

CITY OF MILWAUKIE
PLANNING COMMISSION MINUTES
TUESDAY, JULY 11, 2000

COMMISSIONERS PRESENT

Tracy Cook, Chair
Barbara Cartmill
Donald Hammang
Mike Miller
Howard Steward
Doug Ouderkirk

STAFF PRESENT

Alice Rouyer,
Planning Director
Mary Dorman,
Consultant
Don Arambula
Consultant
Shirley Richardson,
Hearings Reporter

COMMISSIONERS ABSENT

None

1.0 CALL TO ORDER

The meeting was called to order at 6:37 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 PLANNING COMMISSION MINUTES -- None.

4.0 INFORMATION ITEMS -- City Council Minutes

4.1 City Council Executive Session Minutes
City Council Minutes

5.0 PUBLIC COMMENT

Speaking: Karl Jacob, 10500 SE 44th Avenue, Milwaukie

Mr. Jacob read a letter of concern, into the record, that he did not receive notice of the King Road Neighborhood Center Concept Plan. He has received the names and addresses of 26 families that have not received a copy of this Plan or public notice. All of these residents live within 300 feet of the Plan boundary. He asked that this "Concept Plan" be postponed until such time that the Planning Department can present a sufficiently specific plan that can be considered by those affected by the plan. All affected residents should receive a copy of the plan and time allowed for those people to review the plan before the new scheduled hearing

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date. He submitted a copy of the letter to the Commission and indicated that he would send a copy to City Council.

Alice Rouyer noted the City met the legal requirements in terms of getting notice out to the residents on the King Road Plan. In the last couple of weeks, staff has contacted Mr. Jacobs and given him additional copies of the notice. If the Commission so directs, additional notice can be provided for the City Council hearing, to those outside the legal requirements.

The Commission deferred more discussion until the public hearing later in the evening.

Donald Hammang noted that the purpose of the notice was to identify the study area. There is no actual planning proposed for this area at this time.

6.0 PUBLIC HEARINGS

- 6.1 Applicant: City of Milwaukie
Owner: NA
Location: Downtown Milwaukie
Proposal: Continuation of a public hearing for amendments to the Zoning Ordinance, Zoning Map, Comprehensive Plan, Comprehensive Plan Map, and Municipal Code to implement the Downtown Riverfront Land Use Framework Plan.
File Numbers: ZA-00-01
NDA: Historic Milwaukie

Chair Cook opened the public hearing on File Number ZA-00-01 to recommend approval of amendments to the Zoning Ordinance, Zoning Map, Comprehensive Plan, and Municipal Code to City Council. The criteria to be addressed are found in Section 905 of the Milwaukie Zoning Ordinance.

Chair Cook asked if there were any conflicts of interest or ex-parte contacts to declare? There were none. She asked if any member of the Planning Commission visited the site? Seven hands were raised. No one who visited the site spoke to anyone at the site or noted anything different from what is indicated in the Staff Report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

STAFF REPORT

Alice Rouyer reported that she would be sharing the presentation tonight with Mary Dorman and Don Arambula, two consultants who are working on the overall land use framework plan for downtown.

This hearing was continued from June 27th to allow time for staff to respond to issues raised at that meeting and take additional testimony on traffic issues. Information was requested of staff on four key issues: (1) neighborhood traffic impacts associated with the Downtown Plan Rezoning Project; (2) proposed residential densities; (3) potential building heights; (4) development standards, design standards, and public area requirements and how it addresses the character of downtown. The Planning Commission packet for tonight's meeting is primarily composed of small amendments made in response to concerns raised last meeting.

Based on the Traffic Impact Analysis, there are three traffic impacts that are related to this proposal; (1) existing conditions, (2) traffic generation, and (3) traffic impacts associated with the proposed rezoning. It was concluded by the traffic engineer that the traffic generation would be substantially the same as the existing zoning. Staff is recommending approval of the Downtown Plan relative to traffic impact based on the finding that the traffic impacts will be the same on existing and proposed zoning.

Staff suggests that the issues raised by the neighbors and the Traffic Impact Analysis should be highlighted to City Council for their review and consideration.

1. Existing traffic speeds exceed the posted speed on some streets to the east of downtown.
2. Regionally, over time, the destination of traffic will be shifted from northern destinations to eastern destinations such as the Clackamas Town Center and the 82nd Avenue Corridor.

Mary Dorman stated that she has been working with the City on the code implementation for the Downtown Plan. At the last hearing, there was public testimony on residential density and building heights. That proposal had a minimum density of 40 units per acres. Currently the downtown area has a mixed-use overlay that has a minimum density of 25-50 units per acre. Following that hearing, research was done on the density issue and found that 40 units per acres was higher than other jurisdictions in the area. Staff is proposing that the minimum density be revised to 30 units per acre.

The current housing requirement is that housing be developed on a half-foot of housing for every one-foot of non-residential use throughout the downtown area. The Downtown Plan is targeting the housing to the north and southeastern end of the downtown area. The total acreage is 12 acres. If the sites totally redevelop for housing, there will be about 300 units.

Staff is proposing a housing incentive for the Downtown Storefront Zone and suggests that the Commission not keep the requirement for housing in the Downtown Storefront Zone. Staff is recommending that the base building height for the Storefront Zone be reduced to three floors or 45 feet; whichever is less. If a developer does want to go higher, there is an opportunity to add one floor or have a maximum of 55-feet if one of the floors is devoted to housing.

Modifications are proposed to:

1. For the northerly residential zone, reduce the maximum height from 75 feet down to 65 feet or five stories, whichever is less.
2. In the Downtown Storefront Zone, an allowance for an additional story or 55 feet is made if there is a floor of housing.
3. One office site had a maximum of 65-foot building height. This will remain in the office zone, but will be limited to the surrounding building height requirements.

Don Arambula reviewed with the Commission a series of overlays that described the design standards as indicated in Section 312.6. It is important that the character of the Downtown reflects the culture, character, and history of Milwaukie. The materials, construction, and design should be of high quality. Overheads were shown of examples of porches, entries, front yards for townhouses, garages, courtyards, outside walls, outside building materials, transition areas, roof forms, windows, and building details.

Alice Rouyer stated that these design standards are intended to be a measure to preserve high-quality development that is compatible with the character that has been established in the Downtown area. There is a proposal for a Design and Landmarks Commission to address design review in downtown Milwaukie and perhaps in the future for the neighborhoods.

Alice Rouyer reviewed with the Commission other amendments outlined in the staff report.

QUESTIONS FROM THE COMMISSIONERS -- None.

CORRESPONDENCE RECEIVED -- None.

TESTIMONY IN FAVOR -- None.

QUESTIONS OR COMMENTS

Speaking: Ed Zumwalt, 10888 SE 29th, Milwaukie

Mr. Zumwalt stated that he is a member of the Historic Milwaukie Neighborhood Association. He has always been an advocate of slow, planned growth. Growth is not necessarily progress. He voiced concern about splitting the Monroe Street neighborhood. This will destroy that neighborhood. This rezoning seems like a backdoor way to reintroduce the rail issue back into Milwaukie. He is relieved that the buildings will not be as tall, but he feels the heights are too much. He does not see how the additional buildings with mixed uses will not affect traffic and density. The downtown area will be pedestrian but not friendly. Council needs to work with the neighborhoods on these proposals. The increase in the business community will not be conducive to livability. The neighborhood has been hurt in a lot of ways. The layout of the town is not conducive to good traffic flow. He can foresee a lot of problems.

Speaking: Ray Brian, 11416 SE 27th Avenue, Milwaukie

Mr. Brian thanked the Commission for listening to the testimony tonight. He had a few questions that he would like answered:

1. Was the traffic data taken when school was in session? **Alice Rouyer** said yes.
2. Does the buildout include the open spaces being developed? **Alice Rouyer** stated that the buildout assume commercial development on properties that are not currently owned by the City. Open space properties purchased by the City along the riverfront were removed from the assumed commercial development.
3. Are there adjacent areas that are not included in the Downtown Plan that might change their use and result in increased traffic? **Alice Rouyer** stated that this was not factored into the assumptions.
4. Assuming there is increased traffic, will there be development monies available for traffic control devices, etc. to mitigate the traffic increase?

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Alice Rouyer explained that transportation improvements are included in the City's Capital Improvement Project List and prioritized by the Budget Committee. There is a system development fee charged based on trip generation. A fee is collected based on the traffic impacts of the use. That fee is used to fund certain improvements all over the City.

Speaking: Roger Cornell, 2708 SE Monroe, Milwaukie

Mr. Cornell voiced concerned about the traffic through the neighborhoods. He read sections from the staff report on Page 6.1-63 regarding traffic. He does not want to see these requirements lost with the proposed zoning. He asked that City Council retain these traffic suggestions for a neighborhood traffic management plan.

QUESTIONS FROM THE COMMISSIONERS -- None.

TESTIMONY IN OPPOSITION -- None.

ADDITIONAL COMMENTS FROM STAFF

Alice Rouyer suggested that the Commission send on the traffic issues raised from the neighborhood and the traffic consultant to City Council for review and decision.

QUESTIONS FOR CLARIFICATIONS -- None.

APPLICANT'S CLOSING COMMENTS -- None.

QUESTIONS FROM THE COMMISSIONERS -- None.

DELIBERATION AMONG COMMISSIONERS

Chair Cook closed the public portion of the hearing and opened the meeting to discussion among the Commissioners.

Donald Hammang stated that there has been an improvement in density over the last few years. He suggested that the City Council be encouraged to develop some plan for managing traffic through the neighborhoods.

Barbara Cartmill stated that she does not feel this proposal adequately addresses the traffic management issues. There are a number of issues that will be

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problematic. There are no plans being proposed that will address the traffic issues after the proposed development.

She does not feel comfortable passing this along when historically the traffic solutions have not worked and there is nothing in place that will guarantee that traffic will be adequately addressed in the future.

Donald Hammang asked if the Commission had any authority over traffic in a land use decision? **Alice Rouyer** stated that there is a finding that the traffic generation will be substantially the same. The Commission needs to concur with this proposed finding. Also, the Commission must remember that City Council is responsible for most decisions concerning traffic management in the City.

Judith Borden stated that the comparison was on the current zoning's buildout to proposed zoning buildout. She does not feel this adequately addresses the situation because the current zoning will never reach buildout. This is no comparison. What needs to be considered is traffic today over what is being proposed.

Mike Miller stated that he too is concerned with the traffic issues. He feels that the infrastructure of the City should come before buildings. He is not comfortable passing something on to the Council that he does not agree with.

Howard Steward stated that not doing anything would result in everyone losing. He feels that development and traffic management should go together simultaneously. This is the best alternative.

Alice Rouyer stated that there is a project in progress to improve the Code to make the standards which requires development proposals to do a traffic impact proposal. This will allow a possibility for mitigation from the developer. There is also a possibility of putting traffic mitigation or traffic management in the public area requirements.

Doug Ouderkirk stated that the development for the downtown area is a positive step. He asked if it would be possible to divert some of the expected regional traffic projected? This traffic issue is something that should be reviewed and considered as development occurs.

Discussion followed on how traffic impacts could be addressed. It was a consensus that the traffic impacts will be greater than projected. The assumption

for the traffic analysis was that there would not be buildout under the existing zoning. This is very unlikely. The traffic analysis should consider the existing traffic and compare it to the proposed buildout traffic and the result will be a basis for findings to accept the Downtown Plan.

Don Arambula stated that DKS, Inc. has done a study of the existing traffic in comparison with buildout and it was found that traffic generation is fairly equal to what is existing today.

There was consensus that the Commission approves the proposed rezoning on the finding that the traffic impacts will be significantly greater than those associated with current downtown development. Mitigation considerations should be kept concurrent with the acceptance of the Downtown Plan. Other suggestions for Council review were (1) additional impact fees for offsite mitigation in the Plan area and (2) Traffic mitigation to deter traffic from using neighborhood streets.

Mike Miller asked if the proposed revisions would change the tax status for businesses currently in downtown Milwaukie? **Alice Rouyer** stated that it is possible that after tax assessment, there could be changes in tax status. There could be an increase in profits for property owners in downtown if the value and the market drives the price upwards.

It was the consensus of the Commission to recommend approval of the ordinance amendments as outlined in the Staff Report with the exception of recommendation #8. Staff was asked to re-craft language for a recommendation #8 using the public testimony and Commission discussion tonight that traffic impacts be considered with new development downtown. The drafted language will be reviewed for comment and discussion at the July 25th Commission meeting.

Doug Ouderkirk moved to continue the hearing for File Number ZA-00-01 until July 25, 2000. **Donald Hammang** seconded the motion. MOTION CARRIED 7-0.

Ayes: Hammang, Cartmill, Cook, Miller, Ouderkirk, Steward; Nays: None.

- 6.2 Applicant: City of Milwaukie
Owner: NA
Location: Area of King Road Shopping Center; Citywide
Proposal: Title I Functional Plan Compliance – Proposed King Road
Neighborhood Center Concept Plan.
File Numbers: CPA-00-01 and ZA-00-02
NDA: All

Chair Cook opened the public hearing on File Numbers CPA-00-01 and ZA-00-02 to allow for legislative amendments to the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance. The approval criteria are found in the Zoning Ordinance and Comprehensive Plan.

Chair Cook asked if there were any conflicts of interest or ex-parte contacts to declare? There were none

STAFF REPORT – CPA-00-01

John Gessner reviewed the Staff Report with the Commission. Overheads were shown of the subject site and the surrounding area. Staff is proposing two amendment packages related to Metro Urban Growth Management Functional Plan; one for the Comprehensive Plan and the other for Zoning and Subdivision Ordinances. The purpose of these revisions are to satisfy the requirements of the Metro Functional Plan. This Plan requires that cities plan for the 2040 Design Types. The proposal presented satisfies the Metro requirements for Title I - Main Street Mapping. The original 2040 Map shows the Main Street areas on 32nd Avenue and eastern King Road. The proposal tonight substitutes these mapped areas.

The key issues of the Comprehensive Plan changes are (1) new policies to establish future planning and zoning activities; (2) supports roadway, bicycle, and sidewalk improvements in the area to enhance neighborhood accessibility; (3) supports neighborhood scale commercial and residential uses; and (4) does not change existing zoning or land use designations.

The key issues of the Zoning and Subdivision Ordinances changes are (1) requiring multiple points of road access for streets that can be developed for more than 25 housing units; (2) applies only to streets built after adoption of the regulation; and (3) exceptions are allowed in the case of environmental constraints, existing development, or physical barriers.

Alice Rouyer stated that the Comprehensive Plan has good policy statements that say in the future this will take advantage of what is there today to protect neighborhoods, get improved transit improvements and improved transportation improvements. This is a plan to plan, a concept to build on the strengths today as a neighborhood center and to make it stronger in the future should the need arise.

QUESTIONS FROM THE COMMISSIONERS

Howard Steward asked if there were plans for the grocery store portion of the building? **John Gessner** stated that he had talked to the manager of the corporation that owns the shopping center. They indicated that they did not have a tenant available at this time.

CORRESPONDENCE RECEIVED -- None.

TESTIMONY IN FAVOR

Speaking: David Aschenbrenner, Land Use Chair for the Hector Campbell Neighborhood Association.

Mr. Aschenbrenner stated that he is in favor of a plan to plan; there needs to be a plan for this area. Now that there is a vacancy in the shopping center, what will the owners need to do to draw new tenants. The owners will want to make improvements to get new tenants. How will this fit into the new amendments.

It is a good thing that there will be road, bicycle, and sidewalk improvements to the area. Safety in and out of this area is an issue. He is glad that no existing changes are being made to the zoning or land use.

He again voiced the concern about the vacancy and how this will affect the area. He suggested that the neighborhoods be kept involved in the planning. On Page 6, Item 11, he suggested a change in the language to, "...The City **and the Neighborhoods** shall evaluate bicycle and pedestrian needs..."

Mr. Aschenbrenner cited from Page 10, Item 4, "...future land use decisions that increase development potential in the Plan will be carefully timed to insure that those land use decisions do not adversely affect downtown redevelopment." Does this mean a store cannot go back into this building until there is a store in the downtown area?

The neighborhoods would like to see progress in the King Road area as well as the downtown area.

Speaking: Terry Brandt, 2301 NW Thurman, Suite J, Portland 97210

Mr. Brandt stated that he was here on behalf of the property owner of the shopping center. He voiced concern about the statement that this is a plan to plan. It makes it difficult to know what to plan and how to best address the Main Street Concept. He asked what uses are allowed, which are precluded, and how to move forward with this significant vacant space.

Mr. Brandt asked for clarification to Page 11, Exhibit 2, Item 6, "...the City will evaluate bicycle and pedestrian needs in the Plan area and use the available capital improvement community development block grant and other processes to insure that adequate facilities are provided and maintained..."

Exhibit 3, Page 15, referenced "...two King Road weighted scores..."
He asked if on Page 18, Item 2, "...when you designate the Main Street as a future..." satisfies Metro's Urban Growth Management Plan?

Mr. Brandt stated that he would like to start a relationship with the City and the neighborhood to start addressing some of these issues.

QUESTIONS FROM THE COMMISSIONERS -- None.

QUESTIONS OR COMMENTS

Speaking: Sally Jacob, 10500 SE 44th Avenue, Milwaukie

Ms. Jacob stated that she did not get a notice about the King Road Concept Plan. She stated that she did not feel that this is protecting the neighborhoods. She doesn't know what to ask because she has no information.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Rodney Holberton, 10234 SE 46th, Milwaukie

Mr. Holberton ask for a definition of a legal notice and does that only mean 60 people? He did not get notice and when a friend called in to get information, there was not information available as to whether they should appear at this hearing or not.

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QUESTIONS FROM THE COMMISSIONERS

Barbara Cartmill asked what Mr. Holberton thought about the Plan? **Mr. Holberton** stated that he feels that the concept is good. This is a nice neighborhood and he would like to keep it that way. He used to walk to the King Road market, and now he will have to operate a vehicle to do his shopping. He hopes that a grocery store will be the new tenant.

TESTIMONY IN OPPOSITION

Speaking: Carl Jacob, 10500 SE 44th Avenue, Milwaukie

Mr. Jacob voiced concern that there are about a hundred homes that are close to this area that house families that should know what is going on with the King Road Center. He feels that the hearing should be postponed.

He complimented the Commission for consideration of the roads and traffic expressed at the last hearing. There are bicycle lanes on King Road. To widen the road, you must first contact the Federal Government for funds. He cited a planning book stating that many of the cities were ruined, not because of jobs going away, but because of management overextending, spending more funds than revenues permit.

Mr. Jacob asked if the City accepts County Zoning requirements. This shopping center is short of parking spaces. If there is an addition to this building, there will be a parking problem. He realizes that things have to grow, but do they have to be at the resident's expense?

People are concerned about what is going on. The owners should be allowed to put whatever they want in there as long as they remain within the code. There are all kinds of stories going around. Some people think the road will be widened and the center enclosed in glass. The people should know what is going on and not speculate on rumors. He asked if there would be a bus station at this King Road Center? Again, he feels that this hearing should be postponed until everyone knows what is going on.

QUESTIONS FROM THE COMMISSIONERS -- None.

ADDITIONAL COMMENTS FROM STAFF

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John Gessner reiterated that these are policies are amendments to the Comprehensive Plan. An Ordinance is needed for implementation. The policies guide future decisions that might be made about zoning proposals on a property. These policies will not have an affect on private property. They will have an affect on decisions that the City will make on improvement to bike lanes and sidewalks. Improvements should be made in such a way to support the neighborhood in the future. Development will be the trigger for getting these improvements. These policies do not change the status quo in any way.

There was a question about Page 6.2, Item 11, regarding implementation of sidewalk, roadway, bicycle improvements, and pedestrian facilities. These policies will guide the City transportation improvements on a daily basis. By prioritizing bicycle and pedestrian improvements in this area, the needs for improvement are met. And then using whatever funding resources are available to make these improvements.

On Page 6.2, Item 15, are two right columns that represent the accumulated weighted score. One column is the King Road Center score that represents how the Plan rates against other plans. The other scores are for King Road/Linwood.

On the question of what "protect neighborhoods" means. This means that when the City is considering any changes to the basic zoning, zoning map, or zoning amendments, the neighborhoods should be protected from the customary impacts associated with development. This includes traffic, compatibility, noise, lights, etc.

On the question about the 60 people being noticed, this was just an estimation. The exact number was 58 residents that were notified. Every property owner that was within the shaded area of the map received a notice.

Issued raised about parking for the current use are not relevant. Only issues concerning a change in the underlying zoning that alters the mix of uses will require compliance with current parking regulations.

A concern was raised by Mr. Jacobs regarding possible development of a transit center in the King Road and 42nd Avenue area. The proposal does not contemplate improvements of that nature. This would be in conflict with the Plan intent to establish this site for a commercial center for the neighborhoods.

This application was subject to two noticing requirements. One is by State Law (Ballot Measure 56 Notice) and the other is a newspaper notice, which was

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published twice in the Review. Notice was further given to the land use chairs. Packets were delivered to Mr. Jacob for himself and anyone else who would be interested in the proposal.

QUESTIONS FROM THE COMMISSIONERS

Howard Steward asked if this proposal required notification to all residents within 300 feet of the subject site? He asked if there were alternative forms of notification? **Alice Rouyer** stated that this proposal only required the two notifications: Ballot Measure 56 and the Review . There are other means of notification: Commission requests, City Newsletter (*Pilot*), etc.

Barbara Cartmill asked if there were any responses from the notices? **John Gessner** stated that no substantive comments were received. There was a hot line for people to call and request information but there were not responses. Copies of the packet were mailed to two individuals.

Barbara Cartmill asked for clarification of Page 10, Item 4, "... future land use decisions and increased development will not adversely affect redevelopment efforts downtown and at the waterfront." **Alice Rouyer** stated that the purpose of this language is to identify this as a special area. Downtown is special as well. The intent of this policy was for these two areas not to compete with each other. The language can be amended to make the purpose clear.

QUESTIONS FOR CLARIFICATIONS -- None.

APPLICANT'S CLOSING COMMENTS -- None.

DELIBERATION AMONG COMMISSIONERS

Chair Cook closed the public portion of the hearing and opened the meeting to discussion among the Commissioners.

Howard Steward voiced concern about Item #4 causing unnecessary concern and red tape. The vacant tenant is an issue of concern to many neighborhoods in this area. He appreciated Mr. Brandt statement that he wanted to start a relationship with the neighborhood and the City. This is a very important proposal. He hopes that this proposal is given the highest priority.

Doug Ouderkirk stated that he does not feel that all of the public that could be notified have been noticed. He asked if more notification could be requested?

Alice Rouyer stated that additional notice could be provided. An informational brochure can be sent to residents and they can call and come in and receive additional information.

Mike Miller suggested changing the language on Item 6 to "...the City will evaluate bicycle and pedestrian needs of neighborhood input..."

Donald Hammang moved to approve CPA-00-02 with the staff Findings with the following amendments:

1. Striking Page 6.2, Item 10, the Draft King Road Neighborhood Center Concept Plan.
2. Striking Page 6.2, Item 4.
3. On Item #6, "The City will evaluate bicycle and pedestrian needs with neighborhood input and in the Plan area and use the available Capital Improvement Community Development Block Grant and other processes to insure that adequate facilities are provided and maintained.
4. Require staff to provide notice to property owners within 300 feet of the subject site and the Concept Plan boundary as indicated on the map.
5. Strike the word Concept Plan and call the proposal "King Road Neighborhood Study Area."

Mike Miller seconded the motion. MOTION CARRIED 7-0.

Ayes: Hammang, Cartmill, Cook, Miller, Ouderkirk, Steward; Nays: None.

STAFF REPORT – ZA-00-02

John Gessner reviewed the staff report with the Commission. This is a functional Plan requirement for Title VI. It is a legislative action. The proposal will have the affect of limiting new street systems where they are a closed-end street system to a development of no more than 25 lots. Staff recommends approval with two revisions: (1) a definition of a closed-end street system that amends the Zoning Ordinance and (2) amend the language in the Zoning Ordinance and Subdivision Ordinance to clarify that this affects only future development (new road systems).

QUESTIONS FROM THE COMMISSIONERS

Donald Hammang asked what areas would be affected by these revisions? **John Gessner** stated that there would probably not be much impact of the new

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regulations based on the scarcity of sites that are large enough to develop twenty-five housing units. In addition, sites that are large enough are expected to accommodate multiple access points.

TESTIMONY IN FAVOR -- None.

QUESTIONS OR COMMENTS

Speaking: David Aschenbrenner

Mr. Aschenbrenner stated that he was the chair of Hector Campbell Neighborhood Association. He asked how many dwelling units are permitted now on a closed street? Does the 25 dwelling units stated bring the number up or down?

Speaking: Karl Jacob, 10500 SE 44th Avenue

Mr. Jacob asked if the zoning would be increased to accommodate the housing figures? He also wanted to know what the R-10/R-7 figures meant; 10/7 units per acre?

