



Regular Session

RS

Milwaukie City Council

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10722 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

REVISED AGENDA

MARCH 21, 2023

(Revised March 17, 2023)

Council will hold this meeting in-person and through video conference. The public may attend the meeting by coming to City Hall or joining the Zoom webinar, or watch the meeting on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. **For Zoom login** visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-344>.

To participate in this meeting by phone dial 1-253-215-8782 and enter Webinar ID 841 6722 7661 and Passcode: 097479. To raise hand by phone dial *9.

Written comments may be delivered to City Hall or emailed to ocr@milwaukieoregon.gov. Council will take verbal comments.

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

Page #

1. **CALL TO ORDER** (6:00 p.m.)
 - A. **Pledge of Allegiance**
 - B. **Native Lands Acknowledgment**

2. **ANNOUNCEMENTS** (6:01 p.m.) **2**

3. **PROCLAMATIONS AND AWARDS**
 - A. **Outstanding Milwaukie High School (MHS) Student – Award** (6:05 p.m.)
Presenter: Kim Kellogg, MHS Principal

 - B. **Welcome Home Vietnam Veterans Day – Proclamation** (6:25 p.m.) **4**
Staff: Scott Stauffer, City Recorder

4. **SPECIAL REPORTS**
 - A. **None Scheduled.**

5. **COMMUNITY COMMENTS** (6:50 p.m.)
To speak to Council, please submit a comment card to staff. Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed to the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to ocr@milwaukieoregon.gov), or in person to city staff.**

6. **CONSENT AGENDA** (6:55 p.m.)
Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.
 - A. **Approval of Council Meeting Minutes of:** (removed from the agenda)
 - ~~1. February 14, 2023, study session~~
 - ~~2. February 21, 2023, work session, and~~
 - ~~3. February 21, 2023, regular session.~~

 - B. **Oregon Liquor and Cannabis Commission (OLCC) Application for the Eastside Distilling, 2150 SE Hanna Harvester Drive – Name Change** **6**

- 7. **BUSINESS ITEMS**
 - A. **Meek Street Project Property Purchase – Resolution** (7:00 p.m.) **8**
Staff: Jennifer Garbely, Assistant City Engineer
- 8. **PUBLIC HEARINGS**
 - A. **Downtown Design Review Adoption – Ordinance** (7:10 p.m.) **14**
Staff: Brett Kelter, Senior Planner
- 9. **COUNCIL REPORTS**
 - A. **Council Goals Adoption – Resolution** (8:10 p.m.) **184**
Presenters: City Council
- 10. **ADJOURNMENT** (8:30 p.m.)

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

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

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

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

Executive Sessions

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



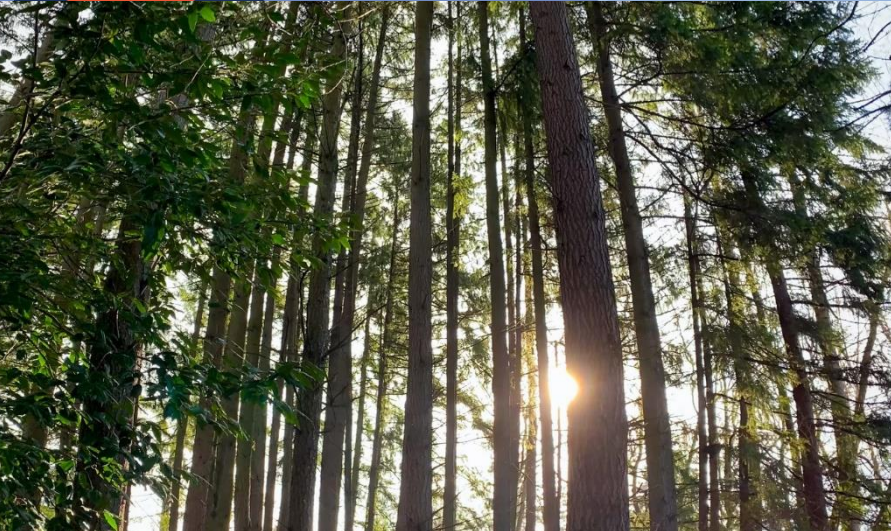
RS Agenda Item

2

Announcements

Join a BOARD_{or} COMMITTEE

milwaukieoregon.gov/bc



Mayor's Announcements – March 21, 2023

- **Annual Boards and Committees Recruitment – Apply by April 1**
 - Volunteer groups cover a variety of areas and work directly on local projects
 - Learn more and apply at milwaukieoregon.gov/bc
- **City Manager Open Door Session – Fri., Mar. 24 (9 – 10 AM)**
 - Ask questions, raise concerns, or just find out what the city is doing
 - No sign up is necessary. First come, first served.
 - Session takes place at City Hall, 10722 SE Main St.
- **Earth Day Volunteer Restoration Event – Sat., Apr. 22 (9 – 11 AM)**
 - Volunteer to restore the Willow Place Natural Area (4699 SE Pennywood Dr.)
 - Volunteers will focus on removing invasive plants. If time allows, some planting may also occur.
 - Register to volunteer at www.milwaukieoregon.gov/sustainability/earth-day-restoration-event
- **Prescription Drug Drop-Off and Document Shredding Day – Sat., Apr. 22 (10 AM – 2 PM)**
 - The event includes the collection of unused or expired prescription drugs and a truck will be on hand to shred sensitive documents.
 - Please arrive with all items in a box or bag and remove staples.
 - The event takes place at the Public Safety Building Parking Lot, 3200 SE Harrison St. Please enter the lot from Railroad Ave. and exit onto Harrison St.
- **LEARN MORE AT WWW.MILWAUKIEOREGON.GOV OR CALL 503-786-7555**



RS Agenda Item

3

Proclamations & Awards



**RS 3. A. 3/21/23
Presentation**

OUTSTANDING STUDENT March



Criteria

We are looking for students that:

- contribute to and/or have made an impact on their community.
- strive for excellence in their academics, activities and/or their passion area.
- have overcome an obstacle and are showing growth and are thriving.

Norah Schmidt



Background

- 12 Grade
- GPA: 4.0
- (7)AP classes
- Advanced Drama
- A Choir
- Theater Management/Indep.Study
 - Give 10 -30 hours a week

Future Plans

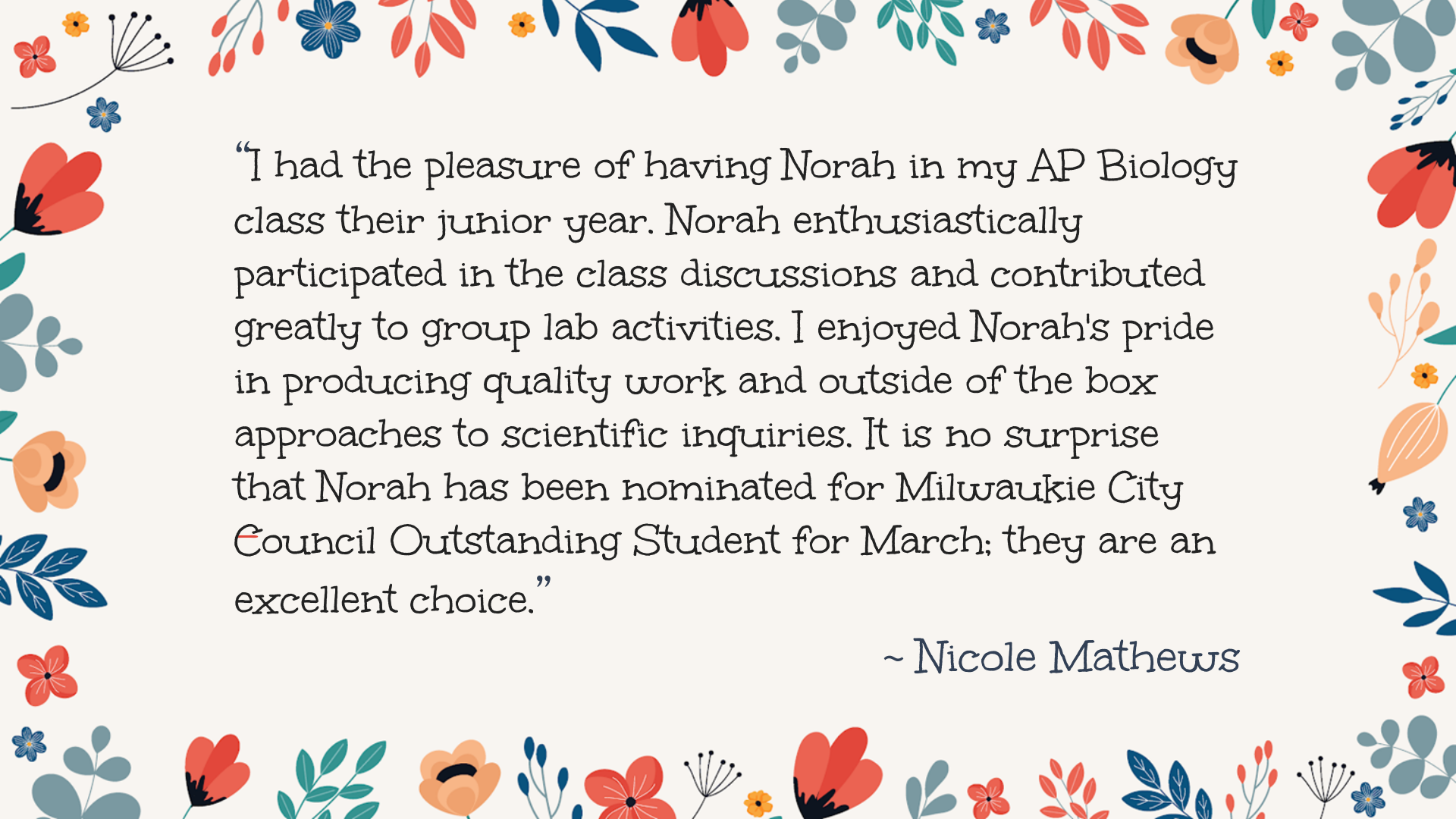
- PSU - Honors College



MHS/MAA

NORAH SCHMIDT

Theatre

A decorative border of various flowers and leaves in shades of red, orange, blue, and green surrounds the central text. The flowers include tulips, daisies, and smaller blossoms, while the leaves are simple, rounded shapes.

“I had the pleasure of having Norah in my AP Biology class their junior year. Norah enthusiastically participated in the class discussions and contributed greatly to group lab activities. I enjoyed Norah's pride in producing quality work and outside of the box approaches to scientific inquiries. It is no surprise that Norah has been nominated for Milwaukie City Council Outstanding Student for March; they are an excellent choice.”


~ Nicole Mathews



“Norah is the kind of writer who can really do it all—analytical writing with eloquence and depth, poetry that gives the reader gooseflesh, and fiction that creates such a pronounced mood, one feels transported into the story. Their use of imagery and irony is subtle, effective, and entertaining. We are lucky to have Norah as one of this year's editors of the Literary Magazine, where we can benefit from their strong work ethic, calm, effective leadership, and creativity.”

~Erica Fuson



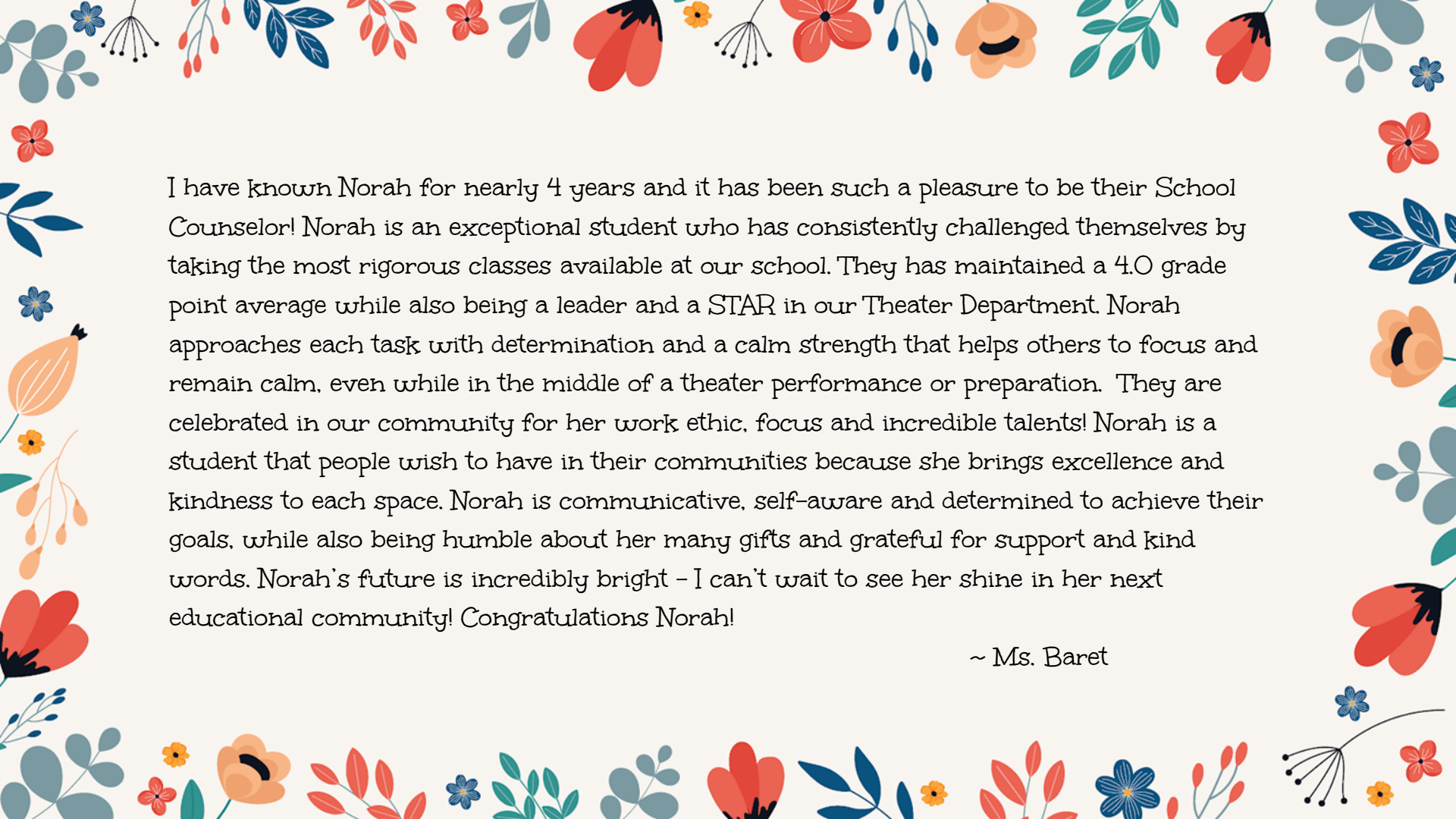


Norah is currently serving as President of our Thespian Troupe. They are an incredibly kind, thoughtful, compassionate, pragmatic person who wants everyone to feel included. Norah has been a wonderful resource to me as a new-to-the-school teacher, helping me understand how things have worked in the past and navigating how folks may feel about various things as we make changes to the theatre department.

