

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBER 1666, THE COMPREHENSIVE PLAN, AND AMENDING THE COMPREHENSIVE PLAN MAP (CPA-91-02).**

**WHEREAS**, the Comprehensive Plan must periodically be updated to reflect changes in property needs and status; and

**WHEREAS**, the Comprehensive Plan has been reviewed and found to be in need of amendment, based on the findings below; and

**WHEREAS**, Comprehensive Plan amendment was considered at a public hearing before the Planning Commission on February 11, 1992, and the City Council on March 3, 1992,

**NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:**

Section 1. Findings. The following Findings of Fact in support of the proposed amendments are attached and incorporated herein as Exhibit A.

Section 2. Comprehensive Plan Text Amendment. The following amendments are made to Comprehensive Plan Appendices:

- a. Remove Number 33, 12320 SE 25th, from the Historic Resources Property List-Appendix 1.
- b. Add the following properties to Site #13 on the Natural Resources Property List-Appendix 2:
  - 1) 1 2E 30BA; 1200, 1300, 1400, 1500, 1600, 1700, 1800, 1900, 2000, 2100
  - 2) 1 2E 30BB; 300, 400, 500, 600, 700, 800, 801, 2200
- c. Add the following property as Site #25 to the Natural Resources Property List-Appendix 2:
  - 2 2E 6BB; 500

Section 3. Comprehensive Plan Map Amendment. The following amendments are made to Comprehensive Plan Maps:

- a. Annexed properties that retain County Plan designation status are changed to City designation status as listed in Exhibit B. Map 7-Land Use Plan is amended to reflect these changes as shown on Exhibit C.
- b. Specific Natural Resource designated properties that have undergone a refinement are included in the Comprehensive Plan as Appendix 3-Natural Resource Refinement Maps. Specific properties involved are shown on Exhibit D and listed on Exhibit E.

ORDINANCE NO. 1719

Page 2

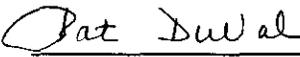
- c. Map 5-Natural Resources is amended to add new Site #25 as shown on Exhibit F.
- d. Map 4-Historic Resources is amended to delete Number 33 as shown on Exhibit G.

Read the first time on March 3, 1992, and moved to a second reading  
by unanimous vote of the City Council.

Read the second time and adopted by the City Council  
on March 3, 1992.

  
\_\_\_\_\_  
Craig Lomnicki, Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

Approved as to form:

  
\_\_\_\_\_  
O'Donnell Ramis Crew & Corrigan  
City Attorney

**ORDINANCE \_\_\_\_\_****EXHIBIT A****Findings for CPA-91-02**

1. This proposal includes the following:
  - a. Apply City Comprehensive Plan designations to recently annexed properties which currently retain County Comprehensive Plan designation status.
  - b. Add Natural Resource area refinements to the Natural Resources Property List of the City Comprehensive Plan.
  - c. Add new property to the Natural Resources Property List.
  - d. Add property to the Natural Resources Property List that is designated on the Natural Resources Map but not included on the List.
  - e. Delete 12320 SE 25th Avenue from the Historic Resources Property List as indicated by Case No. HR-90-01.
2. This proposal has followed the Legislative review process of Section 1011.5 of the City Zoning Ordinance.
3. Section 206.2 of the Zoning Ordinance requires areas already zoned before annexation to be provided with City Zoning that most closely approximates the County Zoning in effect prior to the annexation. This amendment applies a like principle to Comprehensive Plan designations.
4. The Clackamas County Plan-Residential Section identifies portions of the annexed area as Low Density Residential (see Exhibit B).

The County Low Density Residential designation identifies the following key characteristics for Low Density Residential areas:

- a. Average density of 6 units per gross acre.
  - b. The area is Low Density in current development pattern.
  - c. Limited to local or collector street access.
  - d. Environmental factors may be present to necessitate a lower density.
  - e. Fulfills a need for Low Density (i.e. single family) housing.
5. The Milwaukie Low Density Residential designation primary characteristics are as follows:
    - a. Density range of 0-6.7 units per net acre.
    - b. Single family detached housing is predominant.
    - c. The area is Low Density in current development pattern.
    - d. Limited to local or collector street access.
    - e. Environmental factors may be present to necessitate a lower density.

6. The City and County Low Density Residential designation characteristics, upon comparison of Findings 4 and 5, are equivalent with one minor exception. The County designation allows an average density of 6 units per gross acre and the City designation allows up to 6.7 units per net acre. No other City Plan designation approaches 6 units per acre.

7. The Clackamas County Plan - Residential Section identifies portions of the annexed areas as Medium Density Residential (see Exhibit B).

The County Medium Density Residential designation identifies the following key characteristics for Medium Density Residential areas.

- a. Fulfills a need for Medium Density housing.
- b. Average density of up to 12 units per gross acre.
- c. Areas access major or minor arterial or collector streets.
- d. Areas are near or adjacent to commercial areas, employment concentrations, or transit stops.
- e. Areas in need of infill or redevelopment.

8. The Milwaukie Medium Density Residential designation primary characteristics are as follows:

- a. Density is 10.8 to 15.0 units per net acre.
- b. Single family attached and townhouse units are the predominant housing.
- c. Access is primarily via major or minor arterials.
- d. Areas are located near or adjacent to commercial areas, employment concentrations, or transit stops.
- e. Areas in need of infill or redevelopment.

9. The City and County Medium Density Residential designation characteristics, upon comparison of Findings 7 and 8, are equivalent with minor exceptions. The City designation allows up to 15.0 units per net acre versus up to 12 units per gross acre for the County designation. No other City Plan designation includes this County density.

10. The Clackamas County Plan - Residential Section identifies portions of the annexed areas as High Density Residential (see Exhibit B).

The County High Density Residential designation identifies the following key characteristics for High Density Residential areas.

- a. Allows up to 25 units per gross acre.
- b. Areas are located adjacent or near to shopping, employment concentrations, or transit.
- c. Access should be by major or minor arterial.
- d. No natural hazards should be evident.

