each 200 linear ft of street frontage.</li> <li>c. Pedestrian walkways shall be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards.</li> <li>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.</li> </ul>

<b>Table 19.505.3.D CONTINUED</b>		
<b>Multi-Unit Design Guidelines and Standards</b>		
<b>Design Element</b>	<b>Design Guideline (Discretionary Process)</b>	<b>Design Standard (Objective Process)</b>
		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"> <li>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.</li> <li>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.</li> <li>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.</li> <li>d. See Section 19.609 for bicycle parking requirements.</li> </ul>

**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.

<b>Table 19.505.4.C.1</b>		
<b>Cottage Cluster Development Standards</b>		
<b>Standards</b>	<b>R-MD</b>	<b>R-HD, GMU, NMU</b>
<b>A. Home Types</b>		
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>B. Home Size</b>		
1. Max building footprint per home	900 sf	

2. Max average floor area per dwelling unit	1,400 sf	
<b>C. Height</b>		
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	
<b>D. Setbacks, Separations, and Encroachments</b>		
1. Separation between structures (minimum)	6 ft	
2. Side and rear site setbacks	5 ft	
3. Front site setback (minimum)	10 ft	
<b>Table 19.505.4.C.1 CONTINUED Cottage Cluster Development Standards</b>		
<b>Standards</b>	<b>R-MD</b>	<b>R-HD, GMU, NMU</b>
4. Front site setback (maximum)	20 ft	
5. Separation between clusters (minimum)	10 ft	
<b>E. Impervious Area, Vegetated Area</b>		
1. Impervious area (maximum)	60%	65%
2. Vegetated site area (minimum)	35%	35%
<b>F. Community and Common Space</b>		
1. Community building footprint (maximum) <sup>1</sup>	1,000 sf	1,000 sf
2. Common Space	19.505.4.E.2	19.505.4.E.2
<b>G. Parking (see also 19.505.4.E.4)</b>		
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)

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### 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 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 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)

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## **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.

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## **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.

<b>Table 19.605.1 Maximum Off-Street Parking Standards</b>	
<b>Use</b>	<b>Maximum Allowed</b>
<b>A. Residential Uses</b>	
1. Single detached dwellings, including manufactured homes.	No maximum.
2. Multi-Unit Dwellings	2 spaces per dwelling unit.
3. Middle Housing <sup>1</sup> a. Duplexes b. Triplexes c. Quadplexes d. Townhouses <sup>2</sup> 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.	<del>Minimum required parking</del> <u>1 space per employee on the largest shift</u> plus 1 space per bedroom.
5. Accessory dwelling units (ADU).	No maximum.

<b>Table 19.605.1 CONTINUED Maximum Off-Street Parking Standards</b>	
<b>Use</b>	<b>Maximum Allowed</b>
<b>B. Community Service and Other Public Uses</b>	
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.
<b>C. Lodging Places</b>	

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.
<b>D. Commercial Uses—Recreational</b>	
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.
<b>E. Commercial Uses—Retail Goods</b>	
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.
<b>F. Commercial Uses—Services</b>	
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.
<b>Table 19.605.1 CONTINUED</b>	
<b>Maximum Off-Street Parking Standards</b>	
<b>Use</b>	<b>Maximum Allowed</b>
<b>F. Commercial Uses—Services CONTINUED</b>	
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.
<b>G. Industrial Uses</b>	
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.

<b>Table 19.606.1 Minimum Parking Space And Aisle Dimensions</b>					
<b>Angle (A)</b>	<b>Width (B)</b>	<b>Curb Length (C)</b>	<b>1-Way Aisle Width (D)</b>	<b>2-Way Aisle Width (D)</b>	<b>Depth (E)</b>
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.

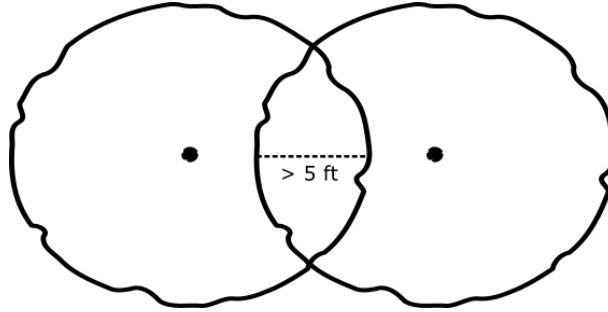
2. Calculating Tree Canopy Coverage

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.