In addition to being an excellent leader, Norah is a gifted actor and singer. They recently played the Queen of Hearts in *Alice in Wonderland*, and are now preparing to play Percy Jackson in *The Lightning Thief: The Percy Jackson Musical*.

~Laura Steenson





I have known Norah for nearly 4 years and it has been such a pleasure to be their School Counselor! Norah is an exceptional student who has consistently challenged themselves by taking the most rigorous classes available at our school. They has maintained a 4.0 grade point average while also being a leader and a STAR in our Theater Department. Norah approaches each task with determination and a calm strength that helps others to focus and remain calm, even while in the middle of a theater performance or preparation. They are celebrated in our community for her work ethic, focus and incredible talents! Norah is a student that people wish to have in their communities because she brings excellence and kindness to each space. Norah is communicative, self-aware and determined to achieve their goals, while also being humble about her many gifts and grateful for support and kind words. Norah's future is incredibly bright - I can't wait to see her shine in her next educational community! Congratulations Norah!

~ Ms. Baret

PROCLAMATION

WHEREAS the People of Milwaukie and the United States wish to continue to honor the service and sacrifice of American military personnel and their families who served during the Vietnam War, and

WHEREAS the Government of the United States and the State of Oregon have proclaimed Welcome Home Vietnam Veterans Day to be at the end of March each year to coincide with the anniversary of the last day of combat operations in Vietnam, and

WHEREAS to better serve our veteran neighbors in need, the City of Milwaukie, the Milwaukie Police Department, Milwaukie American Legion Post 180 and veteran service organizations in the greater Milwaukie community have established the Corporal Diffie Fund which provides immediate interim support to veterans in need while other services are sought, and

WHEREAS the City of Milwaukie and its community partners American Legion Post 180 and the Susannah Lee Barlow Chapter, Daughters of the American Revolution (DAR) are committed to continuing to honor Vietnam veterans and their families, and

WHEREAS it is right to reflect on the service and sacrifice given by all who served Our Nation in the Vietnam and Southeast Asia theater during the Vietnam War.

NOW, THEREFORE, I, Lisa M. Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim March 29, 2023, to be **Welcome Home Vietnam Veterans Day** in the City of Milwaukie.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 21st day of March 2023.

Lisa M. Batey, Mayor

ATTEST:

**Welcome Home
Vietnam Veterans Day**



Scott S. Stauffer, City Recorder

COMMANDER'S MESSAGE:

"Since 1919, the American Legion has been dedicated to advocating and assisting veterans in getting the support and benefits they have earned and deserve for their honorable service to our country. The Milwaukie Police Department's Veteran Resource Team approached the Milwaukie American Legion Post about establishing a fund for emergency aid, which specifically addressed the critical time frame between a veteran's need for help and when services can become available through the Veterans Administration and other veterans' organizations. The significant and positive impact the fund would have for veterans stuck in the 'Gap' became very apparent. The Corporal Diffie Veterans Fund exemplifies the Legion's values and mission. One hundred percent of all donations to the fund and fundraiser profits go directly towards helping veterans who are waiting for veteran resources to become available or approved. The Gap can be a very discouraging time for veterans and their families, which can often lead to a feeling of defeat and hopelessness. It is also a time that can trigger depression and PTSD, which only amplifies the problem and feeling of hopelessness. This fund will help restore and maintain hope for the veteran and their immediate family by providing the necessary assistance at the 'front end' of the problem, bridging the Gap until veteran resources at the Federal, State, or County level can respond with services and long-term solutions. This outreach to close the Gap in getting emergency aid for our veterans is only possible through the community's kind and generous donations."

"The American Legion Post 180 extends our deepest heartfelt gratitude to all who support this important endeavor."

The American Legion

American Legion is the nation's largest and most powerful organization of U.S. wartime veterans and their families. Today, it counts two million members who support their communities in more than 12,000 Posts across the United States and worldwide.

The Legion works one-on-one with veterans to ensure they receive proper benefits. Accredited American Legion service officers are specially trained to provide free expert assistance to veterans and their families.

Help us close the 'GAP' for our local Heroes

TESTIMONIALS:

"Being a Marine and Gulf War Veteran, as well as a Milwaukie Police Officer, I have witnessed first-hand veterans in crisis and experiencing a desperate need for emergency assistance. The Cpl. Diffie Veterans Fund provides Milwaukie Police Officers and American Legion Veteran Service Officers a unique tool, allowing us to provide the necessary emergency aid to veterans in need while they wait for existing veteran services at the Federal, State, and County levels to approve and respond with resources and long-term solutions. Since its establishment, the assistance provided by the Cpl. Diffie Veterans Fund has prevented homelessness, hunger, and a veteran's contemplation of suicide."

"The Corporal Diffie Veterans Fund has proven to be an invaluable resource for our local veterans, and I am proud to be associated with it"

– B. Walther

"The Veteran Outreach Team was instrumental in helping me secure all the benefits I was qualified for through the V.A. and Clackamas County. Their assistance to secure those benefits, along with the help received through the Corporal Diffie Veterans Fund for essential bills to avoid becoming homeless or hungry, gave me the needed support to recover from my situation. Because of their help and aid provided by the fund, I am now finally able to move forward, focused on new employment opportunities without worries of becoming homeless."

"I will be forever grateful for the help the Corporal Diffie Veterans Fund provided me and the support I received through the Milwaukie Police Department and Milwaukie American Legion Veterans Outreach Team. Thank You!!!"

R.P. - Cpl. USMC

"After my unemployment insurance stopped, I was unable to pay my rent. Thanks to the Corporal Diffie Veterans Fund, I received the help needed until the V.A. could adjust my benefits."

"I really appreciate the help provided to me! God bless you all!"

RP2 R. Silvey



"CLOSING THE GAP!"

****Gap: Time frame between a veteran's need for help and when the existing Veteran Services are able to respond.***

CORPORAL DIFFIE



VETERANS FUND

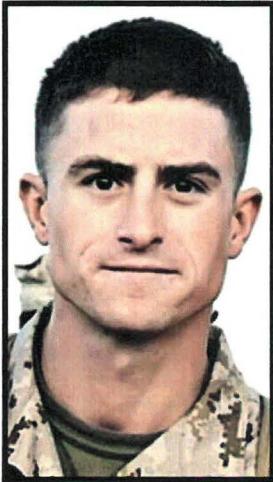
SPONSORED BY:

Milwaukie Police Dept.

&

Milwaukie American Legion Post 180

U.S. MARINE CPL. SAMUEL DIFFIE



In 2017, Milwaukie resident, Samuel Diffie (a Marine Corps Veteran who served two combat tours in Afghanistan) experienced the troublesome gap between the need for help and Veteran Services inability to respond quickly enough with resources and solutions. In June of that year, Milwaukie Police officers and

Clackamas County Firefighters would meet Samuel and provided him with some basic needs until Veteran Resources could be secured and his family notified. Follow up with Samuel and the V.A., conducted by a Milwaukie Police Officer, revealed the resources Samuel was eligible for could not react fast enough to resolve the immediate medical and lodging issues he faced. Although Samuel was blessed with a loving and supportive family, as well as having a new-found friend and advocate at the Milwaukie Police Department, his situation exposed the desperate need for local emergency funds to assist Veterans managing the **GAP**. This is a troublesome time frame veterans experience before Veteran Services can become engaged. This GAP is something Samuel himself hoped for future solutions to.

Sadly, Samuel would unexpectedly pass in January of 2018 from natural causes connected to his medical concerns. U.S. Marine Cpl. Samuel Diffie was laid to rest in Arlington National Cemetery with full military honors.

Helping Veterans In Need

In memory of Samuel, and in response to the recognized lead-times required and routinely experienced by Veterans seeking assistance at the County, State, and Federal levels, the Milwaukie American Legion Post 180 partnered with the Milwaukie Police Department's Veterans Resource Team to establish the "Corporal Diffie Veterans Fund". One-hundred percent of the profits raised and donations received for the Corporal Diffie Veterans Fund go directly towards helping local Veterans in need. Funds which are intended to bridge the Gap until Veteran resources can be secured through the County, Department of Veteran Affairs, or other Veterans resources.

***The Milwaukie American Legion Post 180 DBA – Cpl. Diffie Veterans Fund is a federally chartered non-profit organization. All donations to the Cpl. Diffie Veterans Fund are tax deductible to the fullest extent of existing laws.**

Milwaukie Police Department Veterans Resource Team

Milwaukie Police established the Veterans Resource Team (VRT) to identify ways to serve our local Veterans who find themselves in dire circumstances. The VRT identified the disconnect between Veterans and existing services, and the delays between initiating and receiving resources as a significant problem. The M.P.D. VRT partnered with the Milwaukie American Legion Post 180 and established the **Corporal Diffie Veterans Fund**. We're confident this fund and this community partnership will facilitate better and faster service for our Veterans in need.



DONATE "NOW" ONLINE!

Use your smart phone camera to scan the **QR CODE** below and tap on the link!



Or visit: **alpost180.org** and follow the "Corporal Diffie Veterans Fund" link located in the index for online donations.

Donations can also be mailed to:

American Legion Post 180
Attn. Finance Officer ~ CDVF
2146 SE Monroe Street
Milwaukie, Oregon 97222

Make Checks payable to:
Corporal Diffie Veterans Fund



The **Milwaukie Post** operates a facility in downtown Milwaukie and serves not only the city but the surrounding area.

Our Post facility on Monroe Street has the capability to host parties, special events, dinners, banquets, receptions, meetings, and other similar type events. With prior arrangements, the Post facilities can be rented for a nominal fee and we welcome your interest in this opportunity to serve the citizens of our community.

The Post has a commercial grade kitchen and serves dinners on most weekends and at other times during the week. Our Sunday breakfasts (9 AM — 12 Noon) are a particular treat and are **open to the public**. We invite you, your family and friends to attend and partake in our hospitality. **Sunday Bingo is at 3 PM and open to public as well.**

For those of legal age, Post 180 operates a well stocked lounge in a safe and friendly atmosphere with wide screen televisions for viewing sporting events. The lounge also offers gaming with access to Keno, Lottery, and Video gaming machines.

The Post facility is generally open from 12 Noon on most days with closing times varying based on activity.

Post membership provides unrestricted access to the Post facilities during our hours of operation. Guests however need to be accompanied by a member of the Post and need to sign in on our guest log. Membership has its privileges and we hope that, if you are eligible, you will join one or more of our Legion family offerings.

The **American Legion** was formed in 1919 after World War I, the war to end all wars and sadly that was not the case. The American Legion was chartered by Congress in 1919 as a patriotic veteran's organization. Focusing on service to veterans, service members and communities, the Legion evolved from a group of war-weary veterans of World War I into one of the most influential nonprofit groups in the United States. Membership swiftly grew to over 1 million, and local posts sprang up across the country.

Today, membership stands at over 2.4 million in 14,000 posts worldwide.

The Legion is the nation's largest veteran's service organization, committed to mentoring youth and sponsorship of wholesome programs in our communities, advocating patriotism and honor, promoting strong national security, and continued devotion to our fellow service members and veterans.

The American Legion's success depends entirely on active committed membership, participation and volunteerism. The Legion organization belongs to the people it serves and the communities in which it thrives and functions.

If you have served federal active duty in the United States Armed Forces and have been honorably discharged or are still serving, you could be eligible for membership in [The American Legion!](#)

OUR POST



WE INVITE YOU TO CHECK US OUT!



**2146 SE Monroe St.
Milwaukie, OR 97222**

503-659-1300

<http://alpost180.org>

**[https://www.facebook.com/
ALPost180MilwaukieOR](https://www.facebook.com/ALPost180MilwaukieOR)**

★ THE MILWAUKIE AMERICAN LEGION POST 180 FAMILY ★

The Milwaukie American Legion Post 180 family is composed of four organizations:

1. **Post Legionnaires,**
2. **American Legion Auxiliary (AUX),**
3. **Sons of the American Legion (SAL),**
4. **American Legion Riders (ALR).**

These four organizations offer a wealth of opportunities for just about anyone to join and participate in the activities and functions of the American Legion.

The central organization in Post 180 is the almost 500 **Legionnaires** that form the core Post organization. These Legionnaires are former or current members of the United States Armed Forces. They have joined together to maintain and enjoy the



camaraderie that they experienced while serving our country. They also feel strongly about making our communities and neighborhoods safer and a better place to work and raise families.

To be eligible for Legionnaire status, an individual needs to have served or be currently serving in a branch of the United States Armed Forces (*Army, Marine Corps, Navy, Air Force, Coast Guard*). If the individual is no longer on active duty, their discharge from the service should have been under honorable conditions.

Founded in 1919, The **American Legion Auxiliary** has nearly 1 million members from all walks of life. The American Legion Auxiliary is the world's largest women's patriotic service organization with some 10,500 units located in every state and some foreign countries.

In the spirit of service, not self, the mission of the Auxiliary is to support the Legion and to honor the sacrifice of those who serve by enhancing the lives of our veterans, military, and their families, both at home and abroad.

Eligibility for Auxiliary membership is extended to grandmothers, mothers, sisters, wives, and direct and adopted female descendants of all men and women who were or are in the Armed Forces of the United States or who, having received an Honorable Discharge, died after service.

The **Sons of the American Legion** was founded in 1932 and is made up of boys and men of all ages whose parents or grandparents served in the United States military and became eligible for membership in The American Legion. The Post 180 S.A.L is small but active and we encourage you to join if eligible.

Post 180 also hosts a chapter of the **American Legion Riders**. If you are a motorcycle enthusiasts, you will probably enjoy participating with our ALR chapter. The ALR performs a number of services for Legion supported causes and provides support for military funerals when called upon. ALR participation is restricted to members of the Legion, Auxiliary or S.A.L.



Annual membership dues in Milwaukie Post 180 are as follows (*subject to change*):

- ★ **Post = \$50**
- ★ **Auxiliary = \$35**
- ★ **SAL = \$40**
- ★ **ALR = \$20**

PREAMBLE

The SAL program is outlined in its Preamble to the Constitution. "Proud possessors of a priceless heritage, we male descendants of veterans of all wars, associate ourselves together as "Sons of The American Legion" for the following purposes:

To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a true spirit of Americanism; to preserve the memories of our former members and the association of our members and our forefathers in all wars; to inculcate a sense of individual obligation to the Community, State and Nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy, to consecrate and sanctify our friendship by our devotion to mutual helpfulness; to adopt in letter and spirit all of the great principles for which The American Legion stands; and to assist in carrying on for God and Country."