11. The Milwaukie High Density Residential designation primary characteristics are as follows:
  - a. Density is 15.1 to 31.2 units per net acre.
  - b. The predominant housing types will be townhouse and multifamily.
  - c. Areas shall be located adjacent or near the downtown or district shopping, employment concentrations or transit.
  - d. Access should be by major or minor arterial.
12. The City and County High Density Residential designation characteristics, upon comparison of Findings 10 and 11, are equivalent with minor exceptions. The City designation allows up to 31.2 units per net acre versus 25 units per gross acre (not counting density bonuses) for the County designation. No other City Plan designation includes this County density.
13. The Clackamas Community Commercial designation identifies the following key characteristics for Community Commercial areas.
  - a. Areas having historical commitment to commercial uses.
  - b. Areas separated from single commercial uses by at least  $\frac{1}{2}$  mile and areas not exceeding 10 acres in size.
  - c. Areas having direct access to at least a minor arterial.
  - d. Areas which do not increase an existing commercial strip.
14. The Milwaukie equivalent Commercial designation for this site is Commercial - District Center. A District Center generally serves as area of 6,000 to 10,000 people or a 5-15 acre site.
15. Both the City and County Commercial designations upon comparison of Findings 13 and 14 above, are consistent with the exception that the site size allowed by the City designation is slightly higher.
16. Findings 4 through 15 identify equivalent City Comprehensive Plan designations for annexed properties identified in Exhibit B.
17. Modifications to the City Comprehensive Plan text or maps require conformity with the Plan amendment criteria of Policy 7, Objective 1 of the Plan Review and Amendment Process Chapter. These criteria are addressed as follows:
  - a. **Conformance with the Comprehensive Plan, its goals and policies, and spirit.**
    - 1) Findings 4, 5, 7, 8, 10, 11, 13 and 14 address comparable characteristics of County and City Plan designations as they relate to City designation changes for annexed properties.

- 2) Proposed Natural Resource refinements and designations conform to Objective 1, Policies 1, 2, and 4 of the Open Spaces, Scenic Areas, and Natural Resources Element in that these policies promote protection and identification of natural resource values with provision for additional review intended for mitigation as part of development proposals.
- 3) Deletion of property from the Historic Resources Property List conforms to Objective 1, Policy 1 of the Historic Resources Element which promotes establishment of historic designation review criteria and processes.

**b. Public need for the change.**

Objective 2 of the Plan Review and Amendment Process Chapter promotes Plan implementation practices (zone changes, amendments, etc.) that maintain consistency with Plan intent. Public need is best served in this case, by providing City Plan designations and modifications consistent with current needs, new information, and application review processes.

**c. Public need is best satisfied by this particular change.**

Findings above have shown that the amendments proposed are consistent with the designation and development patterns of the areas involved. Public need is best satisfied by the maintenance of general development consistency for the areas specified.

**d. The change will not adversely affect the health, safety, and welfare of the community.**

No potential conflicts have been identified by this proposal.

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

- 1) This proposal does not adversely affect Statewide Planning Goals. The Plan designation changes that are proposed are changes of status from County to City. In addition, ORS 197.175 and 215.170 authorize transfer of County to City jurisdiction for annexed areas subject to City/County Urban Growth Management Agreement (UGMA) or Plan language authorization. The proposed amendments are consistent with the current City/County UGMA, effective July 5, 1990.

- 2) Natural resource and historic modifications are consistent with Statewide Goal 5 and findings were prepared with each individual planning action to show resource values are met.
18. Specific findings to support the Natural Resource and Historic Resource deletion refinements have already been adopted by the City as part of other file reviews. These findings are incorporated herein by reference and are located in the files listed in Exhibit E.
19. Specific natural resource refinements are shown in Exhibit D and are to be included within the Comprehensive Plan as a new Appendix 3.
20. Specific tax lots within Natural Resource Site #13 that were excluded from Appendix 2 were included with the adoption of Map 5 - Natural Resources as part of Ordinance 1666, periodic review amendments to the Comprehensive Plan. By oversight, sites identified in Exhibit E were not added to Appendix 2 until this time.
21. As required by the City's Legislative Review process, the Planning Commission recommended approval of these amendments at a public hearing on February 11, 1992. The City Council held its review of this proposal at a public hearing on March 3, 1992.

DK/jpg

ORDINANCE NO. \_\_\_\_\_

**Inventory  
Annexed Areas**

**Plan Designation Project**

Key: for County Plan Designations and Zoning

C	Commercial Activity	MHP	Manufactured Housing Park
CC	Community Commercial	R	Single family attached or detached
C-2	Community Commercial Zone	R-7	Low residential zone (7,000 sq. ft. lots)
CH	Church	R-10	Low residential zone (10,000 sq. ft. lots)
HD	High Density Residential	V	Vacant
HDR	High Density Residential		
LD	Low density residential		
Med D	Medium density residential		

<u>Map/Tax Lot</u>	<u>Lot Size (ac.)</u>	<u>Use</u>	<u>County Plan/Zone</u>	<u>Proposed City Plan</u>
1 2E 30AC				
1401	.17	R	LD/R-10	LD
1600	.26	R	LD/R-10	LD
1 2E 30CD				
10600	.32	R	LD/R-10	LD
10700	.32	R	LD/R-10	LD
1 2E 30DA				
6000	.17	R	LD/R-10	LD
6100	.17	R	LD/R-10	LD
6200	.17	R	LD/R-10	LD
6300	.14	R	LD/R-10	LD
6400	.14	R	LD/R-10	LD
6500	.14	R	LD/R-10	LD
6501	.13	R	LD/R-10	LD
6600	.27	R	LD/R-10	LD
6700	.14	R	LD/R-10	LD
6800	.14	R	LD/R-10	LD
6900	.14	R	LD/R-10	LD
7000	.17	R	LD/R-10	LD
7100	.21	R	LD/R-10	LD
7200	.25	V	LD/R-10	LD
7700	.17	R	LD/R-10	LD
7800	.23	R	LD/R-10	LD
8400	.25	R	LD/R-10	LD
9500	.28	R	LD/R-10	LD
9800	.21	R	LD/R-10	LD

**ORDINANCE NO.** \_\_\_\_\_  
**Inventory for CPA-91-02**  
**Page 2**

<u>Map/Tax Lot</u>	<u>Lot Size (ac.)</u>	<u>Use</u>	<u>County Plan/Zone</u>	<u>Proposed City Plan</u>
1 2E 30DB				
1200	2.50	V	LD/R-10	LD
1300	.16	R	LD/R-10	LD
1400	.16	R	LD/R-10	LD
1500	.16	R	LD/R-10	LD
1600	.16	R	LD/R-10	LD
1700	.17	R	LD/R-10	LD
1800	.53	R	LD/R-10	LD
1801	.52	R	LD/R-10	LD
2000	.17	R	LD/R-10	LD
2100	.16	R	LD/R-10	LD
2200	.16	R	LD/R-10	LD
2800	1.00	R	LD/R-10	LD
2900	1.00	V	LD/R-10	LD
3200	.44	R	LD/R-10	LD
3400	.33	R	LD/R-10	LD
3500	.20	R	LD/R-10	LD
3600	.33	R	LD/R-10	LD
3800	.54	R	LD/R-10	LD
3900	.17	V	LD/R-10	LD
4000	.17	R	LD/R-10	LD
4100	.45	V	LD/R-10	LD
4101	.45	R	LD/R-10	LD
4102	.37	V	LD/R-10	LD
4200	.40	R	LD/R-10	LD
4300	.33	R	LD/R-10	LD
4400	.39	R	LD/R-10	LD
4500	.20	R	LD/R-10	LD
4600	.15	R	LD/R-10	LD
4700	.36	R	LD/R-10	LD
4800	.50	R	LD/R-10	LD
4900	.19	R	LD/R-10	LD
5000	.17	R	LD/R-10	LD
5100	.17	R	LD/R-10	LD
5200	.18	R	LD/R-10	LD
5300	.21	R	LD/R-10	LD
5400	.21	R	LD/R-10	LD
5500	.22	R	LD/R-10	LD
5600	.17	R	LD/R-10	LD
5700	.47	R	LD/R-10	LD
5800	.49	R	LD/R-10	LD
5900	.31	R	LD/R-10	LD
6000	.20	R	LD/R-10	LD
6100	.38	R	LD/R-10	LD