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## 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

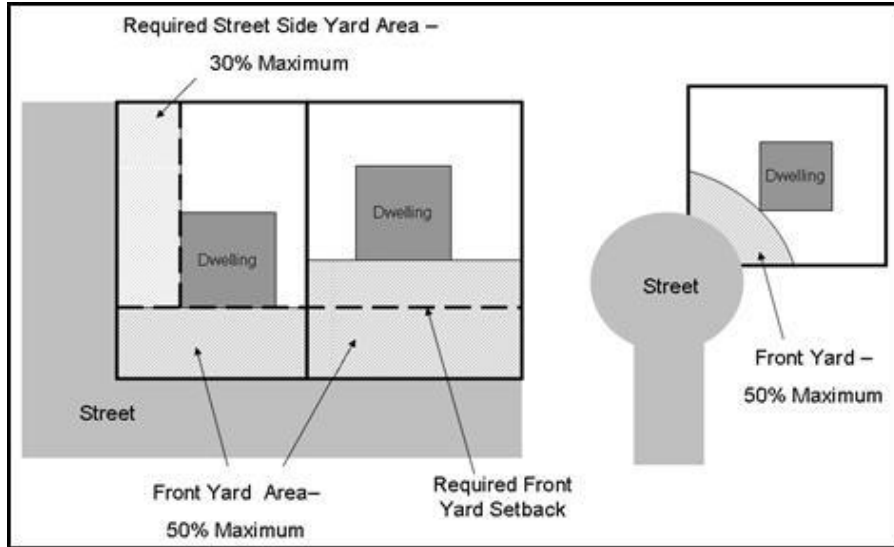
Uncovered parking spaces and maneuvering areas for vehicles, and for recreational vehicles and pleasure craft as described in Subsection 19.607.2.B, have the following area limitations. See Figure 19.607.1.D. The pole portion of a flag lot is not included in these area limitations.

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.

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**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
<b>A. Residential Uses</b>		
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>B. Commercial Uses</b>		
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
<b>C. Industrial Uses</b>		
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
<b>D. Institutional Uses</b>		
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
High-Capacity Transit Facility	12	4
Park and Ride Facilities	12	4
Transit Centers	30	12

### 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.

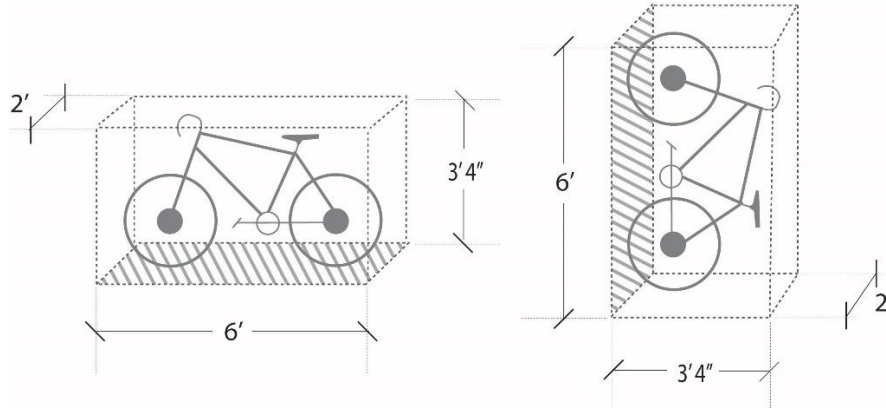


2. Where bicycle parking is provided in racks, the racks must meet the following standards:
  - a. The rack must be designed so that the bicycle frame and one wheel can be locked to a rigid portion of the rack with a U-shaped shackle lock when both wheels are left on the bicycle.
  - b. If the rack is 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.

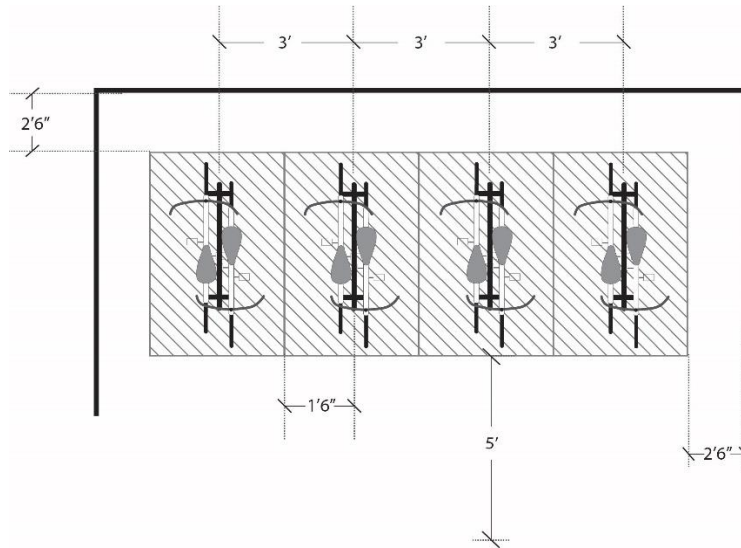
<b>Table 19.609.4</b>					
<b>Minimum Bicycle Parking Space Dimensions</b>					
	Length	Width	Height	Maneuvering Area Width	Clearance to rack from walls
Standard Spacing	6 ft	2 ft	3 ft 4 in	5 ft	2 ft 6 in
Horizontal Side by Side	6 ft	1 ft 6 in	3 ft 4 in	5 ft	2 ft 6 in
Horizontal Wall Attached	6 ft	2 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.