John Gessner stated that there are no limits on the number of units on a closed street at this point. The R-10/R-7 figure refers to minimum lot size. R-10 requires 10,000 square foot minimum lot size. R-7 requires 7,000 square feet.

DELIBERATION AMONG COMMISSIONERS

Chair Cook closed the public portion of the hearing and opened the meeting to discussion among the Commissioners.

Barbara Cartmill moved to recommend to City Council for approval of application ZA-00-02 that amends the Zoning Ordinance Section 400-Supplementary Regulations and Subdivision Ordinance Section 17.08 and 17.28 by restricting the maximum number of dwelling units on a closed end street system, and adopt recommended findings in support of approval as revised tonight. **Mike Miller** seconded the motion. MOTION CARRIED 7-0.
Ayes: Borden, Hammang, Cartmill, Cook, Miller, Ouder Kirk, Steward; Nays: None.

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7.0 WORKSESSION

8.0 DISCUSSION ITEMS -- None.

9.0 OLD BUSINESS -- None

10.0 OTHER BUSINESS/UPDATES

10.1 Matters from the Planning Director


Alice Rouyer reported that a joint worksession with City Council would be scheduled for July 25, 2000, in conjunction with the work program.


11.0 NEXT MEETING -- July 25, 2000

11.1 Worksession: Downtown/Riverfront Plan

11.2 Worksession on next year's work program

Judith Borden moved to adjourn the meeting of July 11, 2000. **Doug Ouderkirk** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 10:15 p.m.


Tracy Cook, Chair


Shirley Richardson, Hearings Reporter

Milwaukie Planning Commission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan

Public Hearing Procedure

1. **STAFF REPORT.** EACH HEARING STARTS WITH A BRIEF REVIEW OF THE STAFF REPORT BY STAFF. THE REPORT LISTS THE CRITERIA FOR THE LAND USE ACTION BEING CONSIDERED, AS WELL AS A RECOMMENDED DECISION WITH REASONS FOR THAT RECOMMENDATION.
2. **CORRESPONDENCE.** THE STAFF REPORT IS FOLLOWED BY ANY VERBAL OR WRITTEN CORRESPONDENCE WHICH HAS BEEN RECEIVED SINCE THE COMMISSION WAS PRESENTED WITH ITS PACKETS.
3. **APPLICANT'S PRESENTATION.** WE WILL THEN HAVE THE APPLICANT MAKE A PRESENTATION, FOLLOWED BY:
4. **PUBLIC TESTIMONY IN SUPPORT.** TESTIMONY FROM THOSE IN FAVOR OF THE APPLICATION.
5. **COMMENTS OR QUESTIONS.** COMMENTS OR QUESTIONS FROM INTERESTED PERSONS WHO ARE NEITHER IN FAVOR NOR OPPOSED TO THE APPLICATION.
6. **PUBLIC TESTIMONY IN OPPOSITION.** WE WILL THEN TAKE TESTIMONY FROM THOSE IN OPPOSITION TO THE APPLICATION.
7. **QUESTIONS FROM COMMISSIONERS.** WHEN YOU TESTIFY, WE WILL ASK YOU TO COME TO THE FRONT PODIUM AND GIVE YOUR NAME AND ADDRESS FOR THE RECORDED MINUTES. PLEASE REMAIN AT THE PODIUM UNTIL THE CHAIR PERSON HAS ASKED IF THERE ARE ANY QUESTIONS FOR YOU FROM THE COMMISSIONERS.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** AFTER ALL TESTIMONY, WE WILL TAKE REBUTTAL TESTIMONY FROM THE APPLICANT.
9. **CLOSING OF PUBLIC HEARING.** THE CHAIR PERSON WILL CLOSE THE PUBLIC PORTION OF THE HEARING. WE WILL THEN ENTER INTO DELIBERATION AMONG THE PLANNING COMMISSIONERS. FROM THIS POINT IN THE HEARING WE WILL NOT RECEIVE ANY ADDITIONAL TESTIMONY FROM THE AUDIENCE, BUT WE MAY ASK QUESTIONS OF ANYONE WHO HAS TESTIFIED.
10. **COMMISSION DISCUSSION/ACTION.** IT IS OUR INTENTION TO MAKE A DECISION THIS EVENING ON EACH ISSUE BEFORE US. DECISIONS OF THE PLANNING COMMISSION MAY BE APPEALED TO THE CITY COUNCIL. IF YOU DESIRE TO APPEAL A DECISION, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT DURING NORMAL OFFICE HOURS FOR INFORMATION ON THE PROCEDURES AND FEES INVOLVED.
11. **MEETING CONTINUANCE.** THE PLANNING COMMISSION MAY, IF REQUESTED BY ANY PARTY, ALLOW A CONTINUANCE OR LEAVE THE RECORD OPEN FOR THE PRESENTATION OF ADDITIONAL EVIDENCE, TESTIMONY OR ARGUMENT. ANY SUCH CONTINUANCE OR EXTENSION REQUESTED BY THE APPLICANT SHALL RESULT IN AN EXTENSION OF THE 120 DAY TIME PERIOD FOR MAKING A DECISION.

The Planning Commission's decision on these matters may be subject to further review or may be appealed to the City Council. For further information, contact the Milwaukie Planning Department office at 786-7600.

Milwaukie Planning Commission:

Donald Hammang, Chair
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To: Planning Commission

From: Alice Rouyer, Planning Director *ACP*

Subject: Commission Deliberation: Downtown Plan/Rezoning Project

Hearing Date: July 11, 2000

Date: July 7, 2000

I. Action Requested

Recommend approval of an ordinance authorizing the following to City Council:

1. Adopt the Downtown and Riverfront Land Use Framework Plan (Framework Plan) as an ancillary document to the Milwaukie Comprehensive Plan. The Framework Plan is attached to the June 27 staff report as Exhibit B.
Note: Staff is requesting one small text amendment to Page 1 of the Framework Plan document since the draft presented on June 27. See more explanation below.
2. Amend the Comprehensive Plan Map (Map 7) for the Downtown Area. Existing and proposed designations are shown in the June 27 Staff Report Exhibit C. Key changes include renaming the "Regional Center" to "Town Center," and some modifications to the "Town Center" and "Public" district boundaries on the Comprehensive Plan Map.
Note: Staff is requesting one small amendment to the Comprehensive Plan map since the June 27 hearing to make it consistent with the proposed Zoning Map. See more explanation below.
3. Amend the text of the Comprehensive Plan as outlined in the June 27 Staff Report Exhibit D. Key changes include renaming the "Regional Center" to "Town Center," revising policies for the Kellogg Creek Sewage Treatment Plant, including references to the Downtown and Riverfront Land Use Framework Plan, and adding net density ranges for the Town Center.
4. Amend the Zoning Map for the Downtown Area. Existing and proposed zones are shown in the June 27 Staff Report Exhibit E. Delete the Mixed Use Overlay from all Downtown Zones. Delete the McLoughlin Corridor Overlay from the Zoning Map and replace with new public area requirements. Adopt and apply

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five new zones for the Downtown: Downtown Storefront (DS), Downtown Commercial (DC), Downtown Office (DO), Downtown Residential (DR), and Downtown Open Space (DOS).

5. Amend several sections of the Zoning Ordinance (ZO) as outlined in the June 27 Staff Report Exhibit F to implement the Downtown Land Use Framework Plan. Key changes include the following:
 - Add several new definitions to Section 100
 - Delete entire Section 312, "Central Commercial Zone," and replace with new Section 312, "Downtown Zones"
Note: Staff is recommending some amendments to ZO Section 312 in response to testimony presented on June 27. See below for more explanation.
 - Delete applicability of the Section 318 Mixed Use Overlay Zone requirements from the downtown and former Pendleton (ODS) property
 - Amend Section 323 to change the commission name from "Historic Review" to "Design and Landmarks" Commission
 - Delete entire Section 325, "McLoughlin Corridor Overlay Zone"
 - Exempt Downtown Storefront Zone from off-street parking and loading requirements of Section 500
 - Limit applicability of Section 1400 to the Downtown Zones

6. Amend the Milwaukie Municipal Code (MMC) as outlined in the June 27 Staff Report Exhibit G to implement the Downtown Land Use Framework Plan. Key changes include the following:
 - Amend Chapter 2.18 to change the commission name from "Historic Resources" to "Design and Landmarks" Commission and give the commission oversight of historic resources review and design review
Note: Staff is recommending one small modifications to MMC Section 2.18 since the June 27 draft. See more explanation below.
 - Amend Chapter 14.04 to adopt modified sign requirements for the Downtown Zones
 - Adopt new Chapter 15.36, Public Works Standards, to authorize the Council to adopt public works standards like the Downtown and Riverfront Public Area Requirements
 - Amend Chapter 17.28 to adopt modified subdivision design standards for the Downtown Zones.

7. Adopt the Downtown & Riverfront Public Area Requirements as authorized by the new Chapter 15.36 of the Milwaukie Municipal Code. The Public Area Requirements are attached in the June 27 Staff Report Exhibit H.

Note: Staff is requesting one small text amendment to Page 67 of the Public Area Requirements since the draft was presented on June 27. See more explanation below.

II. Background and Next Steps

In mid-June, the Planning Commission decided to consider the Downtown Plan/Rezoning regulations on both June 27 and July 11. On June 27, the Commission listened to a staff presentation, and heard all public testimony related to the proposed downtown plan/rezoning project. On July 11, the Commission will take more public testimony, discuss and prepare a recommendation for City Council.

City Council will consider this proposal on August 29. On this date the Council will listen to a brief staff presentation, hear public testimony, ask questions concerning the proposal and testimony presented, and deliberate. If Council needs more time for deliberation and final decision, they may continue their discussion to a date in September. All meetings are open to the public.

III. Analysis:

To aid in the deliberations on July 11, the Commission requested that staff gather more information relating to the following issues:

1. Provide the Commission with options for addressing neighborhood traffic impacts associated with the Downtown Plan & Rezoning project.
2. Respond to public testimony regarding proposed residential densities.
3. Respond to public testimony regarding potential building heights.
4. Describe how the proposed development standards, design standards and public area requirements address community "character."

Below is the analysis of these issues:

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| <ol style="list-style-type: none">1. Provide the Commission with options for addressing neighborhood traffic impacts associated with the Downtown Plan & Rezoning project. |
|---|

The Historic Milwaukie and Lake Road Neighborhood District Associations (NDA) presented testimony on June 27 expressing concern about increased cut-through traffic impacts associated with new development downtown. In June, the City hired a transportation consultant to evaluate traffic impacts that might result from build-out of the Downtown Plan. A summary of the traffic study was presented to the Commission on June 27 (see Attachment G).

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In the study, three conditions were evaluated. These were:

1. Existing traffic generation from current uses in the downtown.
2. Traffic generation for build-out under existing downtown zoning.
3. Traffic generation for Proposed Downtown Plan/Rezoning

The study concluded that the traffic impacts associated with build-out under the existing downtown zoning would be nearly equivalent to the projected traffic generation for build-out of development assumed with the Downtown Plan/Rezoning (see Attachment F). Therefore new effects or impacts associated with the proposed zone changes are not expected to increase over the existing zoned conditions in the downtown. At the June 27 hearing, the transportation consultant highlighted how changes in the proposed rezoning such as the addition of housing and the prohibitions of uses like new drive-through restaurants and banks will serve to decrease traffic impacts in the downtown over time. Trip generation rates for housing are lower, while uses like drive-in banks and restaurants are one of the higher trip generators.

In support of traffic impact concerns expressed by neighborhood residents, the study highlighted two traffic trends in the area to the east of downtown:

1. Existing traffic speeds on Monroe, Washington, Harrison are high (ranging from 5-8 mph over the posted 25 mph speed limit).
2. Over time, traffic forecasting analysis indicates that more trips will be drawn to eastern destinations (such as the Clackamas Town Center and 82nd corridor) as opposed to the current draw toward northern destinations, such as downtown Portland. While not directly related to downtown redevelopment, this regional trend may result in more neighborhood cut-through traffic, if projections are correct.

Staff Recommendation regarding Traffic Impacts.

The traffic study indicates that the rezoning of land in the downtown will result in no new traffic generation over existing zoned conditions. However, neighborhood residents have raised concerns about increased cut-through traffic on streets like Monroe, Washington, 27th, 28th, 29th and Lake Road. Data collected by the transportation consultant, unrelated to new downtown development, supports these concerns. Both high traffic speeds and the shifting of regional traffic patterns over time in this area indicates that traffic safety is an issue in these areas.

Staff therefore recommends that the Commission approve the proposed downtown rezoning, on a finding that the development patterns and effects will not be significantly different than existing zoning. Staff further recommends that the Commission highlight

the concerns about neighborhood traffic speed and regional traffic patterns to the City Council. The Council is the proper body to make decisions about Neighborhood Traffic Management. With the assistance of the Historic Milwaukie and Lake Road NDA, the Council may be able to direct staff on an area-wide approach to Neighborhood Traffic Management in the areas east of downtown in the coming months.

2. Respond to public testimony regarding proposed residential densities.

Much of the written and oral testimony at the June 27th public hearing questioned the need for the proposed Downtown Plan residential densities. The Illustrative Plan targets the development of approximately 600 housing units in the Downtown area. As described at the public hearing, housing is an important element of the overall Downtown Plan for the following reasons:

- the downtown can be a very attractive area for higher density housing because of accessibility to shops and services, transit, and the amenities of the Willamette River and creeks
- increasing the housing and population base downtown can help support existing and new businesses
- by targeting new housing to the downtown area, the City can reduce growth pressures on established Milwaukie neighborhoods
- higher density housing types can provide an opportunity to address housing affordability and changing demographics such as smaller household sizes
- the region is growing and each city and county in the region has the responsibility to plan for a reasonable share of the regional housing growth

As described in the June 19 staff report, the downtown area is currently subject to a Mixed Use Overlay Zone. This overlay zone requires ½ square foot of residential development for every 1 square foot of commercial development for all projects within the boundaries of the Mixed Use Overlay. Residential densities under the existing regulations range from 25 to 50 units per acre. Staff has found that this regulatory approach of requiring housing as a part of every development project in the entire downtown area is not workable, and may be impeding new investment in the downtown.

The Downtown Plan does not back away from the commitment to housing as a vital and important element of Milwaukie's downtown. However, the proposed Downtown Zones target particular specific locations for uses such as housing, retail and office to specific within the Downtown - rather than requiring mixed use development on every block across the downtown.

Approximately 12 acres are proposed to be zoned Downtown Residential. Housing would be allowed, but not required, in the other Downtown Zones (DS, DC and DO).

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Staff recommended adjustments to density requirements made in response to June 27 testimony.

Density. Following the public hearing on June 27, staff reviewed downtown zones of other cities of comparable size and scale to downtown Milwaukie, including Oregon City, Gresham, Tigard, and Hillsboro. Staff found that few other cities were requiring *minimum* densities of 40 units per acre, as initially proposed for the Downtown Residential Zone. Based on the public testimony and additional research and discussion, staff recommends that the *minimum* density for the DR zone be reduced from 40 units per acre to 30 units per acre. The *maximum* density for the DR transition area would also be reduced from 40 units per acre to 30 units per acre.

Based on the approximate acreage in the Downtown Residential Zone, the minimum density requirement of 30 units per acre translates into a *minimum* of 280 housing units, as summarized below:

North Downtown Residential Area:

4 acre transition area @ minimum density of 10 units/acre = 40 units
6 acres @ minimum density of 30 units/acre = 180 units

South Downtown Residential Area:

2 acres @ minimum density of 30 units/acre = 60 units

Total Housing Required Under Revised Minimum Density Provisions: 280 units

Housing would not be *required* in any of the other Downtown Zones. However, staff is proposing a height incentive for development of housing in the Downtown Storefront Zone. As noted earlier, the Illustrative Plan envisions the development of up to 600 housing units in the Downtown. The *minimum density* provisions of 30 units per acre could deliver almost half of the 600 units targeted in the Illustrative Plan, assuming redevelopment of the Downtown Residential sites for housing. *Maximum* residential densities would not be controlled by zoning, but rather would depend on building height limits and market conditions.

In summary, staff finds that it is appropriate to reduce the *minimum* density requirement for the Downtown Residential Zone from 40 units per acre to 30 units per acre. A minimum density of 30 units per acre is not a dramatic change from the existing minimum density of 25 units per acre applied under the Mixed Use Overlay Zone, and is also consistent with minimum densities established in other Portland area communities of comparable size and scale.

The overall number of housing units planned for the Downtown area (300 – 600 units), will be an asset to the downtown and the expected incremental development will not represent a dramatic change in the overall character or density of Milwaukie.

3. Respond to public testimony regarding potential building heights.

Similar to the comments regarding densities, much of the written and oral testimony at the June 27th public hearing focused on the proposed building heights. In particular, many commented that the potential to build multifamily housing up to 75 feet or 7 stories was not desirable or the appropriate scale for downtown.

City of Milwaukie Consultant Don Arambula commented at the hearing that the option to build taller structures on the north housing site was important to provide the amenity of a residential view. Additionally, by providing a transition area with lower densities and building heights, a step-down will be maintained to lower density residential neighborhoods to the east.

Staff recommended adjustments to building height requirements made in response to testimony presented on June 27.

Building "scale" is a very important component of the Downtown Plan. Staff and the consultants have discussed the building height issue and propose the following modifications from the June 27 staff report and recommendations:

1. Link building heights with the number of floors, consistent with the approach used in other zones (i.e. the existing C-C zone in downtown requires a maximum of 4 floors or 60 feet, whichever is less).
2. For the south housing site (DR), limit buildings to 4 floors or 55 feet, whichever is less.
3. For the north housing site (DR) transition area, limit buildings to 3 floors or 45 feet, whichever is less.
4. For the balance of the north housing site (DR), limit buildings to 5 floors or 65 feet, whichever is less.
5. For the Downtown Office Zone (DO), generally limit buildings to 5 floors or 65 feet, whichever is less. The smaller DO site between Jackson & Monroe Streets would be limited to a lower building height (45 feet) to match the surrounding DS zone.
6. For the Downtown Storefront Zone (DS), generally limit buildings to 3 floors or 45 feet, whichever is less. Staff is proposing a new "incentive" or "height bonus" for this zone that would allow buildings up to a maximum of 4 floors or 55 feet, if at least one floor is devoted to housing.
7. For the Downtown Commercial Zone, limit buildings to 4 floors or 55 feet, whichever is less.

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A new Figure 312-3 is attached (see the map included in Attachment B) to illustrate the revisions to the Maximum Building Heights. In general, the minimum and maximum building height provisions will assure a scale of 2-4 story buildings through the core of the downtown area, bracketed by potentially taller buildings up to a maximum of 5 stories at the north and south ends of downtown.

When compared with existing regulations applied in the downtown area, the proposed regulations reduce the potential building heights from 60 feet under the C-C zone to 45-55 feet under the DS, DC and DR zone (south). The potential building heights of 65 feet in the DO and DR zone (north) represent a modest increase (5 feet) relative to the existing standards.

4. Describe how the proposed development standards, design standards and public area requirements address community "character."

Staff will be prepared to discuss this issue with the Planning Commission at the July 11 hearing. Consultant Don Arambula will provide more information to the Commission about the desired character for development in downtown in a brief presentation.

IV. Other Issues

Following are few miscellaneous issues raised by staff for Planning Commission information or consideration:

Minor Amendments to the Land Use Framework Plan and Public Area Requirements.

The City Attorney's office has suggested two small changes to the Land Use Framework Plan and Public Area requirements to clarify any future development of the Main Street Plaza and public trails. See Attachment C & D, highlighting the recommended changes.

Minor Amendments to the MMC Section 2.18

Staff is proposing a small amendment to Section 2.18 in order to give the new Design and Landmarks Commission the authority to review and recommend appropriate design review processes and procedures to City Council. Since we anticipate that this Commission will be involved in developing a new design review process, this amendment seemed appropriate.

Minor Amendment to the Comprehensive Plan Map

During the hearing on June 27, staff noticed a slight inconsistency between the zoning map and comprehensive plan map on the ODS property (near Lava Drive and 17th Avenue). The boundary of the "Public" designation has been adjusted slightly to correspond with proposed Downtown Open Space (DOS) and Downtown Office (DO) of the ODS property. See Attachment E.

Correspondence/Testimony from individuals at the June 27 hearing

Staff received correspondence and testimony about the following issues on June 27. Staff wanted to acknowledge and respond to these issues here:

Letter from Milwaukie Lumber, Inc. At the June 27 hearing, the Commission received a letter from Milwaukie Lumber regarding the proposed rezoning of their property at 10998 SE 21st Avenue from C-C (Central Commercial) to DS (Downtown Residential). In the letter, Mr. Steve Morse highlights that Milwaukie Lumber has no current plans to relocate its commercial operation from this site. Additionally, he questions the marketability of the site for high density residential.

Staff will be sending a follow-up letter to Mr. Morse highlighting that the existing lumber yard is not a permitted use in the C-C zone. The City of Milwaukie allows for "building materials supply" outlets only in the C-G (General Commercial) zone. Any alteration to the use is currently subject to the Nonconforming Uses section outlined in Section 800. This condition will not change for Milwaukie Lumber as the property is rezoned for Downtown Residential Uses. Given the fact that nonconforming use standards already apply to this site, retaining the existing C-C zone does not appear to give any added land use benefits to Milwaukie Lumber's existing use.

Likewise, staff has evaluated different land uses for this site and finds it best suited for Downtown Residential uses, as opposed to office or retail uses. First, future redevelopment of retail uses on this site will only serve to draw attention away from the retail focus of Main Street. Secondly, office developers are more often attracted to sites that are visible and provide easily recognizable street addresses. This site is tucked behind more visible sites along Main Street and McLoughlin, that staff has already proposed to rezone for Downtown Office uses. The City's urban design consultant has concluded that this site is highly marketable for Downtown Residential uses. Noise from the rail line should be acknowledged as a potential impact to residents. However, trains currently run on this line only about four times per day. In addition, developers can use building construction methods to reduce noise impacts. This site is centrally located, offering easy pedestrian/bicycle access for residents to Main Street, the transit center, Milwaukie Junior High, Milwaukie High School and the riverfront. Retaining the C-C zone will undermine the downtown planning effort because the project is effectively eliminating the C-C zone from the project. Retaining one pocket of C-C zone in this location is inconsistent with zoning in the remainder of downtown. Therefore, staff is recommending to retain the proposed DR zone on the Milwaukie Lumber site and adjacent tax lots.

Questions about the Transit Center, Boat Ramp, Junior High School site, and Sewage Treatment Plant. At the June 27 hearing, a few people asked questions about the location of the transit center, future of the boat ramp, why the junior high was not included in the rezoning project, and the potential for relocation of the sewage treatment

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plant. Staff prepared fact sheets to address these questions for the May 31 Open House. The fact sheets are attached (see Attachment H).

Prohibition of Gas Stations and Drive-Through Uses in the Downtown. One citizen questioned why uses such as gas stations and drive through uses were prohibited in proposed new downtown use standards. New gas stations are already prohibited along McLoughlin Blvd., as part of the existing McLoughlin Overlay zone. The proposed new regulations will retain this prohibition. All existing gas station uses along McLoughlin are allowed to continue under the provisions of ZO Section 800 "Nonconforming Uses". All existing drive-through uses in the downtown will also be allowed to continue under the provisions of Section 800.

New drive-through uses and gas stations are prohibited in the downtown because they are incompatible with a pedestrian-friendly character for downtown. These uses often conflict with heavy pedestrian and bicycle traffic and are more compatible in other commercial districts in Milwaukie.

VI. Findings in Support of the Comprehensive Plan, Zoning Ordinance and Municipal Code Amendments

A full analysis of this proposal's conformance with criteria in Section 904 and 905 "Amendments" is included in Exhibit A.

VII. Recommendation

Staff recommends that the Planning Commission recommend approval of an ordinance authorizing the following to City Council:

1. Adopt the Downtown and Riverfront Land Use Framework Plan (Framework Plan) as an ancillary document to the Milwaukie Comprehensive Plan. The Framework Plan is attached in the June 27 staff report as Exhibit B. **Staff is recommending an amendment to this document as highlighted in Attachment B.**
2. Amend the Comprehensive Plan Map (Map 7) for the Downtown Area. Existing and proposed designations are shown in Exhibit C. Key changes include renaming the "Regional Center" to "Town Center," and some modifications to the "Town Center" and "Public" district boundaries on the Comprehensive Plan Map. **Staff is recommending that the map be adopted as amended in Attachment E.**
3. Amend the text of the Comprehensive Plan as outlined in Exhibit D of the June 27 staff report. Key changes include renaming the "Regional Center" to "Town Center," revising policies for the Kellogg Creek Sewage Treatment Plant,

including references to the Downtown and Riverfront Land Use Framework Plan, and adding net density ranges for the Town Center.