SUGGESTED PROGRAMS and ACTIVITIES

Since the age of eligibility begins from date of birth, activities and programs of any squadron should be determined by: (1) age groupings of those eligible; (2) apparent needs of the youthful eligibles; (3) needs of the community for the programs and activities which could be provided by the SAL; and (4) capabilities of those serving as leaders and advisers.

Suggested programs are in assisting the post in all activities, veterans programs, VA home and hospital volunteers (VAVS), fundraising, support to The American Legion Child Welfare Foundation, American Legion Baseball, soccer, Boys State, Junior Shooting Sports program, and a vast range of activities involving Americanism, and Children & Youth.

Just as each Legion post determines the extent of its service to the community, state and nation, each squadron is permitted flexibility in planning programs and activities to meet the needs of its own age groups.

P.O. Box 1055
 Indianapolis, IN 46206
 317-630-1205
 sal@legion.org
 legion.org/sons

Sons of The American Legion Membership Application

Detachment of _____ Squadron No. _____ Birth Date _____ Date _____
 Name _____ (First) _____ (Initial) _____ (Last) _____ Recruited by _____ (Initial) _____ (Last) _____
 Address _____ (Street) _____ (City) _____ (State) _____ (Zip) _____
 E-mail Address _____ Telephone _____
 Veteran through whom eligibility is established _____
 (a) Above is a member in good standing of Post No _____, Dept. of _____
 OR (b) Above is a deceased veteran who served honorably from _____ to _____
 (c) Relationship of Applicant to Veteran _____
 I hereby subscribe to the Constitution of the Sons of The American Legion, apply for membership, and transmit \$ _____ as annual membership dues.
 Signed _____ (By Applicant or Parent)
 Eligibility certified by _____ (Post Adjutant) _____

00-001 (2013)



RECEIPT

Date _____
 Received of _____

For God and Country

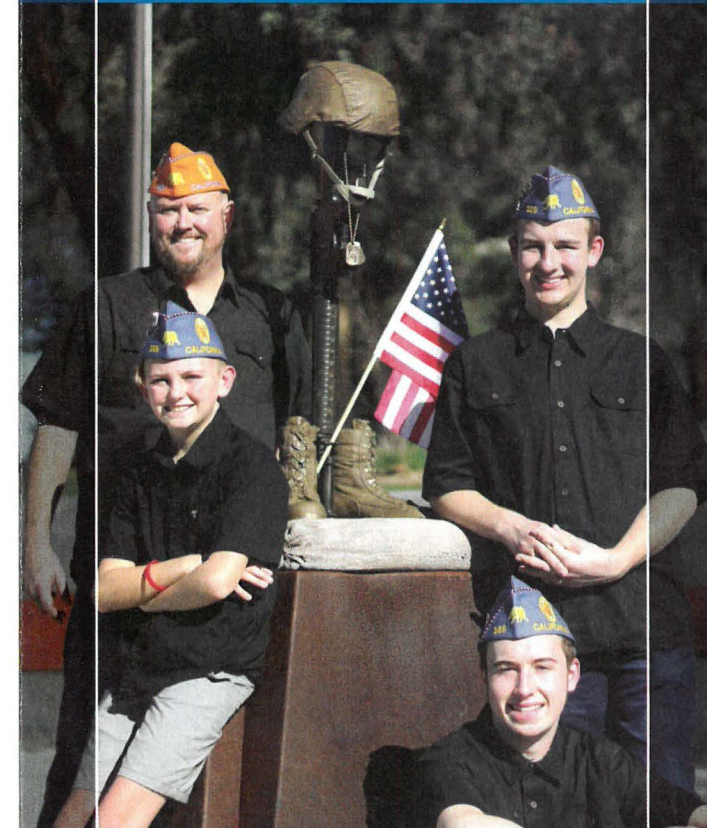
\$ _____ in payment of dues for 20 _____ in

Squadron _____, Detachment of _____

By _____



SONS OF THE AMERICAN LEGION



*Dedicating support
 for our veterans*

 legion.org/sons

MEMBERSHIP ELIGIBILITY

All male descendants, adopted sons and stepsons of members of The American Legion, and such male descendants of veterans who died in service during World War I or since December 7, 1941, to date, as set forth in Article IV, Section 1, of the National Constitution of The American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in the Sons of The American Legion.

There shall be no form or class of membership except an active membership.

THE EMBLEM

The design of our emblem was taken from the



emblem of our parent organization, but is oval in shape so as to be easily distinguished.

The star in the center represents our country, and the five points of the star represent the five-point program of the Sons of The American Legion.

The sun in the background represents the Sons of The American Legion and the rays represent the loyalty of its membership.

The blue of the emblem, like the blue of our flag, stands for justice.

The two stars in the blue border stand for freedom and democracy.

The wreath below the star is in memory of our comrades, and those of our forefathers who willingly gave their lives for their country.

The 10 points of the emblem represent the 10 ideals of every Legion son.

TEN IDEALS

The Ten Ideals Program is a study program recommended for school-age children which includes subjects in:

PATRIOTISM	FAITH
HEALTH	HELPLESSNESS
KNOWLEDGE	COURTESY
TRAINING	REVERENCE
HONOR	COMRADESHIP

FIVE-POINT PROGRAM OF SERVICE

This is the study program for those members who have completed the Ten Ideals. This is recommended for younger members but is not limited to just them. This program includes:

PATRIOTISM: Love of the flag; love of country.

CITIZENSHIP: Individual obligation of citizenship.

DISCIPLINE: Respect for and obedience to rules.

LEADERSHIP: Participation in group activities.

LEGIONISM: Knowledge of The American Legion.



The Five-Star Award, which can be presented to SAL members who show perfection in the Five Point Program of Service, is a gold plated medal bearing the SAL emblem and the symbolism of the five points.



UNIFORM

The basic uniform of the Sons of The American Legion is the squadron blue cap. Dress attire is determined by the activity and by the Sons of The American Legion leadership conducting the event or function. Optional attire such as casual, business casual, coat and tie is determined by the squadron, district and detachment.

Uniform caps are available through the National Emblem Sales Division of The American Legion. Also available are jackets, shirts and other items for purchase. For a catalog write to: National Emblem Sales, P.O. Box 1050, Indianapolis, IN 46206. Or visit emblem.legion.org.

Sons of The American Legion caps

All caps have red, white and blue piping. Caps include state and squadron number. All additional lettering is \$1 per character. District and detachment orders must be routed through Legion department headquarters for approval. Special state insignia is available at extra charge.

Squadron (French Blue)

(See National Emblem Sales catalog)



Cap: Standard SAL in the following colors:

- Squadron:** French blue with red, white and blue piping.
- District:** French blue base, white top, piping same as squadron cap.
- Detachment:** French blue base, gold top, piping same as squadron cap.
- National:** Solid gold, piping same as squadron cap.



A LEGACY OF SERVICE

In 1925, World War I had been over for six years, but for veterans and their widows and children, the years had been a continuing struggle to adjust to the war's aftermath. The members of The American Legion, aware of the grave responsibilities entrusted to them by those who had served, knew the time had come to take action.

More than 900,000 Legionnaires, American Legion Auxiliary members, and other American citizens joined the campaign, raising nearly \$5 million and establishing The American Legion Endowment Fund.

Since those early days, over \$30 million have been distributed to disabled veterans and children of those who served our great nation.

Your gifts and donations go into a trust that is administered by The American Legion Endowment Fund Corporation. The corporation, whose members are selected by the National Executive Committee of The American Legion, takes great care to ensure that these gifts are wisely invested.

Income from fund investments is then passed on to the Veterans Affairs & Rehabilitation and Children & Youth programs of The American Legion National Organization to support national, state, and local programs for veterans and children.

Help us continue this proud tradition of service to veterans and their children with a contribution to The American Legion Endowment Fund. As a 501 (c) (3) organization, your contributions are tax-deductible.



THE AMERICAN LEGION ENDOWMENT FUND CORPORATION BOARD OF DIRECTORS AND MEMBERS

PRESIDENT

William M. Detweiler¹ (LA)

VICE PRESIDENT

Honorable Vincent M. Gaughan¹ (IL)

TREASURER

David P. Rook¹ (IN)

SECRETARY

Terry L. Woodburn (IL)

DIRECTORS EMERITUS

Joe L. Matthews (TX)

Norman C. Schlemmer (IN)

DIRECTORS AND MEMBERS

Clarence M. Bacon¹ (MD)

Thomas P. Cadmus³ (MI)

Anthony G. "Tony" Jordan¹ (ME)

Daniel A. Ludwig¹ (MN)

John D. Monahan² (CT)

Paul A. Morin¹ (MA)

Neal S. Sundeen¹ (AZ)

¹ Director and Member ² Director ³ Member



THE AMERICAN LEGION NATIONAL HEADQUARTERS

Americanism and Children & Youth Division
700 N. Pennsylvania Street
Indianapolis, IN 46204
317-630-1200
www.legion.org

Service personnel photos: Department of Defense

Artwork# 154ACY0209

Stock# 24-034



THE AMERICAN LEGION

ENDOWMENT FUND



Milwaukie American
Legion Post 180
2146 SE Monroe St.
Milwaukie, OR 97222

DEDICATED TO SERVING
VETERANS AND THEIR CHILDREN

CHILDREN OF VETERANS

The **Temporary Financial Assistance (TFA)** program of the National Commission on Children & Youth distributes hundreds of thousands of dollars every year to assist children across the country as a direct result of the interest earned from The American Legion Endowment Fund.

Created in 1925 as a form of direct aid to veterans' minor children, the TFA program exists to help these children maintain basic needs including shelter, utilities, clothing, food and medical care, when the parents or guardians of the minor child or children are unable to do so. The TFA program remains a unique program in the field of social work today and would not be able to continue without the support of The American Legion Endowment Fund.

For more information on the Temporary Financial Assistance Program contact:

THE AMERICAN LEGION
National Commission on Children & Youth
 P.O. Box 1055
 Indianapolis, IN 46206
 (317) 630-1323



VETERANS

The American Legion Endowment Fund also distributes funds to the Veterans Affairs & Rehabilitation (VA&R) Commission to benefit and fund the following programs:

Department Service Officer (DSO) Schools. Every year, the VA&R Commission holds two training schools to teach DSOs the latest changes in Department of Veteran Affairs and the United States Court of Appeals for Veteran Claims regulations, procedures and laws to ensure they provide the best service to the veterans they assist.

The American Legion and National Veterans Legal Services Program (NVLSP) Internship Program.

This program provides training for American Legion staff assigned to the Board of Veterans Appeals (BVA) and to Department Service Officers on temporary assignment to the BVA.

Memorandum of Agreement with the National Veterans Legal Services Program (NVLSP).

This agreement provides for training of American Legion Service Officers and for legal representation before Federal Courts on veterans' and claimants' appeals considered to be of a precedent-setting nature. It also finances the NVLSP's consultation and advisory opinions to The American Legion on pending legislation before Congress involving programs and benefits administered through the Department of Veterans Affairs.

For more information on VA&R programs contact:

THE AMERICAN LEGION
Veterans Affairs & Rehabilitation Commission
 1608 K Street, NW
 Washington, D.C. 20006
 (202) 263-2983

THE AMERICAN LEGION ENDOWMENT FUND DONATION FORM

YES, I want to help veterans and their children. Enclosed is my donation of: \$

Name

Address

City State Zip

If you would like your donation to be in memory or in honor of someone, please complete the following:
 In Memory of:
 In Honor of:

Please notify the following of my contribution:

Name

Address

City State Zip

Mail this form and your gift to:

The American Legion Endowment Fund
 P.O. Box 1055
 Indianapolis, IN 46206

All donations and gifts to The American Legion Endowment Fund will be acknowledged in writing. Contributions are tax-deductible under 26 U.S.C. § 170(c). Check with your tax advisor for more information.



THE AMERICAN LEGION

The American Legion is the nation's largest veterans organization. Since its founding in 1919, the Legion has endeavored to fulfill the challenge offered by President Abraham Lincoln in his second inaugural address in March 1865 when he proclaimed, *"With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan..."*

The American Legion is keenly aware of the sacrifices our military families are making as their sons, daughters, husbands, wives, fathers and mothers serve in our Armed Forces. Our members understand the loneliness each family member experiences when a loved one is deployed and away from home. The American Legion thanks all service members and their families for your service and sacrifice. We deeply appreciate the dedication and devotion our servicemen and women have to country. Regardless of your need, The American Legion will be there for you and your family.



Milwaukie Post 180
2146 SE Monroe St.
Milwaukie OR 97222



THE AMERICAN LEGION

To obtain an application or for more information contact

THE AMERICAN LEGION
American Legion Legacy Scholarship

P.O. Box 1055
Indianapolis, IN 46206
317-630-1212
ACY@LEGION.ORG
www.legion.org

Artwork# 171ACY1108

Stock# 23-023

To the families of America's military



THE AMERICAN LEGION LEGACY SCHOLARSHIP

Providing for the children left behind



*It's the Least
We Can Do*



THE AMERICAN LEGION LEGACY SCHOLARSHIP

Opportunities to attend college should not be out of the reach of the children left behind because a parent died on active duty while serving in the United States Armed Forces. That is why The American Legion established the American Legion Legacy Scholarship.

One way we will be there for you is by providing the American Legion Legacy Scholarship. Those eligible to apply for the scholarship are children of the United States military and National Guard, and military reservists who were federalized and die on active duty on or after September 11, 2001. This includes legally adopted children or children of a spouse by a prior marriage or dependent children as defined by the United States Armed Services for active duty personnel. An applicant must be a high school senior or high school graduate to apply for the scholarship. The scholarship is for undergraduate study at a U.S. school of higher education.

The deadline to apply is April 15th of each year. Awards are made in early May and are renewable.

Keep this brochure with your important papers so, that if the unthinkable should happen, when your child is ready to go to college you will have the necessary financial aid information.

OTHER EDUCATIONAL AID AVAILABLE

The Department of Veterans Affairs provides training and education benefits under U.S. Code Title 38, Chapter 35.

Dependents' Educational Assistance Program (DEA) provides education and training opportunities to eligible dependents of veterans who are permanently and totally disabled due to a service-connected disability, or who died while on active duty or as a result of a service-connected disability.

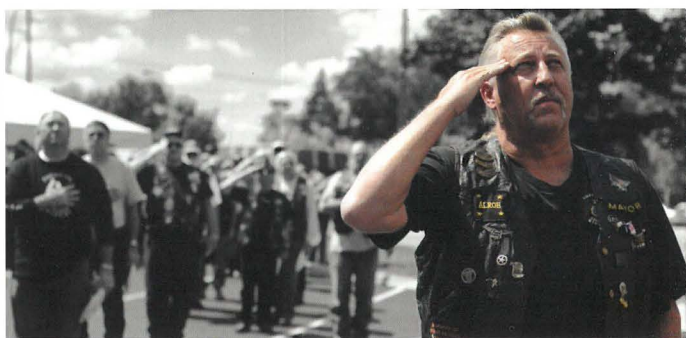
For current eligibility requirements and benefits information contact the VA at **888-442-4551** or **www.va.gov**.