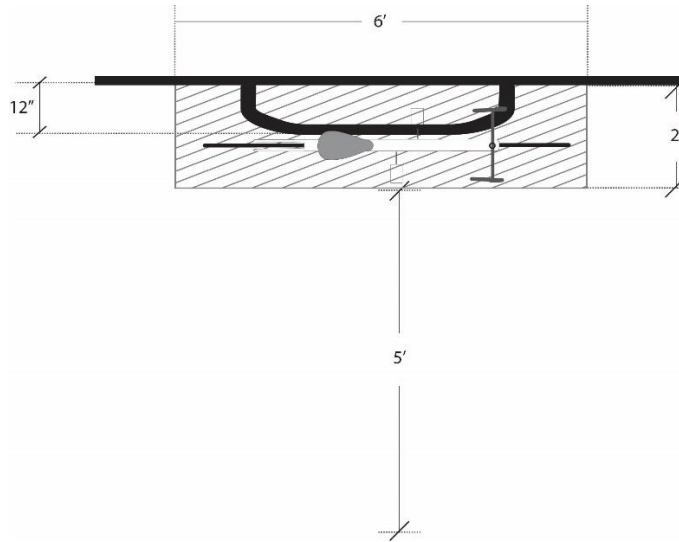
**Figure 19.609.4.A.3.a**  
**Standard Bicycle Parking**



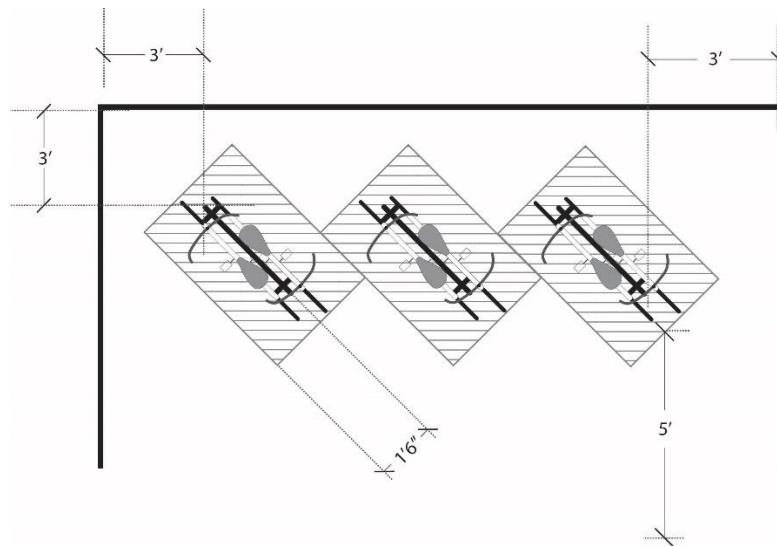
**Figure 19.609.4.A.3.b**  
**Horizontal Side-by-Side Bicycle Parking**



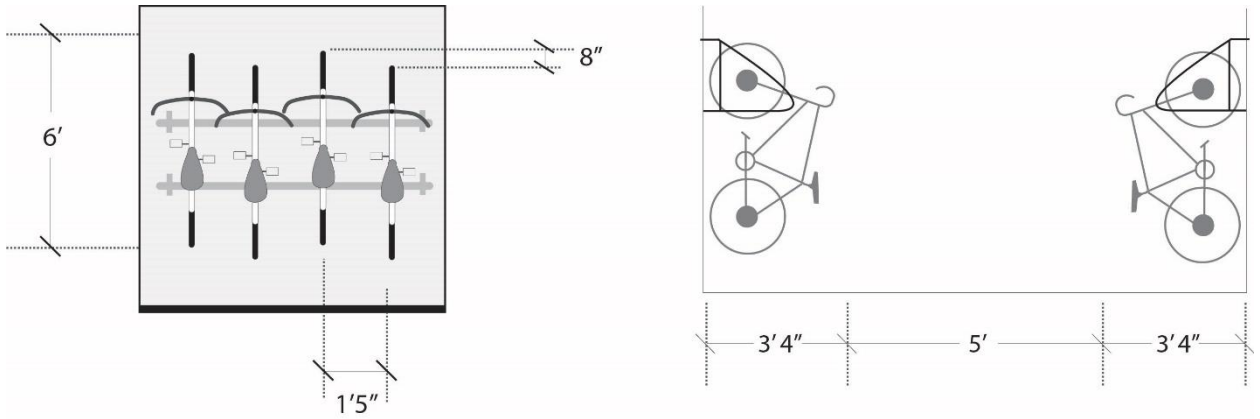
**Figure 19.609.4.A.3.c**  
**Horizontal Wall Attached Bicycle Parking**