4. Amend the Zoning Map for the Downtown Area. Existing and proposed zones are shown in Exhibit E of the June 27 staff report. Delete the Mixed Use Overlay from all Downtown Zones. Delete the McLoughlin Corridor Overlay from the Zoning Map and replace with new public area requirements. Adopt and apply five new zones for the Downtown: Downtown Storefront (DS), Downtown Commercial (DC), Downtown Office (DO), Downtown Residential (DR), and Downtown Open Space (DOS).
5. Amend several sections of the Zoning Ordinance (ZO) as outlined in Exhibit F of the June 27 staff report to implement the Downtown Land Use Framework Plan. Key changes include the following:
 - Add several new definitions to Section 100
 - Delete entire Section 312, "Central Commercial Zone," and replace with new Section 312, "Downtown Zones" **as amended in Attachment B and summarized below:**
 - a. **Reduce the minimum density in the Downtown Residential Zone from 40 units per acre to 30 units per acre.**
 - b. **Reduce the maximum building height for the northern Downtown Residential Zone from 75 feet to 65 feet or 5 floors, whichever is less.**
 - c. **Provide an incentive for housing in the Downtown Storefront Zone by allowing a building height of 4 floors or 55 feet, whichever is less, if at least one floor of the building is devoted to housing. Buildings without housing would be limited to a maximum height of 3 floors or 45 feet, whichever is less.**
 - d. **Reduce the small island of 65 foot building height to 45 feet on lots fronting on McLoughlin, between Monroe and Jackson.**
 - e. **Amend Figure 312-3 "Downtown Maximum Building Heights to reflect changes to building heights outlined above.**
 - Delete applicability of the Section 318 Mixed Use Overlay Zone requirements from the downtown and former Pendleton (ODS) property
 - Amend Section 323 to change the commission name from "Historic Review" to "Design and Landmarks" Commission
 - Delete entire Section 325, "McLoughlin Corridor Overlay Zone"
 - Exempt Downtown Storefront Zone from off-street parking and loading requirements of Section 500
 - Limit applicability of Section 1400 to the Downtown Zones

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6. Amend the Milwaukie Municipal Code (MMC) as outlined in Exhibit G of the June 27 staff report to implement the Downtown Land Use Framework Plan. Key changes include the following:
 - Amend Chapter 2.18 to change the commission name from “Historic Resources” to “Design and Landmarks” Commission and give the commission oversight of historic resources review and design review, **as amended in Attachment F.**
 - Amend Chapter 14.04 to adopt modified sign requirements for the Downtown Zones
 - Adopt new Chapter 15.36, Public Works Standards, to authorize the Council to adopt public works standards like the Downtown and Riverfront Public Area Requirements
 - Amend Chapter 17.28 to adopt modified subdivision design standards for the Downtown Zones.
7. Adopt the Downtown & Riverfront Public Area Requirements as authorized by the new Chapter 15.36 of the Milwaukie Municipal Code. The full text of the Public Area Requirements are attached to the June 27 staff report in Exhibit H. **Staff is recommending an amendment to this document as highlighted in Attachment D.**
8. Based on an initial traffic impact analysis completed by DKS Associates dated June 27, 2000, staff further recommends that the Commission approve the proposed downtown rezoning on a finding that the traffic impacts will not be significantly different than those associated with the existing downtown zoning. Staff further recommends that the Commission highlight the concerns about neighborhood traffic speed and regional traffic patterns to the City Council for consideration as part of the existing Neighborhood Traffic Management Program.

VII. Attachments

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| Attachment A: | Zoning Ordinance Amendment Analysis
Approval Criteria of ZO 904 and ZO 905 |
| Attachment B: | Amendments to Zoning Ordinance Section 312 since the June 27 hearing |
| Attachment C: | Amendment to Page 1 Land Use Framework Plan since the June 27 hearing |
| Attachment D: | Amendment to Page 67 Public Area Requirements since the June 27 hearing |
| Attachment E: | Amended Comprehensive Plan Map since the June 27 hearing |

- Attachment F: Amendment to MMC 2.18 since the June 27 hearing
- Attachment G: Initial Downtown Transportation Analysis by DKS Associates dated June 27, 2000
- Attachment H: Downtown Fact Sheets concerning the Transit Center, Junior High site, boat ramp and sewage treatment plant

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EXHIBIT A
COMPREHENSIVE PLAN AND
ZONING ORDINANCE AMENDMENT ANALYSIS
APPROVAL CRITERIA OF CHAPTER 2 OF THE COMPREHENSIVE PLAN AND
ZONING ORDINANCE SECTIONS 904 AND 905

MILWAUKIE COMPREHENSIVE PLAN
CHAPTER 2 – PLAN REVIEW AND AMENDMENT PROCESS

A. OBJECTIVE #1 – AMENDING THE PLAN

Review, revise, and amend the Comprehensive Plan on a regular basis, assuring that the Plan and implementing ordinances meet regional, State, and Federal guidelines.

Policy 3 of Objective #1 states that individuals, the Planning Commission, or the City Council may request Plan amendments at any time separate from the normal Comprehensive Plan Amendment application process.

Policy 4 of Objective #1 states that copies of proposed Plan changes shall be submitted to affected governmental units at the draft amendment stage and following final adoption of changes.

Policy 5 of Objective #1 states that all proposed legislative Comprehensive Plan amendments will be considered at advertised public hearings before the Planning Commission and City Council. At least 30 days prior to a public hearing, a public notice shall be printed in a local newspaper and will appear on the public information cable television station. A second notice shall appear at least ten days prior to the public hearing.

Findings: The Downtown Plan and Rezoning Project has met all of the procedural requirements for a legislative Comprehensive Plan Amendment. The amendment was initiated as a legislative amendment by the Milwaukie Planning Commission, consistent with Policy 3. The City of Milwaukie provided copies of the full amendment package to the Department of Land Conservation & Development (DLCD), Metro and Clackamas County on May 12, 2000, consistent with Policy 4. The City of Milwaukie has provided notice of the proposed amendments consistent with the requirements of Policy 5. In addition, the City provided individual mailed notice of the proposal as required by Ballot Measure 56. Notice was mailed more than six weeks prior to the first scheduled hearing before the Planning Commission to provide sufficient time for public review and consideration of the proposed amendments. Therefore, the proposed legislative amendment of the Milwaukie Comprehensive Plan has met the requirements of Objective #1 and relevant policies.

Policy 7. All Plan amendments will be evaluated based on the following criteria:

- conformance with the Comprehensive Plan, its goals, policies, and spirit,
- public need for the change,
- public need is best satisfied by this particular change,
- the change will not adversely affect the health, safety, and welfare of the community,
- the change is in conformance with applicable Statewide Planning Goals,
- the change is consistent with Metro Growth Management Functional Plan and applicable regional policies.

Findings: The proposed Downtown Plan and Rezoning project is in conformance with the goals, policies and spirit of the Milwaukie Comprehensive Plan. The plan recognizes that it is appropriate to adopt ancillary documents to the Comprehensive Plan to address specific geographic areas or topics. The Town Center Master Plan (TCMP) was adopted as an ancillary document in 1997 to set the framework for the city center. The TCMP outlined objectives for housing, transportation, commercial, urban design, and general land use changes in the Town Center. The downtown area was identified as one of six subareas (Subarea 1) addressed in the TCMP.

The Downtown Plan and Rezoning project details and implements the Comprehensive Plan and Town Center Master Plan policies and objectives for the Downtown. The Downtown Land Use Framework Plan will also be adopted as an ancillary document to the Milwaukie Comprehensive Plan. Several themes articulated in the Comprehensive Plan and TCMP are carried forward in the Downtown Land Use Framework Plan, including the following:

- emphasis on creating a compact mixed use environment downtown – with pedestrian amenities and high quality transit service and multimodal street networks
- capitalize on natural resources by restoring creeks and connecting the Willamette River to the historic blocks of downtown
- within the Town Center areas, mixed use development combining residential high density housing with retail, service commercial, and/or offices is encouraged
- a mixed use zone will be applied as an interim tool to implement the Town Center Master Plan

The Downtown Plan and Rezoning project is consistent with the policy framework established in the Milwaukie Comprehensive Plan and the Town Center Master Plan. The integrated package of plan and ordinance amendments will replace the interim Mixed Use Overlay and provide a more streamlined and specific

regulatory framework to implement the vision for Downtown Milwaukie and the Riverfront.

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There is a public need for the proposed amendments. Private property owners, city staff and decision-makers have found that the overly broad and prescriptive standards of the Mixed Use Overlay have not been responsive to the market or moved the City toward the vision for Downtown and the Willamette Riverfront. During 1999 and early 2000, the City hosted five Town Hall meetings to hear from citizens about ways to create more vitality in the downtown, to draw businesses and residents to the core area and to connect the riverfront with downtown.

In the summer of 1999, the City asked citizens to vote at community kiosks on four downtown/riverfront design options. From this, a Downtown Land Use Framework Plan was developed. To implement the framework plan, the City's Comprehensive Plan, Zoning Ordinance and Zoning Map all need to be amended to adopt new land use regulations for downtown.

The public need to create more vitality in the downtown, to draw businesses and residents to the core area and to connect the riverfront with downtown is best satisfied by the package of changes proposed in the Downtown Plan & Rezoning project. Rather than requiring mixed-use development throughout the downtown area, the Downtown Land Use Framework Plan targets key land uses to specific locations to achieve the right mix of land uses. The proposed design standards and public area requirements will result in high quality and consistent public and private improvements. The standards and requirements are clear and objective and reduce the burden of discretionary reviews and public hearings. Overall, the proposed amendments are more responsive to the market than existing regulations.

The proposed amendments will not adversely affect the health, safety, and welfare of the community. Existing regulations pertaining to sensitive lands and hazard areas are not being changed. The new Downtown Open Space zone provides an appropriate tool to accommodate and protect park, open space and riverfront uses on lands that are in public ownership along the Willamette River, Kellogg Creek, Spring Creek, and Johnson Creek in the downtown area. The Downtown Land Use Framework Plan and the public area requirements provide details to improve the street environment for pedestrians, cyclists and transit users. In addition, anticipated boulevard enhancements along McLoughlin Boulevard will improve the connection of downtown to the Willamette River and make it easier for pedestrians to access the riverfront.

The city has contracted with a traffic consultant to complete an analysis of the traffic impacts of the proposed amendments. The traffic impact study, including identification of potential traffic mitigation measures, will be available as evidence

prior to the Planning Commission and City Council deliberation and decision on the proposed amendments.

The proposed amendments are in conformance with applicable Statewide Planning Goals as highlighted below.

Goal 1 – Citizen Participation. The Downtown & Riverfront Land Use Framework Plan has been developed with extensive citizen input. The City hosted five Town Hall meetings to hear from citizens about their vision for the downtown and riverfront. Numerous meetings have been held with interested neighborhood and business groups to discuss the plan and proposed regulations. Individual mailed notice of the full package of amendments was provided to approximately 775 property owners and interested parties. An open house on the proposed amendments was held on May 31, 2000. Therefore, the proposed amendments have been developed with extensive public input and numerous opportunities have been provided for public review and comment on the proposed amendments. All public comments received to date are attached to this staff report as Exhibit I. Additional opportunities will be available for public testimony and input during the public hearings before the Planning Commission and City Council.

Goal 2 – Land Use Planning. The Downtown Plan & Rezoning project has been based on identification of issues and problems, inventories and other factual information. The plans and implementing measures have been available and accessible for public review and comment. The proposed Downtown Zones are based on and consistent with the policy direction established in the Downtown Land Use Framework Plan. The City of Milwaukie has coordinated the planning effort with relevant local regional and state agencies, including the Department of Land Conservation and Development, Metro, Tri-Met, Clackamas County and the Oregon Department of Transportation. Therefore, the proposed amendments are consistent with the relevant requirements of Goal 2.

Goal 3 – Agricultural Lands. This goal is not applicable.

Goal 4 – Forest Lands. This goal is not applicable.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources. The Downtown & Riverfront Framework Plan builds upon existing assets, capitalizes upon significant existing uses, and features the natural environment. The plan recognizes and builds upon the rich character and history of Milwaukie. The plan reconnects downtown Milwaukie to the Willamette River. It creates the new Riverfront Park as the city's "living room." And it calls for revitalizing historic buildings while designing new structures to harmonize with the town's historic character. The Willamette River, Johnson Creek, and Kellogg Creek all provide beautiful natural borders to the downtown area. The plan capitalizes on these

natural resources by restoring the creeks and connecting the river to the historic blocks of downtown. Existing regulations pertaining to historic resources, natural resources and the Willamette River Greenway are not changed by the proposed Downtown Plan & Rezoning Project. Therefore, the proposed amendments are consistent with the relevant requirements of Goal 5.

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Goal 6 – Air, Water, and Land Resources Quality. The proposed Downtown Plan & Rezoning regulations will protect the city’s overall air, water, and land resources by giving the City of Milwaukie an opportunity to implement a program that “manages land conservation and development activities in a manner that accurately reflects the community’s desires for a quality environment...” The amendments also recognize the City’s goal to have the Kellogg Creek Sewage Treatment Plan decommissioned in the future to allow for redevelopment of the riverfront.

Goal 7 – Areas Subject to Natural Disasters and Hazards. The proposed amendments do not affect existing regulations that pertain to development in floodplain or other hazard areas.

Goal 8 – Recreational Needs. The Willamette Riverfront is currently zoned for Limited Commercial development. The proposed amendments apply a new Downtown Open Space Zone to the Willamette Riverfront to more accurately reflect planned open space and recreational uses.

Goal 9 – Economic Development. The proposed amendments support and reinforce the role of downtown Milwaukie as a retail, service and civic center of the community. The Downtown Land Use Framework Plan defines key locations for specific uses, such as ground floor retail uses along Main Street, office commercial uses along high-visibility arterials, and residential uses at the edge of downtown in proximity to transit, service and civic uses. The proposed regulations pertaining to floor area ratios, building heights, build-to-lines and parking are all tailored to the specific zone. The proposed development and design standards are clear and objective and compliance with the standards can be checked at building plan review. When compared with the current Mixed Use Overlay regulations that require Planning Commission review and approval of development, the proposed regulations streamline the review process and are more responsive to the market. The design standards for private development and improvements within the public right-of-way will assure a consistent urban design framework for the downtown, an important element to attract and support public and private investment.

Goal 10 – Housing. The proposed amendments are consistent with the overall housing goals and objectives of the State of Oregon, Metro and Milwaukie. Specific locations are identified and zoned for Downtown Residential development. A “transition area” has been defined for a step-down in densities

adjacent to an existing lower density residential area. The application of minimum densities will ensure that the minimal amount of land available for housing is used efficiently. Opportunities for development of mixed use buildings, including housing, will be available throughout the downtown area. The design standards address key elements to assure use of high quality and durable building materials. Implementation of the amenities associated with the Downtown Plan, including pedestrian improvements, plazas and waterfront improvements, will enhance the overall

attractiveness of the downtown for housing. The Downtown Land Use Framework Plan achieves the housing targets established for the downtown area in the Town Center Master Plan.

Goal 11 – Public Facilities & Services. Existing and planned public facilities and services are adequate to accommodate the level and intensity of development planned under the Downtown Plan & Rezoning project. The overall level of development is not dramatically different from those expected under existing plans and zoning.

Goal 12 – Transportation. The proposed amendments are consistent with the Transportation Goal and the Transportation Planning Rule. The plan and the public area requirements emphasize a multi-modal street environment for the downtown area. Specific improvements are targeted for pedestrian, bicycle and transit facilities. The specific mix of land uses, densities and development and design standards will all work together to achieve a compact downtown that is attractive and walkable for residents, shoppers and employees. Buildings will be located close to the sidewalk, with entrances and ground floor windows along building facades.

A traffic impact analysis completed by the City in conjunction with this project has concluded on that the proposed land uses and densities can be accommodated by the existing transportation systems.

Goal 13 – Energy. The proposed amendments are consistent with the general requirements of the energy conservation goal. By providing a mix of land uses in a compact area, opportunities are provided to minimize energy consumption associated with driving. Additionally, a specific design for the Milwaukie transit center is integrated into the downtown plan and supported by nearby land uses and densities.

Goal 14 – Urbanization. The proposed amendments are consistent with the objectives of the urbanization goal. By providing opportunities for higher-density mixed-use development in the town center in an area served by transit, pressures are reduced for development at the fringe of the Urban Growth Boundary.

Goal 15 – Willamette River Greenway. The proposed amendments are consistent with the requirements of the Greenway Goal. The proposed Downtown Open Space zone is an appropriate zone to apply along the publicly owned riverfront. The amendments do not affect requirements for review of all development proposed within the greenway boundary.

In summary, the proposed amendments are consistent with the relevant Statewide Planning Goals. The amendments are also consistent with the Metro Growth Management Functional Plan and applicable regional policies. The proposed plan and regulations implement the “vision” for a town center as articulated in the 2040 Growth Concept. The minimum floor area ratios and minimum densities will provide the capacity for Milwaukie to achieve the housing and employment targets established for

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the downtown subarea. The proposed enhancement of McLoughlin Boulevard is consistent with the Regional Transportation Plan classification of this segment of the highway as a "regional boulevard." Proposals to extend the downtown street grid and improve on-street parking and pedestrian facilities are also consistent with policies in the Regional Transportation Plan.

Based on the findings above, the proposed package of amendments is consistent with all of the criteria for Plan Amendments as outlined in Policy 7 of the Milwaukie Comprehensive Plan.

OBJECTIVE #2 – IMPLEMENTING THE PLAN

Implement this Plan through appropriate ordinances and action.

Policies

- 1. Amend existing ordinances and adopt new ordinances to carry out the policies of this Plan as necessary.**
- 2. Apply zoning in a timely manner which is consistent with this Plan.**
- 3. All zoning and subdivision ordinances will be consistent with the intent and be based on this Comprehensive Plan.**

Findings: The proposed amendments to the Zoning Map (Exhibit E), Zoning Ordinance (Exhibit F), and Municipal Code (Exhibit G) have been drafted to implement the Downtown & Riverfront Land Use Framework Plan with integrated and consistent regulations. The new Downtown Zones and related regulations will replace the interim Mixed Use Overlay regulations. By proceeding with an integrated package of amendments, the City is complying with the spirit and intent of Objective #2.

MILWAUKIE ZONING ORDINANCE

904 REQUIREMENTS FOR ZONING TEXT AMENDMENTS

904.1 Proposals for zoning text amendments must provide written evidence that the following requirements are satisfied:

A. Applicable requirements of Section 1003.

All requirements of Section 1003 have been met as they apply to legislative amendments.

B. Reasons for requesting the proposed text amendments.

The purpose of the proposed regulations is outlined in the staff report, and briefly summarized below.

1. Make sure that the new Land Use Framework Plan for downtown is implemented in the day-to-day regulations.
2. Ensure that new development and redevelopment is consistent with the plan.
3. Begin implementing elements of the local vision for the downtown and riverfront area soon.
4. Simplify regulations in the downtown area and replace the interim Mixed Use Overlay.
5. Adopt public area requirements and design standards to ensure high quality and consistent design of public and private improvements in the downtown.

C. Explanation of how the proposed text amendment is consistent with other provisions of this Ordinance.

The proposed Zoning Ordinance amendments were written to provide permanent regulations to replace the interim Mixed Use Overlay in the downtown area. The amendments are part of an integrated package of amendments to the Milwaukie Comprehensive Plan, Zoning Ordinance and Municipal Code. By adopting the new downtown plan and zones as an integrated package, the City of Milwaukie will be able to move forward with implementing the local vision for the downtown and riverfront. Several related text amendments are proposed to make sure that the regulations are internally consistent and clear and objective.

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- D. **The approval criteria of Section 905.**
See below.

905 APPROVAL CRITERIA FOR ALL AMENDMENTS

For all proposals, the applicant shall have the burden of proof regarding the following criteria:

- A. **The proposed amendment must conform to applicable Comprehensive Plan goals, policies and objectives and be consistent with provisions of City ordinances, Metro Urban Growth Functional Plan, and applicable regional policies.**

Please see the Comprehensive Plan Amendment findings that addressed this same criterion.

- B. **The anticipated development must meet the intent of the proposed zone, taking into consideration the following factors: site location and character of the area, the predominant land use pattern and density of the area, the potential for mitigation measures adequately addressing development effects, any expected changes in the development pattern for the area, the need for uses allowed by the proposed zone amendment, and the lack of suitable alternative sites already appropriately zoned for the intended use or uses. The Planning Commission and City Council shall use its discretion to weight these factors in determining the intent of the proposed zone.**

This criterion is more applicable to a site-specific zone change proposal. The proposed ordinance text amendments do not involve a specific development proposal. However, the proposed Downtown Zones do reflect the location and character of specific areas of the downtown. The new zones do not represent a dramatic departure from existing zoning in terms of the types of uses permitted or the anticipated density of development. The downtown and riverfront area is recognized as the "Town Center" for Milwaukie, and the proposed zoning changes provide more specific details and standards to implement the Town Center concept.

The City retained a transportation consultant to evaluate the anticipated traffic impacts associated with the proposed zoning. The traffic study indicates that the rezoning of land in the downtown will result in no new traffic generation over existing zoned conditions. However, neighborhood residents have raised concerns about increased cut-through traffic on streets like Monroe, Washington, 27th, 28th, 29th and Lake Road. Data collected by the transportation consultant, unrelated to new downtown development, supports these concerns. Both high

traffic speeds and the shifting of regional traffic patterns over time in this area indicates that traffic safety is an issue in these areas. Staff therefore recommends that the Commission approve the proposed downtown rezoning, on a finding that the development patterns and effects will not be significantly different than existing zoning. Staff further recommends that the Commission highlight the concerns about neighborhood traffic speed and regional traffic patterns to the City Council. The Council is the proper body to make decisions about Neighborhood Traffic Management. With the assistance of the Historic Milwaukie and Lake Road NDA, the Council may be able to direct staff on an area-wide approach to Neighborhood Traffic Management in the areas east of downtown in the coming months.

At the June 27 hearing, the Commission received a letter from Milwaukie Lumber regarding the proposed rezoning of their property at 10998 SE 21st Avenue from C-C (Central Commercial) to DS (Downtown Residential). In the letter, Mr. Steve Morse highlights that Milwaukie Lumber has no current plans to relocate its commercial operation from this site. Additionally, he questions the marketability of the site for high density residential.

In response to these issues, staff has prepared the following responses and findings:

- a. The City of Milwaukie allows for "building materials supply" outlets only in the C-G (General Commercial) zone. Any alteration to the use is currently subject to the Nonconforming Uses section outlined in Section 800. This condition will not change for Milwaukie Lumber as the property is rezoned for Downtown Residential Uses. Given the fact that nonconforming use standards already apply to this site, retaining the existing C-C zone does not appear to give any added land use benefits to Milwaukie Lumber's existing use.
- b. Likewise, staff has evaluated different land uses for this site and finds it best suited for Downtown Residential uses, as opposed to office or retail uses. First, future redevelopment of retail uses on this site will only serve to draw attention away from the retail focus of Main Street. Secondly, office developers are more often attracted to sites that are visible and provide easily recognizable street addresses. This site is tucked behind more visible sites along Main Street and McLoughlin, that staff has already proposed to rezone for Downtown Office uses. The City's urban design consultant has concluded that this site is highly marketable for Downtown Residential uses. Noise from the rail line should be acknowledged as a potential impact to residents. However, trains currently run on this line only about four times per day. In addition, developers can use building construction methods to reduce noise impacts. This site is centrally located, offering easy pedestrian/bicycle access for residents to Main

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Street, the transit center, Milwaukie Junior High, Milwaukie High School and the riverfront. Retaining the C-C zone will undermine the downtown planning effort because the project is effectively eliminating the C-C zone from the project. Retaining one pocket of C-C zone in this location is inconsistent with zoning in the remainder of downtown. Therefore, staff is recommending to retain the proposed DR zone on the Milwaukie Lumber site and adjacent tax lots.

- C. The proposed amendment will meet or can be determined to reasonably meet applicable regional, State or federal regulations.**

Please see Comprehensive Plan Amendment findings addressing compliance with the Statewide Planning Goals and applicable regional plans.

- D. The proposed amendment demonstrates that existing or planned public facilities and services can accommodate anticipated development of the subject site without significantly restricting potential development within the affected service area.**

Existing and planned public facilities and services are adequate to accommodate the level and intensity of development planned under the Downtown Plan & Rezoning project. The overall level of development is not dramatically different from those expected under existing plans and zoning.

RECOMMENDED ACTION:

Adopt proposed new Section 312, Downtown Zones. (All text is new; ~~strikeout~~/underline reflects changes from previous draft.)