ORDINANCE NO. \_\_\_\_\_  
 Inventory for CPA-91-02  
 Page 3

<u>Map/Tax Lot</u>	<u>Lot Size (ac.)</u>	<u>Use</u>	<u>County Plan/Zone</u>	<u>Proposed City Plan</u>
1 2E 30DB (con't)				
6200	.38	R	LD/R-10	LD
6300	.38	V	LD/R-10	LD
6400	.38	R	LD/R-10	LD
6500	.63	R	LD/R-10	LD
6600	.06	V	LD/R-10	LD
6700	.26	R	LD/R-10	LD
6800	.25	R	LD/R-10	LD
6900	.22	R	LD/R-10	LD
7000	.22	R	LD/R-10	LD
7100	.93	R	LD/R-10	LD
7200	.24	R	LD/R-10	LD
7300	.24	R	LD/R-10	LD
7400	.36	R	LD/R-10	LD
1 2E 30DC				
100	.33	V	LD/R-10	LD
101	.03	V	LD/R-10	LD
102	.25	R	LD/R-10	LD
200	.55	CH	LD/R-10	LD
300	.52	CH	LD/R-10	LD
400	.53	CH	LD/R-10	LD
500	.90	CH	LD/R-10	LD
600	.48	R	LD/R-10	LD
700	.33	R	LD/R-10	LD
800	.33	R	LD/R-10	LD
900	.33	R	LD/R-10	LD
1000	.31	V	LD/R-10	LD
1100	.97	R	LD/R-10	LD
1200	.83	R	LD/R-10	LD
1300	.97	R	LD/R-10	LD
1400	.48	R	LD/R-10	LD
1500	.97	R	LD/R-10	LD
1600	.97	R	LD/R-10	LD
1700	.50	R	LD/R-10	LD
1701	.62	V	LD/R-10	LD
2300	.99	R	LD/R-10	LD
2400	1.13	R	LD/R-10	LD
2500	.99	R	LD/R-10	LD
2600	.96	R	LD/R-10	LD
4401	.23	R	LD/R-10	LD
4500	.21	R	LD/R-10	LD
4600	.15	R	LD/R-10	LD
4700	.18	R	LD/R-10	LD

ORDINANCE NO. \_\_\_\_\_  
 Inventory for CPA-91-02  
 Page 4

<u>Map/Tax Lot</u>	<u>Lot Size (ac.)</u>	<u>Use</u>	<u>County Plan/Zone</u>	<u>Proposed City Plan</u>
4800	.21	R	LD/R-10	LD
4900	.18	R	LD/R-10	LD
5000	.16	R	LD/R-10	LD
5100	.15	R	LD/R-10	LD
5300	.15	R	LD/R-10	LD
5400	.19	R	LD/R-10	LD
5500	.38	R	LD/R-10	LD
5600	.34	R	LD/R-10	LD
5700	.45	V	LD/R-10	LD
5701	.40	R	LD/R-10	LD
6000	.46	V	LD/R-10	LD
6001	.23	R	LD/R-10	LD
6100	.60	R	LD/R-10	LD
6200	.23	R	LD/R-10	LD
6400	.34	R	LD/R-10	LD
1 2E 30DD				
4500	.36	R	LD/R-10	LD
4600	.37	R	LD/R-10	LD
1 2E 31AA				
500	.23	R	MED D/MR-1	MED D
501	2.92	MHP	MED D/MR-1	MED D
601	.23	R	MED D/MR-1	MED D
800	.22	R	MED D/MR-1	MED D
1600	.33	R	LD/R-10	LD
1601	.23	R	LD/R-10	LD
1602	.30	R	LD/R-10	LD
1700	.41	R	LD/R-10	LD
2001	.34	C	CC/C-2	C
2100	2.96	C	CC/C-2	C
2300	3.10	MHP	MED D/MR-1	MED D
3900	.50	R	LD/R-10	LD
4000	.42	R	LD/R-10	LD
4100	.57	R	LD/R-10	LD
4200	.37	R	LD/R-10	LD
4300	.37	R	LD/R-10	LD
4400	.37	R	LD/R-10	LD
4500	.37	R	LD/R-10	LD
4600	.23	V	LD/R-10	LD
4701	.40	R	LD/R-10	LD
5000	.30	V	LD/R-10	LD
5100	.23	R	LD/R-10	LD
5200	.23	R	LD/R-10	LD
5300	.46	R	LD/R-10	LD

ORDINANCE NO. \_\_\_\_\_  
 Inventory for CPA-91-02  
 Page 5

<u>Map/Tax Lot</u>	<u>Lot Size (ac.)</u>	<u>Use</u>	<u>County Plan/Zone</u>	<u>Proposed City Plan</u>
1 2E 31AA (con't)				
6000	.80	R	LD/R-10	LD
6100	.23	R	LD/R-10	LD
6200	.23	R	LD/R-10	LD
6300	.34	R	LD/R-10	LD
6400	.62	R	LD/R-10	LD
1 2E 31AB				
3600	.56	R	LD/R-10	LD
3800	.60	R	LD/R-10	LD
3900	.52	R	LD/R-10	LD
1 2E 31BA				
100	.29	R	LD/R-10	LD
400	.33	R	LD/R-10	LD
500	.32	R	LD/R-10	LD
1 1E 36CD				
1600	9.16	R	HDR/HDR	HD
2 2E 6BB				
500	3.48	V	LD/R-7*	LD

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\*Completed City Zone Change from County R-10 to City R-7.