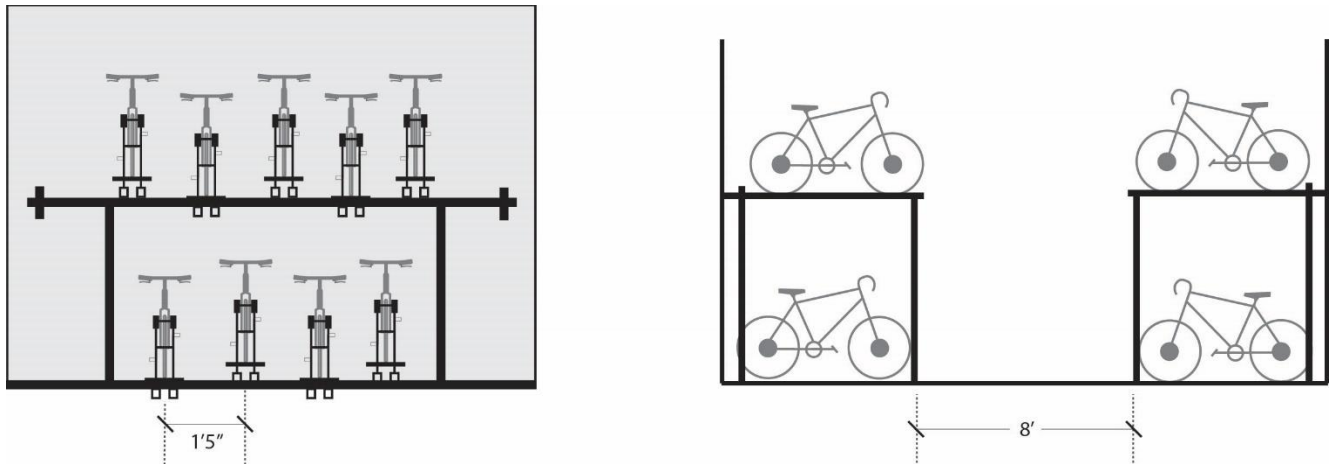
**Figure 19.609.4.A.3.d**  
**Horizontal Diagonal (45-60 degree) Bicycle Parking**



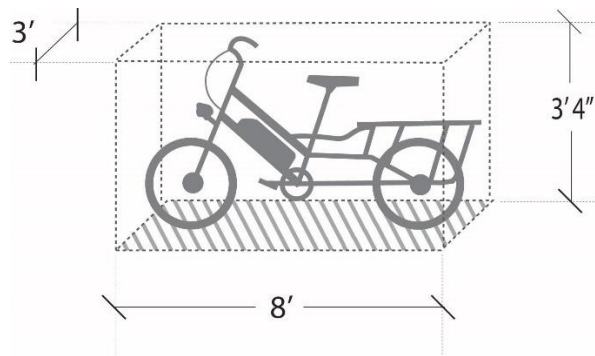
**Figure 19.609.4.A.3.e**  
**Vertical Bicycle Parking**



**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:

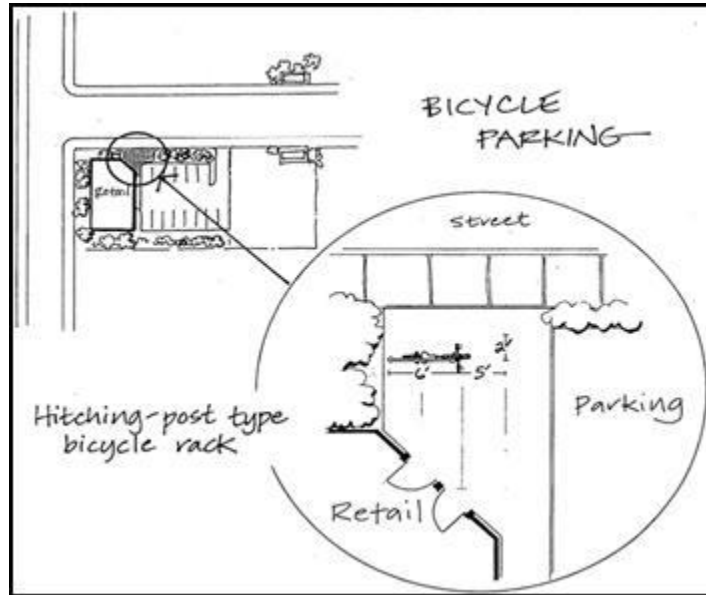
- (1) A restricted access, lockable room or enclosure, designated primarily for bicycle parking.
  - (2) A bicycle locker.
  - (3) A residential dwelling unit, subject to the limitations in MMC Subsection 19.906.4.B.1.c.
- b. Long-term bicycle parking for all other uses must be located in one of the 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**



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## 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.

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## 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.