312 DOWNTOWN ZONES**312.1 Purpose**

This Section of the Zoning Ordinance implements the Downtown and Riverfront Land Use Framework Plan, Milwaukie Comprehensive Plan, and Town Center Master Plan. The downtown and riverfront area is envisioned as the focus of the community. Five zones are designated to reflect the distinctions between different areas of the Downtown and Riverfront Land Use Framework Plan, and to focus pedestrian-oriented retail uses to the traditional downtown core along Main Street. Specific development standards, public area requirements, and design standards are adopted for the Downtown Zones to assure an active, attractive, and accessible environment for shoppers, employees, and residents.

312.2 Characteristics of the Downtown Zones

Five specific zones are adopted to implement the Downtown and Riverfront Land Use Framework Plan. The zones are shown on Figure 312-1. The "Zoning Map of Milwaukie, Oregon" provides a larger-scale map of zone boundaries. The zones reflect the varied land uses, densities, and urban design character planned for different areas, as described and illustrated in the Downtown and Riverfront Land Use Framework Plan. The characteristics of the individual zones are described below.

A. Downtown Storefront (DS)

The Downtown Storefront Zone is established to preserve and enhance the commercial "Main Street" character of Downtown Milwaukie, ensuring that new development in areas designated DS is compatible with this desired character. This zone allows a full range of retail, service, business, and residential uses. Retail uses are required on the ground floors of buildings fronting on Main Street. Office and/or residential uses are allowed on upper floors. Industrial uses are not allowed. The desired character for this zone includes buildings that are built to the right-of-way and oriented toward the pedestrian, with primary entries located along streets rather than parking lots.

B. Downtown Commercial (DC)

The Downtown Commercial Zone is established to allow auto-accommodating commercial development in the area between McLoughlin Boulevard and Main Street, north of Harrison Street. A range of retail, service, office, and residential uses is permitted to support a gradual transition to higher densities and a greater mix of uses. Boulevard enhancements will improve the visual character of McLoughlin Boulevard and provide a link to the riverfront and adjacent downtown zones. The desired character for this zone includes buildings that engage at least one street right-of-way and include a pedestrian-oriented entry and well-landscaped parking lots.

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C. Downtown Office (DO)

The Downtown Office Zone is established to provide for office, entertainment, and hotel uses along high-visibility major arterial streets, as designated by the City of Milwaukie's Transportation System Plan. Retail commercial uses are limited to support the primary uses (office, entertainment, and hotel establishments) and encourage retail development along Main Street. The desired character for this zone will vary depending on the nature of the proposed use and individual site features.

D. Downtown Residential (DR)

The Downtown Residential Zone is established to increase housing opportunities in close proximity to downtown shopping, transit, and open space amenities. The major types of new housing will be apartments and condominiums. Minimum densities of **4030** units per acre will assure that land is used efficiently and will increase the customer base for nearby businesses. Additionally, the higher densities will support urban features such as parking under structures and durable building materials. Development at minimum densities of 10 units per acre up to a maximum of **4030** units per acre will be permitted in a defined portion of the Downtown Residential Zone to provide a transition to lower density residential zones. The desired character for the Downtown Residential Zone includes buildings located close to and oriented to the public sidewalk, with off-street parking located under or internal to building sites.

E. Downtown Open Space (DOS)

The Downtown Open Space Zone is established to implement the "Public" designation of the Milwaukie Comprehensive Plan and to provide a specific zone to accommodate open space, park, and riverfront uses. The Downtown Open Space zone is generally applied to lands that are in public ownership along the Willamette River, Kellogg Creek, Spring Creek, and Johnson Creek in the downtown area. The desired character for the Downtown Open Space Zone includes parkland, open space, and riverfront amenities.

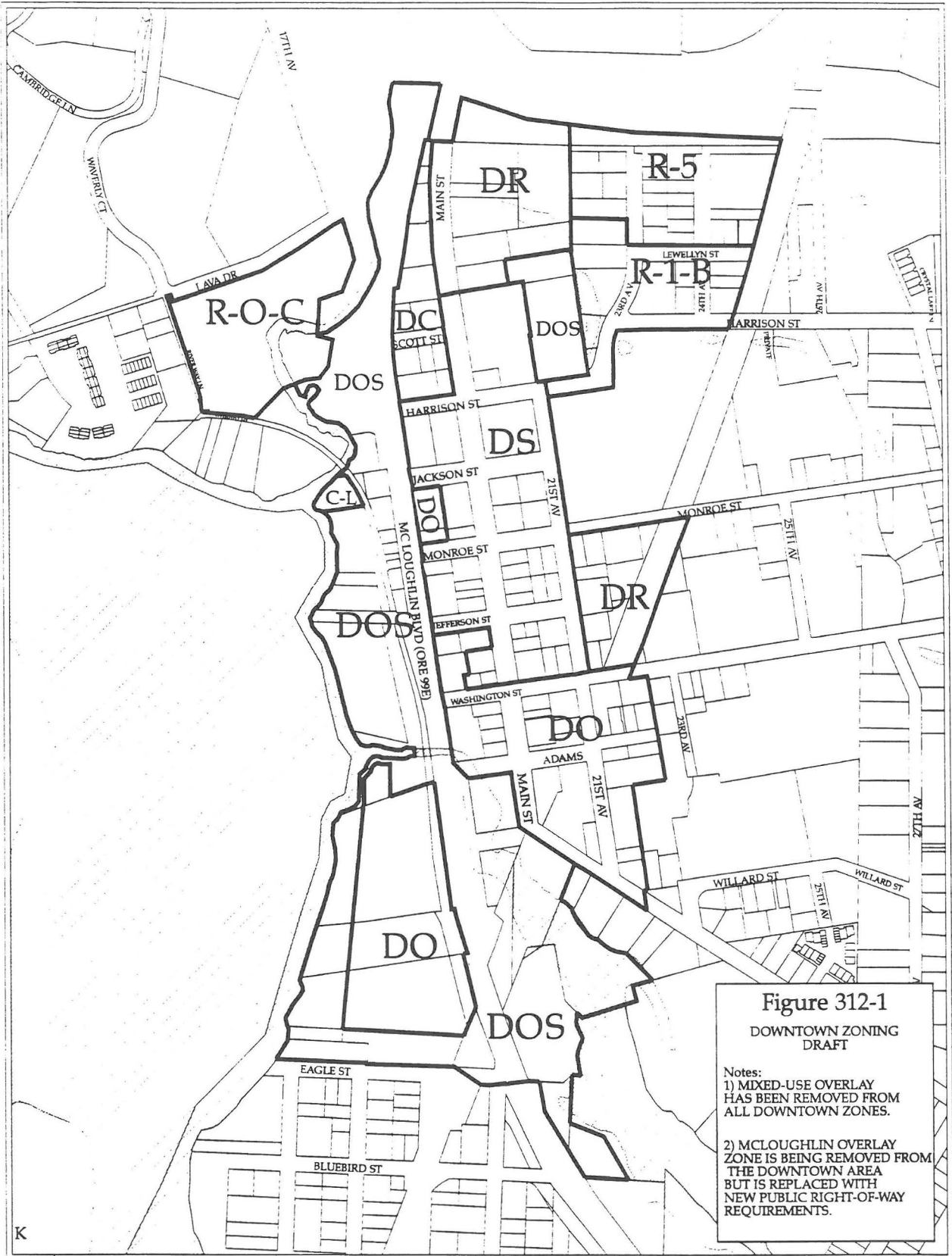


Figure 312-1
DOWNTOWN ZONING
DRAFT

Notes:
 1) MIXED-USE OVERLAY HAS BEEN REMOVED FROM ALL DOWNTOWN ZONES.
 2) MCLOUGHLIN OVERLAY ZONE IS BEING REMOVED FROM THE DOWNTOWN AREA BUT IS REPLACED WITH NEW PUBLIC RIGHT-OF-WAY REQUIREMENTS.

312.3 Uses

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A. Permitted uses

Uses allowed in the Downtown Zones are listed in Table 312.3 with a "P." These uses are allowed if they comply with the development and design standards, any applicable design guidelines, and other regulations of this Ordinance.

B. Limited uses

Uses that are allowed subject to limitations are listed in Table 312.3 with an "L." These uses are allowed if they comply with the limitations listed in subsection 312.3.G, and if they comply with the development and design standards, any applicable design guidelines, and other regulations of this Ordinance.

C. Nonconforming uses

Existing structures and uses that do not meet the standards for a particular Downtown Zone may continue in existence. Alteration of a nonconforming use or structure that is not in compliance with applicable standards shall be subject to the provisions of Section 800, Nonconforming Uses. For privately owned property with legal nonconforming uses and structures within the Downtown Open Space Zone, Section 803 is not applicable, but all other provisions of Section 800 shall apply.

D. Prohibited uses

Uses listed in Table 312.3 with an "N" are prohibited as new uses.

E. Accessory uses

Uses that are accessory to a primary use are allowed if they comply with all development standards. Accessory uses include but are not limited to restrooms in City parks and refreshment stands at the library.

F. Similar uses

The Planning Director, through a Type I Administrative review, may determine that a use that is not listed is considered similar to a listed use in Table 312.3. The unlisted use shall be subject to the standards applicable to the similar listed use.

USE CATEGORIES	Downtown Storefront	Downtown Commercial	Downtown Office	Downtown Residential	Downtown Open Space
Residential					
Single-family detached	N	N	N	N	N
Townhouse	N	N	N	L[1]	N
Multifamily apartment/condominium	N	P	N	P	N
Senior and retirement housing	N	P	N	P	N
Second-floor housing	P	P	P	P	N
Commercial/Office¹					
Automobile service station	N	N	N	N	N
Automobile repair	N	L[2]	N	N	N
Commercial recreation	P	P	P	N	N
Eating/drinking establishment	P	P	L[3]	N	N
Financial institution	P	P	P	N	N
Hotel/motel	N	P	P	N	N
Office, professional and administrative	L[4]	P	P	L[5]	N
Parking facility	P	P	P	N	L[6]
Personal/business services	L[7]	P	P	L[5]	N
Retail trade	P	P	L[3]	L[5]	N
Industrial					
	N	N	N	N	N
Other					
Adult entertainment	N	N	N	N	N
Community service uses	L[8]	L[8]	L[8]	L[8]	L[8]
Marinas, boat ramp	N	N	N	N	P
Parks, plazas, open space	P	P	P	P	P
Transit centers	L[9]	L[9]	N	N	N

G. Limited uses

The following provisions describe the use limitations and correspond with the footnote numbers for uses listed with an "L" in Table 312.3.

1. Townhouse development is only permitted in a limited area of the Downtown Residential Zone as identified on the Zoning Map (see "Transitional Residential Area" on Figure 312-1). This limited use provision is intended to provide an opportunity for owner-occupied housing at a minimum density of 10 units per acre and a maximum density of 4030 units per acre.

¹ Certain uses are permitted in the Downtown Storefront Zone, but are not allowed in the Required Retail Ground Floor Use Area along Main Street (see Figure 312-2 and subsection 312.4.B.7 for details).

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2. Automobile/motor vehicle repair (excluding body and fender repair and painting) is permitted in the Downtown Commercial Zone when conducted within a completely enclosed building.
3. In the Downtown Office Zone, eating and drinking establishments and retail trade uses are limited to 5,000 square feet in floor area per use. These limited uses may only be developed as part of a mixed use building that supports a primary permitted use (e.g., office, hotel, and financial institution).
4. In the portions of the Downtown Storefront Zone where ground-floor retail/restaurant uses are required (see Figure 312-2), office uses are only allowed on or above the second floor.
5. Office, personal service, and retail trade uses in the Downtown Residential Zone may only be developed as part of a mixed use building that includes housing. Office, personal service, and retail trade uses are limited to the ground floor; and individual office, personal service, or retail uses may not exceed 5,000 square feet in floor area. Home occupations are permitted in accordance with Section 422 of this Ordinance.
6. Parking facilities in the Downtown Open Space Zone are limited to surface lots.
7. In the portions of the Downtown Storefront Zone where ground-floor retail/restaurant uses are required (see Figure 312-2), personal/business service uses are limited to a maximum of 25 percent of the ground floor area of an individual building.
8. New community service uses or expansion/alteration of an existing community service use in the Downtown Zones may be permitted if approved under Section 321 of this Ordinance and shall comply with the development and design standards of this Section.
9. Transit centers shall comply with the Public Area Requirements for transit centers.

312.4 Development standards

A. Purpose

The development standards address several issues of particular importance to maintaining the appropriate character for the Downtown Zones. Table 312.4 summarizes the development standards that apply in the Downtown Zones. Table 312.4 is supplemented by the explanation of the development standards provided in subsection 312.4.B and the following figures:

Figure 312-2: Required Retail Ground Floor Use Areas

Figure 312-3: Maximum Building Heights

Figure 312-4: Build-to Lines

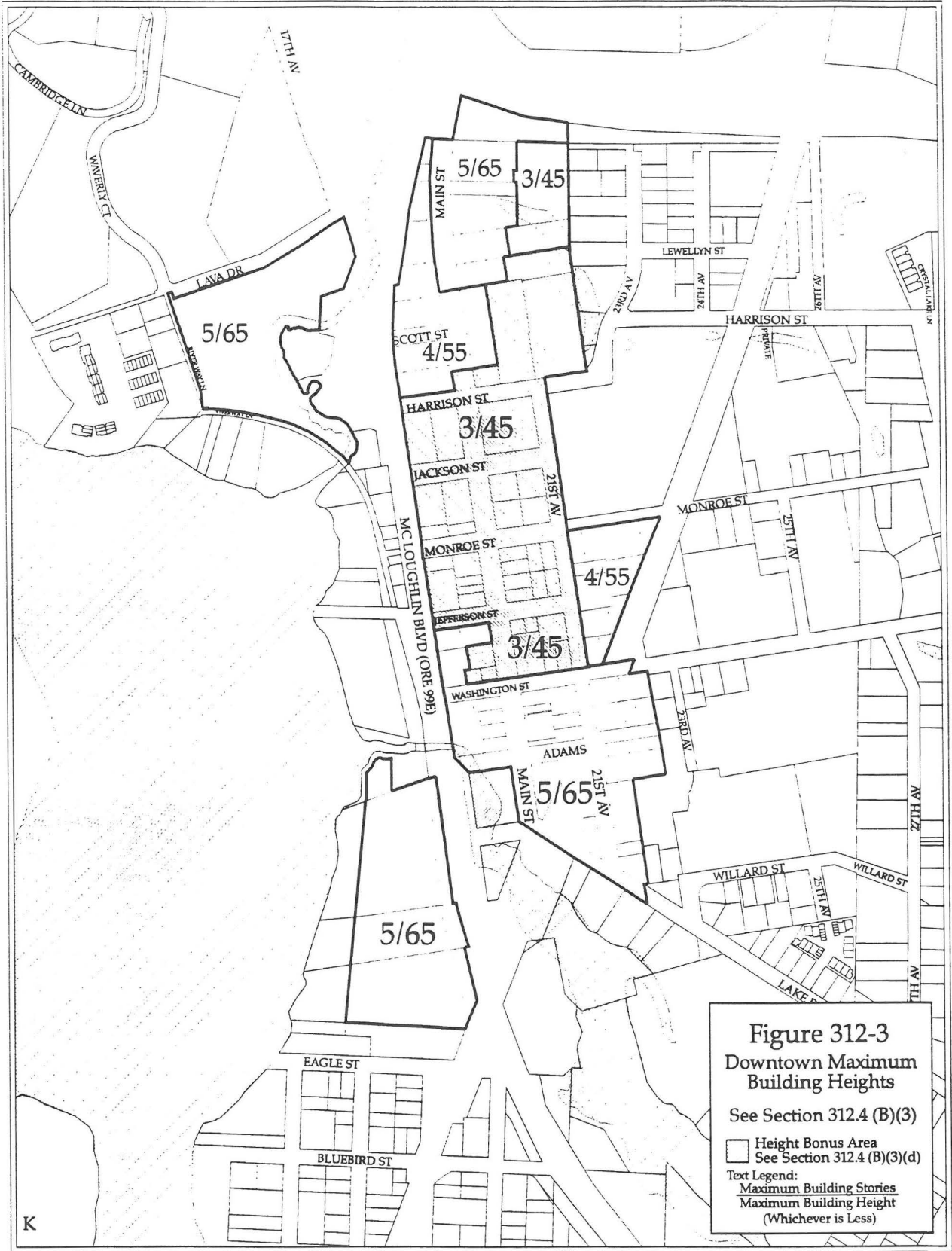
Figure 312-5: Ground Floor Windows and Openings

STANDARD	Downtown Storefront	Downtown Commercial	Downtown Office	Downtown Residential	Downtown Open Space
1. Minimum lot size	750 sf	10,000 sf	5,000 sf	750/5,000 sf ²	None
2. Floor area ratio					
Minimum	1:1	0.3:1	0.5:1	N/A	N/A
Maximum	4:1	2:1	3:1	N/A	N/A
3. Building height (see Figure 312-3)					
Minimum	35'	25'	25'	None	None
Maximum	45'-55'	55'	65'	45'-7565'	None
4. Residential density					
Minimum	None	None	None	10- 40 30 U/Acre	None
Maximum	None	None	None	None	None
5. Street setback (see Figure 312-4)					
Minimum	0'	0'	0'	0'	0'
Maximum	10'	50'	10'	None	None
6. Other setbacks (side and rear)	None	None	None	15 ³	None
7. Ground-floor retail (see Figure 312-2)	Yes	Yes	Yes	No	No
8. Ground-floor windows/doors (see Figure 312-5)	Yes	Yes	Yes	No	No
9. Drive-through facilities	No	No	No	No	No
10. Off-street parking required	No	Yes	No/Yes ⁴	Yes	Yes
11. Landscaping	None	10%	None	15%	20%

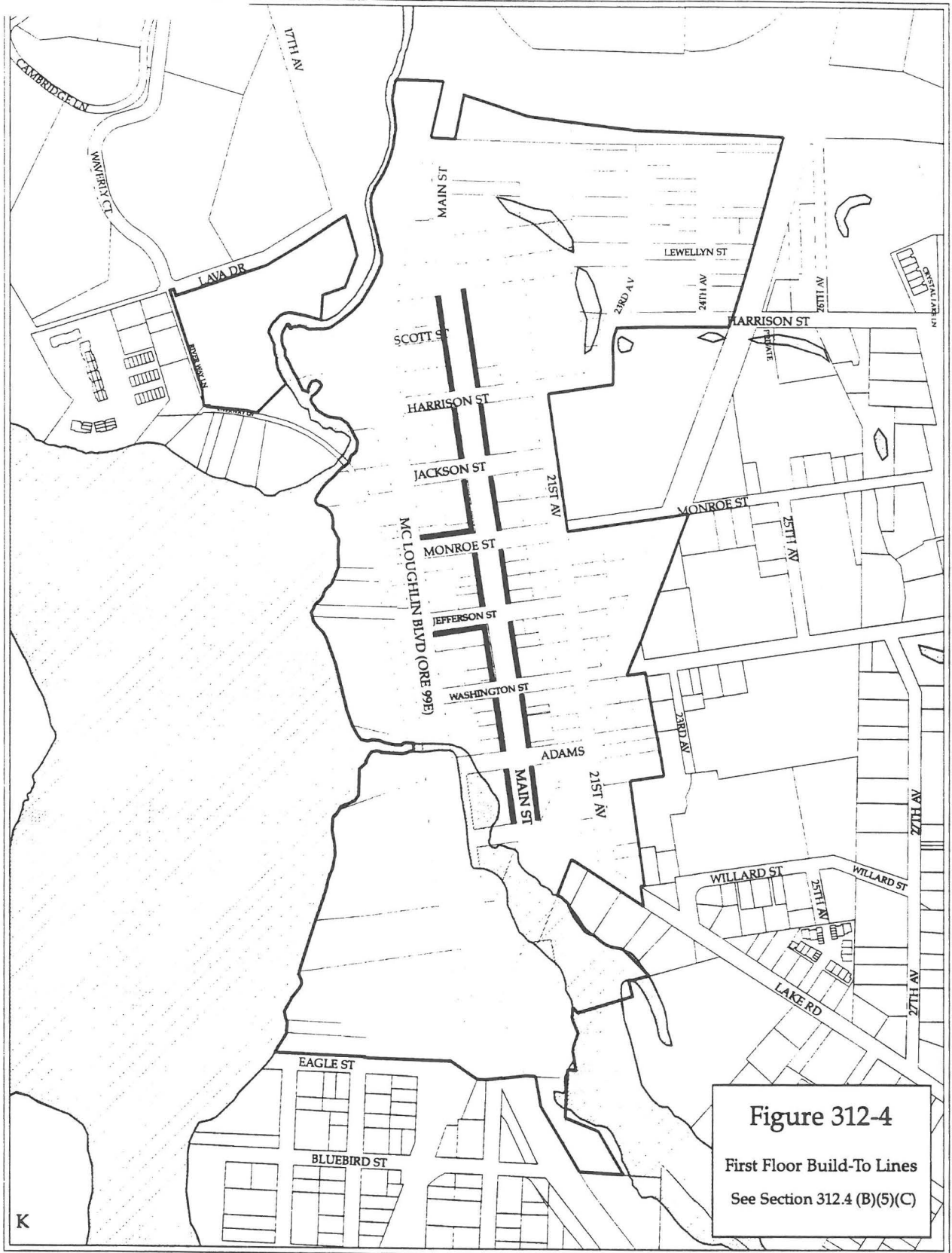
² Townhouse lots in the Transitional Residential Area may be as small as 750 sf. All other lots created in the DR Zone shall be a minimum of 5,000 sf.

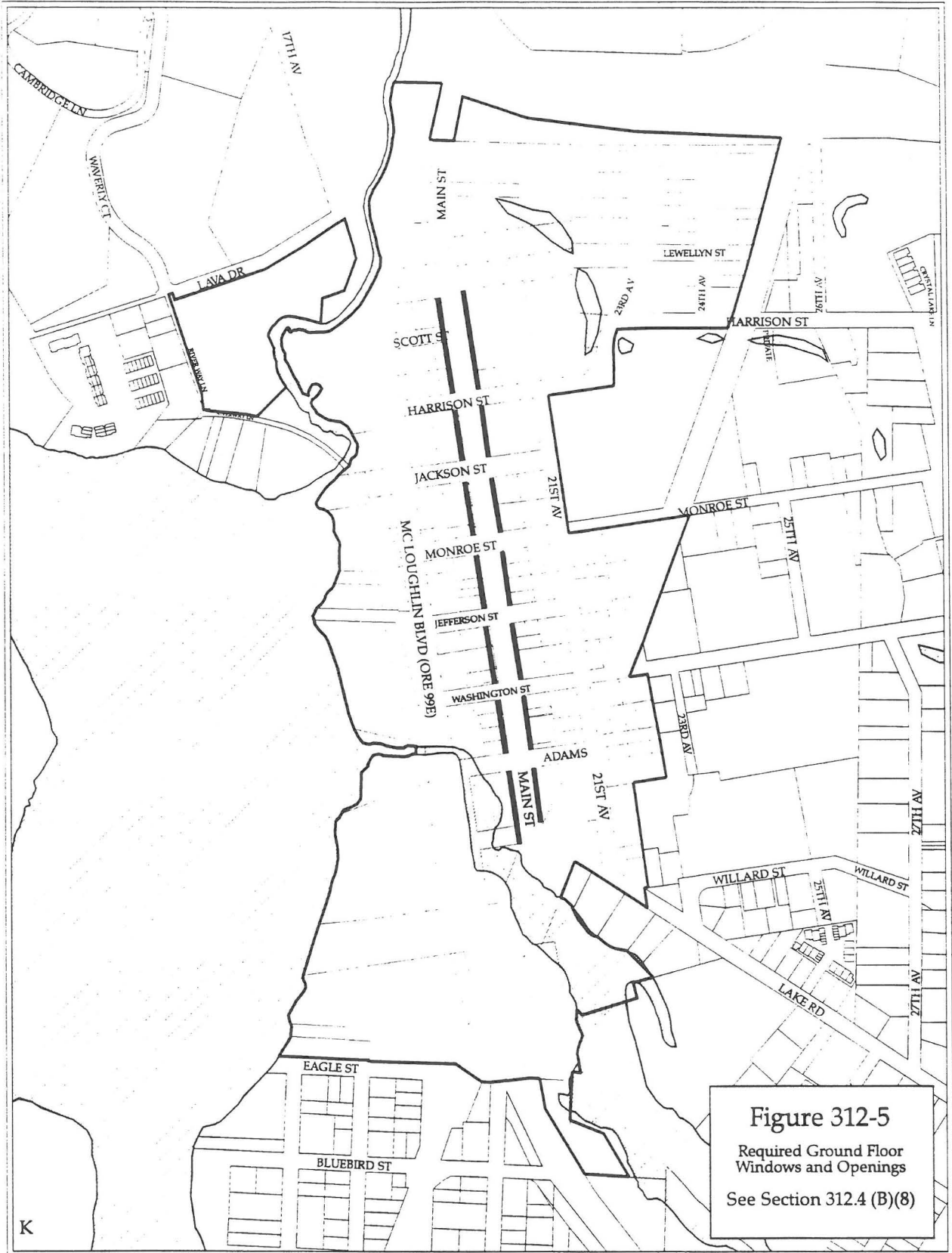
³ Setbacks are required only where the DR Zone abuts a lower-density residential zone.