The American Legion publishes a college financial aid guide called *NEED A LIFT?* This 152-page book lists scholarships, grants, and loans for which students may qualify. To view, search, and download a copy of *NEED A LIFT?* go to **www.needalift.org**.

Available at **www.collegeboard.com** are free resources, information and online tools, that include College Search, Scholarship Search, and Financial Aid EasyPlanner, all designed to help college-bound students and their families to connect to college.

The Department of Education web site, **www.college.gov**, is a source for information on planning, preparing, and paying for college.

The Department of Labor-sponsored site, **www.careeronestop.org**, offers career resources and workforce information to help students make informed choices.



JOIN US

Membership is open to all active members of The American Legion, The American Legion Auxiliary and The Sons of The American Legion, including those on active federal military service in the armed forces of the United States. Members must own and ride motorcycles and maintain active membership within The American Legion Family.

For membership information for The American Legion Family, visit the following websites:

Wartime veterans and active duty:

www.legion.org/join

Wives, mothers, sisters and all female descendants of wartime veterans and Legionnaires:

www.alaforveterans.org

Male descendants of wartime veterans:

www.legion.org/sons



WHY WE RIDE

The American Legion Riders promote the Four Pillars of The American Legion worldwide:

- **Veterans Affairs & Rehabilitation**
Programs, services and advocacy efforts that improve the lives of veterans and their families.
- **National Security**
Our long-held American Legion value that the key to peace and world stability is a strong, well-resourced defense.
- **Americanism**
The Legion is the foremost authority on U.S. flag display, education and protection. Riders celebrate Americanism through active participation in patriotic observances.
- **Children & Youth**
The main objectives are strengthening the family unit; supporting quality organizations that serve children; and providing communities with well-rounded programs for young people. Riders give hope to youths facing difficult challenges.

THE AMERICAN LEGION RIDERS

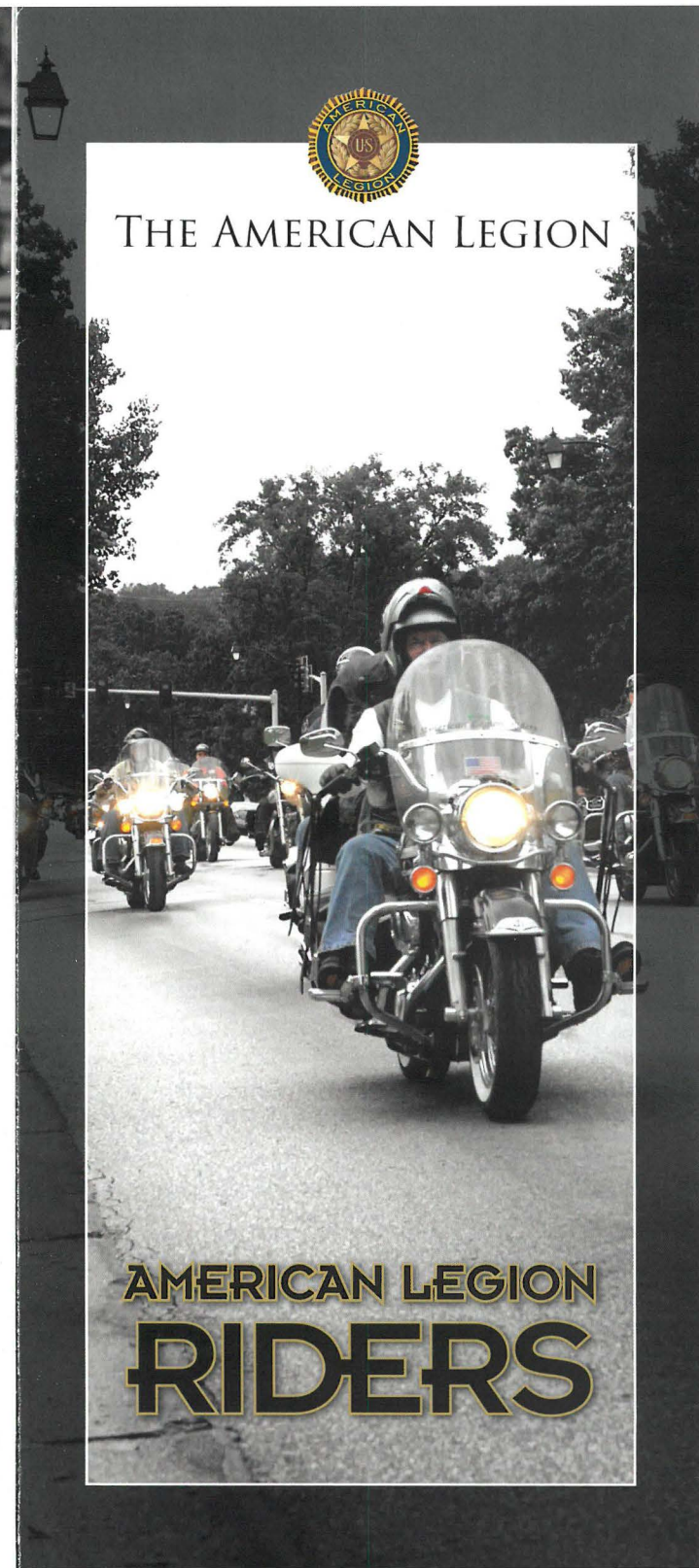
The American Legion National Headquarters
Internal Affairs Division
P.O. Box 1055
Indianapolis, IN 46206

 www.legion.org/riders

Stock# 30-121 Artwork# 701A0315



THE AMERICAN LEGION



AMERICAN LEGION RIDERS



THE AMERICAN LEGION RIDERS

RIDING TO SUPPORT VETERANS AND ASSIST CHARITIES

More than 1,500 American Legion Rider chapters, organized by local American Legion posts and departments worldwide, ride in support of America's future. Legion Riders help maintain American Legion programs in every state and in several countries overseas. One of the fastest growing and most highly visible of the many activities offered by The American Legion, the Legion Riders ride for the community, state and nation.

The American Legion Riders have raised over \$5.27 million for The American Legion Legacy Fund.

- The Riders are among the most generous and creative supporters of The American Legion Legacy Scholarship Fund. Average amounts raised by Riders have surpassed

\$750,000 annually. Every penny is used for college scholarships for the children of fallen servicemen and women.

- Riders participate in fundraisers for local charitable organizations such as childrens hospitals, cancer camps, scholarships and toy runs for children of war casualties.
- Riders provide escorts for military flights carrying our servicemen and women home to their communities and loved ones.
- American Legion Rider Honor Guards and ceremonial teams protect the sanctity of veterans' funerals, stand flag lines at memorial services and carry on the special bonds formed in military service.
- American Legion Riders teach motorcycle skills and driver safety in the community, on military installations and in our schools.

FREQUENTLY ASKED QUESTIONS

Q When and where were The American Legion Riders founded?

A ALR started at American Legion Post 396 in Garden City, Mich., in the fall of 1993. Members wanted to create an environment in which members of the Legion Family could share a common love for motorcycles.

Q How can I start an American Legion Riders chapter at my post?

A Your post simply votes to form an ALR chapter. Your new chapter must check with your department ALR program (if any) for additional requirements.

Q Who can join the Riders?

A The ALR is a program of The American Legion. Membership is open only to members of The American Legion, The American Legion Auxiliary and The Sons of The American Legion.

Q Where can I get more information?

A Contact your American Legion post, or visit the "chapter locator" by scanning the QR code below with your smartphone or go to www.legion.org/riders. You can also get a free Riders e-newsletter by signing up at www.legion.org/newsletters.



AUXILIARY MEMBER DISCOUNTS & SERVICES

In addition to what the Auxiliary does for veterans, member discounts and savings through our member benefit providers are offered especially to you as an ALA member. So what else is in it for you? Plenty! Special members-only savings on:

- ★ Dental discount plans
- ★ Vision discount plans, laser vision correction discounts and contact lenses by mail
- ★ Prescription pharmacy savings
- ★ Insurance, including term life, whole life, universal life, special risk, accidental death and dismemberment, long-term care, Medicare supplement, and more
- ★ Technology discounts
- ★ Rental car discounts
- ★ Moving discounts and real estate needs
- ★ Weight loss discounts
- ★ Pet insurance

American Legion Auxiliary also offers:

- ★ Free subscription to the quarterly *Auxiliary* magazine, which features news for and about members
- ★ Opportunity to apply for educational scholarships
- ★ Eligibility to apply for emergency assistance through the Auxiliary Emergency Fund after three consecutive years of membership
- ★ Option to attend the annual national meetings of the Auxiliary: National Convention, held every August in rotating cities across America, and ALA Washington DC Conference held every winter



For a detailed description of all discounts and services, visit www.ALAforVeterans.org.

In the spirit of Service Not Self, the mission of the American Legion Auxiliary is to support The American Legion and to honor the sacrifice of those who serve by enhancing the lives of our veterans, military, and their families, both at home and abroad. For God and Country, we advocate for veterans, educate our citizens, mentor youth, and promote patriotism, good citizenship, peace and security.

Nine million hours of Auxiliary outreach service are volunteered annually for veterans and military families. Will you step up and join us?

Read more about the American Legion Auxiliary at www.ALAforVeterans.org

Email your questions or comments to alahq@ALAforVeterans.org

Find us on



Your Local American Legion Auxiliary Contact:



Milwaukie Post 180
2146 SE Monroe St
Milwaukie, OR 97222
503-659-1300



**American Legion Auxiliary
National Headquarters**
8945 N. Meridian St., Indianapolis, IN 46260
P: (317) 569-4500 | F: (317) 569-4502
www.ALAforVeterans.org
www.ALAFoundation.org

© American Legion Auxiliary National Headquarters
All rights reserved. 02/2015
Produced in the USA



American Legion Auxiliary

Who we are, what we do
and why it matters to you

At a Glance



In the Spirit of Service Not Self
for Veterans, God and Country

WHO WE ARE

Patriotism and veterans advocacy are so important to the American Legion Auxiliary that for nearly a century, we've been serving, educating and giving to America's finest—our servicemen and women. We answer the call of *Service Not Self*.

We are the nearly 800,000 wives, mothers, daughters, sisters, grandmothers, granddaughters and descendants of veterans who served our great country

during times of war. Some of us are veterans ourselves.



We are the American Legion Auxiliary. And we're women who make a difference. You'll find us in nearly 9,000 local communities in the USA and in seven foreign units across the world.

Founded in 1919 during the first National Convention of The American Legion, we have grown to be the world's largest women's patriotic service organization. And we'd love for you to be part of our mission outreach.

WHY JOIN?

If you value patriotism, responsible citizenship, volunteerism and advocacy for veterans, the military and their families, you will feel right at home in the American Legion Auxiliary.

You can educate school children about our nation's flag, assemble care packages to send to our troops, or volunteer at your local VA Medical Center.

As a member of a local Auxiliary unit, you'll have a ready-made support system and many hands-on opportunities to serve in ways that truly make a difference.

ALA FAST STATS

- ★ 9,000 local units
- ★ 16,000 young women attend ALA Girls State each year
- ★ \$3 million+ in annual scholarships
- ★ Nearly \$5 million collected from distributing handmade poppies to benefit veterans programs

- ★ More than 100,000 hours of service volunteered by ALA Junior members
- ★ Some \$300,000 granted annually to help fellow Auxiliary members in time of need
- ★ Our *Veterans and Military Families Resources* at www.ALAforVeterans.org provides helpful information about services and assistance available for the military, veterans and their families

WHAT WE DO

Our members do incredible work. On average, each year, they...

- ★ Help nearly 3 million veterans
- ★ Contribute \$38 million toward veterans and military families
- ★ Volunteer 9 million hours to support veterans programs
- ★ Contribute nearly \$3 million to programs benefitting children and youth
- ★ Volunteer 787,000 hours for active-duty military

American Legion Auxiliary members have volunteered more than 9 million hours for a collective value of service to our veterans, servicemembers and their families of more than

\$2.1 billion. We are recognized by the Secretary of the U.S. Department of Veterans Affairs each year for our outstanding contribution to the quality of life for veterans in VA Medical Centers.



GET INVOLVED

Interested? The first step is to complete the attached application and send it to the local Auxiliary contact listed on the back of this brochure. Once your membership eligibility is confirmed, you'll receive information and be directed to a unit where you can get involved in activities. Or, contact us online at www.ALAforVeterans.org.

You'll be contacted about how you can volunteer. Once you've learned more about what we do, we hope you'll decide to take the next steps in becoming a member of the American Legion Auxiliary!

2022-2023 Post Officers

Commander: Chuck Leverton (503) 380-8521
1st Vice Commander: Mike Lueck (503) 303-5804
2nd Vice: Neal "Mack" McEachern (503) 320-9412
Adjutant: Chris Christopherson (503) 860-7580
Finance Officer: Mike Harryman (503) 652-2211
Judge Advocate: Ward Allen (503) 621-7977
Jr. Past Commander: Mike Wilson (503) 659-1149
Service Officer: Vacant
Historian: Richard Paul (503) 863-7640
Chaplain: John Blum (831) 331-8370
Sgt-at-Arms: Dave "Jake" Jacobs (971) 219-4022
Executive Board: Ron Husman (503) 979-9222
 Jerry Williams (503) 320-3079
 Scott Roske (503) 474-7732

Sons of the American Legion

Squadron Commander: Jared Irvin (503) 740-1346
1st Vice Commander: Darrin Hammond (503) 519-8152
2nd Vice Commander: Bill Shults (971) 221-9833
Adjutant: Ward Allen (503) 621-7977
Finance Officer: Ward Allen (503) 621-7977
Sgt-At-Arms: Shaun Wright (971) 400-6067
Chaplain: Chris Christopherson (503) 860-7580

American Legion Riders

Director: Mike Lueck (503) 576-0009
Assistant Director: Mike Harryman (503) 407-3253
Secretary: Debbie Harwood (503) 407-3660
Treasurer: Chuck Leverton (503) 380-8521
Sgt-At-Arms: Jared Irvin (503) 740-1346
Chaplain: John Blum (831) 331-8370
Road Captain: Dave Worsely (503) 810-4602
Safety Officer: John Blum (831) 331-8370

WE NEED VOLUNTEERS!!!
 Post 180 runs on volunteers. Sign up sheets for meals are under the event white board. We need servers, cooks, dishwashers & more for all of our on-going meals & events. Volunteering once a month makes a big difference.