<b>Table 19.901 Land Use Applications</b>		
<b>Application Type</b>	<b>Municipal Code Location</b>	<b>Review Types</b>
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.

**RS 8. B. 5/21/24  
Presentation**



# **ZA-2022-005**

## **Climate Friendly Equitable Communities (CFEC) Parking Amendments**

City Council Public Hearing  
May 21, 2024

Staff Presentation by Ryan Dyar, Associate Planner

- Governor Brown's Executive Order #20-04
  - Goal of reducing transportation-related greenhouse gas emissions
  - Department of Land Conservation and Development (DLCD) initiates CFEC
    - Rules change how jurisdictions update **Transportation System Plans (TSP)**
    - Rules change how jurisdictions **regulate off-street vehicle parking**
    - Most rules apply to jurisdictions when updating TSP. Parking rules take effect sooner (**Jan 1, 2023**, and **June 30, 2023** – Milwaukie received extension to **June 30, 2024**)

# PRIOR CITY ACTIONS ON CFEC

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- Climate Friendly Equitable Communities (CFEC)
  - City Council Direction (8.16.22)
  - Planning Commission Briefing (9.13.22)
  - Planning Commission Work Sessions (11.8.22), (1.10.23), (7.25.23), (2.27.24)
  - Planning Commission Public Hearing (2.14.23), (3.12.24)
  - City Council Work Session (4.2.24)

# PROPOSED AMENDMENTS

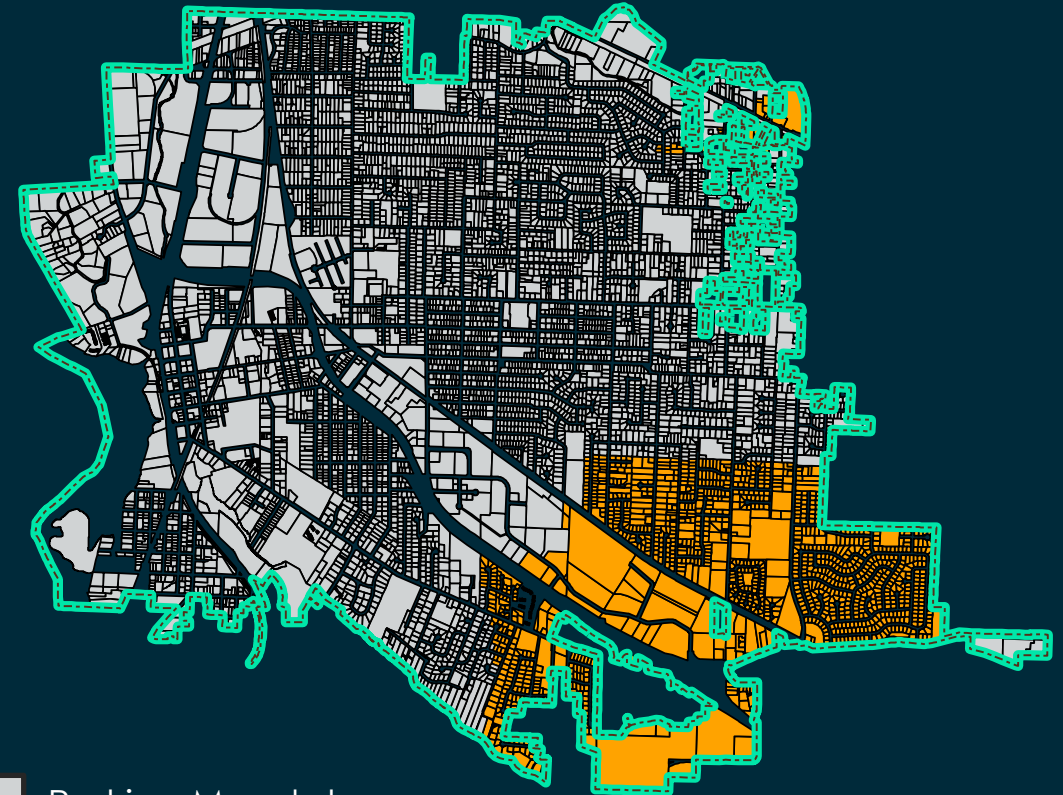
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## Major Code Changes:

- Remove minimum off-street parking quantity requirements citywide
- Add new development standards for new large parking lots (OAR 660-012-405 – NEW LANGUAGE ADDED UNDER 19.606.4)
- Update the city's bicycle parking quantity and development standards (OVERHAUL OF 19.609 – NEW QUANTITY STANDARDS, MODIFICATION PROCESS, DEVELOPMENT STANDARDS)

# PARKING REFORM

Remove off-street parking mandates citywide.