⁴ Off-street parking is not required in the DO Zone to the north of Washington Street and east of McLoughlin Boulevard. Off-street parking is required in the DO Zone located outside of this boundary.



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B. Explanation of development standards

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1. Minimum lot size

New lots created in the Downtown Zones shall meet the minimum lot size standards of Table 312.4 as further described below.

- a. New lots in the Downtown Storefront and Downtown Residential Zones (in the Transitional Residential Area only) shall be a minimum of 750 square feet, with a minimum street frontage of 15 feet.
- b. New lots in the Downtown Office and Downtown Residential Zones (other than those in the Transitional Residential Area) shall be a minimum of 5,000 square feet, with a minimum street frontage of 30 feet.
- c. New lots in the Downtown Commercial Zone shall be a minimum of 10,000 square feet, with a minimum street frontage of 30 feet.
- d. Land divisions shall comply with applicable provisions of the Subdivision Ordinance (Title 17 of the Milwaukie Municipal Code).

2. Floor area ratios

The floor area ratio (FAR) is a tool for regulating the intensity of development. Minimum floor area ratios help to ensure that the intensity of development is controlled and that more intense forms are confined to appropriate areas of the downtown.

- a. The minimum floor area ratios in Table 312.4 apply to all nonresidential building development.
- b. Required minimum floor area ratios shall be calculated on a project-by-project basis and may include multiple contiguous parcels. In mixed use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.
- c. If a project is to be developed in phases, the required FAR must be met for the land area in the completed phase(s), without consideration of the land area devoted to future phases.
- d. The following uses are exempt from the minimum floor area ratios: transit centers, public parks and plazas, and commercial parking facilities.

3. Building height

Minimum and maximum building height standards serve several purposes. They promote a compatible building scale and relationship of one structure to another. Building height standards also establish a consistent streetscape.

- a. Minimum building heights are specified in Table 312.4. The minimum building height of 35 feet for the Downtown Storefront Zone applies only to buildings that front on Main Street. Buildings fronting on other streets in the Downtown Storefront Zone shall be a minimum height of 25 feet.
- b. The minimum building height standards apply to new commercial, office, and mixed use buildings. The standards do not apply to additions to existing buildings, accessory structures, or to buildings with less than 1,000 square feet of floor area.
- c. Maximum building heights are specified in Table 312.4 and illustrated on Figure 312-3. If there is a conflict between Table 312.4 and Figure 312-3, the maximum building height provisions of Figure 312-3 shall control.
- d. **An opportunity is provided for a height bonus in a defined area of the Downtown Plan. For the area identified on Figure 312-3 as the Height Bonus Area, the base building height is 3 stories or 45 feet, whichever is less. However, if at least 1 floor or 25 percent of the gross floor area is devoted to residential uses, the building is allowed a height of 4 stories or 55 feet, whichever is less.**

4. Residential density

There is a minimal amount of land available for new housing development within the Downtown Zones. Minimum densities are applied in the Downtown Residential Zone to assure efficient use of land at densities that support transit use and nearby downtown businesses.

- a. Minimum densities for the Downtown Residential Transition Area shall be 10 units per acre (see Figure 312-1). The maximum density for the Residential Transition Area shall be **4030** units per acre.
- b. Minimum densities for stand-alone multifamily apartment/condominium dwellings and senior/retirement housing in the Downtown Residential and Downtown Commercial Zones shall be **4030** units per acre. Maximum residential densities are controlled by height limits.
- c. There are no minimum density requirements when residential units are developed as part of a mixed use building in the Downtown Storefront, Downtown Commercial, and Downtown Office Zones. The minimum density standards apply only to stand-alone residential buildings. Second-floor housing is allowed in the Downtown Storefront, Downtown Commercial, and Downtown Office Zones. Maximum residential densities for mixed use buildings are controlled by height limits.

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5. Street setbacks

Buildings are allowed and encouraged to build up to the street right-of-way in all Downtown Zones. Required build-to lines are established in specific areas of the downtown to ensure that the ground floors of buildings engage the street right-of-way (see Figure 312-4). The build-to line ensures compatibility and harmony between buildings, enabling a series of different buildings to maintain or establish a continuous vertical street wall.

- a. No minimum street setbacks are required in any of the Downtown Zones.
- b. The Downtown Zones are exempt from the clear vision area requirements of Chapter 12.24 of the Milwaukie Municipal Code, with the exception of driveway and street intersections with McLoughlin Boulevard.
- c. First-floor build-to lines (required zero setbacks) are established for block faces identified on Figure 312-4. The build-to line includes a necessary degree of flexibility:
 - (1) Projections or recesses of up to 18 inches are allowed.
 - (2) Doorways may be set back a maximum of 8 feet from the build-to line.
- d. Maximum street setbacks of 10 feet are established for the Downtown Storefront and Downtown Office Zones. The 50-foot maximum setback for the Downtown Commercial Zone applies only to the McLoughlin Boulevard frontage. A build-to line (0 setback) is established for the Downtown Commercial Zone along the Main Street frontage.

6. Other setbacks

No specific side or rear yard setbacks are required for the Downtown Zones with the exception of the Downtown Residential Zone, where a minimum 15-foot side/rear yard setback is required where the Downtown Residential Zone abuts lower-density residential zones.

7. Ground-floor retail/restaurants

Retail uses and eating/drinking establishments are required at the ground floors of buildings fronting on Main Street and identified on Figure 312-2. This requirement will ensure that continuous retail storefronts and eating/drinking establishments are established and maintained along Main Street, to attract pedestrians and strengthen the shopping environment. When required, the retail uses and/or eating/drinking establishments must comprise at least 75 percent of the ground floor area of a building.

8. Ground-floor windows/doors

Long expanses of blank walls facing the street or other public area have negative impacts on the streetscape and the pedestrian environment. To minimize these effects, the standards of this Section are intended to enhance street safety and provide a comfortable walking environment by providing ground-level features of interest to pedestrians in specific areas of the Downtown Zones.

- a. For block faces identified on Figure 312-5 (Ground-floor Windows and Openings), the exterior wall(s) of the building facing the street/sidewalk must meet the following standards:
- (1) 75 percent of the ground-floor street wall area must have openings; i.e., windows or doors.
 - (2) Doors and/or primary entrances must be located on the block faces identified on Figure 312-5, and must be unlocked when the business located on the premises is open. Doors/entrances to second-floor residential units may be locked.
 - (3) Clear glazing is required for ground-floor windows. Nontransparent, reflective, or opaque glazing are not permitted.
 - (4) Ground-floor windows for buildings on the block faces identified on Figure 312-5 shall allow views into storefronts, working areas, or lobbies. No more than 50 percent of the window area may be covered by interior furnishings including but not limited to curtains, shades, signs, or shelves. Signs are limited to a maximum coverage of 20 percent of the window area.

9. Drive-through facilities

Drive-through facilities can conflict with the easy, safe, and convenient movement of pedestrians. Therefore, drive-through facilities are prohibited in the Downtown Zones to create a pedestrian-friendly environment where transit, bicycles, and walking are encouraged.

10. Off-street parking

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

- a. Development in the Downtown Storefront Zone, and the portion of the Downtown Office Zone located to the north of Washington Street and east of McLoughlin Boulevard, is exempt from Section 500 off-street parking requirements.

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- b. With the exception of the two areas identified in subsection 312.4.B.10.a above, the minimum and maximum parking standards specified in Section 500 of this Ordinance shall apply to development in the Downtown Zones.
- c. Off-street surface parking lots (including curb cuts) shall not be located within 50 feet of the Main Street right-of-way.

11. Minimum landscaping/open space

The minimum landscaping/open space requirements are established to provide amenities for downtown residents, promote livability, and help soften the effects of built and paved areas.

- a. Required landscaping/open space in the Downtown Zones may include courtyards, roof top gardens, balconies, terraces, and porches.
- b. Balconies for residential units shall have a minimum depth of 6 feet and a minimum width of 8 feet.
- c. Where possible, jointly improved landscaped areas are encouraged to facilitate continuity of landscape design. Street trees are required in all Downtown Zones as outlined in the Public Area Requirements.

312.5 Public area requirements

A. Purpose

The design of streets, sidewalks, and public spaces is critical to the overall character and vitality of the Downtown Zones. The Public Area Requirements prescribe specific details and design criteria for improvements within the public right-of-way, to establish a common urban design thread and link the different land uses and architectural styles of the Downtown Zones.

B. Applicability

The Downtown and Riverfront Public Area Requirements shall apply as follows:

1. All new development in the Downtown Zones shall comply with the Public Area Requirements.
2. Any renovation, expansion, or alteration of an existing building that has a development permit value that exceeds 50 percent of the value of the land and existing improvements, as determined by the County Assessor, shall comply with the Public Area Requirements. The Building Official shall determine development permit value.
3. If the development permit value is less than 50 percent of the value of the land and existing improvements, as determined by the County Assessor, then an amount equal to at least 10 percent of the development permit value shall be utilized to meet the Public Area Requirements. For example, if a \$100,000 improvement is proposed for a site with land and improvements

valued at \$250,000, at least \$10,000 shall be dedicated to meet the Public Area Requirements. Priorities for public area improvements shall be determined at a preapplication conference with Community Development Department staff. In general, the public area requirements will be prioritized to benefit the pedestrian as follows:

First priority: Sidewalk improvements

Second priority: Street trees

Third priority: Streetlights

Fourth priority: Street furniture and bicycle parking

312.6 Design standards

A. Purpose

The design standards contained in this Section are intended to encourage building design and construction with durable, high-quality materials. The design standards, together with the public area requirements, will support the development of a cohesive, attractive, and safe downtown area and encourage private investment. The design standards do not prescribe a particular building or architectural style. The standards are intended to be clear and objective, and compliance with the standards is checked as part of building plan review.

B. Applicability

The design standards are applicable to all new construction and to major exterior alterations in the Downtown Zones. Standards regarding prohibited materials are applicable to minor exterior alterations in the Downtown Zones. Exterior maintenance and repair of buildings in the Downtown Zones are exempt from compliance with the design standards. Definitions of exterior maintenance and repair, minor exterior alteration, and major exterior alteration follow.

1. Exterior maintenance and repair includes refurbishing, painting, and weatherproofing of deteriorated materials, and in-kind restoration or replacement of damaged materials. Exterior maintenance and repair does not include replacement of materials due to obsolescence or when associated with minor or major exterior renovation, as defined below. Exterior maintenance and repair does not include the placement of signs.

The design standards are not applicable to exterior maintenance and repair as defined above.

2. Minor exterior alterations include the exterior alterations of any portion of a structure that do not fall within the definitions of "exterior maintenance and repair" or "major exterior alterations." Minor exterior alterations include, but are not limited to, the application or installation of finish building treatments, including windows and other glazing, doors, lintels, copings, vertical and horizontal projections including awnings, and exterior sheathing and wall materials. Minor exterior alteration does not include the placement of signs.

Additions not exceeding 250 square feet may be permitted under a minor exterior alteration only when the additional floor area is designed and used

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for utility, HVAC, other mechanical equipment, ADA upgrades, or egress required by applicable fire safety or building codes.

The design standards pertaining to prohibited exterior building materials (see subsection 312.6.C) are applicable to minor exterior alterations. No other design standards apply to minor exterior alterations.

3. Major exterior alterations include any of the following:
 - a. Alterations that do not fall within the definitions of "exterior maintenance and repair" or "minor exterior alterations."
 - b. Demolition or replacement of more than 25 percent of the surface area of any exterior wall or roof.
 - c. Floor area additions that exceed 250 square feet or do not meet the limited purposes as defined under the minor exterior alteration (ADA upgrades, etc.).

The design standards are applicable to major exterior alterations as described below:

- (1) Major exterior alterations involving a wall(s) shall comply with the design standards for walls and the design standards for windows for that wall(s).
- (2) Major exterior alterations involving a roof shall comply with the design standards for roofs.

C. Design standards

1. Design standards for residential

The following standards are applicable to "stand-alone" residential buildings in the Downtown Residential and Downtown Commercial Zones. Additional standards pertaining to walls, windows, and roofs are also applicable to residential buildings and are addressed in subsection 312.6.C.2-4.

- a. Residential entries and porches
 - (1) Porches, if provided, shall be a minimum of 6 feet deep x 8 feet wide.
 - (2) Front entries must face a public street or a landscaped courtyard.
- b. Garages and parking areas
 - (1) Garage entrances and parking areas shall not be located between the residential building(s) and the abutting public street.

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- c. Residential courtyards, if provided
 - (1) Courtyards shall have a minimum width of 30 feet.
 - (2) Up to 15 percent of the courtyard area may be claimed as private space. The remainder shall be common space.
 - (3) The courtyard shall be enclosed on a minimum of 2 sides by residential front entry doors.
 - (4) Garage doors shall not front onto the courtyard.

2. Design standards for walls

The following standards are applicable to the exterior walls of buildings facing streets, courtyards, and/or public squares in all of the Downtown Zones.

- a. Exterior wall-mounted mechanical equipment is prohibited.
- b. The following wall materials are prohibited at the street level of the building:
 - (1) EIFS or other synthetic stucco panels.
 - (2) Split-face or other masonry block.
- c. The following wall materials are prohibited at all levels of the building in all Downtown Zones:
 - (1) Plywood paneling (T-111).
 - (2) Brick with dimensions larger than 4x8x2 inches.
 - (3) Spandrel glazing/curtain wall.
 - (4) Vinyl cladding.
 - (5) Composite wood fiberboard or composite cement-based siding.
 - (6) Metal panels, except at penthouse level.
- d. The following wall materials are permitted only in the Downtown Residential Zone where densities are less than ~~40~~30 units per acre:
 - (1) Board and batten cladding (limited to a maximum of 20 percent of the wall area).
 - (2) Wood shingles.
 - (3) Composite wood fiberboard.

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3. Design standards for windows.

The following standards are applicable to building windows facing streets, courtyards, and/or public squares in all of the Downtown Zones.

- a. Windows shall be "punched" openings recessed a minimum of 2 inches from the wall surface.
- b. Window height shall be equal to or greater than window width.
- c. The following windows are prohibited:
 - (1) Reflective, tinted, or opaque glazing.
 - (2) Simulated divisions (internal or applied synthetic materials).
 - (3) Exposed, unpainted aluminum or metal frame windows.

4. Design standards for roofs

The following standards are applicable to building roofs in all of the Downtown Zones.

- a. Flat roofs shall include a cornice with no less than 6 inches depth (relief) and a height of no less than 12 inches.
- b. The following roofs are prohibited in all Downtown Zones:
 - (1) Standing seam metal roof.
 - (2) Mansard or decorative roof on buildings less than 3 stories.

Land Use Framework

The Milwaukie Downtown and Riverfront Land Use Framework Plan represents a major opportunity to reinvigorate downtown Milwaukie. With aggressive and focused efforts from both the public and private sectors over the coming years, downtown Milwaukie will be revitalized. This Plan outlines the components necessary to make such a vision of Milwaukie a reality. It foremost builds upon existing assets, capitalizes upon significant existing uses, and features the natural environment. It also sets out a realistic agenda and implementation program that the city and private development can follow.

What This Framework Does

The Land Use Framework is a vision of what can occur in the downtown and riverfront area. It has been tailored to meet Milwaukie's social, economic and development goals and policies while responding to market conditions and the City's overall vision for future growth.

This document serves as an ancillary document to the Milwaukie Comprehensive Plan. On its own, this Framework is not a regulatory document. Any part of the Framework that is intended to have a binding effect will have to be adopted as part of, or pursuant to, a code to have regulatory effect. The Land Use Framework suggests changes to the existing Town Center Plan Subarea 1 of the Comprehensive Plan.

This Framework establishes and guides the development of publicly and privately owned parcels of land, and outlines specific land uses. Nothing in this framework authorizes public use of private property. The Zoning Ordinance provisions regarding permissible uses prevail over any inconsistent provision in this Downtown and Riverfront Land Use Framework.

This Land Use Framework allows existing businesses to remain as long as their owners wish. Existing uses and structures on privately owned property designated as open space may continue to operate until acquired by a public entity. Any private property designated as a trail may be used for any permitted or legally nonconforming use until such time as the property is transferred to public use by easement, dedication or other means.

NEW
TE:

If an existing business does not conform to the new planning area's allowable uses and development regulations, it will be allowed to continue to operate, as well as to expand and rebuild, in accordance with the Downtown Design Standard Threshold Regulations of the City of Milwaukie's Zoning Ordinance.

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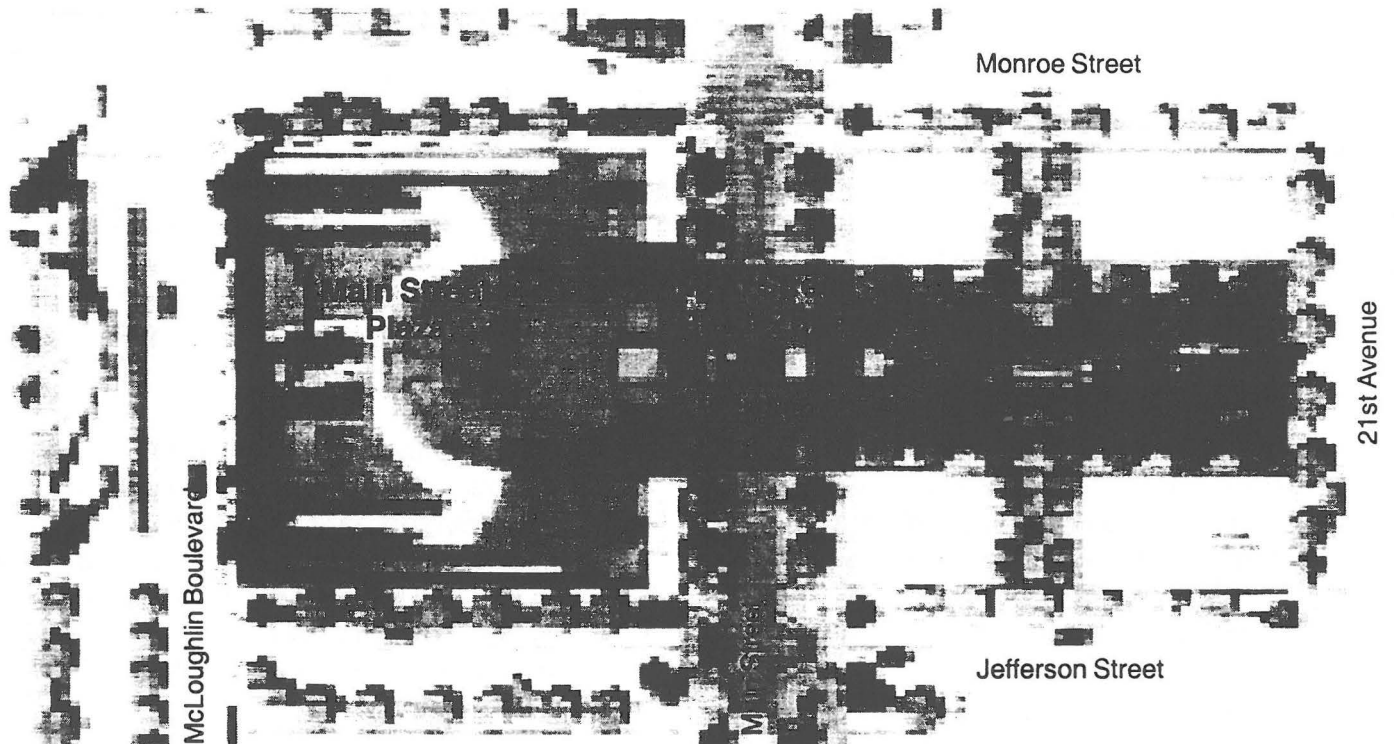
Design Details

3.2 Sidewalks

D.5 Paving: Illustrative Plan - Main Street Plaza & Main Street Plaza Zone

Note:

- 1. See Section 3.2-D10, D11, D12, and D13 for paving plan details.
- 2. Plaza Concept Plan for reference only. Final Plaza plan to be refined.

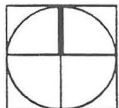


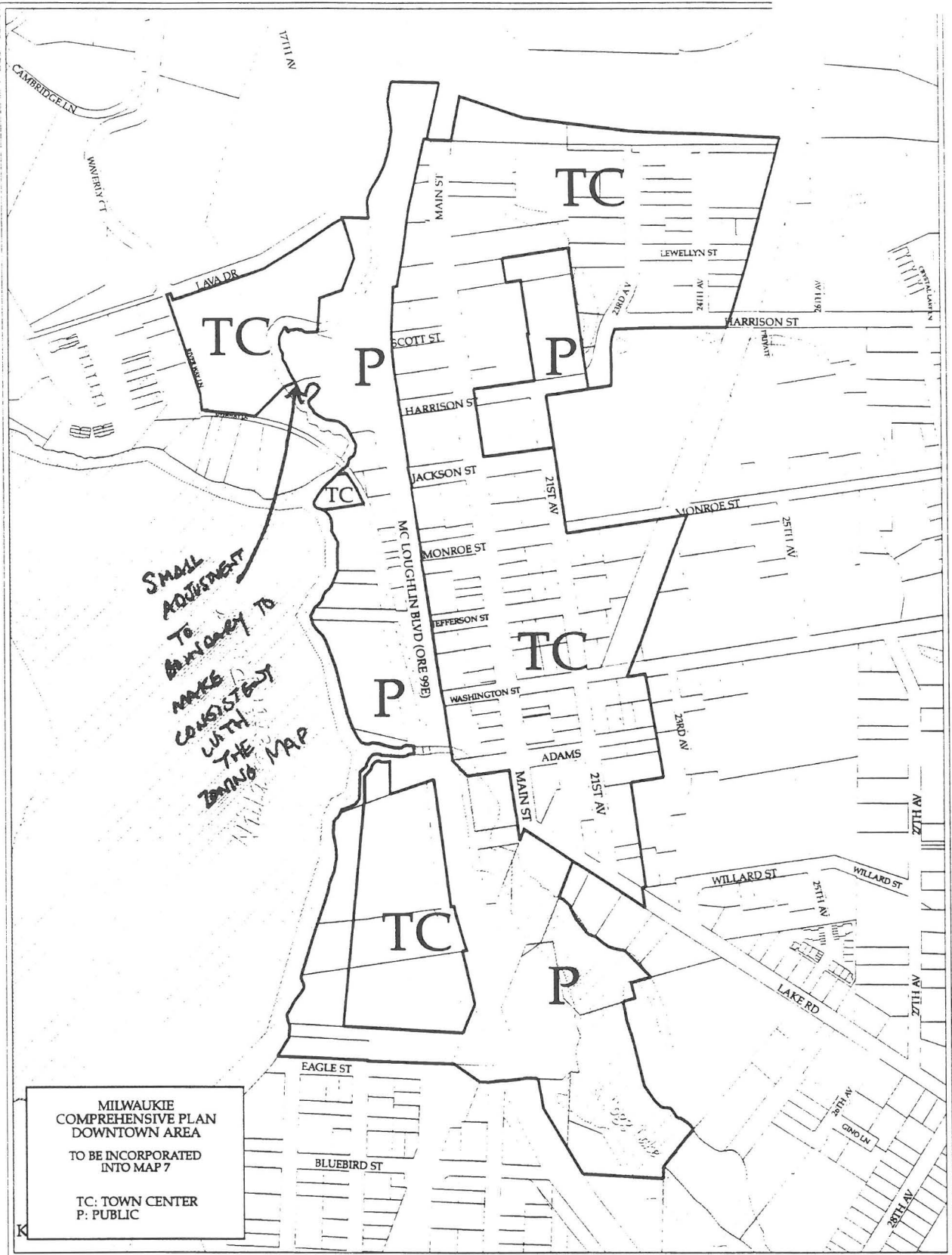
NEW TEXT



The location and design of the Main Street Plaza is conceptual only and illustrates the City's proposed land use framework for this area. The final plaza area design, size and location will be refined and finalized as the opportunity becomes available for this development. Until such time as the plaza plan is approved for development, the block bounded by Monroe, Main, Jefferson and McLoughlin may be used and developed consistently with applicable zoning.

NORTH





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RECOMMENDED ACTION:

Change commission name from "Historic Resources" to "Design and Landmarks" Commission, giving the commission oversight of historic resources reviews and design review. The new commission will be working with staff to develop a design review process in the coming months.

Title 2
ADMINISTRATION AND PERSONNEL

Chapter 2.18
HISTORIC RESOURCES DESIGN AND LANDMARKS COMMISSION

Section 2.18.010 Established--Purpose.