**LEGEND**

LOW DENSITY LD

MODERATE DENSITY MD

MEDIUM DENSITY MED.D

HIGH DENSITY HD

COMMERCIAL C

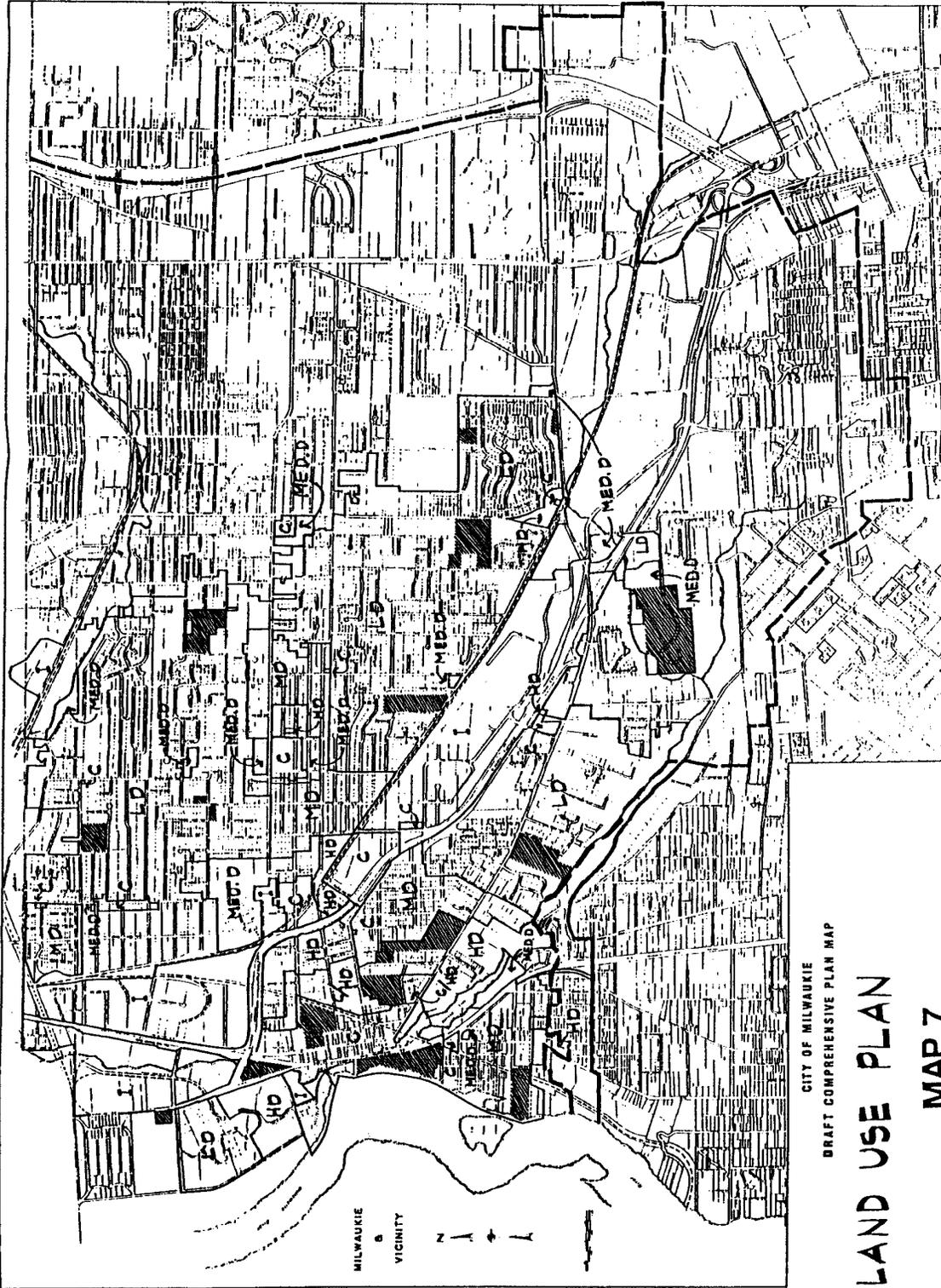
INDUSTRIAL I

PUBLIC LANDS

MIXED USE 1/2HD

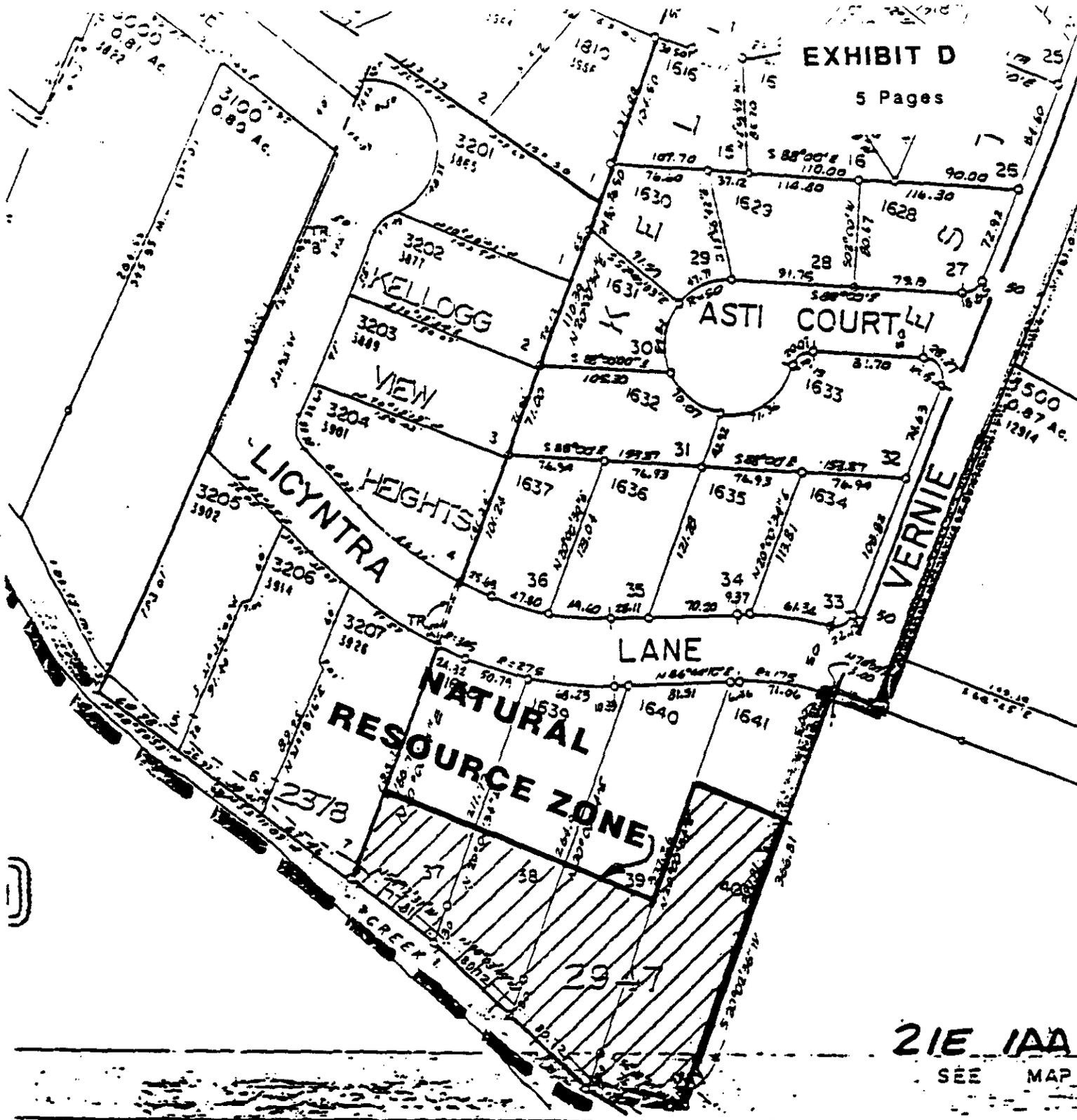
URBAN GROWTH MANAGEMENT BOUNDARY ---

DUAL INTEREST BOUNDARY —



CITY OF MILWAUKEE  