■ Parking Mandates cannot apply

■ Some parking mandates may apply

# NEW LARGE PARKING LOT STANDARDS

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**New  
requirements  
for parking lots  
1/4 –acre in  
size or larger :**

- Provide a tree canopy that covers a minimum of 40% of the parking area.
- Implement a climate mitigation action. Either increase canopy coverage to 50% of the lot or the installation of onsite solar panels.
- Provide enhanced pedestrian crossings within parking lots – raised surface or distinct material.

# BICYCLE PARKING CODE UPDATE

## 1. Quantity Standards

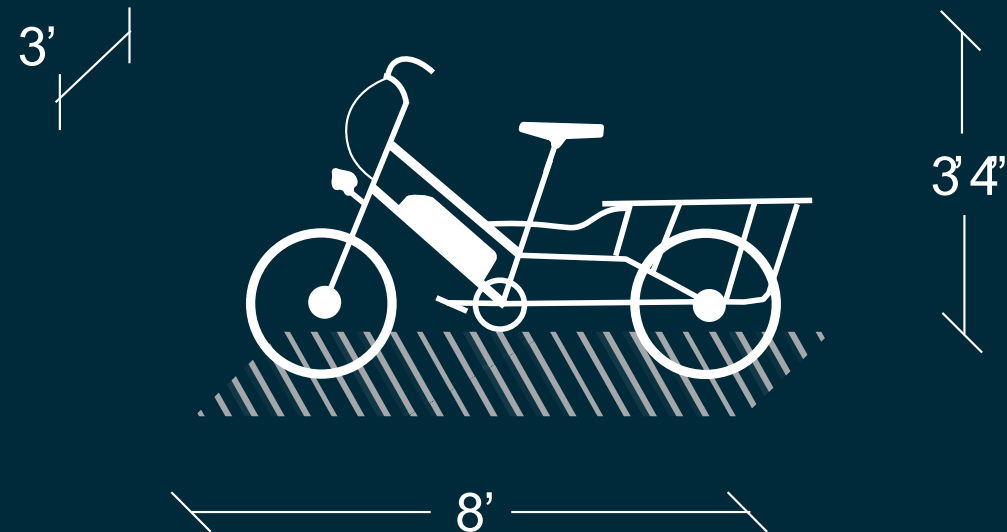
- Previous standards tied to off-street vehicle parking standards. No changes to residential quantities.

## 2. Modification Process

- Allows changes to required quantities for residential and commercial development, prescribes process, establishes approval criteria

## 3. Development Standards

- Short-term, long-term, spacing allowances, lighting, residential and commercial development standards





# PUBLIC HEARING NOTIFICATION

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- (3.1.23): Pilot article summarizing CFEC parking requirements and city response
- (1.13.23) and (2.6.24): 30-day notice posted with Code Commentary
- (1.17.23) and (3.26.24): Email to all NDAs with notification of code amendments

# DECISION MAKING OPTIONS

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1. Approve the proposed amendments per the recommended Findings in Support of the Approval (**staff recommendation**).
2. Approve the proposed amendments with revisions, including modifications to the recommended Findings in Support of Approval (**modification must be read into the record**).
3. Deny the proposed amendments.
4. Continue the hearing.

# Questions?

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Ryan Dyar  
Associate Planner  
[Dyarr@milwaukieoregon.gov](mailto:Dyarr@milwaukieoregon.gov)



Additional Slides (if needed)

## COMMENTS RECEIVED

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**Teresa Bresaw** and **Paul Hawkins** (Lake Road NDA) both commenting generally on the CFEC program—not ZA-2022-005—question the wisdom of the new requirements as they relate to off-street automobile parking.

No comments regarding specific code proposed through ZA-2022-005.

# PRIOR RELATED CITY ACTIONS

4. Topic-specific strategies and actions

## Closing the gap: Household and organizational actions

The following pages provide ideas for warm households, businesses and organizations our ratepayers and help us close the gap and reach our goals.

### HOUSEHOLD STRATEGIES

Warm Milwaukee households can help us reach our climate action goals:

- Reduce your air travel**  
Consider alternative travel options that are less impactful.  
[Learn more about the impact of air travel from the New York Times](#)
- Buy carbon credits to offset your impact**  
Can't avoid the trip? Buy a credit to help weighe the impact.  
[Check out the options on Intrepid](#)
- Choose a green vehicle**  
Consider an electric vehicle, hybrid or car with green mileage certification.  
[Learn how you could save money through the Oregon Green Vehicle Incentive Program](#)

**If possible, telecommute or carpool to avoid transportation emissions**  
[Discover telecommuting from Urban Land Institute](#)

**Ride, walk or take public transit to work**  
[Check out the information from Mass](#)

**Consider ride-sharing, bike-sharing and scooter-sharing opportunities rather than owning a car if they are carbon neutral, electric or hybrid**  
[Learn the facts from iStock](#)

## 6 CLIMATE CHANGE & ENERGY BACKGROUND SUMMARY

### CONTEXT

The world is in the middle of a historic energy transition. There is a growing consensus that we need to reduce greenhouse gas emissions to avoid the worst impacts of climate change. This is a global challenge that requires coordinated action across all sectors of the economy. The energy transition is a complex process that involves a range of technologies and policies. It is a process that is being accelerated by a combination of factors, including the need to address climate change, the availability of new technologies, and the desire for a more sustainable and secure energy system.