~~The historic resources commission is established for the purpose of assisting the city council on historic preservation matters defined in the zoning ordinance, Section 323, specifically those duties and responsibilities described in Section 323.4(B); reviewing the historic resources element of the comprehensive plan; and such other duties as city council may assign. (Ord. 1799 § 2 (part), 1996)~~

The Design and Landmarks Commission is established for the following purposes:

A. Assisting the City Council on historic preservation matters defined in Section 323 of the Zoning Ordinance, specifically those duties and responsibilities described in Sections 323.4(B) and 323.5 of the Zoning Ordinance;

B. Reviewing the historic resources element of the Comprehensive Plan;

C. Providing decisions and/or recommendations to the Planning Commission and the City Council regarding compliance with applicable design guidelines for development projects subject to design review under the Zoning Ordinance; and

D. Review and recommend appropriate design review processes and procedures to City Council.

E. Any other duties assigned by the City Council.

NEW PARAGRAPH

DKS Associates

1400 SW Fifth Avenue, Suite 500
Portland, OR 97201-5502
Phone: (503) 243-3500
Fax: (503) 243-1934

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June 27, 2000

Alice Rouyer
City of Milwaukie
6101 SW Johnson Creek Boulevard
Milwaukie, OR 97206

SUBJECT: Downtown Milwaukie Riverfront Project
Initial Transportation Analysis

P00222

Dear Alice:

The following report summarizes the initial transportation analysis for downtown Milwaukie considering the Riverfront Land Use Framework Plan. An inventory of traffic conditions was conducted, including current traffic counts (see Figure 1 for study area). Land use in the downtown area was inventoried and compared to the proposed land use framework plan and current zoning. Future vehicle trip generation estimates were developed and an initial traffic forecasts was completed to assess the potential traffic impacts in the downtown area. The following sections summarize each of these topics.

EXISTING CONDITIONS

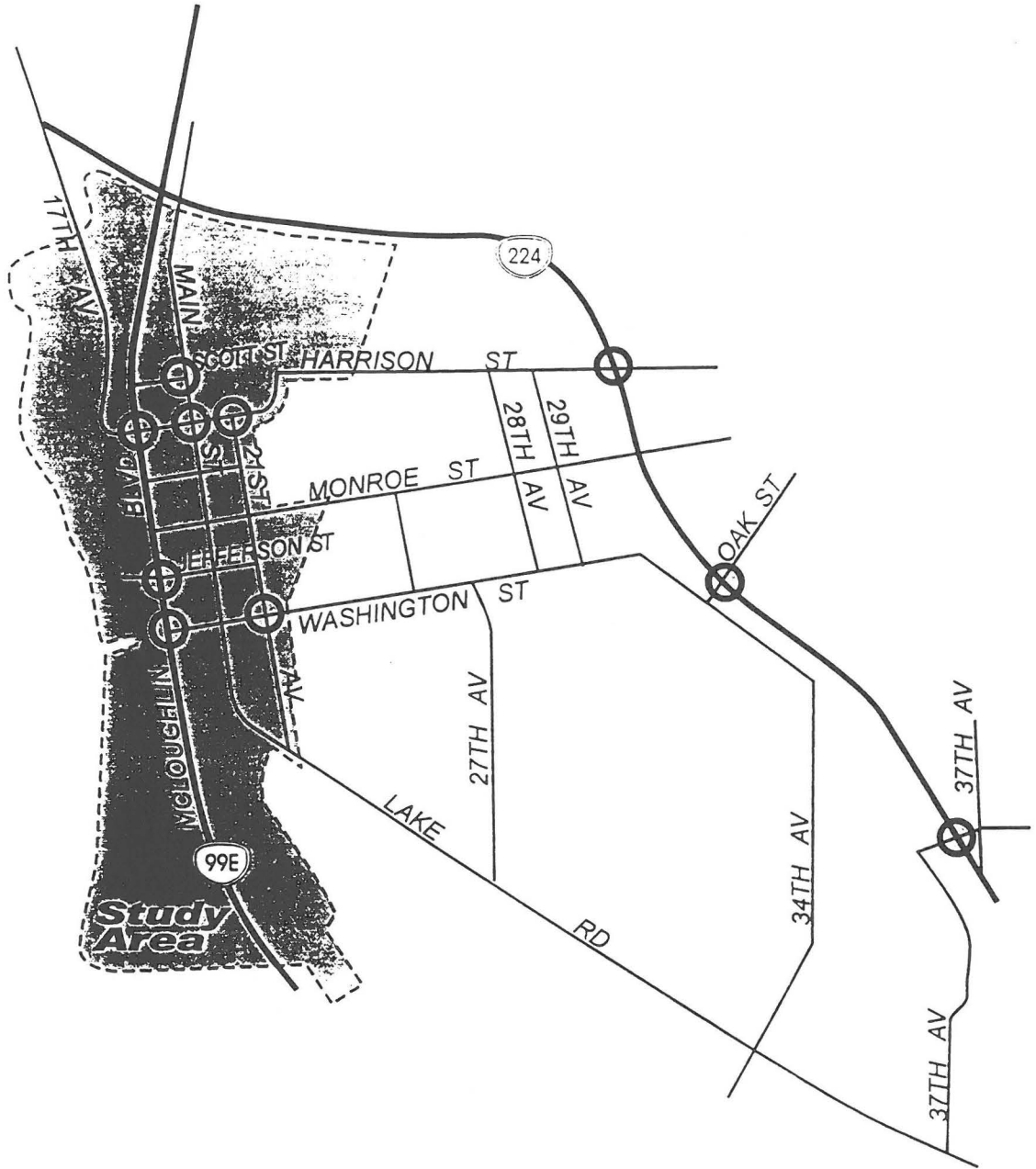
Transportation information in downtown Milwaukie was obtained in June of 2000 to update prior data. The following sections summarize the current information.

Traffic Counts

Traffic counts were conducted at ten intersections in and around the downtown area. A combination of peak period turning movement counts and 24 hour counts were conducted to provide information regarding traffic volume, speed, capacity, pedestrian movements, bicycle movements, truck activity and transit flow. Figure 2 summarizes the existing turn movement counts in the downtown area.

McLoughlin Boulevard, ORE 224 and Harrison Street carry the largest vehicle volumes of any streets in the downtown area. No other street carries over 5,000 vehicles per day. Most streets in the downtown area have what could be characterized as "pedestrian friendly" traffic levels (between 2,000 and 5,000 vehicles per day) for a commercial downtown setting. Table 1 summarizes the existing traffic volumes and vehicle speeds on streets within and near the downtown.

Since 1993, evening peak traffic volume on McLoughlin Boulevard has increased. Comparing year 2000 traffic counts with 1993 shows McLoughlin traffic increasing 11 to



LEGEND

⊕ - Study Intersection

Figure 1
STUDY AREA



Figure 2
EXISTING AM/PM PEAK HOUR
TRAFFIC VOLUMES

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**Table 1
Traffic Volumes**

Street		Daily Volume	Peak Volume	85th Percentile Speed
Harrison Street (east of 23 rd)	E/B	4400	400 (5-6 PM)	31 MPH
	W/B	4140	310 (5-6 PM)	32 MPH
Washington Street (east of RR)	E/B	2160	210 (5-6 PM)	29 MPH
	W/B	2400	200 (5-6 PM)	31 MPH
Monroe Street (east of RR)	E/B	1020	110 (5-6 PM)	33 MPH
	W/B	870	100 (8-9 AM)	32 MPH
Lake Road (east of 21 st)	E/B	2670	290 (5-6 PM)	34 MPH
	W/B	2190	270 (7-8 AM)	37 MPH
27 th Avenue (south of Washington)		870 (total two-way)	116 (7-8 AM) (total two-way)	N/A
28 th Avenue (north of Monroe)		235 (total two-way)	27 (3:30-4:30 PM) (total two-way)	N/A
29 th Avenue (north of Monroe)		300 (total two-way)	35 (4:30-5:30 PM) (total two-way)	N/A
34 th Avenue (north of Sellwood)	N/B	1500	130 (5-6 PM)	29 MPH
	S/B	1320	160 (5-6 PM)	29 MPH

17% at Harrison Street in the PM peak hour while traffic on Harrison Street, Jefferson Street and Washington Street have remained relatively the same. PM peak hour traffic has also grown on ORE 224 over the past six years. Since 1994, evening peak hour traffic on ORE 224 west of Harrison has grown about 9%, but as with the downtown area, Harrison traffic as remained nearly the same. Daily traffic on Harrison, Monroe and Washington was higher in 1994 than it was in June of 2000 (Harrison: 1994 daily traffic of 9,200 vehicles per day (vpd) compared to 2000 daily traffic of 8,600 vpd; Monroe: 1994 daily = 2000 vpd, 2000 daily = 1900 vpd; Washington: 1994 daily = 5600 vpd, 2000 daily = 4600 vpd).

In downtown Milwaukie, McLoughlin Boulevard carries the most motor vehicle traffic. From 1990 to 1998 daily traffic on McLoughlin Boulevard increased from 36,100 vpd to 44,800 vpd¹. To the north and east of downtown Milwaukie ORE 224 carries the next highest level of traffic (32,900 vpd). Since 1990 traffic on ORE 224 has grown about 11%.

¹ ODOT Traffic Volume Tables, http://www.odot.state.or.us/tdb/traffic_monitoring/98tvt/98index.asp

Functional Classification

Table 2 summarizes the various functional classifications for streets in the downtown area. The City, along with ODOT, Metro and Clackamas County all have designations for streets in the downtown area. These classifications form the basis for design considerations for streets in the downtown area, particularly relating to access management and capacity. ODOT has recently implemented its Highway Plan² that establishes guidelines for volume-to-capacity ratios and spacing of intersections that would apply to ORE 99E and ORE 224 in the study area. For McLoughlin, the minimum access spacing standard is 350 feet with a maximum allowable volume-to-capacity ratio of 1.00.

Table 2
Downtown Street Functional Classifications
MOTOR VEHICLE CLASSIFICATIONS

Street	Milwaukie	Clackamas Co.	Metro	ODOT
McLoughlin	Regional Route	Major Arterial	Major Arterial	District
ORE 224	Freeway	Freeway	Principal Arterial	Statewide
Harrison	Arterial	Minor Arterial	Minor Arterial	-
Lake/21 st	Arterial	Minor Arterial	Minor Arterial	-
Main	Collector	Minor Arterial	-	-
Jackson	Collector	-	-	-
Monroe	Collector	Minor Arterial	-	-
Jefferson	Collector	-	-	-
Washington	Collector	Collector	-	-
27 th Avenue	Neighborhood	-	-	-

OTHER MODAL CLASSIFICATIONS

Street	Pedestrian	Bicycle	Transit	Freight
McLoughlin	Pedestrian District	Regional Bikeway	Transit Route	Main Route
ORE 224		-	Transit Route	Main Route
Harrison		Regional Bikeway	Transit Route	-
Lake/21 st		Regional Bikeway	Transit Route	-
Main		Bikeway	Transit Route	-
Jackson		-	-	-
Monroe		Bikeway	-	-
Jefferson		-	-	-
Washington		Bikeway	Transit Route	-
27 th Avenue		-	-	-

Based upon City of Milwaukie Transportation System Plan, draft Clackamas County TSP, Metro Regional Transportation Plan and 1999 Oregon Highway Plan, ODOT.

² 1999 Oregon Highway Plan. Oregon Department of Transportation, May 1999, pages 80, 81 and 194.

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Pedestrian/Bicycle Data

Counts of existing pedestrian and bicycle activity were also conducted in the downtown area. Figure 3 summarizes the current pedestrian and bicycle flows.

Vehicle Traffic Operation

While traffic flows are useful in attempting to reach an understanding of the general nature of vehicle flow in the area, volumes alone do not indicate the ability of the street network to carry or serve traffic nor the quality of service provided by the streets. For this reason the concept of level of service has been developed to correlate traffic volume data to delay and subjective descriptions of traffic performance at intersections. Intersections are the controlling bottlenecks of traffic flow and the ability of a roadway system to carry traffic efficiently is nearly always diminished in their vicinity.

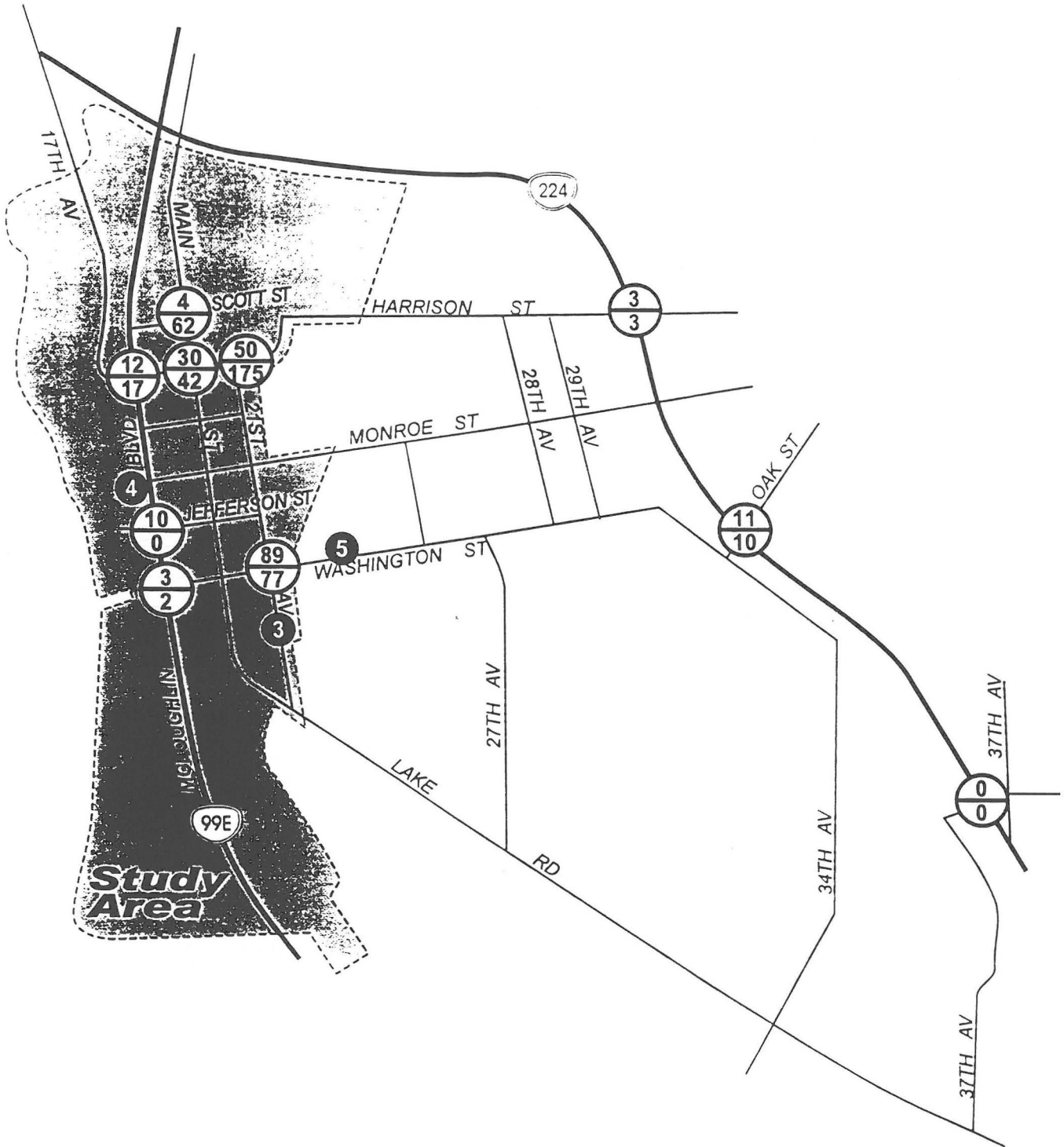
The assessment of intersection operation uses techniques described in the *1998 Highway Capacity Manual*³. Level of service (LOS) is a measure of intersection operating performance and vehicle delay. It is similar to a "report card" rating with a range from A (best) to F (poorest). Levels A, B and C indicate satisfactory conditions where traffic can move freely. Level of Service D describes conditions where delay is more noticeable. Level of Service E indicates conditions where traffic volumes are at or close to capacity, resulting in significant and highly variable delays as conditions approach F. Level of Service F characterizes conditions where traffic demand exceeds available capacity, with very slow vehicle speeds (stop and go), long delays (average over a minute and a half) and extensive queuing at intersections. Calculations for signalized and unsignalized intersections are different due to the variation in traffic control.

Using the capacity analysis methodology another measure (volume-to-capacity ratio) is developed. While not directly related to level of service, volume-to-capacity (V/C) ratio measures the relative use of capacity at an intersection. Capacity is defined as the maximum flow of traffic which can pass through an intersection in a given period of time. Values of V/C ratio can range from 0.00 (no traffic) to 1.00 (traffic at capacity). ODOT uses V/C ratio as their standard⁴ (1.00 maximum on McLoughlin Boulevard intersections and 0.95 on ORE 224).

Table 3 summarizes the level of service and volume-to-capacity ratios for each of the ten study area intersections for existing (2000) AM and PM peak hour conditions. Presently all intersections operate acceptably; however, both McLoughlin/Harrison/17th and ORE 224/Harrison are nearing capacity in the PM peak hour. In 1994 these intersections were

³ *1998 Highway Capacity Manual*, Special Report 209 Third Edition, Transportation Research Board, Washington D.C., Chapters 9 & 10.

⁴ Note that ODOT's V/C standards change with varying highway categories and Metro concept area designations.



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- Peak Period Pedestrian Volumes
 AM - 7:00 to 9:00 AM
 PM - 4:00 to 6:00 PM



- PM Peak Hour Bicycle Volume

Figure 3
PEDESTRIAN AND BICYCLE DATA

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operating at level of service E and C, respectively, in the PM peak hour. The heavy southbound through traffic on McLoughlin combined with a large northbound left turning volume from McLoughlin to 17th are the principal reasons this intersection experience delays today. Large eastbound through volume on ORE 224 combined with lack of turning lanes and significant traffic on Harrison result in the level of service D operating conditions.

**Table 3
Existing Intersection Peak Hour Performance**

Intersection	AM Peak Hour		PM Peak Hour	
<i>Signalized Intersections</i>				
McLoughlin/Harrison/17 th	C	27.8 0.85	E	59.9 1.00
McLoughlin/Jefferson	A	8.3 0.75	A	9.5 0.79
ORE 224/Harrison	C	27.8 0.86	C	28.8 0.80
ORE 224/Oak	C	21.6 0.79	C	28.6 0.87
ORE 224/37th	B	18.1 0.84	B	19.4 0.81
<i>Unsignalized Intersections</i>				
McLoughlin/Washington	D	30.9 / C 24.5	C	15.8 / B 12.6
Main/Scott	B	11.4 / A 7.8	B	14.0 / A 8.1
Main/Harrison	B	10.3	C	20.7
21 st /Harrison	A	9.0	B	13.0
21 st /Washington	B	10.6	A	9.8

LOS – Level of Service

Delay – Average Vehicle Delay, seconds

V/C – Volume-to-Capacity ratio

For unsignalized intersections – first LOS & delay is for minor street/second LOS is for major street left turn
- for all way stops, LOS & delay are shown

Land Use

A detailed inventory of downtown Milwaukie land uses was conducted to provide a baseline for comparison of future scenarios. There is nearly 500,000 square feet of building space in downtown Milwaukie currently. The majority of building space is occupied and in commercial use (between 10 and 15 percent vacancy). There are several parcels of land that are vacant that will either be redeveloped as commercial development or developed into park space. Table 4 summarizes the existing land uses in downtown Milwaukie.

Table 4
Existing Downtown Land Use

Land Use	Existing Size
Housing (DU)	0
Retail (SF)	184,400
Restaurant (SF)	18,800
Office /Commercial (SF)	187,800
City Hall (SF)	37,600
Library (SF)	37,300
Hotel (rooms)	0
Church (SF)	20,000
Theater (screens)	3
Masonic Temple (SF)	6,500
Gas Station (fueling positions)	22
TOTAL SF	492,400

SOURCE: DKS Associates

Note: SF = Approximate square feet of building area
DU = Dwelling units

TRIP GENERATION

The vehicle trip generating potential of the downtown area was compared under three different scenarios:

- Existing Land Uses
- Build out of Existing Zoning in Downtown
- Proposed Downtown & Riverfront Land Use Framework Plan

The methodology for estimating vehicle trip generation for the downtown is based on applying trip generation ratios (number of vehicle trips per unit of development, such as trips per 1,000 square, trips per dwelling unit or trips per room) to the amount of development in each scenario. The Institute of Transportation Engineers *Trip Generation Manual* was utilized for trip ratios. The amount of land use was summarized for each scenario in the following manner:

- *Existing*: Tally the cumulative square footage and uses in the downtown by various land use types.
- *Existing Zoning Buildout*: This scenario was built by taking the existing uses (conservatively assuming no redevelopment occurs) and adding to this an amount of new development based upon building out all the developable vacant parcels in downtown. The vacant lands were assumed developed using a 25% site coverage ratio on vacant lands (the ratio is the comparison of the building square footage to the site land area of the parcel). It was assumed these buildable sites would be retail (50%) or office (50%) for comparison purposes. The sum of the existing

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uses with the vacant land development forms this scenario. Additionally, of the building square footage that is developed from vacant land, a factor of 0.25 was utilized to estimate potential housing development in the downtown (that is in addition to the commercial development, housing would also be provided at 1,000 square feet per dwelling unit).

- *Proposed Land Use Framework Plan:* The development potential of this scenario was derived from the Downtown Milwaukie & Riverfront Land Use Framework plan summaries⁵.

Table 5 provides a side by side comparison of the land use summaries of each of the scenarios tested. Currently there is about 500,000 square feet of building space in downtown Milwaukie. If vacant lands developed to existing zoning, it would conservatively add about 600,000 square feet of building space. The proposed land use framework plan is about the same amount of development as existing with the added housing and hotel.

**Table 5
Land Use Comparison of Scenarios**

Land Use	Existing	Zoning Buildout	Framework Plan
Housing (DU)	0	16	600
Retail (SF)	184,400	211,900	183,000
Restaurant (SF)	18,800	16,000	5,000
Office /Commercial (SF)	187,800	218,900	195,000
City Hall (SF)	37,600	37,600	37,600
Library (SF)	37,300	37,300	37,300
Hotel (rooms)	0	0	200
Church (SF)	20,000	20,000	20,000
Theater (screens)	3	3	0
Masonic Temple (SF)	6,500	6,500	6,500
Park (acres)	-	25	25
Marina/Boat Launch	Launch	Launch	100 berth
Gas Station (fueling pos)	22	22	0
TOTAL SF	492,400	548,200	484,400

Vehicle Trip Generation Comparison of Scenarios

Utilizing the trip generation rate information from the *Trip Generation Manual*⁶ estimates were made of evening peak hour vehicle trip generation potential for the three scenarios. The PM peak hour data is provided since the evening peak is the time when the greatest volume of traffic is on the street system. Table 6 summarizes the results of this analysis.

⁵ Draft Milwaukie Downtown and Riverfront Land Use Framework Plan, Ancillary Document to Milwaukie Comprehensive Plan, City of Milwaukie, May 12, 2000, pages 12-19.

⁶ Trip Generation, 6th Edition, Institute of Transportation Engineers, 1997.

Table 6
Vehicle Trip Generation Comparison
PM Peak Hour

Scenario	PM Peak Hour Vehicle Trips
Existing	1613
Existing plus Build out of Vacant Lands to Existing Zoning	1743
Proposed Downtown and Riverfront Land Use Framework Plan	1745

Comparing the various land uses that are proposed for the downtown area, various land uses have differing impacts. To demonstrate this point, a prototypical two acre site was considered with various land use types. Each of the developments were estimated based upon reasonable proposals for development and then compared in terms of daily vehicle trip generation. Table 7 summarizes this analysis. Retail, fast food and bank uses generate the most vehicle trips and low density housing, light industrial and office space generates the least number of trips per the prototypical two acre site. The density of development plays a key role in the trip generation – but it should be noted that critical mass of development in the downtown plays a key role in creating opportunities for walking trip and trips by other modes that would not be possible in strip or auto-oriented developments.