DRAFT COMPREHENSIVE PLAN MAP  
**LAND USE PLAN**  
**MAP 7**

Amended by Ordinance No. \_\_\_\_\_  
Adopted March 1992



21E 1AA  
SEE MAP

NR.90-01

NE 1/4 NE 1/4 SEC. 35 T.1S. R.1E. W.M.  
 CLACKAMAS COUNTY

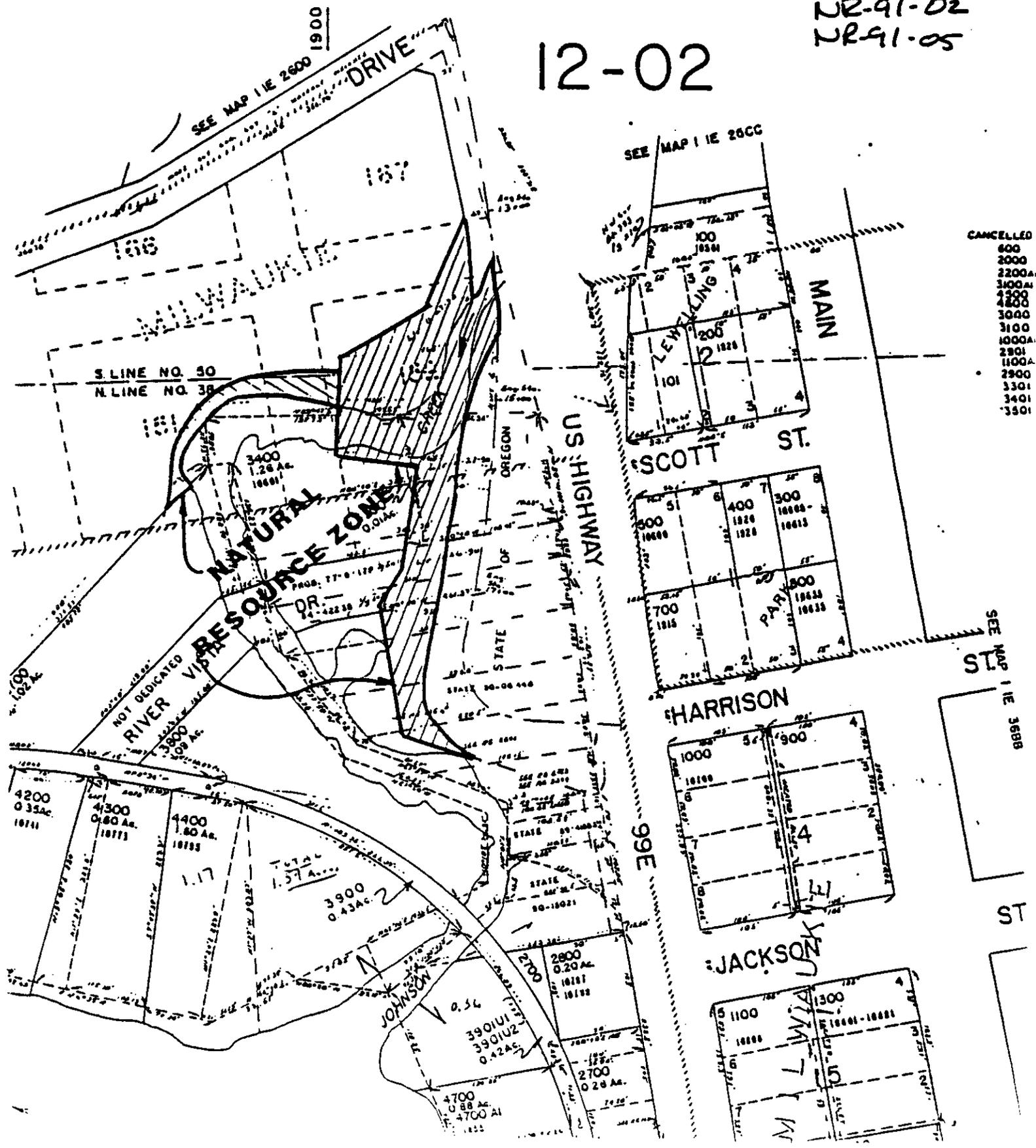
D.L.C.  
 LOT WHITCOMB NO. 38  
 WILLIAM MEEK NO. 50

11E35AA  
 11E  
 MILY

1"=100'