2022-2023 Auxiliary Officers

President: Cheryl Park (503) 919-0576
1st Vice President: Diane Bowman (503) 771-0029
2nd Vice President: LeeAnn Gibbons (503) 880-7171
Secretary: Judy Muehe (503) 349-5431
Treasurer: Julie King (503) 328-5166
Chaplain: Kathy Cleveland (503) 348-4607
Historian: Vacant
Executive Board: Kathy Williams (503) 310-5211

MEETING Dates and Times

Post and Auxiliary Meetings on the 1st Thursday of each month:
March 2nd & April 6th @ 6:30PM
ALR Meetings on the 2nd Thursday each month
March 9th & April 13th @ 6:30PM
S.A.L. Meetings on the 3rd Thursday each month:
March 16th & April 20th @ 6:30PM
Post E-Board Meetings Last Thursday each month.
*****March 23rd & April 27th @ 6:30 PM**
Honor Guard Meetings on the 2nd Wednesday of each month
March 8th and April 12th @ 6:30pm



**Donate Blood
 Reservations Required**

800-733-2767

**8am-1:30pm
 2023 Schedule**

Month	Day	Month	Day
January	21st	February	11th
March	11th	April	8th
May	Monday 15th*	June	10th
July	8th	August	12th
September	9th	October	14th
November	11th	December	9th

Make a reservation to donate blood and help save a life!
Can't donate? Help us set-up (7:15 AM) and clean-up

CONTACT US

Telephone: 503-659-1300
Post 180: alpost180@gmail.com
Commander: chuckofor298@gmail.com
Finance: mkharryman@gmail.com
Newsletter Input: alpost180news@gmail.com
Newsletter Ads: alpost180news@gmail.com
WiFi Network Name: American Legion Post 180

Fax: N/A
Membership: alpost180@gmail.com
Auxiliary: alpost180_Auxiliary@comcast.net
ALR: alrpost180@gmail.com
Web Page: <http://alpost180.org>
Post Rental: chuckofor298@gmail.com
Network Key: Ask the on-duty bartender

2022 - 2023 POST COMMITTEES

<i>POST NAME:</i> _____		<i>POST NO.</i> _____		<i>DISTRICT NO.</i> _____	
COMMITTEE	NAME	ADDRESS	PHONE NUMBER	E-MAIL ADDRESS	
AMERICANISM					
CHILDREN & YOUTH					
COMMUNITY SERVICE					
JUNIOR SHOOTING SPORTS					
MEMBERSHIP					
POST ACTIVITIES					
VETERANS AFFAIRS & REHABILITATION					
BOY SCOUT					
BOYS STATE					
CADET LAW OFFICER					
ECONOMIC/VETERAN EMPLOYMENT					
LEGION BASEBALL					
LEGISLATIVE					
NATIONAL SECURITY					
ORATORICAL					
PUBLIC RELATIONS					
SONS OF THE AMERICAN LEGION					
PUBLIC SAFETY & LAW CAREER					

Signature: _____ Date _____

FORT KENNEDY

7600 SE Johnson Creek Blvd.

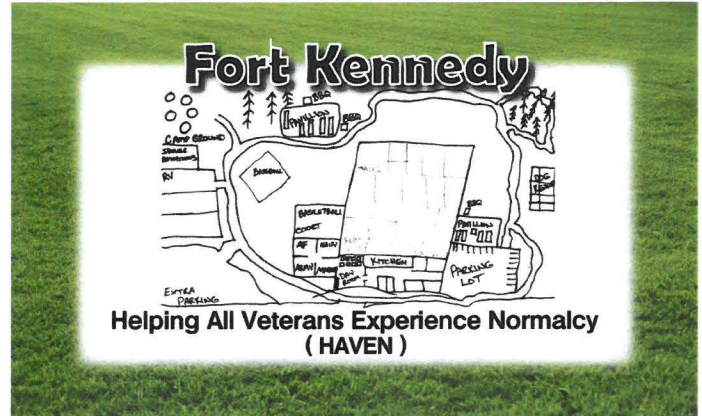
Portland OR 97206

(503) 765-2661

Hours:

9:00AM to 3:00PM

Mon, Tues, Wed, Thurs, Fri



Closed Saturday and Sunday

~ Services available ~

* Housing assistance * Help with VA claims (VSO) *
Legal assistance * PTSD classes * AA meeting * Food
pantry * Clothing closet * Baby closet * Hair cuts &
shaves * Laundry services * Pet food & supplies *

★ *Fellowship: a place where people care!* ★

★ *A place where you will feel welcomed and comfortable!* ★

~ People we partner with ~

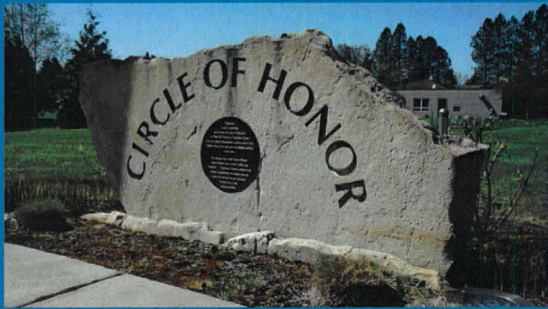
* American Legion VSO * CVMA * Clackamas County * DAV
* Deseret Industries * Do good Multnomah * Fido Project *
Houseless Veteran Programs * Legion Riders * Milwaukie
Elks * Multnomah County * Oregon City Elks * Salvation Ar-
my * TPI * Teamster Horsemen * VFW#1324 * VVA#392 *
Washington County *

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
C L O S E D	OPEN 9 AM- 3 PM	OPEN 9 AM – 3 PM	OPEN 9 AM- 3 PM	OPEN 9 AM – 3 PM	OPEN 9 AM – 3PM	C L O S E D
	<p style="text-align: center;">VETERANS AA GROUP MEETING CHRIS COX NOON TO 1 PM</p> <p style="text-align: center;">HAIR CUTS ANNETTE/MISTY 10 AM to 2 PM</p>	<p style="text-align: center;">BLOOD PRESURE CHECKS JANECE 9 AM TO 12 PM</p> <p style="text-align: center;">CLACKAMAS COUNTY HOUSING MATT 10:30 AM to 12:30PM</p>	<p style="text-align: center;">JONATHAN HARKNESS VA VOCATIONAL REHAB/ EMPLOYMENT SPECIALIST 10 AM TO 12 PM</p> <p style="text-align: center;">LEGAL ASSISTANCE MR UFFLEMAN 12 PM to 3PM</p>	<p style="text-align: center;">TPI SSVF SHATEERA/ NATASHA 10 AM to 12PM EVERY WEEK</p>	<p style="text-align: center;">WORK SOURCE EMPLOYMENT SPECIALIST DEVON 10 AM TO 12 PM MIKE 1 PM TO 3 PM EVERY FRIDAY</p> <p style="text-align: center;">DHS 9 AM TO 12 PM CALL OFFICE</p>	

YOU MUST SIGN UP FOR ALL SERVICES

How we can help:

We can help you get the benefits you have earned. Veterans Affairs benefits can be complicated and confusing. We are here to help you navigate through the VA process and to make sure you receive the information and benefits you have earned.



Clackamas County Veterans Memorial,
Oregon City

*Call today to find out how
Clackamas County Veterans
Services can help you.*

503-650-5631

Other resources:

For help finding a job:

- Clackamas County Veterans Workforce Program operated by Community Solutions
503-502-3411

For help with housing:

- Veterans Community Resource & Referral Center
308 SW 1st Ave.
Portland, OR 97204
503-808-1256
- Supportive Services for Veteran Families
1-855-425-5544

**Clackamas County
Veterans Service Office
PSB, 2nd Floor
2051 Kaen Road
Oregon City, OR 97045
503-650-5631**

www.clackamas.us/socialservices/veterans.html

www.clackamascvso.com

veterans@clackamas.us

Health, Housing
& Human Services 
CLACKAMAS COUNTY

Clackamas County Veterans Services

You served your country.

**Get the benefits you
have earned.**



Find out about free services for veterans,
including help getting your benefits.

503-650-5631

Health, Housing
& Human Services 
CLACKAMAS COUNTY



"We the People..."

Who we are:

Your County Veterans Service Officers are trained and committed to helping veterans navigate the complex benefits application process. We do not work for the U.S. Department of Veterans Affairs. We work for *you!* We are your advocate and expert resource. This service is free to county residents and open to anyone who has served in the military.

What We Do:

Your County Veterans Service Officer can interpret federal and state regulations, help you gather required documentation, and assist you in filing VA claims for a variety of benefits, including service-connected disabilities, non-service connected pension, and health care. We provide free claims preparation assistance and present your claim to the federal VA. Our expert staff will vigorously advocate for you and make sure you get what you have earned.

Clackamas County Veterans Services Office (CVSO)

What can your CVSO do for you?

We can help you with:

Compensation
for service-connected disability

Non-Service Connected Pension
a needs based monthly income for wartime veterans

VA Health Care Enrollment
for eligible veterans

Dependency & Indemnity Compensation (DIC)
for surviving spouses and dependent children

Aid & Attendance
an added benefit based on medical need for a veteran receiving compensation or a pension eligible veteran or survivor

Requests for replacement military records, medals, awards, and certificates

Corrections to military records

Survivor's Pension
needs based for survivors of wartime veterans

Burial & Memorial Benefits

Other federal and state benefits you may have earned:

Education Assistance

VA Vocational Rehabilitation

Re-employment Rights

Dependent Medical Benefits

Property Tax Exemption

Home Loans

Veterans License Plates

Fishing & Hunting License

Golden Access Passport

State Parks Pass

Adaptations for Home or Automobile

Prosthetic Services

Alcohol & Drug Dependency Treatment

State Veterans Home

State Emergency Assistance Grant





RS Agenda Item

6

Consent Agenda



MILWAUKIE POLICE DEPARTMENT

Memorandum

To: Mayor Batey and Milwaukie City Council

From: Luke Strait, Police Chief *LS*

Through: Ann Ober, City Manager

Date: March 6, 2023

Re: OLCC Application – Eastside Distilling – 2150 SE Hanna Harvester Dr.

Action requested:

It is respectfully requested the council approve the OLCC application for Eastside Distilling located at 2150 SE Hanna Harvester Dr. Milwaukie, OR 97222.

We have conducted a background check and find no reason to deny the request for the liquor license.



RS Agenda Item

7

Business Items

COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

Date Written: Mar. 08, 2023

Reviewed: Joseph Briglio, Community Development Director

From: Jennifer Garbely, Assistant City Engineer

Subject: **Easement & Property Acquisition for the Meek Stormwater Project**

ACTION REQUESTED

Council is asked to adopt a resolution authorizing the city manager, or their designee, to acquire property and pipeline easements for the north phase Meek Stormwater Pipeline Project from Union Pacific Railroad Company (UPRR).

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[July 5, 2016](#): Council authorized an engineering agreement with AKS Engineering and Forestry, LLC for design and construction services related to the Meek Street Storm System Improvements. Those services included design of the storm system alignment and property acquisition requirements for the completed project in addition to other tasks. The contract also provided for the appraisal of the properties to be acquired and the negotiation of settlements regarding the acquisition requirements.

[January 16, 2018](#): Council approved Resolution 7-2018 for the purchase of real property to build the Meek Street storm system improvements.

ANALYSIS

The Meek Street Storm System Improvements Project is included in both the 2004 and 2014 Stormwater Master Plans to alleviate overcapacity and flooding in the Harrison Street stormwater system. The project diverts stormwater from the Harrison Street system, mitigates peak flows by routing stormwater through two new detention ponds, and discharges flow at the existing Roswell Pond Open Space and ultimately into Johnson Creek.

The overall project was composed of two phases. The south phase was completed in 2020 and included a detention pond located at the confluence of Oak Street, Railroad Avenue, and Monroe Street, and a pipeline that had a temporary connection to the Harrison Street stormwater system until the north phase could be completed. The north phase includes a second detention pond, a pipeline to connect to the Roswell Pond Open Space, and removal of the temporary connection at Harrison Street, 32nd Avenue, and Meek Street.

The acquisition of the property and pipeline easements from UPRR will not exceed \$1,242,000.00. The estimated cost includes the following:

Real Estate Purchase	\$664,507.80
Pipeline Easements	\$527,060.00
Fee Cost	\$50,432.00
Total	\$1,242,000.00

BUDGET IMPACTS

The 2023-2024 Biennium Budget for this project identified \$1,500,000 for land and right-of-way acquisition. The project is within budget.

WORKLOAD IMPACTS

None. This is a planned project and the engineering team will oversee the construction process. Additional on-call construction management services are available if needed.

CLIMATE IMPACT

Construction activity has a significant impact on the environment due to emissions from transport of materials, heavy equipment uses, and the manufacturing of materials such as asphalt and concrete. This project intends to limit impacts by minimizing demolition and considering boring pipe instead of digging an open trench. When reconstructing the roadway base through full depth reclamation, the existing asphalt and base rock is recycled in place to create the new road base, eliminating the need to excavate and haul away the existing road, and import crushed rock for a new road. The new asphalt will be warm mix asphalt with a minimum 30% recycled content.

COORDINATION, CONCURRENCE, OR DISSENT

Engineering and finance staff, the city manager, and the city attorney coordinated regarding the planned purchase of the property and pipeline easements.

STAFF RECOMMENDATION

Staff recommends that Council authorize the city manager, or their designee, to acquire the property and pipeline easements from UPRR for up to \$1,242,000.00.

ALTERNATIVES

Not purchasing the property and pipeline easements will result in continued and increasing failures of the Harrison Street stormwater system, delay of future development at the Hillside and Murphy sites, and increased costs and scope of other city stormwater improvement projects to alleviate capacity of the Harrison Street system.

ATTACHMENTS

1. Resolution
2. Project Map
3. Property purchasing map

COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE ACQUISITION OF PROPERTY AND EASEMENTS FROM THE UNION PACIFIC RAILROAD (UPRR) COMPANY.

WHEREAS the city’s Stormwater Master Plan identified the Meek Street Stormwater Project as a priority project to improve stormwater infrastructure; and

WHEREAS acquisition of real property is required to construct the project; and

WHEREAS real property acquisition for the Meek Street Stormwater Project was authorized by Resolution 7-2018; and

WHEREAS the city possesses sufficient funds to fulfill the requirements to acquire the subject property.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the city manager, or their designee, is authorized to purchase property and pipeline easements from UPRR at a cost not to exceed \$1,242,000.00.

Introduced and adopted by the City Council on **March 21, 2023.**

This resolution is effective immediately.