Table 7
Development Potential Comparison of Vehicle Trips
Based upon a prototypical two acre development

Development Type	Size	Daily Vehicle Trips
Housing – Low Density Single Family (1/4 acre lots)	8 dwelling units	54
Light Industrial	13,000 square feet	91
Housing – Higher Density Single Family (5000 SF lots)	15 dwelling units	181
Housing – Apartments 25 units per acre	50 dwelling units	331
Office Building – single story 0.25 FAR	21,800 square feet	412
Hotel 0.50 FAR	48 rooms	428
Housing – Apartments 40 units per acre	80 dwelling units	530
Restaurant	7,500 square feet	675
Housing – Senior Living 100 units per acre	200 dwelling units	696
Office Building – multi-level 0.50 FAR	43,600 square feet	702

6.1 60

Development Type	Size	Daily Vehicle Trips
Housing – Apartment 100 units per acre	200 dwelling units	966
Bank	2 – 4,000 square foot sites	1,084
Office Building – multi-level 3.0 FAR	130,700 square feet	1,630
Retail – single story 0.22 FAR	19,200 square feet	2,359
Fast Food	2 – 3,000 square foot sites	2,977

FAR – Floor area ratio

Regional Forecasts for Land Use

The regional land use forecast for 2020 was reviewed for the downtown Milwaukie area. Transportation Analysis Zone areas 407 and 408 have most of the downtown contained within them. Compared to 1994 conditions, there was forecast to be an increase of 135 retail employees, 1880 other employees (eg. office, civic uses,...) and about 1300 additional households. The regional forecast numbers are slightly higher than those that would be created by the proposed land use framework plan or the build out of existing zoning.

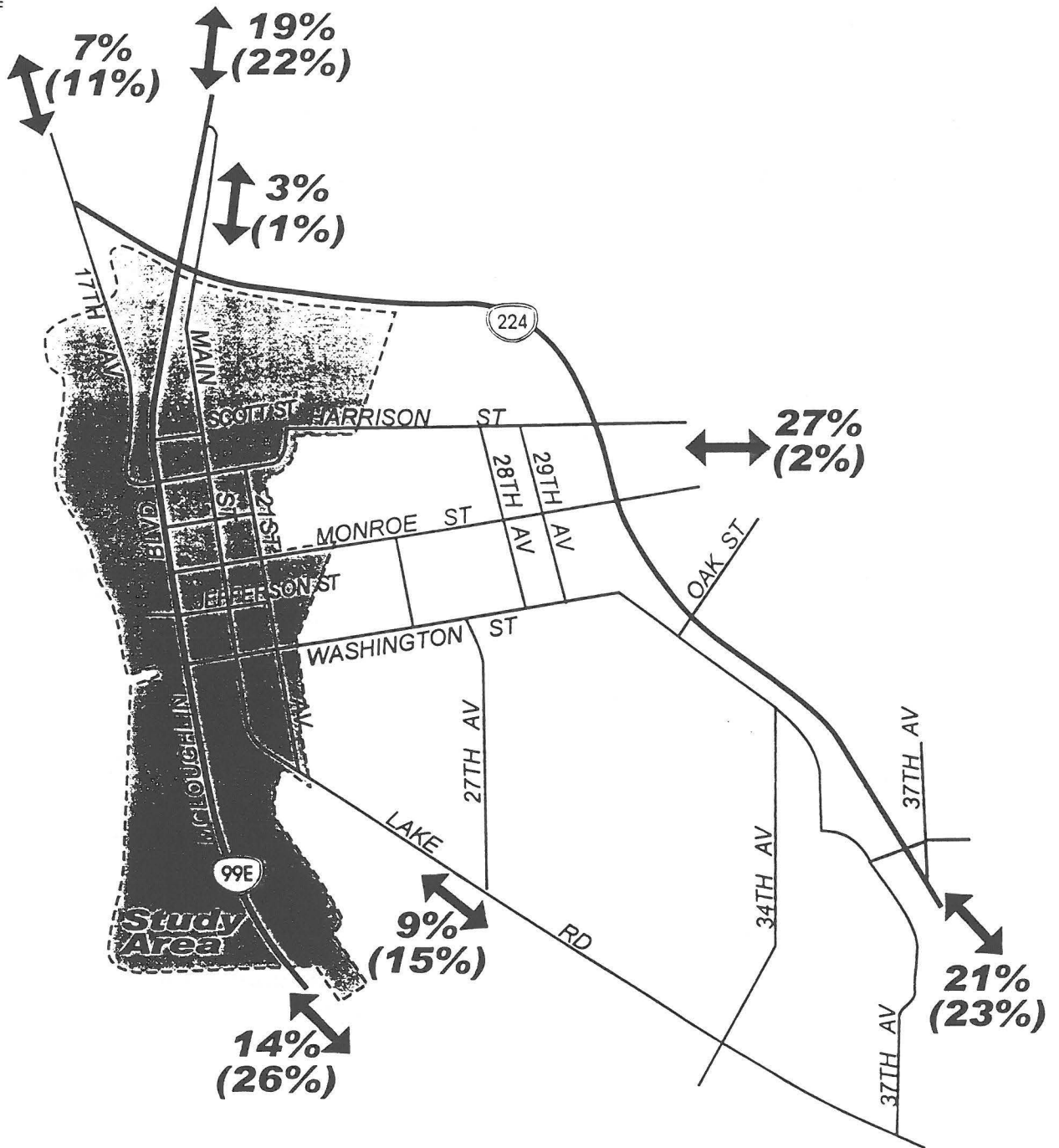
TRIP DISTRIBUTION

Utilizing the regional travel demand forecast model for the downtown Milwaukie area, estimates of the direction of future travel for proposed land use framework plan can be developed. Figure 4 summarizes the general distribution of motor vehicle trips to and from the downtown area in the future. Compared with current travel patterns, the future forecasted trip distribution would have slightly greater directional distribution to the east (toward Clackamas Town Center, Sunnyside Road and I-205).

Additional traffic from the downtown area (compared to existing conditions) was assigned to the surrounding streets to gain an initial estimate of traffic growth caused by the proposed land use framework plan. While Table 8 summarizes some of the additional traffic volumes, it is important to note that regional growth in the area will have greater impact (adding traffic) than the downtown area.

TRAFFIC IMPACTS OF DOWNTOWN AREA

The traffic operational impacts of the proposed land use framework plan were tested for the evening peak hour conditions (since for most intersections this is the condition with the most traffic). The existing plus downtown scenario establishes the base impacts of the



LEGEND

- 00%** - Commercial
- (00%)** - Residential



Figure 4
TRIP DISTRIBUTION

6.1 62

Table 8
Traffic Volumes Projected with Proposed Plan
Daily Traffic Volumes

Street	2000 Existing Volume	Projected Additional Traffic
Washington Street	5,600	700
Lake Road	4,800	150
Monroe Street	1,900	200
27 th Avenue	870	100
29 th Avenue	300	50
McLoughlin Blvd	44,800	800
Harrison Street	8,600	200

Table 9
Intersection Performance with Proposed Plan
PM Peak Hour

Intersection	Existing PM Peak Hour	Future PM Peak Hour**
<i>Signalized Intersections</i>		
McLoughlin/Jefferson*	A 9.5 0.79	B 9.9
McLoughlin/Washington*	C 15.8 / B 12.6	B 8.4 0.89
<i>Unsignalized Intersections</i>		
Main/Scott	B 14.0 / A 8.1	B 14.8 / A 8.2
21 st /Harrison	B 13.0	B 13.1
21 st /Washington	A 9.8	B 10.9

LOS – Level of Service

Delay – Average Vehicle Delay, seconds

V/C – Volume-to-Capacity ratio

For unsignalized intersections – first LOS & delay is for minor street/second LOS is for major street left turn
- for all way stops, LOS & delay are shown

* - McLoughlin/Washington converted in future case to a traffic signal, existing remains unsignalized.

McLoughlin/Jefferson goes from a traffic signal to unsignalized.

** - Future equals existing plus proposed land use framework plan

downtown development on the existing system. Table 9 summarizes the level of service conditions for selected intersections in the downtown area. To a large extent the traffic operational performance does not change substantially with the proposed land use framework plan. Circulation patterns change which increase traffic at certain locations; however, other locations experience reductions in traffic with redevelopment called out in the Land Use Framework Plan as the proposed uses are less intense than current uses.

At the same time, the minimal impact to traffic operation does not mean that there are no traffic impacts. The redistribution of traffic and additional trip generation compared to current conditions will add traffic to streets traversing the historic Milwaukie neighborhood

to the east of the downtown. While the majority of traffic increases caused by the downtown development would not exceed 200 vehicles a day (on routes other than McLoughlin Boulevard and Washington Street), the addition of 50 to 200 vehicles a day on these neighborhood routes is a significant percentage of current traffic. Traffic volumes on many of these streets have not been changing over the past seven years, making traffic growth more noticeable. The City of Milwaukie has a strategic plan to address traffic calming and routes such as Monroe Street and Washington Street should be part of neighborhood management plan for the area east of downtown.

POSSIBLE MITIGATION MEASURES

In reviewing the transportation finding of the initial traffic analysis the following issues have been identified:

- Capacity of the Harrison/McLoughlin/17th intersection is the critical location in the downtown. Stacking of vehicles northbound and southbound would likely extend to the adjacent intersections. Further evaluation of the left turn and through stacking needs is needed to determine the optimal configuration of travel lanes and access points on McLoughlin Boulevard between Washington Street and Scott Street. Stacking requirements will exceed the estimated 350 feet determined in this analysis due to cumulative regional growth.
- Traffic control improvements will be necessary in the downtown. Traffic signals relocations and new traffic signals are included in the plan. Potential for pedestrian traffic signals should also be considered in lieu of full traffic signals where appropriate.
- Based upon the additional vehicle traffic generated on adjacent streets by the revitalization of the downtown and riverfront areas, an area wide approach to neighborhood traffic management should be considered for the historic Milwaukie neighborhood east of downtown. Strategies to calm traffic should be developed in coordination with the neighborhood, public works and public safety staff. The boundary of this area of consideration should be ORE 224 to the north and east, the railroad tracks to the west and Lake Road/27th/Washington to the south. This may include consideration of limited access on Monroe Street at ORE 224 (right in/right out only) to limit the potential for additional motor vehicle traffic on Monroe Street.

****DRAFT****

Alice Rouyer, AICP

June 6, 2000

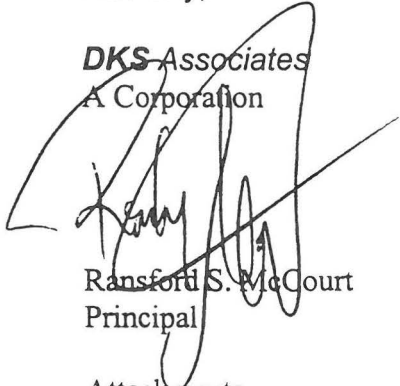
Page 16

6.1 64

Should you have any further questions, please feel free contact me.

Sincerely,

DKS Associates
A Corporation



Ransford S. McCourt
Principal



Attachments

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Milwaukie Transit Center Fact Sheet

ATTACHMENT H

Why create a new transit center?

- ❑ The bus traffic at the intersection of Jackson Street and 21st Avenue creates dangerous conflicts between bus riders, buses, motorists, pedestrians, and downtown businesses.
- ❑ Nearly 5,000 people use this transit center every day. Twelve bus routes converge in Milwaukie, meaning 24 to 30 buses circulate through the downtown every hour during the afternoon peak times. Bus traffic is expected to increase over time.

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What are the advantages of moving the transit center to the Safeway site?

- ❑ Milwaukie is currently working with Tri-Met to relocate the transit center off of the streets and on the site of the old Safeway store. This new transit center would have several advantages. It would:
 - ❑ Separate the transit center from other daily street activity, thereby reducing the conflicts between pedestrians, bicycles, automobiles, and downtown businesses.
 - ❑ Provide a convenient transit hub that would accommodate any of the transit alternatives that may be selected as part of the South Corridor Transportation Study. Such alternatives include bus rapid transit, high occupancy vehicle lanes, or commuter rail.
 - ❑ Support downtown redevelopment by helping establish an anchor at the north end of downtown.
 - ❑ Stimulate private-sector investment in the north part of downtown, including transit oriented development adjacent to the transit center.

What are the financial ramifications of moving the transit center?

- ❑ The City of Milwaukie has leased the Safeway site with an option to purchase. The lease was signed August 26, 1997, at the cost of \$7,500 per month. The City also pays for the facility's utilities and maintenance. In order to defray a small part of the costs, the City rents parking spaces in the old Safeway lot. In January 1998, the City received an appraisal showing that the value of the property was \$750,000. The City expects to fully recover all of its costs for this transit center, including the lease payments made since 1997.

What happens next?

- ❑ Tri-Met has allocated funds this year for the first phase of the bus transit center and the City of Milwaukie is teaming with Tri-Met and key community groups such as the City's Library Board, the Milwaukie Downtown Development Association and the Historic Milwaukie Neighborhood Association in creating a mutually beneficial plan.
- ❑ The City of Milwaukie will purchase the property from Safeway. Tri-Met will buy most of this property, but the rest will be sold to a private developer for the construction of a transit-oriented development. This transit-oriented development will likely include housing and retail uses that are supported by transit riders, such as a coffee shop, a dry cleaning business, and other such services.
- ❑ Conceptual designs and environmental analysis for the project will be completed by summer. The City and Tri-Met would then discuss the details of the property purchase. Tri-Met would then prepare the final design. Review of the development plans by the City, bidding and construction would occur over the following two years.

Is this Transit Center a way to bring Light Rail to Milwaukie?

- ❑ No. Light rail is not included as part of the design of the downtown plan. When the majority of Clackamas County voters voted against the 1998 tax initiative for local funding for light rail Tri-Met developed an alternative bus transit plan to serve Clackamas County.

What will happen to the Junior High site?

6.1 66

The Milwaukie Middle School property is currently zoned to allow for Residential, Office or Commercial development. The property is currently owned by North Clackamas School District. The City has resolved to acquire the property for public purposes and is working with the School District toward a purchase agreement.

Earlier versions of the Downtown Riverfront Plan depicted community uses on the northern half of the site and residential development on the southern half. This concept concerned many Milwaukie citizens, who see this site as a prime place for public gatherings and events.

Since then the proposed housing has been removed from the plan and the site itself has been the subject of a reuse study in which several hundred citizens have participated by sharing their ideas for what should happen with this special site. The Downtown and Riverfront regulations being proposed would not affect the property, because it falls outside the scope of the rezoning area.

When the City acquires the property, a process will begin to develop a reuse plan for the building and the grounds. There will be opportunities for citizens to participate with City Council in this process as part of a citizen task force or other community meetings.

Will Rezoning Impact the Boat Ramp?

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Neither the boat ramp nor its parking lot would be affected by the new Downtown Open Space zone and Downtown Office zone designations on property along the Willamette River waterfront. The Jefferson Street Boat Ramp will remain in its current location until an alternate location for boaters is secured.

The Downtown and Riverfront Land Use Framework Plan conceives a public marina and a hotel campus in this location in the long-term future.

This would not likely be feasible until the nearby sewage treatment plant is removed from the waterfront some time in the future.

Will the Sewage Treatment Plant be removed?

Several citizens have commented throughout the Downtown Riverfront planning process that removal of the sewage treatment plant is critical for public reclamation of the waterfront and for making the downtown and riverfront area a more frequented and enjoyable part of the City. The facility is owned and operated by Clackamas County.

The Milwaukie City Council has a goal removing the sewage treatment plant within the next nine years. Because the sewage treatment plant is governed by special regulations that only apply to facilities that provide a community service, it will be operated along the Willamette Riverfront until the end of its useful life. Any expansion of the facility would need to be considered by the City Planning Commission and would only be approved if the expansion was found to be in the public's interest and if the public benefits outweighed the possible adverse impacts of the use.

Milwaukie City staff is currently participating in a joint study with Clackamas County Water Environmental Services and Oak Lodge to develop a cost analysis, timeline and overall strategy for relocating the plant.



To: Planning Commission
Through: Alice Rouyer, Planning Director *AR*
From: John Gessner, Associate Planner *JG*
Date: July 11, 2000
Subject: Functional Plan Compliance Amendments
CPA-00-02 King Road Neighborhood Center Concept Plan
ZA-00-02 Restriction on the maximum number of units on a
"closed end street system"

I. ACTION REQUESTED

1. Forward a recommendation to the City Council for approval of application CPA-00-02 that amends the Comprehensive Plan Chapter 4- Land Use, Neighborhood Element by adopting the "King Road Neighborhood Center Concept Plan" and adopt recommended Findings in Support of Approval.
2. Forward a recommendation to the City Council for approval of application ZA-00-02 that amends the Zoning Ordinance Section 400-Supplementary Regulations and Subdivision Ordinance Section 17.08 and 17.28 by restricting the maximum number of dwelling units on a closed end street system, and adopt recommended Findings in Support of Approval.

II. EXECUTIVE SUMMARY

Staff is proposing two amendment packages related to Metro Urban Growth Management Functional Plan compliance as follows:

- a. Amend the Comprehensive Plan by adopting the "King Road Neighborhood Center Concept Plan". The plan specifies policies that will guide future planning activities. The policies are intended to support neighborhood scale commercial uses and protect the surrounding neighborhoods.

Key Points of Title 1 Comprehensive Plan Amendments

- 1 Adopts new polices for consideration in future planning and zoning activities.

6.2 2

2. Supports roadway, bicycle, and sidewalk improvements in the area to enhance neighborhood accessibility.
 3. Supports neighborhood scale commercial and residential uses.
 4. Does not change existing zoning or land use designations.
- b. Amend the Zoning and Subdivision Ordinances by adopting new restrictions on the maximum number of dwelling units that can be constructed on streets that have only one point of access to the City's street network.

Key points of Zoning and Subdivision Ordinance Amendments

1. Requires multiple points of road access for streets that can be developed for more than 25 units.
2. Applies only to streets built after adoption of the regulation.
3. Exceptions are allowed in the case of environmental constraints, existing development, or physical barriers.

Both proposals have been presented to the Commission and City Council in prior work sessions. If the Commission recommends approval, the items will be scheduled for adoption the City Council's August 15, 2000 public hearing.

III. CODE AUTHORITY & SUBSTANTIVE CRITERIA

1. Zoning Ordinance Section 900-Amendments
2. Zoning Ordinance Section 1000-Administrative Provisions
3. Comprehensive Plan Chapter 2-Plan Review and Amendment Process

IV. BACKGROUND

Cities and counties within the Metro region are required to amend their comprehensive plans and implementing ordinances as needed to comply with the Metro Urban Growth Management Functional Plan. In April of 1999, Milwaukie completed code changes needed for compliance with Titles 2, 4, and 8 and portions of Titles 1 and 6.

Staff is now proposing amendments that address additional elements of Title 1-Accommodation of Employment and Housing, and Title 6-Regional Accessibility. Title 1 requires planning for Metro 2040 Map "design types". Title 6 requires compliance with roadway design objectives.

At a May 23,2000 work session, the Planning Commission approved in concept, staff proposals for the following:

- Title 1 "main street design-type" planning for the King Road & 42nd Avenue commercial area; and

- Title 6 regulations affecting the number of dwelling units that can be constructed on a closed end street system, and new block and cul-de-sac length restrictions.

Following, the Commission's review, staff adjusted the King Road plan-area map, (in accordance with Commission direction), and presented the draft "King Road Neighborhood Center Concept Plan" along with proposed Title 6 amendments to the City Council. On June 5, 2000, the Council considered the King Road plan and the regulations affecting closed end street systems, but asked staff to reevaluate the street block and cul-de-sac length proposals. Therefore, these amendments are not included in this package. These amendments will be discussed again with the City Council in a future work session.

The King Road plan is attached in Exhibit 1. The main street alternative analysis that was previously presented to the Commission and Council, is attached in Exhibit 2. The regulations that affect closed end street systems are found in Exhibit 3.

The proposed amendments are legislative actions, on which the Commission must make a recommendation to the City Council. The City Council has final decision-making authority is expected to hear the proposals for adoption at its August 15, 2000 public hearing.

Notice of the July 11, 2000 Commission hearing on the King Road plan was mailed to approximately 60 owners of property located in the plan-area in accordance with Oregon Revised Statutes 227.160. This requirement, which is also known as "ballot Measure 56" requires the City to provide mailed notice to all property owners affected by a proposed comprehensive plan amendment. Copies of the notice were forwarded to the Commission, and Land Use Chairs of the Ardenwald, Lewelling, and Hector Campbell Neighborhood District Associations.

V. TITLE 1 COMPREHENSIVE PLAN AMENDMENTS

Title 1 requires cities to amend their comprehensive plans by adopting maps of the "main street design types" as generally shown on the Metro Urban Growth Concept 2040 Map. In Milwaukie, main street areas are located on lower 32nd Avenue and eastern King Road. Staff has recommended that the City not map those areas. The analysis on main street mapping is found in Exhibits 1 and 3. (*It is understood that Clackamas County will also not be mapping King Road as a "main street"*).

As an alternative to mapping 32nd Avenue and eastern King Road, it is recommended that new planning policies be adopted for the King Road commercial area. Staff is recommending amendments to Comprehensive Plan Chapter 4-Land Use, Neighborhood Element by adopting a new objective entitled the "King Road Neighborhood Center Concept Plan". See Exhibit 2 for the area map and proposed policies. The plan describes several policies for consideration of future zoning or

6.2 4

planning actions. The plan does not change the current comprehensive plan land use designations, nor does it change existing zoning.

The area included in the plan is shown on the map attached in Exhibit 2. The plan includes several new policies as follows:

- a. Areas included on the map are conceptual only and areas may be added or removed based on planning or neighborhood issues that exist at the time future planning actions are being considered.
- b. The area is acknowledged as an important neighborhood resource.
- c. Consideration must be given to neighborhood impacts in any future planning proposals for the area is required.
- e. Support of future planning proposals that enhance neighborhood scale commercial and residential.
- f. Any future land use designation or zoning changes that increase development potential in the plan-area must be timed properly so that it does not detract from redevelopment of the downtown.
- g. Road, sidewalk, and bicycle improvement will be evaluated and supported when they enhance neighborhood accessibility.
- h. Future planning and zoning activities that affect type, location, and scale of development should consider the following design elements to enhance the value of the are as a neighborhood center.
 1. mix of neighborhood scale commercial uses
 2. development standards that enhance pedestrian access
 3. mix of housing types
 4. adequate parking
 5. incentives for transit oriented development
- g. The City will work with Tri-Met to encourage transit use and adequate facilities, such as bus shelter, and benches at bus stops.

The proposal meets applicable criteria for adoption of Comprehensive Plan amendments. See Exhibit 5- Compliance with Approval Criteria.

VI. TITLE 6 ZONING AND SUBDIVISION ORDINANCE AMENDMENTS

Title 6 requires that cities prohibit the construction more than 25 dwelling units on a closed end street system. A closed end street system has only one point of access to the road network. Developments with more than 25 dwelling units but with only one *built* road connection are permitted when allowances are made for future road connections when adjoining property develops. The proposed regulations will not apply

in cases where existing development, physical barriers, or environmental constraints impede construction of multiple access points.

The regulation does not apply to existing closed end street systems and are expected to have little impact on existing properties. Based on the minimum lot size needed to construct 25 units in the Milwaukie's residential zones, it is believed that few sites are available for that scale of development other than publicly owned land. It is also believed that in most cases that provisions for multiple connections will be possible.

The proposal meets applicable criteria for adoption of Zoning and Subdivision Ordinance amendments. See Exhibit 5- Compliance with Approval Criteria.

VII. COMMENTS

A neighbor of the King Road shopping center has expressed concern to staff that the required notice mailed to affected property owners should have been mailed to adjacent property owners as well. Staff informed the neighbor that notice was mailed in accordance with legal requirements, and provided copies of the notice to the resident for distribution.

Staff has received verbal confirmation from Metro that the proposal meets the applicable requirements of Titles 1 and 6.

No other comments have been received on the proposed King Road plan or regulations.

VIII. CONCLUSION

The proposed amendments satisfy requirements of the Metro Functional Plan and also meet applicable provisions of the Zoning Ordinance and Comprehensive Plan. Accordingly, it is recommended that the Commission forward a recommendation of approval to the City Council.

IX. RECOMMENDED FINDINGS IN SUPPORT OF APPROVAL

1. ***CPA-00-02 King Road Neighborhood Center Plan Comprehensive Plan Amendments.***
 - a. Metro Growth Management Functional Plan Title 1 requires city's comprehensive plans be amended to include mapping of the 2040 Growth Concept "main street design types". The King Road Neighborhood Center Concept Plan satisfies this requirement.
 - b. The King Road commercial center and surrounding areas are important resources to nearby neighborhoods. The King Road Plan establishes policies that ensure future planning activities will enhance the area while also preserving nearby neighborhoods.