12-02

NR-91-02  
 NR-91-05

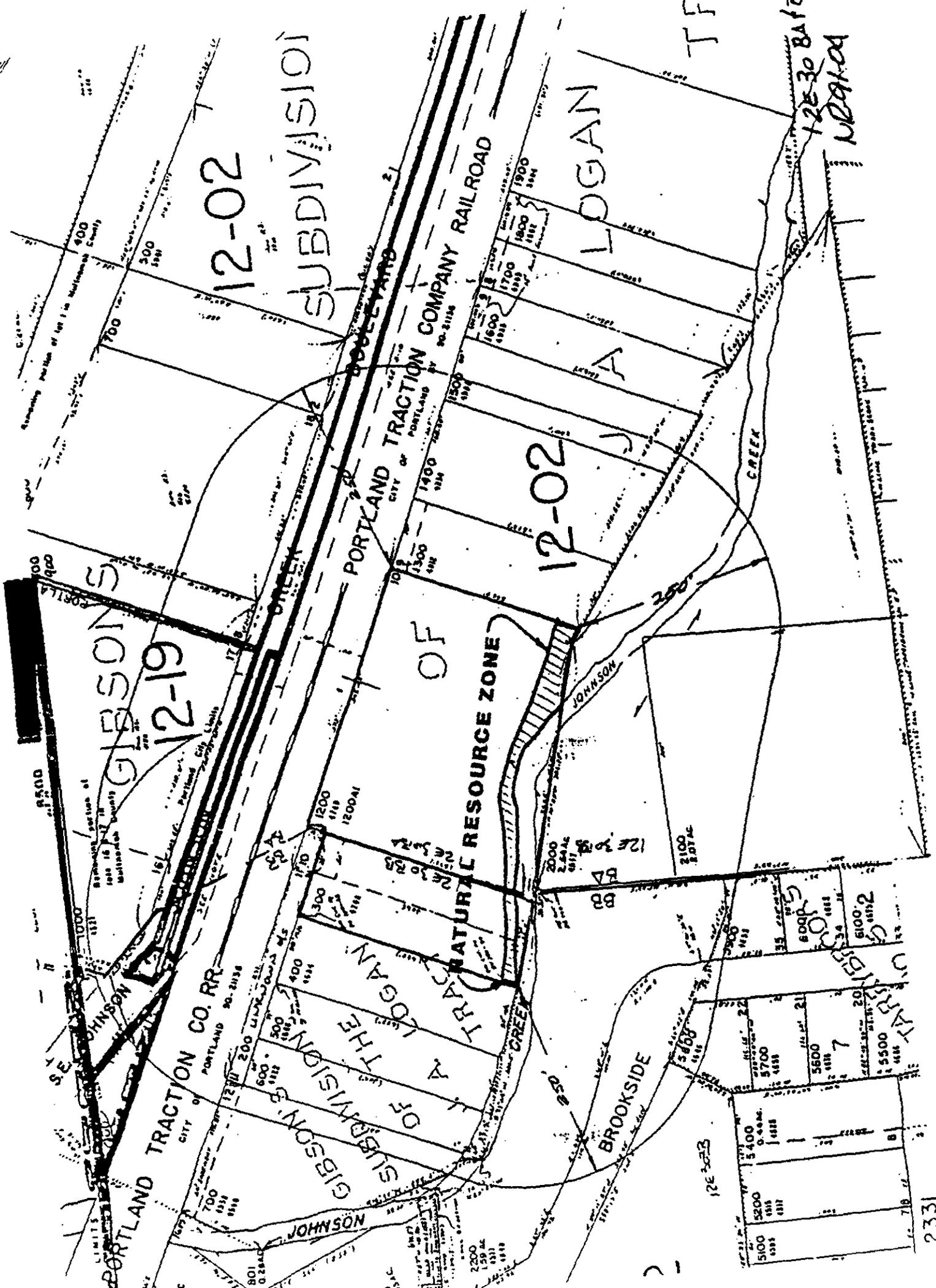


- CANCELLED
- 600
  - 2000
  - 2200A
  - 3100A
  - 4300
  - 4800
  - 3000
  - 3100
  - 1000A
  - 2901
  - 1100A
  - 2900
  - 3301
  - 3401
  - 3501