**Key Issues:**

- The energy transition is a complex process that involves a range of technologies and policies.
- It is a process that is being accelerated by a combination of factors, including the need to address climate change, the availability of new technologies, and the desire for a more sustainable and secure energy system.

## 7 HOUSING BACKGROUND SUMMARY

### CONTEXT

Housing is a fundamental need for all people. It is a basic human right and a key component of a high quality of life. Housing also plays a critical role in economic development and social equity. The housing market is a complex system that is influenced by a variety of factors, including economic conditions, demographic trends, and government policies. The housing market is currently facing a number of challenges, including a shortage of affordable housing, rising housing costs, and a lack of diversity in housing options.

**Key Issues:**

- The housing market is a complex system that is influenced by a variety of factors, including economic conditions, demographic trends, and government policies.
- The housing market is currently facing a number of challenges, including a shortage of affordable housing, rising housing costs, and a lack of diversity in housing options.

## 8 URBAN DESIGN & LAND USE GOALS & POLICIES

### POLICY 8.2.2

Encourage compact, walkable, and transit-oriented development that supports a high quality of life and reduces greenhouse gas emissions.

**Key Issues:**

- Encourage compact, walkable, and transit-oriented development that supports a high quality of life and reduces greenhouse gas emissions.

## Climate Action Plan (2017)

- Personal transportation strategies to close the gap

## Comprehensive Plan (2020)

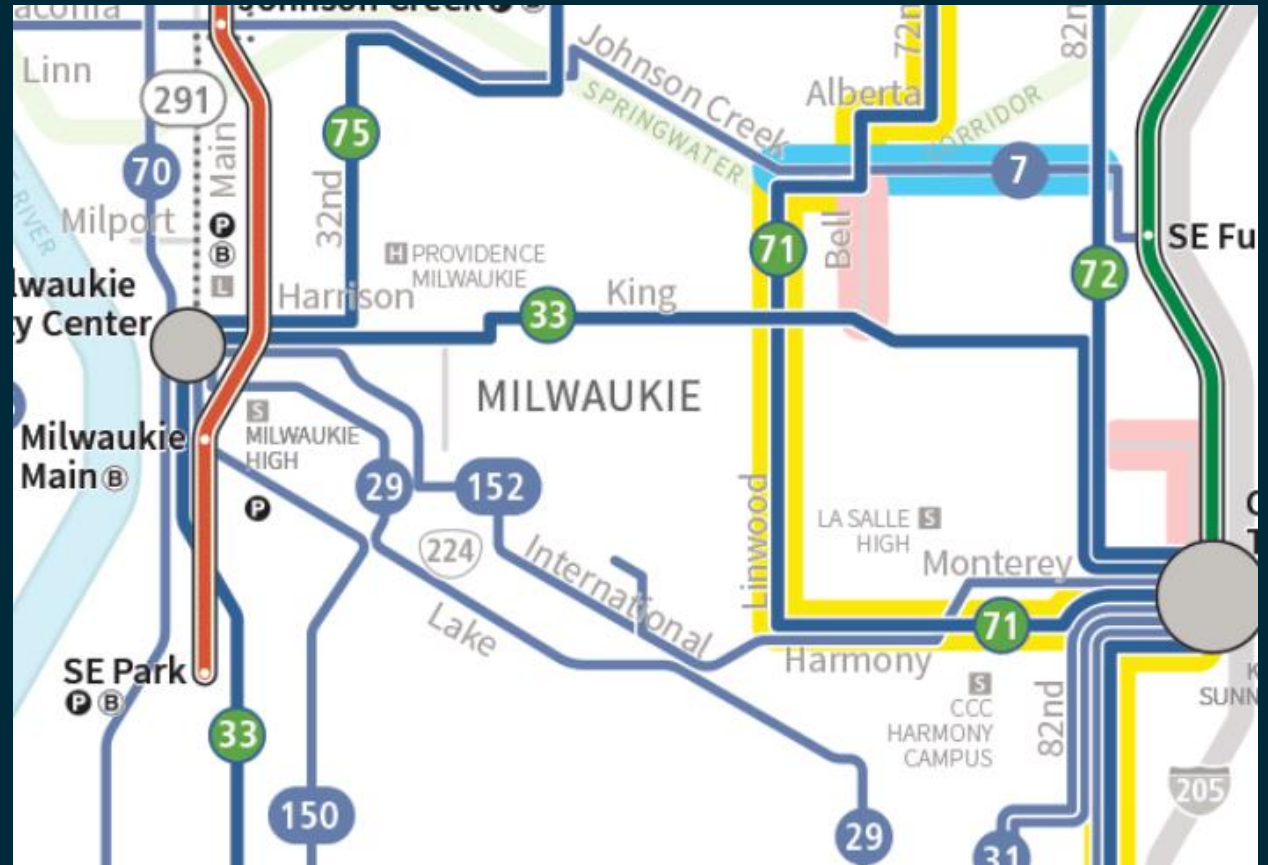
- Section 6: Climate Change and Energy
- Section 7: Housing
- Section 8: Urban Design and Land Use