6.2 **b**

- c. Required legal and public notices have been provided in accordance with Milwaukie Zoning Ordinance Section 900 and Oregon Revised Statutes 197.610.
- d. The King Road Neighborhood Center Concept Plan is consistent with approval criteria of Comprehensive Plan Chapter 2-Plan Review and Amendment Process as follows.
 - 1. The proposal is consistent with the goals, policies, and spirit of the Comprehensive Plan.
 - 2. The public need for the change arises from requirements to comply with Metro Urban Growth Management Regional Plan.
 - 3. The King Road Neighborhood Center Concept Plan best satisfies the public need for the change. Lower 32nd Avenue and eastern King Road are alternate locations for “main street” planning based on the Metro 2040 Growth Concept Map. An analysis of these other sites concluded that these areas are not appropriate for “main street” development.
 - 4. The Plan does not conflict with any Statewide Planning goal.
 - 5. The Plan is consistent with the Metro Urban Growth Management Functional Plan.
- e. The amendments comply with Milwaukie Zoning Ordinance Section 905-Approval Criteria for All Amendments.

2. ZA-00-02 Subdivision and Zoning Ordinance Amendments

- a. Metro Urban Growth Management Functional Plan Title 6 requires that cities limit new residential development on closed end street systems to no more than 25 dwelling units.
- b. Application ZA-00-02 amends the Zoning Ordinance and Subdivision Ordinance in accordance with Metro Title 6 requirements for closed end street systems.
- c. Required legal and public notices have been provided in accordance with Milwaukie Zoning Ordinance Section 900 and the Oregon Revised Statutes.
- d. The amendments are consistent with Zoning Ordinance Section 905-Approval Criteria for All Amendments.

EXHIBITS

1. Description of "Main Street" Planning
2. Draft King Road Neighborhood Concept Plan
3. "Main Street" alternative analysis.
4. Draft regulations limiting the number of units on a closed end street system
5. Compliance with Amendment Approval Criteria

Title 1 “Main Street Design-Type” Planning

The Functional Plan includes policies that seek to increase the efficiency of land use and transportation facilities within the Urban Growth Boundary. Title 1 requires consideration of housing and employment capacity as well as identification of areas for special land use designations such as “town centers” and “main streets”, which are known as “Metro 2040 design types”. Milwaukie’s two Metro 2040 main street area designations are along 32nd Avenue between Harrison and Filbert and along King Road, between Linwood and 55th Avenue.

What is a “Main Street”?

According to Metro, the main street functions as a neighborhood center by providing a variety of neighborhood scale commercial opportunities such as retail, restaurants, personal and professional services. It also allows for somewhat higher residential densities. The main street “works” because of good transportation linkages, including roads, transit, pedestrian, and bicycle links, and because nearby residences and others support its businesses.

Questions about Milwaukie’s “main street” planning.

- a. Are the existing Metro 2040 mapped areas appropriate for “main street” development? Existing mapped areas are along 32nd Avenue between Harrison and Filbert, and along King Road between 55th and Linwood Avenue.
- b. Is another area more appropriate for future consideration of potential “main street” development? Another area to consider is King Road including King Road, 42nd Avenue, and Harrison Street.

Summary Conclusion

The mapped areas on eastern King Road and on 32nd Avenue are inappropriate for “Main Street” development. The King Road area represents a good opportunity to meet Title 1 objectives and sustain a vital neighborhood scale commercial and residential area.

Analysis of Mapped Main Streets

Staff has completed preliminary analysis of the two main street areas designated on the Metro 2040 map (See Attachment 1) and believe that existing conditions do not support the level of change needed to implement the main street model of development. In addition, since existing residential uses in the mapped main street areas appear to be very stable and the land supply is largely built-out, the time in the future when these areas might be appropriately planned for main street development cannot be reasonably estimated.

Staff is recommending, however, that the City consider designating the King Road shopping area for future main street planning. The 32nd Avenue, King & Linwood, and King Road alternatives have been analyzed based on several criteria and assumptions that are specified in Attachment 1-Main Street Analysis & Comparison Matrix

The King Road Neighborhood Center

The King Road area, which includes the shopping center, King Road, 42nd Avenue, and Harrison Street, (and short sections of nearby side streets) is a good candidate for main street or neighborhood center development. The area already has many characteristics of the Metro model, provides a diverse range of commercial activities, and has a strong relationship with the adjacent Ardenwald, Lewelling, and Hector Campbell neighborhoods. Staff believes that new Comprehensive Plan policies and zoning regulations can be tailored to take advantage of opportunities within the area, protect its surrounding neighborhoods, support downtown redevelopment, and meet Title 1 requirements.

In order to facilitate downtown redevelopment by limiting the creation of new commercial real estate market demand outside the downtown area, staff recommends the City *not* adopt new development oriented polices at this time. Rather, it is recommended that the King Road area be identified as a future main street and capital improvement planning area. In order to do this, the following is suggested.

1. Adopt Comprehensive Plan policies to that ensure future capital projects such as road and sidewalk improvements are consistent with long-term goals for enhancing the King Road area, accessibility, and its relationship with the surrounding neighborhoods. These polices should include consideration of sidewalk and road improvements that benefit the center and nearby neighborhoods, thereby improving traffic and parking conditions, and bicycle and pedestrian access.
2. Adopt Comprehensive Plan policies that preserve and enhance the King Road area as a neighborhood center. These policies include priorities for neighborhood scale development, mix of commercial uses and housing types that support the surrounding neighborhoods, and protection against impacts to residential neighborhoods.

The proposed King Road Neighborhood Center Concept Plan implements the objectives shown above.

See next page for the King Road plan.

Draft “King Road Neighborhood Center Concept Plan”

Proposed Milwaukie Comprehensive Plan Amendment

July, 2000

Chapter 4 –Land Use Neighborhood Element

New Objective # 3- King Road Neighborhood Center Concept plan

Purposes

- a. To acknowledge the current role of the area in providing surrounding neighborhoods with access to a wide range of shopping and personal services, and mix of housing types.
- b. To specify policies that will help shape future decisions on:
 - 1. land uses that will enhance it value as a commercial and residential neighborhood center, and
 - 2. transportation improvements including pedestrian, bicycle, roadway, and transit that will support future development of the center.

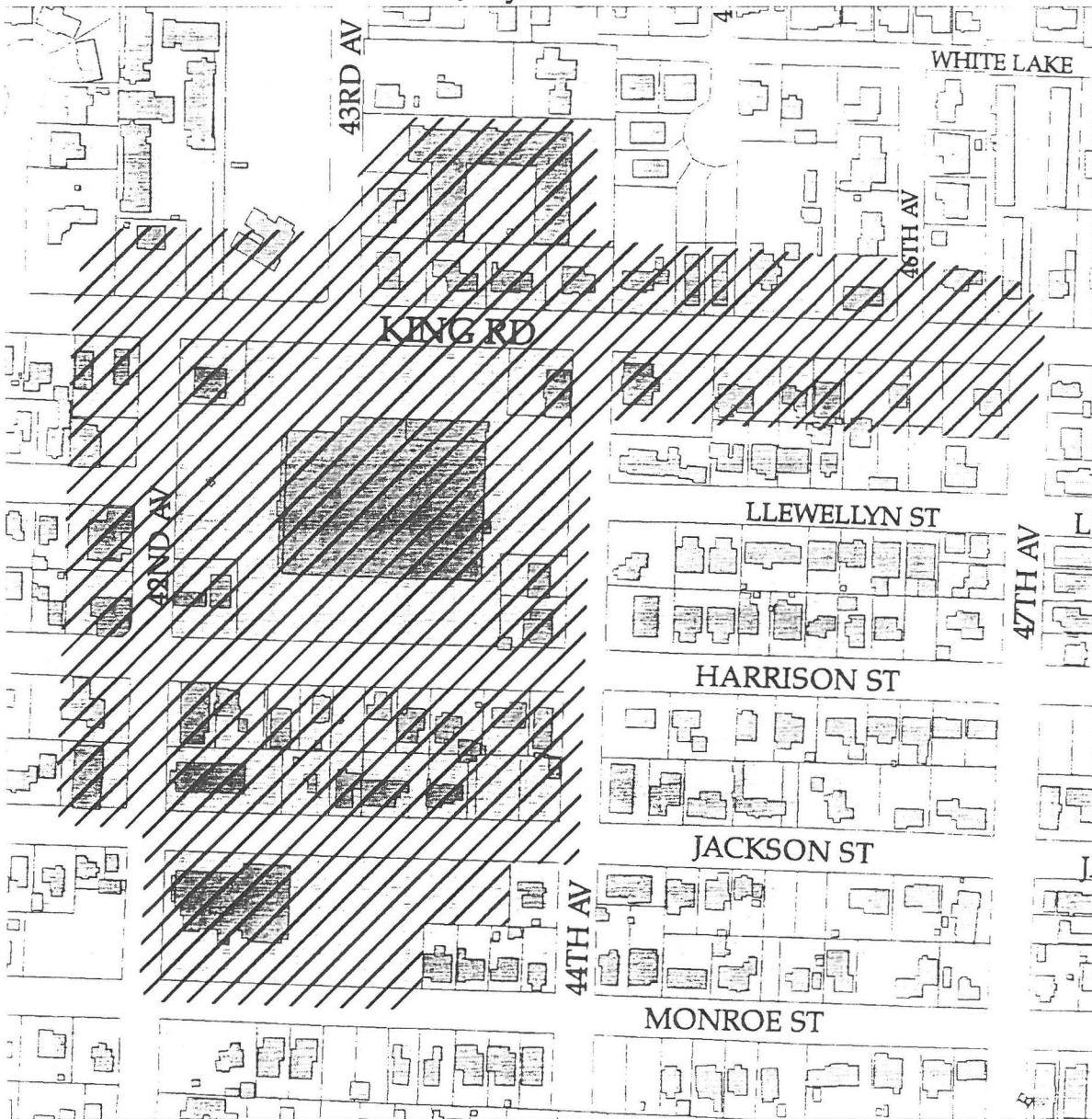
Policies

- 1. The planning area shown on the King Road Neighborhood Center Concept Plan Area Map includes properties that might be considered in future planning, zoning, and redevelopment efforts. The map is only conceptual and areas may be added or removed based on planning or neighborhood issues that exist at the time future planning actions are being considered.
- 2. The King Road commercial center offers important opportunities for future development, that if properly planned will enhance its value to the surrounding areas and City by providing for a mix of neighborhood oriented retail, professional services, eating establishments, and housing types. The City will consider planning proposals that seek to appropriately support commercial and residential uses in the plan area, subject to consistency with other policies of this section.
- 3. Preservation of surrounding residential neighborhoods is a significant consideration in any future planning or zoning decisions for the plan area. In future planning or zoning actions, the City will adopt regulations and guidelines to ensure protection against adverse impacts to surrounding residential areas that are outside of the plan area.
- 4. Future land use decisions that increase development potential in the plan area will be carefully timed to ensure that those land use decisions will not adversely affect redevelopment efforts of the Milwaukie downtown and waterfront.

5. Adequate bicycle, pedestrian, and roadway facilities are essential for the success of the planning area. Good bicycle paths and sidewalks will encourage non-automotive trips within the surrounding area and will help reduce growth in neighborhood traffic. Future bicycle, sidewalk, and roadway improvements will be made in consideration of long term goals to enhance neighborhood accessibility of the center.
6. The City will evaluate bicycle and pedestrian needs in the plan area and use the available capital improvement, community development block grant, and other processes to ensure that adequate facilities are provided and maintained.
7. The appropriate type, design, and location of future development within the plan area can greatly enhance the value of the area as a neighborhood center. Future planning and zoning actions should incorporate appropriate provisions for the following:
 - a. a mix of neighborhood scale retail, professional service, and eating establishments, and entertainment uses;
 - b. development standards that encourage building design and placement that enhances pedestrian access;
 - c. a mix of housing types;
 - d. development standards that ensure adequate parking will be provided; and
 - e. incentives for transit oriented development.
7. The City will work with Tri-Met to encourage and facilitate bus service and facility improvements, and ensure that needed improvements are identified during development reviews.

See next page for map of the planning area.

King Road Neighborhood Center Concept Plan Map Draft Comprehensive Plan Amendment July, 2000



*This map accompanies Objective #3 of Comprehensive Plan Chapter 4 - Land Use.
Neighborhood Element.*



Area of Neighborhood Center Plan



Main Street Alternative Analysis, Methodology

The method used to evaluate main street alternatives involves assigning values from 1 to 5 for each of eleven criteria based on staff's assessment of how well the alternative is expected to meet the criteria. The value "1" indicates there is a very poor match while "5" indicates a strong match. In addition, values were assigned to each criteria to allow varying their relative value in the over all analysis. This way, issues that are expected to be more important than others including, minimizing neighborhood impacts, would have more influence on the final rating than say, availability of existing transit service. The alternative with the highest score represents the preferred option. The method relies heavily on assumptions and judgments, that if varied affects how the alternatives rate against each other. Staff has made a "best guess" in specifying the criteria and assumptions used in the process. They are included in this memo to facilitate examination and discussion of the alternative analysis.

criteria	explanation and assumptions
1. Minimize land use changes that are needed to implement main street Plan	Change has practical and policy implications; public acceptance of significant change is generally resisted.
2. Pattern of lot configuration and development support main street design form.	Land division, zoning history, and development patterns significantly affect the ability to re-develop land in a manner which supports the main street physical form.
3. Transit, transportation, and accessibility support main street design.	Main street development relies on access to proximate demand. Proximate demand is influenced by location of supportive residential density.
4. Minimize economic impacts on future downtown development.	The first priority of land use redevelopment policies is downtown and riverfront redevelopment. Competition between downtown and other redevelopment areas within the City should be minimized.
5. The main street location should serve multiple neighborhoods.	Because main street planning may be intrusive within neighborhoods, any planning should maximize benefits to multiple neighborhoods, so as to result in greater potential benefit than impact.
6. Minimize potential adverse impacts on abutting neighborhood.	Main street development may result in adverse impacts to surrounding areas. These impacts must be minimized in order to promote residential development, protect existing owners, and ensure economic stability around main street centers.
7. The main street planning project will have neighborhood support.	A critical element of effective land use policy is neighborhood acceptance.

criteria	explanation and assumptions
8. Existing transportation facilities are adequate to serve transition to future main street design.	Main street development requires adequate multi-modal transportation facilities. The opportunities for constructing major transportation improvements as needed to support or encourage main street development are highly constrained due to lack of funding. New main streets must be located in areas that will support transportation needs over time as land use changes to higher density uses.
9. Existing transit service supports transition to main street design	Transit service plays a key role in the evolution of land use. Existing transit service is a pre-condition to future development opportunities that may lead to realization of the main street model.
10. Existing public investments are consistent with and facilitate transition to main street development.	Where possible, redevelopment should build upon existing development patterns to maximize the use of existing facilities and reduce the need for public spending, thereby resulting in a quicker realization of the plan's goals.
11. Existing private investments in land development are consistent with and facilitate transition to future main street development.	Where possible, redevelopment should build upon existing land uses. Redevelopment goals will be more quickly achieved by reducing the gap between the value of existing development and cost of land use conversion.

See next page for the alternative analysis.

Main Street Alternative Analysis, Criteria	Relative Value of Criteria	32nd Ave Raw Score	King Rd Raw Score	King Road Raw Score	32nd Ave weighted score	King Rd weighted Score	King Road weighted Score
1. Minimize land use changes that are needed to implement main street Plan	1.2	1	1	4	1.2	1.2	4.8
2. Pattern of lot configuration and development support main street design form.	0.8	3	3	5	2.4	2.4	4
3. Transit, transportation, and accessibility support main street design.	1	4	4	5	4	4	5
4. Minimize economic impacts on future downtown development	0.8	4	2	3	3.2	1.6	2.4
5. Location serves multiple neighborhoods	1	3	4	5	3	4	5
6. Minimize potential adverse impacts on abutting neighborhoods	1.2	1	2	4	1.2	2.4	4.8
7. Project will have neighborhood support	1.2	2	3	3	2.4	3.6	3.6
8. Existing transportation facilities are adequate to serve transition to main street	0.8	4	5	5	3.2	4	4
9. Existing transit service supports transition to main street design	0.6	5	4	5	3	2.4	3
10. Existing public investments are consistent with main street planning	0.6	3	3	4	1.8	1.8	2.4
11. Existing private investments in land development are consistent with main street plan	1.2	1	2	5	1.2	2.4	6
scores:					26.6	29.8	45

Value of Criteria Weights	score
very important	1.2
moderately important	1
somewhat important	0.8
slightly important	0.6

Degree of match or consistency	Score
very close match	5
moderate match	4
somewhat matches	3
slight match	2
no match at all	1

TITLE 6
SUBDIVISION & ZONING ORDINANCE AMENDMENTS

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SUBDIVISION ORDINANCE AMENDMENTS

New Definition: 17.08.065

Closed end street system: Shall mean any configuration of streets, including cul-de-sacs, connected to a single point of access on the roadway network. "Closed end street system" shall not include street systems, where more than one street connection to the roadway network is made by roadway construction, or is planned by dedication of right-of-way, or where other permanent reservations are made for future street extension to the roadway network.

New Section 17.28.035, Closed End Street Systems Prohibited

Effective (effective date of regs), new subdivision located on a closed-end street system, shall not result in more than 25 single-family lots, or the resulting number of lots upon which 25 dwelling units may be developed under the regulations of the zoning district in which the subdivision is located. This provision shall not apply in cases where topography, barriers including railroads, freeways or existing development, or environmental constraints including but not limited to wetlands or water features, prevent extension of a through street. For the purpose of this restriction, "existing development" shall mean built improvements including streets, associated utilities, and permanent residential, commercial, or institutional structures.

ZONING ORDINANCE AMENDMENTS

Amend Section 400 Supplementary Regulations

New Section 423-Closed End Street Systems Prohibited

Effective (effective date of regs), no more than 25 dwelling units may be developed on a closed-end street system except where topography, barriers such as railroads, freeways, or existing development, or environmental constraints such as but not limited to wetlands or water features, prevent through street extension. For the purpose of this restriction, "existing development" shall mean built improvements including streets, associated utilities, and permanent residential, commercial, or institutional structures.

EXHIBIT 5**COMPLIANCE WITH APPROVAL CRITERIA****Title 1 Comprehensive Plan Amendments**

The proposed King Road Neighborhood Center Plan meets the approval criteria of Comprehensive Plan Chapter 2 and Zoning Ordinance Section 905 as follows:

I. King Road Neighborhood Center Concept Plan: Compliance with Comprehensive Chapter 2, Objective #1, Policy 7-Approval Criteria,

All Plan amendments will be evaluated based on the following criteria:

1. *conformance with the Comprehensive Plan, its goals, policies, and spirit*

The related policies of the Comprehensive Plan are found in Chapter 4 and include the following elements: Land Use and Housing, Economic Base and Industrial/Commercial Land Use, and Neighborhood. A summary of applicable goals and policies is provided below.

- a. The goal of the Land Use and Housing Element is to preserve older housing, allow for adequate new housing, and preservation and enhancement of neighborhood quality and identity. Objective #2- residential Density and Location, #3-Residential Land Use: Design, #4- Neighborhood Conservation, and #5-Housing Choice address the following planning objectives.
 - i. Higher density residential development should be located so its supports public transportation and major commercial centers.
 - ii. Desirable living environments are encouraged by allowing flexibility in design and minimizing the impact of new construction on existing development.
 - iii. Opportunities to preserve, enhance, and reinforce the neighborhood identity should be maximized.
 - vi. A diverse range of housing types should be encouraged.

The proposed King Road Plan is consistent with these objectives as demonstrated by its emphasis on neighborhood values and policies that encourage preservation while allowing for future change in the area. The King Road Plan implements the above policies by requiring future consideration and balancing of commercial, housing, and transportation issues that affect the nearby neighborhoods.

- b. The goal of the Economic Base and Industrial Commercial Land Use Element is to support and encourage the development of a broad industrial base and encourage the expansion of service facilities in the community. The objectives of this Element related to the

King Road Plan includes #6-Commercial Land Use and #9-District Centers. Objective #6 encourages new commercial uses to locate within existing designated commercial areas in order to take advantage of existing public facilities and access. Objective #9- District Centers specifies that district centers should be meet convenience shopping needs by concentrating commercial uses into commercial clusters.

The King Road Plan is consistent with Objectives #6 and #9. The Plan supports continued commercial use in the area's commercial zone. The shopping center is designated as a district center and the plan supports continues and the existing specific policies for the area.

- c. Comprehensive Plan Chapter 4-Land Use, Neighborhood Element states the goal of preserving and reinforcing the stability and diversity of neighborhoods and to ensure the City's residential quality and livability. The element includes policies for housing preservation, and transit and pedestrian improvements.

The King Road Plan is consistent with and supports the goal and objective of this element.

2. *Public need for the change*

The King Road plan has been proposed as needed to comply with Metro Urban Growth Management Functional Plan Title 1. The public need for the proposed Comprehensive Plan amendments is directly related to compliance requirements of the Functional Plan.

3. *Public need will be best satisfied with this particular change.*

An analysis of alternatives has been conducted; the alternatives include the Neighborhood Center Concept Plan, and the Growth Concept 2040 mapped areas of 32nd Avenue and eastern King Road. Based on this analysis, the King Road plan was deemed to be most reasonable, feasible, and resulted in the best "fit" with existing land uses and Comprehensive Plan policies. The analysis is included in Exhibit 2.

4. *The change will not adversely affect the health, safety, and welfare of the Community.*

The King Road plan establishes a framework for future planning activities and road, sidewalk, and bicycle lane improvements. The plan does not result in any change to existing or potential development. Accordingly it will not result in any adverse impacts.

5. *The change is in conformance with applicable Statewide Planning Goals.*

State planning statutes are implemented through nineteen statewide planning goals that address a broad range of public issues. The goals have been reviewed for a determination of applicability. It has been determined that the proposed amendments are consistent the statewide goals.

6. *The change is consistent with metro Urban Growth Management Functional Plan and applicable regional policies.*

The King Road Plan has been developed to meet Functional Plan requirements. Metro staff has indicated the proposal meets the intent of Title 1.

II. King Road Neighborhood Center Concept Plan: Compliance with Zoning Ordinance Section 905

Milwaukie Zoning Ordinance Section 905 requires all amendments to meet the following criteria.

- A. *The proposed amendment must conform to applicable Comprehensive Plan goals, policies, and objectives and be consistent with the provisions of City ordinances, Metro Urban Growth Management Functional Plan, and applicable regional policies.*

The amendments conform to the Comprehensive Plan and Metro Urban Growth Management Functional Plan as demonstrated above. There are no known regional polices other than Functional Plan, to which the amendment must conform.

- b. *The anticipated development must meet the intent of the proposed zone, taking into consideration the following factors: site location and character of the area, the predominant land use pattern and density of the area, the potential for mitigation measures adequately addressing development effects, any expected changes in the development pattern for the area, the need for uses allowed by the proposed zone amendment, and the lack of suitable alternative sites already appropriately zoned for the intended use or uses. The Planning Commission and City Council shall use its discretion to weight these factors in determining the intent of the proposed zone.*

This criterion applies to development in association with a rezonings and therefore does not apply to the King Road Plan amendment. The Plan does not change the zoning map or any zoning provision.

- c. *The proposed amendment will meet or can be determined to reasonably meet applicable regional, State, or federal regulations.*

The amendment is consistent with the Statewide Planning Goals and the Metro Urban Growth Management Functional Plan. There are no known federal regulations that apply to the proposal.

- d. *The proposed amendment demonstrates that existing or planned public facilities and services can accommodate anticipated development of the subject site without significantly restricting potential development within the affected service area.*

This criterion relates to proposed changes that involve development that uses public infrastructure and facilities. Accordingly, it does not apply to the King Road plan amendments, which does alter development potential of land contained in the plan-area.

III. Title 6 Closed End street System Ordinance Amendments: Compliance with Zoning Ordinance Section 905

Milwaukie Zoning Ordinance Section 905 requires all amendments to meet the following criteria.

- A. *The proposed amendment must conform to applicable Comprehensive Plan goals, policies, and objectives and be consistent with the provisions of City ordinances, Metro Urban Growth Management Functional Plan, and applicable regional policies.*

The amendments are consistent with Metro Urban Growth Management Functional Plan requirements. The amendment implements Comprehensive Plan Chapter 5-Transportation, Public Facilities, and Energy Conservation, Streets, Objective #6 that prohibits closed end street systems. There are no known regional polices other than Functional Plan, to which the amendment must conform.

- b. *The anticipated development must meet the intent of the proposed zone, taking into consideration the following factors: site location and character of the area, the predominant land use pattern and density of the area, the potential for mitigation measures adequately addressing development effects, any expected changes in the development pattern for the area, the need for uses allowed by the proposed zone amendment, and the lack of suitable alternative sites already appropriately zoned for the intended use or uses. The Planning Commission and City Council shall use its discretion to weight these factors in determining the intent of the proposed zone.*

This criterion applies to development in association with a rezonings and therefore does not apply to the King Road Plan amendment. The Plan does not change the zoning map or any zoning provision.

- c. *The proposed amendment will meet or can be determined to reasonably meet applicable regional, State, or federal regulations.*

The amendment is consistent with the Statewide Planning Goals and the Metro Urban Growth Management Functional Plan. There are no known federal regulations that apply to the proposal.