SEE MAP 11E 3688

ST

M L VIA



12-02

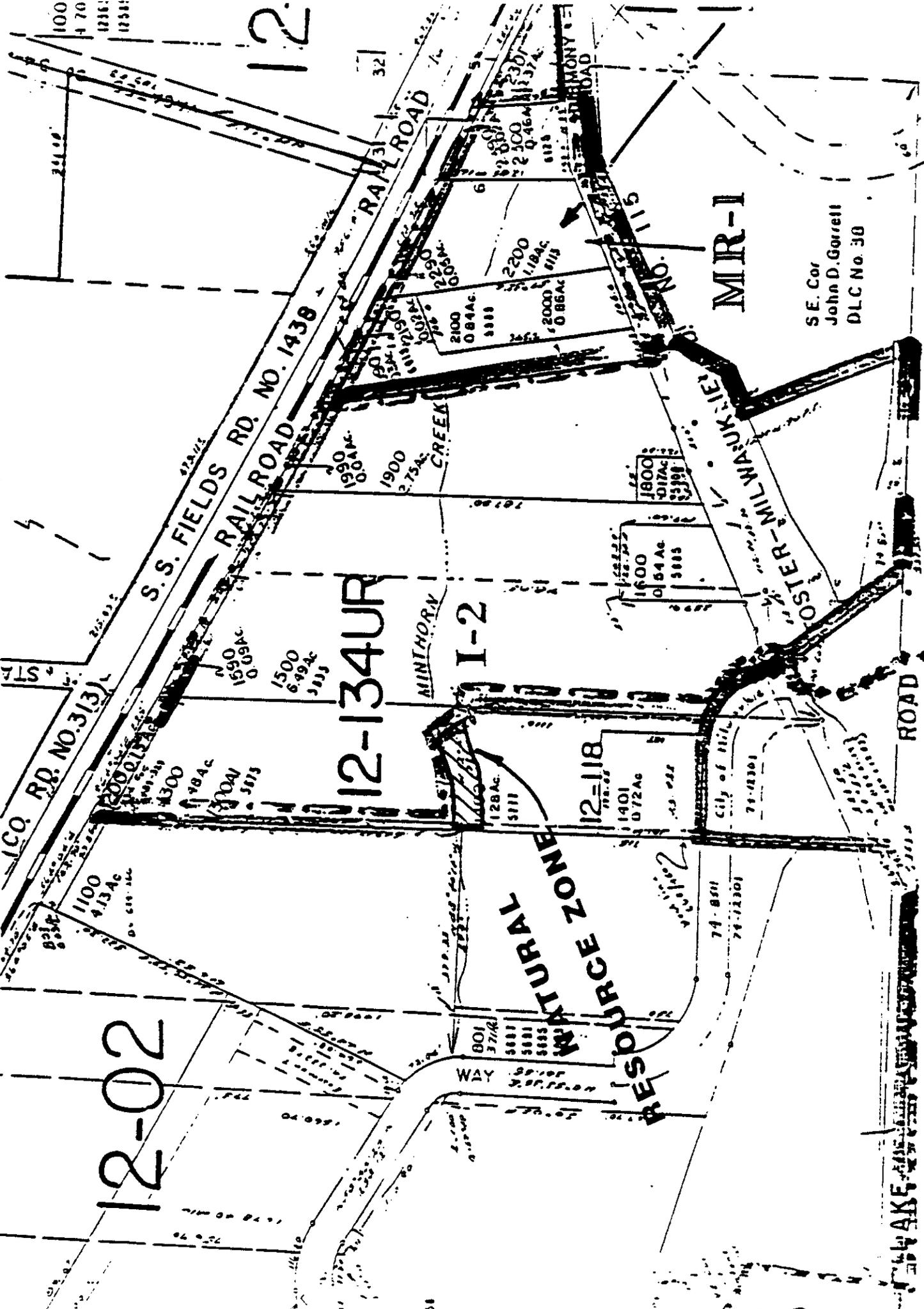
12

12-134UR

I-2

MIR-1

NATURAL RESOURCE ZONE



SE. Cor  
John D. Gorrell  
DLC No. 30

NR-91-06

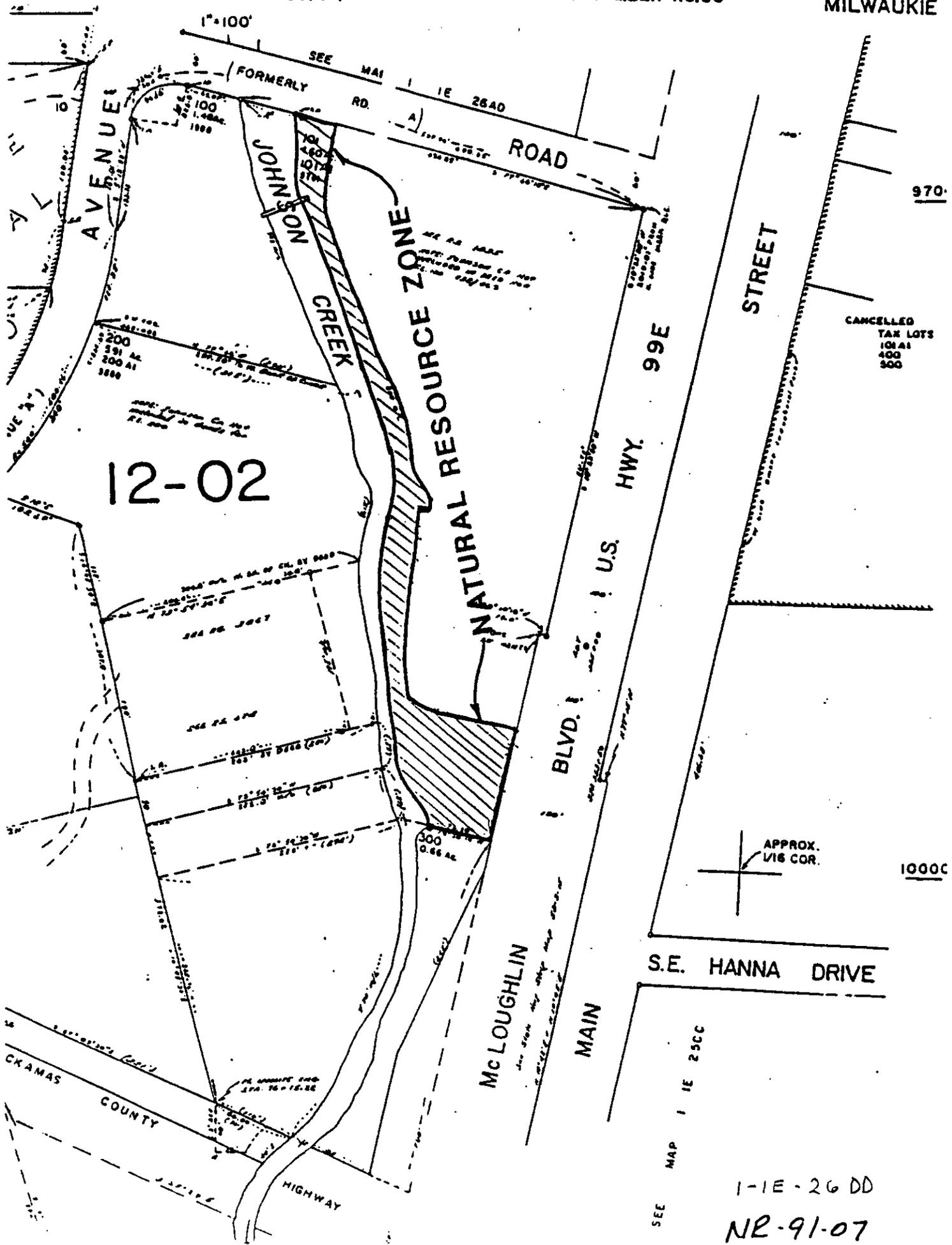
SLE 1.07 2 2 GAK

NR-91-06

NE 1/4 SE 1/4 SEC. 26 T.15. R.1E.  
CLACKAMAS COUNTY

WILLIAM W. LEX NO. 50

1 IE 26D  
MILWAUKIE



## PLAN DESIGNATION PROJECT

## Natural Resource Areas

## Key:

BI	Business Industrial Zone
C	Commercial
C-L	Limited Commercial Zone
I	Industrial
LD	Low Density Residential
M	Manufacturing Zone
R	Single Family Residential
R-7	Low Density Residential Zone (7000 sq. ft. lots)
ROW	Public Right-of-Way (State)

Natural Resource Area Refinements

Map /Tax Lot	File #	Primary Property Use	City Plan/Zone
1 1E 26DD 100	NR-91-07	Mixed I and C	I/M
1 1E 35AA ROW	NR-91-02/ NR-91-05	ROW	I/M and C/C-L
1 2E 30BA 1200	NR-91-04	I	I/M
1 2E 30BB 300	NR-91-04	I	I/M
1 2E 31D 1400	NR-91-06	I	I/BI
2 1E 1AA 1638	NR-90-01	R	LD/R-7
1639	NR-90-01	R	LD/R-7
1640	NR-90-01	R	LD/R-7
1641	NR-90-01	R	LD/R-7