Lisa M. Batey, Mayor

ATTEST:

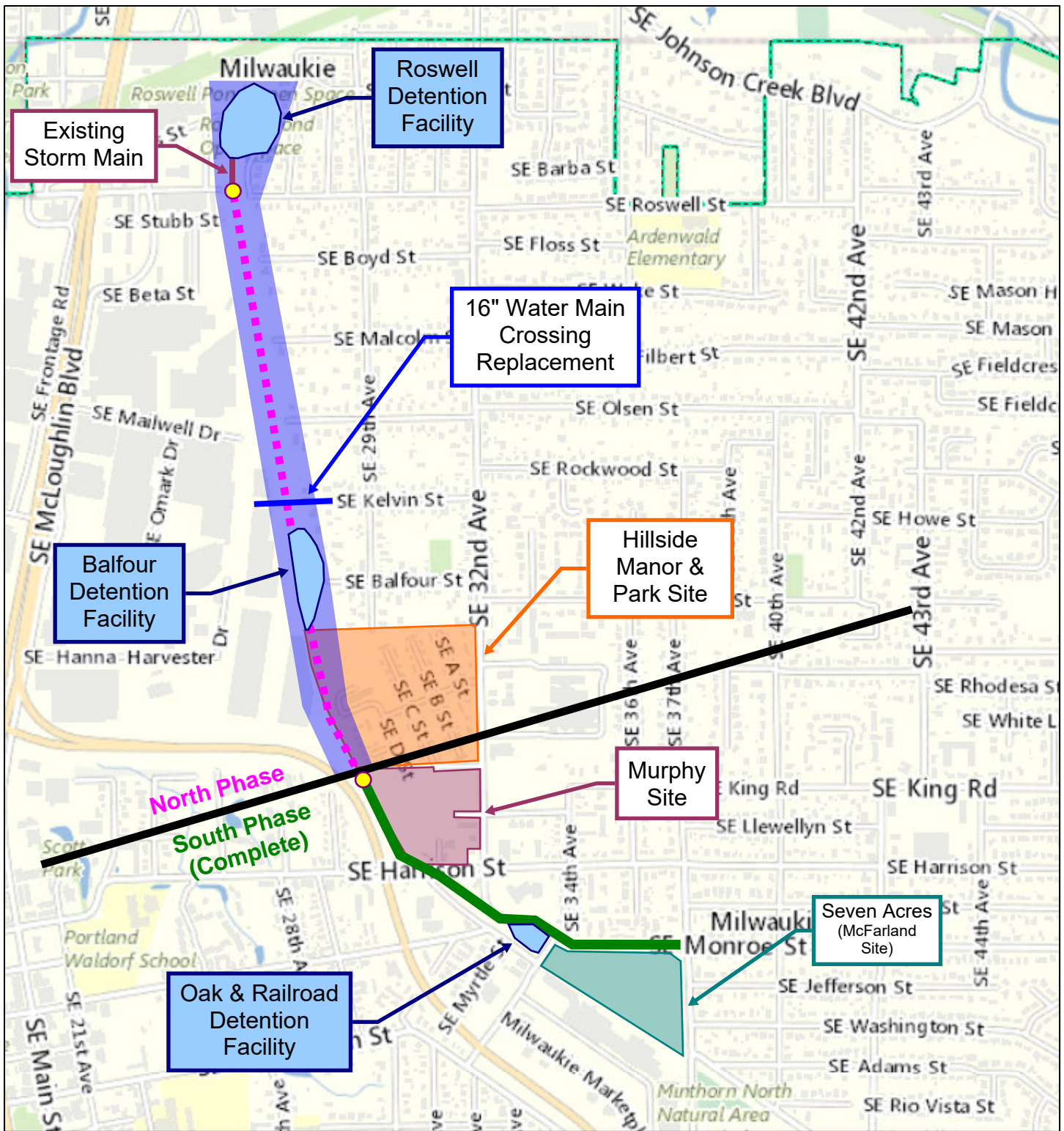
APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder










Justin D. Gericke, City Attorney

Meek Street Stormwater Project

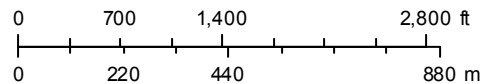
Attachment 7. A. 2.



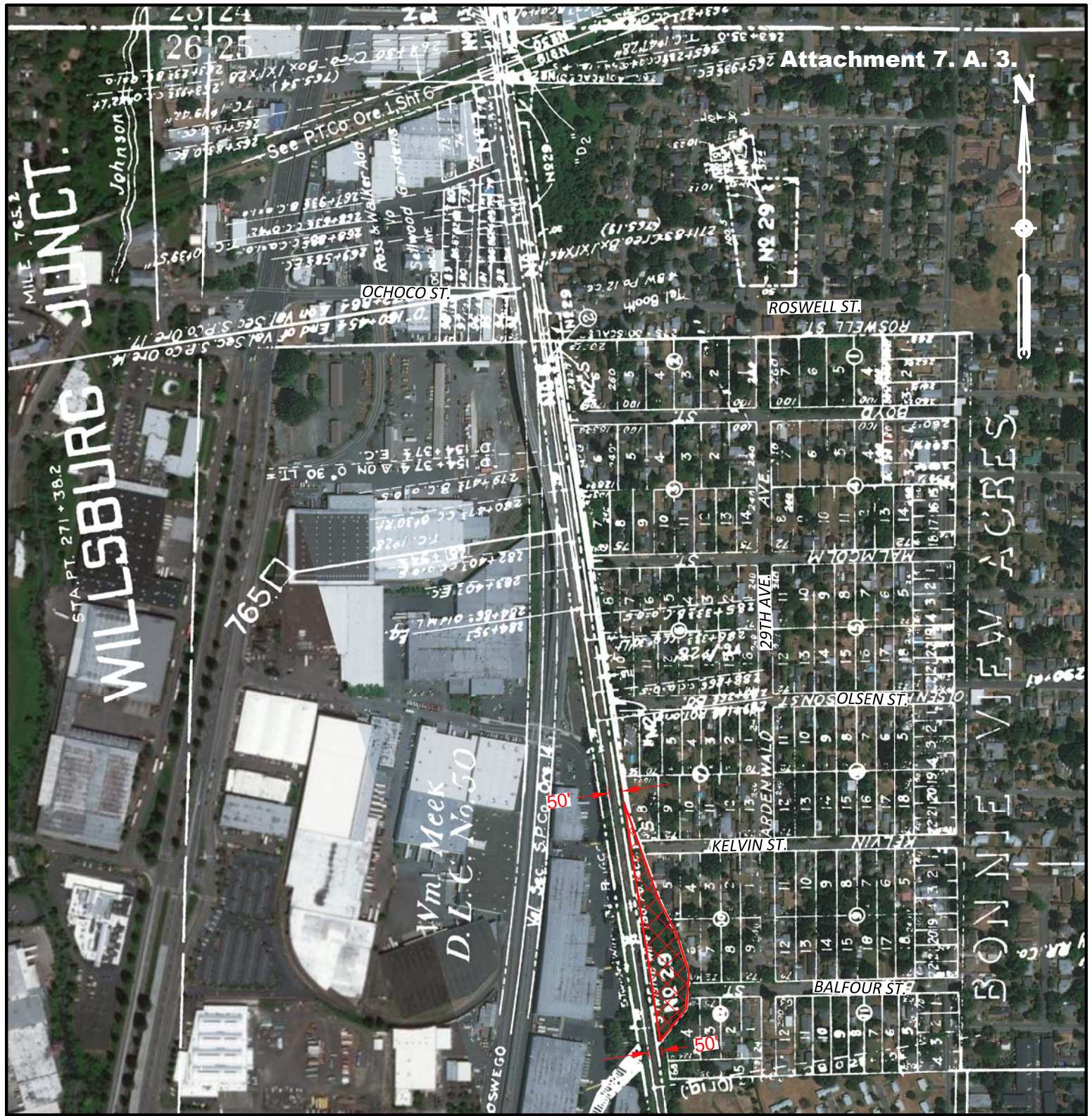
1/11/2019, 10:14:07 AM

-  Existing Storm Main
-  New Storm Main
-  Easement Area
-  Completed Storm Main
-  Seven Acres (McFarland Site)
-  Hillside Manor & Park Site
-  Murphy Site
-  Manhole
-  Storm Detention Facility
-  Water Main Crossing Replacement


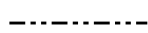
1:15,800



City of Milwaukie Oregon
Data Resource Center/Metro



LEGEND:

- SALE AREA 
- UPRRCO. R/W OUTLINED 
- TOTAL SALE AREA = 1.13 ACRES +/-

NOTE: BEFORE YOU BEGIN ANY WORK, SEE AGREEMENT FOR FIBER OPTIC PROVISIONS.

EXHIBIT "A"

UNION PACIFIC RAILROAD COMPANY

MILWAUKIE, CLACKAMAS COUNTY, OREGON

M.P. 764.71 - BROOKLYN SUB.

MAP SP V-17 / 33

SCALE: 1" = 500'

OFFICE OF REAL ESTATE
OMAHA, NEBRASKA DATE: 4-1-2022

PJB FILE: 0322188

CADD FILENAME 0322188

SCAN FILENAME X

RS 7. A. 3/21/23 Presentation

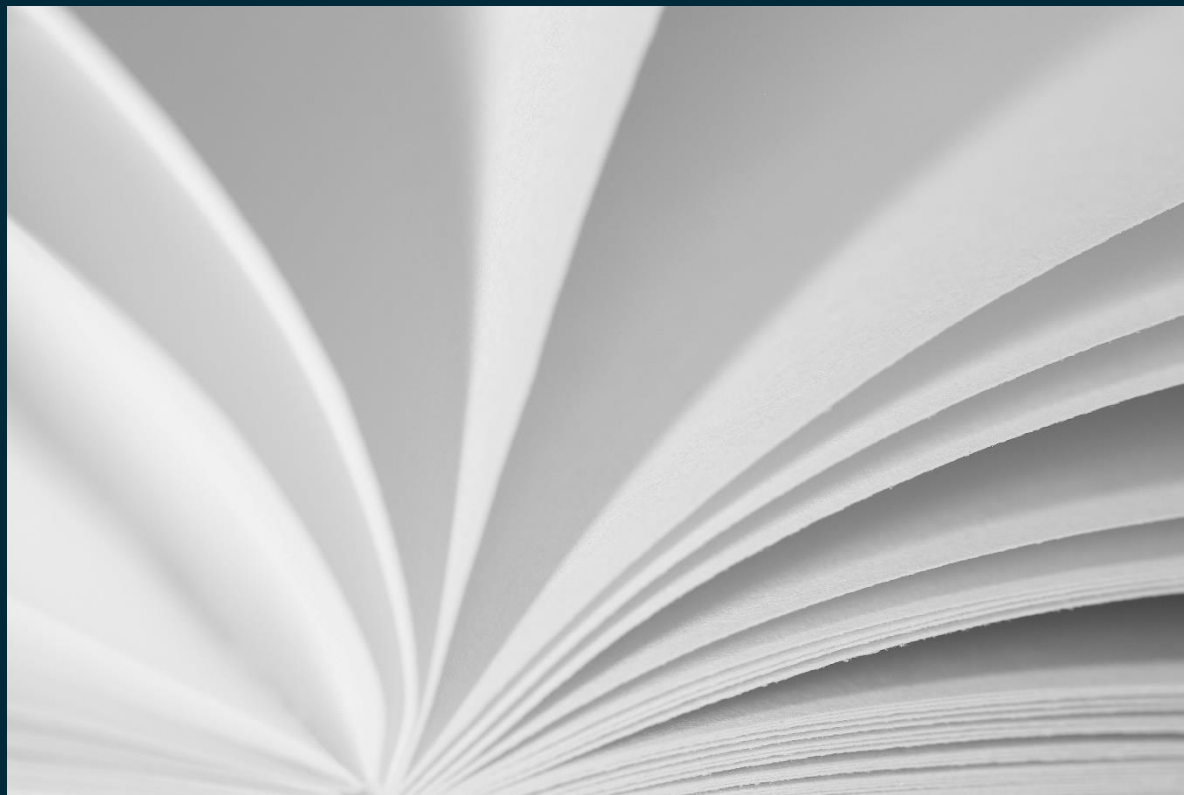
EASEMENT & PROPERTY ACQUISITION FOR THE MEEK STORMWATER PROJECT

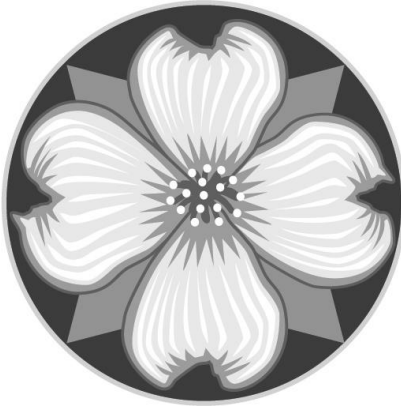
Jennifer Garbely

3/21/2023



QUESTIONS





RS Agenda Item

8

Public Hearings

COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

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

From: Brett Kelper, Senior Planner

Subject: **Downtown Design Review (Code Amendments)**

Date Written: March 9, 2023

ACTION REQUESTED

City Council is asked to adopt the package of proposed code amendments related to the downtown design review process.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

September 19, 2000: Council adopted the Downtown and Riverfront Land Use Framework Plan and downtown zoning standards (Ordinance 1880). Design guidelines and a design review process were identified as elements to be developed in the future to fully implement the plan.

April 1, 2003: Council adopted the Downtown Design Guidelines (DDG) document (Resolution 11-2003) in conjunction with adopting code amendments to establish the downtown design review process.

October 20, 2020: Latest annual update from the Design and Landmarks Committee (DLC) to Council, including an overview of the code amendment effort related to downtown design review.

August 9, 2022: The Commission held an initial work session to review and discuss the proposed code amendments.

September 27, 2022: The Commission held a second work session to discuss the proposed code amendments.

October 25, 2022: The Commission opened a public hearing on the package of code amendments, including a staff presentation and initial discussion. The Commission indicated support for the proposed amendments overall; a majority of commissioners expressed an interest in pursuing a requirement to incorporate public art into new private development in the downtown zone. The public hearing was continued to January 24, 2023.

January 24, 2023: The Planning Commission re-opened the public hearing continued from October 25, 2022, resumed deliberations, and voted 5-0 to recommend approval.

February 14, 2023: Council held a study session to discuss the proposed amendments to the downtown design review portion of the zoning code.

ANALYSIS

The Problem Being Addressed

For projects in the downtown mixed use (DMU) zone that require downtown design review, the current process established in Milwaukie Municipal Code (MMC) Section 19.907 involves both the design standards established in MMC Section 19.508 and the design guidelines provided in the separate DDG document. The code gives an option for an administrative review based on meeting the clear and objective design standards of MMC 19.508. Alternately, a project that does not meet the design standards must go through a more discretionary review and demonstrate “substantial consistency” with the purpose statement of both the unmet design element(s) and any applicable design guidelines.