# NEW FREQUENT SERVICE PROPOSED

## TriMet Forward Together: Revised Service Concept Plan

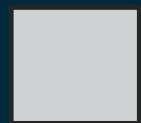
Line 71 would be upgraded to  
15-minute service most of the  
day.

Takes Effect **September 2023**



# FREQUENT TRANSIT ANALYSIS REVISED

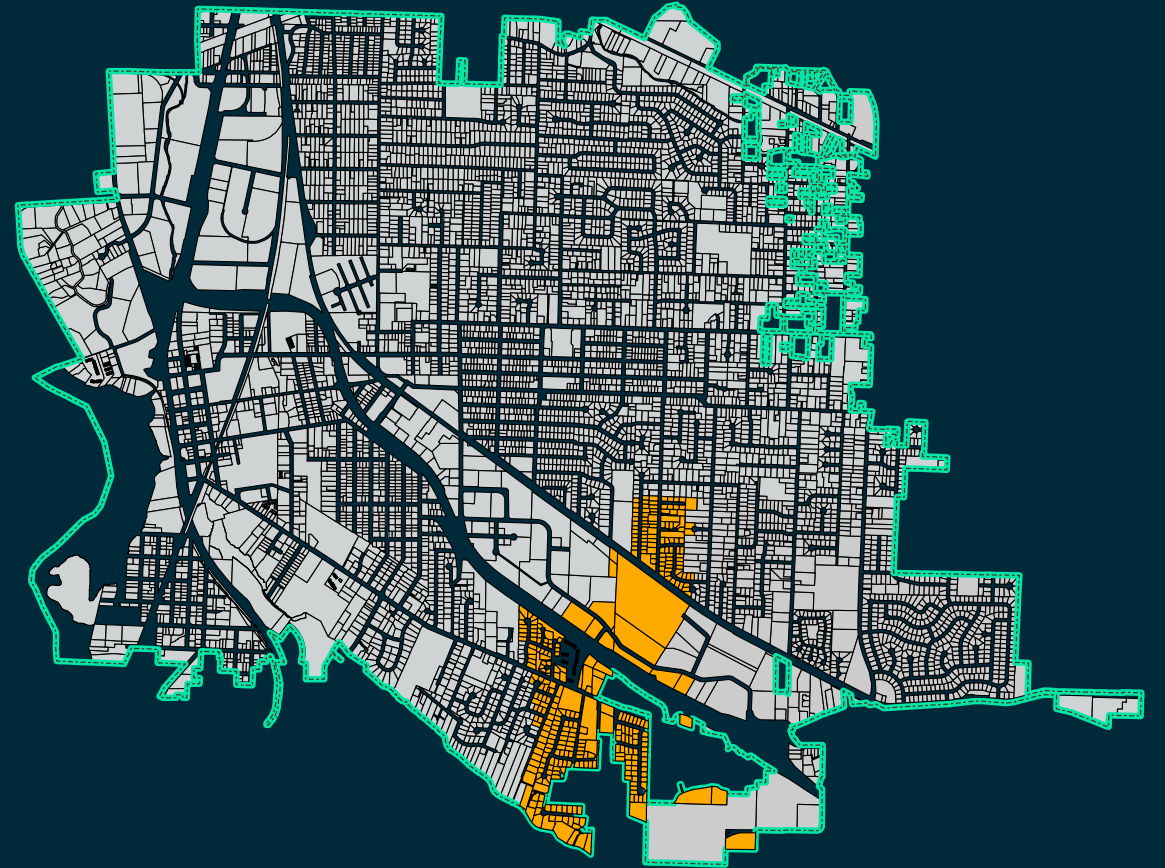
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Parking Mandates  
cannot apply



Some parking  
mandates may apply  
(~ 5%)





# PARKING REFORM = OPTION A

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## Option A

**Remove parking mandates citywide.**

**And adopt:**

- 0405: Adopt parking regulation improvements
- 0410: EV conduit
- 0415: Parking Maximums

## Option B

**Retain some parking mandates. And adopt:**

- 0425: Reducing the burden of existing mandates
- 0430: Types of development without mandates and maximum multifamily mandate of one space/unit
- 0435: Region 2040 center reform
- 0440: Parking reform near priority transit corridors
- 0445: Fair pricing or reduced regulation policies
- 0450: More populous: price a percentage of on-street spaces