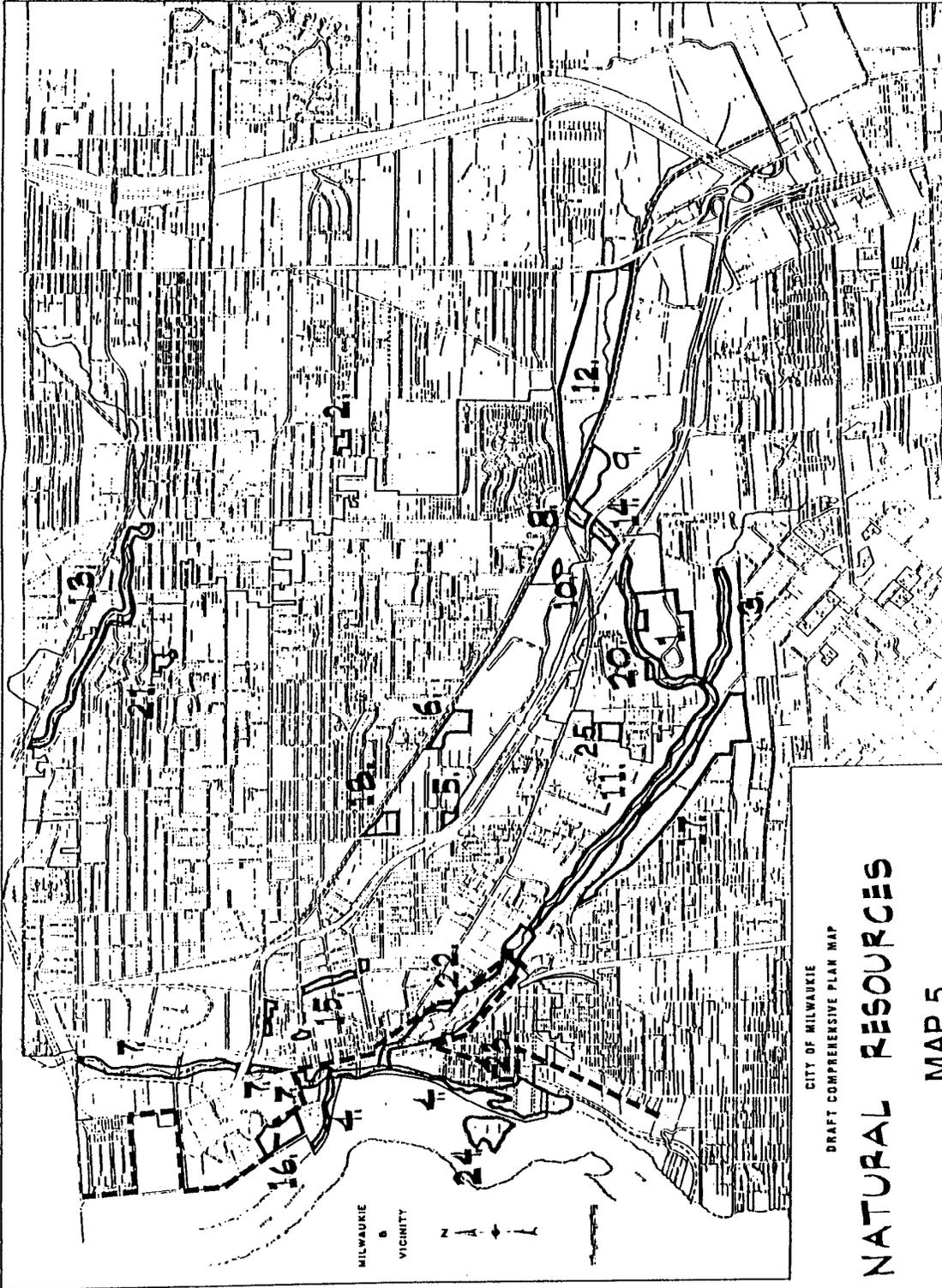
New Natural Resource Area to be Added

2 2E 6BB 500	ZC-91-02/ S-91-04	R	LD/R-7
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**LEGEND**

**NS** NATURAL  
RESOURCE  
SITE

WILLAMETTE  
--- GREENWAY  
BOUNDARY

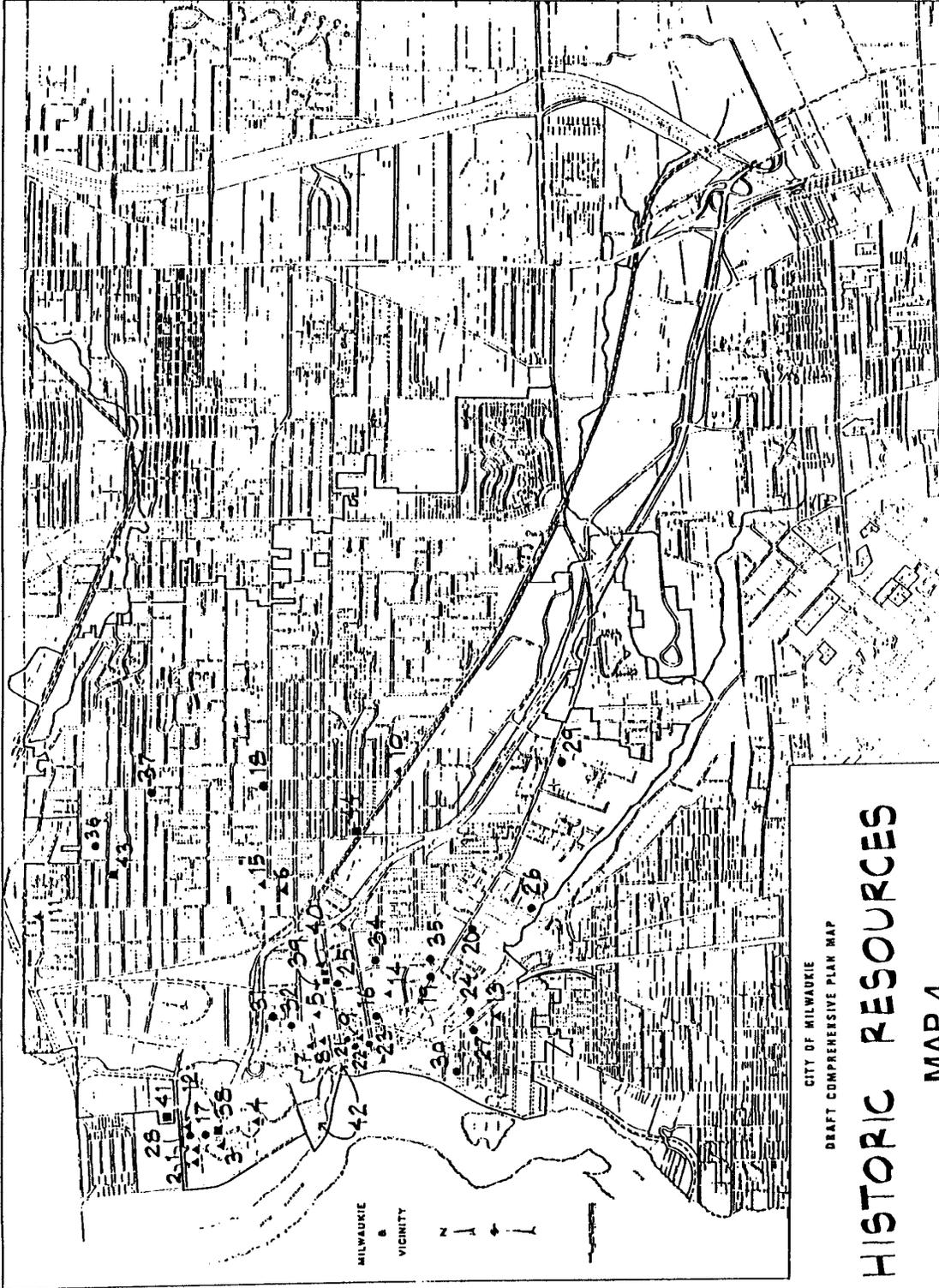


CITY OF MILWAUKEE  
DRAFT COMPREHENSIVE PLAN MAP  
**NATURAL RESOURCES**  
**MAP 5**

Amended by Ordinance No. \_\_\_\_\_  
Adopted March 1992

# LEGEND

- ▲ SIGNIFICANT RESOURCES
- CONTRIBUTING RESOURCES
- UNRAKED RESOURCES



CITY OF MILWAUKEE  
DRAFT COMPREHENSIVE PLAN MAP

# HISTORIC RESOURCES MAP 4

Amended by Ordinance No. \_\_\_\_\_  
Adopted March 1992