One significant problem with the current code is that the design standards of MMC 19.508 do not completely align with the guidelines in the DDG. Additionally, the design review process does not address the downtown development standards established in MMC Section 19.304, even though some of those standards have a significant impact on design. This arrangement highlights a gap between the codified requirements and the community’s intentions for downtown design, and it creates uncertainty about what constitutes the actual approval criteria for a particular project.

Since 2016, the DLC has been working to assess the situation, resolve inconsistencies, and streamline the review process while still setting an appropriately high bar for downtown design. A key goal has been to ensure that whether a project goes through administrative or discretionary review, the standards and guidelines will effectively guarantee that new buildings are attractive and of high quality. The effort has also focused on reorganizing the existing code to eliminate gaps and make the review process clearer for the applicant, staff, and review bodies. Although a substantial number of changes are proposed, including the repeal of the DDG as a separate document, the effort is not to create a wholesale new design palette for downtown but rather to realign the existing design principles.

Current Code and Review Process

There are three separate groupings of requirements for development downtown:

1. The current version of the [downtown design guidelines](#) was adopted as a separate document by Council in April 2003 and has not been updated since. The guidelines are grouped into the following five categories and are completely discretionary in nature:
 - A. Milwaukie Character (10 guidelines)
 - B. Pedestrian Emphasis (6 guidelines)
 - C. Architecture (12 guidelines)
 - D. Lighting (4 guidelines)
 - E. Signs (7 guidelines)
2. The [downtown design standards](#) in MMC Subsection 19.508.4 were originally established in the zoning code in 2000 but were significantly reorganized in September 2015. They are used for clear and objective (non-discretionary) review. There are seven design elements, each with an accompanying purpose statement and specific requirements:
 - A. Building Façade Details
 - B. Corners
 - C. Weather Protection
 - D. Exterior Building Materials

- E. Windows and Doors
 - F. Roofs and Rooftop Equipment
 - G. Open Space/Plazas
3. Some version of the [downtown development standards](#) in MMC Subsections 19.304.4 and 19.304.5 was originally established in 2000. They were revised in September 2015 in conjunction with the creation of the downtown design standards. The development standards are also used for clear and objective review, but they are not directly part of the downtown design review process, so when a specific development standard cannot be met a variance must be requested. There are ten sets of development standards for downtown:
- A. Floor Area Ratio
 - B. Building Height
 - C. Flexible Ground-Floor Space
 - D. Street Setbacks/Build-To Lines
 - E. Frontage Occupancy
 - F. Primary Entrances
 - G. Off-street Parking
 - H. Open Space
 - I. Transition Measures
 - J. Residential Density

There are three different review processes for downtown design, outlined in MMC Subsection 19.907.3:

- A. Type I – Clear and objective with no discretion
(*no public notice or hearing, decision by Planning Manager*)
 - Stand-alone multifamily buildings that meet multifamily design standards
- B. Type II – Clear and objective with limited discretion
(*public notice but no hearing, 14 days to comment, decision by Planning Manager*)
 - New buildings that meet downtown design standards
 - Stand-alone multifamily buildings that meet multifamily design guidelines
- C. Type III – Discretionary review
(*public notice, public hearing, decision by Planning Commission*)
 - New buildings that may not meet all downtown design standards and need to address downtown design guidelines

PROPOSED AMENDMENTS

Overview

With the current code:

- When a new building can meet the downtown design standards, the non-discretionary design review process applies.
- When a new building does not meet the downtown design standards, the discretionary review process applies and the downtown design guidelines come into play, with the following challenges:
 - The existing design guidelines are not well aligned with the appropriate design standards.
 - The approval criteria are not clear.

With the code amendments developed by the DLC and recommended by the Planning Commission:

- The design guidelines are better aligned with the design standards.
- The downtown design review process better reflects the original intention of the design guidelines.
- The approval criteria are clearer.
- The design guidelines that cannot easily be linked to relevant standards (such as Milwaukie Character) are proposed to be deleted.

For some design elements, the guidance section has been expanded to incorporate key ideas expressed by the current design guidelines. For others, new design standards have been added to reflect important guidelines that are not represented in the current code. The list of design elements has also been expanded to acknowledge that some of the development standards have a significant impact on design and should be considered in the design review process.

The proposed amended list of design elements is as follows:

- A. Site Frontage (*new design element, combines three existing development standards*)
- B. Wall Structure and Building Façade Detail (*existing design element*)
- C. Exterior Building Materials (*existing design element*)
- D. Façade Transparency and Activation (*existing design element*)
- E. Building Entrances (*existing design element, combines existing design and development standards*)
- F. Windows (*existing design element*)
- G. Corners (*existing design element*)
- H. Building Massing and Transitions (*new design element incorporating development standard*)
- I. Weather Protection (*existing design element*)
- J. Roofs and Rooftop Equipment Screening (*existing design element*)
- K. Service Areas (Screening) (*new design element*)
- L. Resident Open Space (*existing design element*)
- M. Plazas and Usable Open Space (*new design element incorporating development standard*)
- N. Outdoor and Exterior Building Lighting (*new design element*)

Several existing downtown development standards will appropriately remain as such in MMC Section 19.304:

- ❖ Floor area ratio
- ❖ Building height
- ❖ Off-street parking
- ❖ Transition measures
- ❖ Residential density

The proposed amendments primarily affect MMC Sections 19.304, 19.508, and 19.907, with one small change to MMC Subsection 19.911.6 related to the DMU zone building-height variance. Attachment 1-B presents the amendments in ~~strikeout~~/underline format to illustrate the relatively limited changes proposed to MMC 19.304, 19.907, and 19.911.6. For MMC 19.508, however, the ~~strikeout~~/underline format is shown only for the shorter subsections that have minor changes, while the bulk of Subsection 19.508.4 is being repealed and replaced in its entirety and so is shown in a “clean” format for readability. Attachment 1-C shows all amended sections in the “clean” format.

Attachment 2 provides a more detailed summary of the proposed amendments, particularly regarding the design elements in MMC 19.508.4.

Key Recommendations

- **Repeal the Downtown Design Guidelines (DDG) document.**

The focus of this code amendment project is to eliminate gaps between the downtown design standards and downtown design guidelines. Design guidelines are not useful (or applicable) if there are no corresponding design standards, as are guidelines that cannot effectively be translated into meaningful standards.

- Most of the Milwaukie Character guidelines are nebulous and difficult to standardize (e.g., “Reinforce Milwaukie’s sense of place” or “Promote linkages to horticultural heritage”) and should be eliminated.
- The Pedestrian Emphasis and Architecture guidelines are addressed across various design elements (e.g., Weather Protection, Plazas and Usable Open Space).
- The Lighting and Signs guidelines are vague and largely informational instead of actionable or enforceable. A new element has been established for Outdoor and Exterior Building Lighting (with standards), but there are no new standards for downtown signs that are not already established in the sign code (MMC Title 14).

The DDG document was intended in part to serve as a guide for potential developers regarding Milwaukie's vision for its downtown. Pulling that guidance into the code and aligning it with actual standards (including updated graphics to illustrate various principles) will effectively let the code serve as that guide. By bringing the guidelines directly into the code, the update will make it unnecessary to continue maintaining the DDG document as a separate entity. The recommendation is to repeal the DDG document.

- **Simplify and standardize the review types for residential-only and other new buildings.**

For residential-only buildings proposed in the DMU zone, the proposed amendments remove the option to address the more general multifamily standards and guidelines in MMC Subsection 19.505.3 and instead require residential-only buildings to adhere to the same design principles as all other new buildings downtown. There will be only two tracks for review—Type I (clear and objective) and Type III (discretionary)—and all new residential-only buildings will have to address MMC 19.508.

Similarly, it is reasonable to allow any proposed new mixed-use or nonresidential building to also be reviewed and approved with administrative (Type I) review if it meets the applicable design standards, instead of being subjected to a Type II process as is currently the case. The proposed amendments will provide all new buildings (mixed-use, nonresidential, and residential-only) with two tracks for review (either Type I or Type III) and eliminate the Type II review option for new buildings and substantial expansions.

- **Pare down the lists of actions needing review.**

The proposed amendments eliminate the review requirement for actions that have no corresponding downtown design standards to serve as approval criteria. They also generalize the list of actions that require Type I review, reflecting the point that meeting the applicable design standards is what determines eligibility for Type I review. The Type II list has been shortened to a few specific modifications to existing development that do not meet the design standards but are small enough in scale that Type III review and a public hearing are not warranted. And the approval criteria for Type II review have been adjusted to include consideration of applicable design guidelines.

- **Retain the step-back requirement for buildings over base maximum height.**

The current code requires that all upper stories above the base maximum height must be stepped back at least 6 ft. Noting that the Axletree and Coho Point buildings went through discretionary review rather than meet the step-back requirement (citing concerns over losing additional floor area and units), the DLC and staff revisited this requirement with the commission. The conclusion was that the step-back requirement remains an important tool for moderating building mass and should be retained in its current form.

- **Require public art as an option for street-facing and street-visible blank walls.**

On street-facing façades and street-visible façades, the proposed amendments limit blank walls (i.e., no glazing) to 450 sq ft or 30 linear ft (whichever is less) unless they are treated with vertical landscaping or a mural.

The Planning Commission had lengthy discussions about establishing a stand-alone requirement for public art with new buildings but acknowledged that it was not workable in a clear and objective review process. The Commission recommended that Council explore options for developing a public art program downtown.

- **Use feet and not stories to measure building height.**

The Dogwood Station project on Washington Street between 21st and 23rd Avenues highlighted the discrepancy between the current code's use of two measures for building height in the DMU (feet and number of stories). Although the proposed building was under the maximum allowed height in feet, it had to go through the variance process because it was one story "too tall." The proposed amendments eliminate the code's use of stories for building height and instead use feet. Stories can still be used to describe building height in reports and other public information materials to help people visualize building scale.

In addition, the proposed amendments increase the maximum floor area ratio (FAR) standard in MMC Subsection 19.304.4 from 4:1 to 6:1, which is an acknowledgment that FAR has a relationship to building height and that downtown buildings can be up to six stories tall if they take advantage of allowed height bonuses. This will eliminate the need for FAR variances for buildings that occupy all or most of the lot and utilize height bonuses.

- **Increase townhouse minimum density to at least match the R-MD zone.**

Recent changes to the residential zoning code for the moderate density residential (R-MD) zone increased the minimum density for townhouses to 25 units per acre. The current standard for townhouses in the DMU zone is a minimum of 10 units. Since the DMU zone is expected to provide more density (not less) than the R-MD, the proposed amendments revise the DMU standard to a minimum of 25 units per acre.

Follow-up from Council Work Session

Staff provided an orientation to the proposed amendments at a Council work session on February 14 and noted a few items where follow-up was requested:

- **Public notice for new buildings approved with Type I review**

New buildings will have long-term impacts on the design fabric of downtown. For new buildings that go through Type III review, public notice and a public hearing are part of the process. Although public notice is not required for new buildings that meet the design standards, Council agreed that it is reasonable to inform people of new buildings approved through Type I review.

There was some discussion about the most effective way to do that, whether by electronic newsletter, mailed notice, posted sign, etc. Council indicated a preference for mailing an information-only notice (no opportunity to comment) to property owners within 300 ft of the site. Staff proposes that Council consider adding a requirement to post an informational sign at the new building site. Attachment 3 includes proposed language for these amendments, which affect MMC Sections 19.907 (Downtown Design Review) and 19.1004 (Type I Review).

- **Size limit on day care operations downtown**

A concern was noted about the current code's 5,000-sq-ft limitation on day care uses. Staff researched and found that the Oregon State Legislature passed a bill in 2021 that prevents local governments from imposing land use regulations on child care facilities in commercially zoned areas that are more restrictive than those for other uses in the same zone (HB 3109, codified in ORS 329A.440). After consulting with the City Attorney, and without having had time to sufficiently analyze the issue, staff proposes to comply with the new law by eliminating the 5,000-sq-ft limit and adding day care to the existing list of other permitted commercial uses in the DMU that are limited to 20,000 sq ft on the ground floor. Attachment 3 includes the proposed adjustment to the appropriate part of MMC Section 19.304.

BUDGET IMPACTS

No direct impacts to the city budget. The planning department budgets each year for code amendment projects.

WORKLOAD IMPACTS

No significant impacts. Staff from the planning and building departments allocate time every year to work on code amendment projects.

CLIMATE IMPACTS

The proposed amendments focus on the downtown design review process and do not have any direct climate impacts. However, a key aspect of the city's downtown design framework is establishing a pedestrian-focused environment, with dense mixed-use development that makes the downtown core a vibrant and active center of community. This efficient use of land helps reduce vehicle miles and the accompanying climate impacts. Furthermore, the downtown development code includes an incentive (height bonus) for green building certification.

STAFF RECOMMENDATION

Staff recommends that Council adopt the proposed ordinance, findings, and code amendments found in Attachment 1, with the adjustments provided in Attachment 3.

ATTACHMENTS

1. Adopting Ordinance
 - A. Exhibit A. Recommended Findings in Support of Approval
 - B. Exhibit B. Proposed amendments (~~strikeout~~/underline format)
 - 1) Section 19.304 Downtown Zones
 - 2) Section 19.508 Downtown Site and Building Design Standards
 - 3) Section 19.907 Downtown Design Review
 - 4) Subsection 19.911 Building Height Variance in the DMU Zone
 - C. Exhibit C. Proposed amendments (clean format)

2. Summary of proposed amendments
3. Recommended adjustments to the proposed amendments posted with the ordinance on March 14, 2023



COUNCIL ORDINANCE No.

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE (MMC) TITLE 19 ZONING ORDINANCE FOR THE PURPOSE OF UPDATING AND REORGANIZING THE DOWNTOWN DESIGN REVIEW PROCESS (FILE #ZA-2022-003).

WHEREAS the city’s zoning code includes standards and requirements for design review in downtown Milwaukie, established in Sections 19.304, 19.508, and 19.907 as well as Subsection 19.911.6 of the MMC; and

WHEREAS additional guidance for the downtown design review process is provided in a separate Downtown Design Guidelines (DDG) document, which was adopted by the City Council in 2003 (Resolution 11-2003); and

WHEREAS an assessment of the downtown design review process has determined that there are significant gaps and inconsistencies that prevent the process from being clear and internally consistent; and

WHEREAS the Design and Landmarks Committee (DLC) has worked extensively to prepare amendments to the applicable provisions in the zoning code that will reorganize and improve the process for downtown design review; and

WHEREAS on October 25, 2022, and January 24, 2023, the Planning Commission conducted a public hearing as required by MMC Subsection 19.1008.5 and adopted a motion in support of the proposed amendments; and

WHEREAS the City Council finds that the proposed amendments are in the public interest of the City of Milwaukie.

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

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

Section 2. Amendments. The MMC is amended as described in Exhibit B (strikeout/underline format) and Exhibit C (clean format). This ordinance supersedes and replaces the DDG document attached as Exhibit 1 to Resolution 11-2003.

Section 3. Effective Date. The amendments will become effective 30 days from the date of adoption.

Read the first time on _____, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Lisa Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney

EXHIBIT A
Recommended Findings in Support of Approval
File #ZA-2022-003
Downtown Design Review Code Amendments

Sections of the Milwaukie Municipal Code not addressed in these findings are found to be inapplicable to the decision on this application.

1. The applicant, the City of Milwaukie, proposes to amend Title 19 Zoning to update and reorganize the provisions of the zoning code that relate to the process of downtown design review. Amendments are proposed to MMC Section 19.304 Downtown Zones, Section 19.508 Downtown Site and Building Design Standards, Section 19.907 Downtown Design Review, and Subsection 19.911.6 Building Height Variance in the Downtown Mixed Use Zone. The land use application file number is ZA-2022-003.
2. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
 - MMC Section 19.902 Amendments to Maps and Ordinances
 - MMC Section 19.1008 Type V Review

The application has been processed and public notice provided in accordance with MMC Section 19.1008 Type V Review. Public hearings were held on October 25, 2022 (continued to January 24, 2023), and March 21, 2023, as required by law.

3. MMC Section 19.902 Amendments to Maps and Ordinances

MMC 19.902 establishes the general process for amending the City's Comprehensive Plan and land use regulations within the municipal code. MMC Subsection 19.902.5 establishes requirements for amendments to the text of the zoning ordinance. The City Council finds that these requirements have been met as follows:

- a. MMC Subsection 19.902.5.A requires that changes to the text of the land use regulations of the municipal code be evaluated through a Type V review per MMC Section 19.1008.

The Planning Commission held a duly advertised public hearings on October 25, 2022 (continued to January 24, 2023), and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on March 21, 2023, and approved the amendments. Public notice was provided in accordance with MMC Subsection 19.1008.3.

- b. MMC Subsection 19.902.5.B establishes the approval criteria for changes to land use regulations of the Milwaukie Municipal Code.
 - (1) MMC Subsection 19.905.B.1 requires that the proposed amendments be consistent with other provisions of the Milwaukie Municipal Code.

The proposed amendments are consistent with other provisions of the Milwaukie Municipal Code, including Title 19 Zoning and Title 14 Signs.

This standard is met.

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

The following goals and policies of the Comprehensive Plan support the amendments to downtown design review process:

Section 8 – Urban Design & Land Use

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

Goal 8.1 – Design

Use a design framework that considers location and development typology to guide urban design standards and procedures that are customized by zoning district.

Policy 8.1.1 – Downtown Milwaukie Policies

- a) Allow for a variety of dense urban uses in multi-story buildings that can accommodate a mix of commercial, retail, office, and higher density residential uses.
- b) Provide a high-quality pedestrian environment that supports safe, convenient access to the area’s multiple transportation modes.
- e) Ensure that buildings are designed with storefront windows and doors, weather protection, and details that contribute to an active, pedestrian-oriented landscape.
- f) Ensure that design standards and guidelines reflect a well-defined community vision for the downtown.

Goal 8.2 – Livability

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

Policy 8.2.4 – Public Space Design Policies

- a) Provide clear standards for the design and improvement of public spaces and streets as set forth in design objectives of adopted project plans or special area plans.
- c) Provide adequate seating in public spaces where people are intended to gather, with consideration of weather protection as appropriate.

Goal 8.3 – Process

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

Policy 8.3.1

Use a two-track development review process to ensure that new non-residential development and redevelopment projects are well designed. Provide a clear and objective set of standards as well as an optional, discretionary track that allows for greater design flexibility provided design objectives are satisfied.

Policy 8.3.2

Ensure that a clear and objective process is available for all housing types that meet design standards, provide adequate open space, and fit into the community, while offering an alternative discretionary path for projects that cannot meet these standards.

The proposed amendments implement sections of the comprehensive plan related to urban design, updating and reorganizing the existing downtown design review process. The standards and guidelines address elements such as building height and massing, façade transparency, weather protection, and open space. The proposed amendments clarify and strengthen the two-track review process (clear and objective versus discretionary) and the community’s design vision for downtown as expressed in the existing code and related ancillary documents.

This standard is met.

- (3) MMC Subsection 19.902.5.B.3 requires that the proposed amendments be consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies.

The proposed amendments are consistent with the Metro Urban Growth Management Functional Plan. A detailed analysis of the Functional Plan will be provided if requested.

This standard is met.

- (4) MMC Subsection 19.902.5.B.4 requires that the proposed amendments be consistent with relevant State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule.

The proposed amendments are consistent with the following relevant statewide planning goals:

Goal 1 – Citizen Involvement

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

The City has an adopted and acknowledged amendment process and has followed that process in making the proposed amendments. Public hearings on the proposed amendments have been held and public notice was published prior to each hearing. In addition, the Planning Commission members are appointed by an elected City Council, following an open and public selection process.

Goal 2 Land Use Planning

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

The City's zoning code has an established process for reviewing the design of downtown development as part of the larger development review framework. The proposed amendments update and reorganize the existing standards and guidelines for downtown design to make the review process, whether clear and objective or discretionary, more comprehensible and internally consistent.

This standard is met.

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

The proposed amendments are not inconsistent with any relevant federal regulations.

This standard is met.

The City Council finds that the proposed amendments to MMC Section 19.304 (Downtown Zones), Section 19.508 (Downtown Site and Building Design Standards), Section 19.907 (Downtown Design Review), and Subsection 19.911.6 (Building Height Variance in the Downtown Mixed Use Zone) are consistent with the applicable approval criteria for zoning text amendments as established in MMC 19.902.5.B.

The City Council finds that the proposed zoning text amendments are approvable in accordance with the applicable procedures and standards of MMC 19.902.

4. MMC Section 19.1008 Type V Review

MMC 19.1008 establishes the procedures and requirements for Type V review, which is the process for legislative actions. The City Council, Planning Commission, Planning Manager, or any individual may initiate a Type V application.

The amendments were initiated by the Planning Manager on August 1, 2022.

- a. MMC Subsection 19.1008.3 establishes the public notice requirements for Type V review.

- (1) MMC Subsection 19.1008.3.A General Public Notice

MMC 19.1008.3.A establishes the requirements for public notice.

- (a) MMC Subsection 19.1008.3.A.1 requires opportunity for public comment.

The Planning Commission had work sessions about the proposed code amendment language on August 9, and September 27, 2022. Proposed code amendments were first posted on the application webpage on August 1, 2022, and have been updated since as needed. On August 9, 2022, staff emailed Neighborhood District Association (NDA) leaders with information about the proposed amendments and a link to the August 9 Planning Commission meeting page.

- (b) MMC Subsection 19.1008.3.A.2 requires notice of public hearing on a Type V Review to be posted on the City website and at City facilities that are open to the public at least 30 days prior to the hearing.

A notice of the Planning Commission's October 25, 2022, hearing was posted as required on September 23, 2022. A notice of the City Council's March 21, 2023, hearing was posted as required on February 17, 2023.

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

The proposed amendments will apply to all properties broadly in the downtown but do not reduce the permissible uses or development opportunities for those properties. Notice was not sent to individual property owners.

- (2) MMC Subsection 19.1008.3.B DLCD Notice

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

Notice of the proposed amendments was sent to DLCD on September 20, 2022.

- (3) MMC Subsection 19.1008.3.C Metro Notice

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

Notice of the proposed amendments was sent to Metro on September 20, 2022.

- (4) MMC Subsection 19.1008.3.D Property Owner Notice (Measure 56)

MMC Subsection 19.1008.3.D requires notice to property owners if, in the Planning Director's opinion, the proposed amendments would affect the permissible uses of land for those property owners.

The proposed amendments will not affect the permissible uses of land. The proposed amendments simply update and reorganize the existing downtown design review process.

b. MMC Subsection 19.1008.4 Type V Decision Authority

MMC 19.1008.4 establishes that the City Council is the review authority for Type V applications and may approve, approve with conditions, amend, deny, or take no action on a Type V application after a public hearing.

The City Council held a public hearing to consider this application on March 21, 2023, and approved the proposed amendments as presented.

c. MMC Subsection 19.1008.5 Type V Recommendation and Decision

MMC 19.1008.5 establishes the procedures for review and a decision on Type V applications. The process includes an initial evidentiary hearing by the Planning Commission and a recommendation to the City Council, followed by a public hearing and decision by the City Council.

The Planning Commission held an initial evidentiary hearing on October 25, 2022 (continued to January 24, 2023), and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on March 21, 2023, and approved the proposed amendments as presented.

The City Council finds that the applicable requirements of MMC 19.1000 have been met.

EXHIBIT B

(~~strikeout~~/underline format)

19.304 DOWNTOWN ZONES

19.304.1 Purpose

The downtown zones are Downtown Mixed Use Zone DMU and Open Space Zone OS. The zones are shown on Figure 19.304-1. These zones implement the Town Center and Public land use designations in the Milwaukie Comprehensive Plan. The downtown zones implement the Downtown and Riverfront Land Use Framework Plan and Milwaukie Comprehensive Plan.

The downtown and riverfront area is envisioned as the focus of the community. Two zones are designated to distinguish between areas intended for public open space and those intended for downtown development. Specific use, development, and design standards are adopted for the downtown zones to assure an active, attractive, and accessible environment for shoppers, employees, and residents.

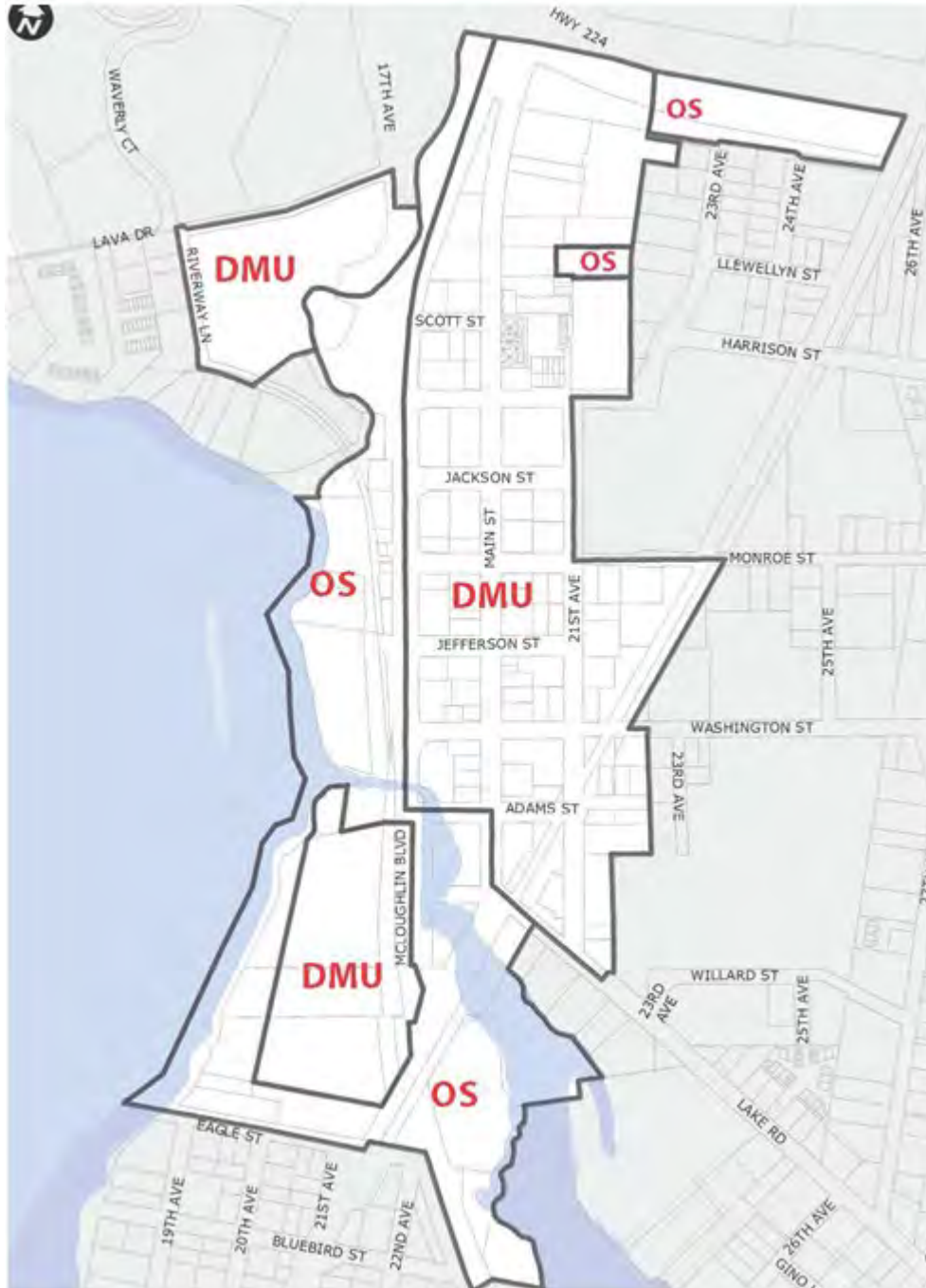
A. Downtown Mixed Use (DMU)

The Downtown Mixed Use Zone provides for a wide range of uses—including retail, office, commercial, and residential—that will bring visitors to the downtown to live, work, shop, dine, and recreate. The desired character for this zone is a pedestrian-friendly and vibrant urban center, with a prominent main street and connections to the riverfront, and which 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. Open Space (OS)

The Open Space Zone provides a specific zone to accommodate open space, park, and riverfront uses. The 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 Open Space Zone includes parkland, open space, and riverfront amenities.

Figure 19.304-1
Downtown Zoning



[Click here to enter text.](#)

19.304.2 Uses

A. Permitted Uses

Uses allowed in the downtown zones are listed in Table 19.304.2 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 title.

B. Conditional Uses

Uses listed in Table 19.304.2 as “CU” are permitted only as conditional uses in conformance with Section 19.905. Type III review is required to establish a new CU or for major modification of an existing CU. Type I review is required for a minor modification of an existing CU.

C. Nonconforming Uses, Structures, and Development

Existing structures and uses that do not meet the standards for the downtown zones may continue in existence. Alteration or expansion of a nonconforming use, structure, or development that brings the use, structure, or development closer to compliance may be allowed through a Type II downtown design review pursuant to Section 19.907. Alteration or expansion of a nonconforming use or structure that does not bring the use or structure closer to compliance may be allowed through a Type III Variance pursuant to Section 19.911. Except where otherwise stated in this section, the provisions of Chapter 19.800 Nonconforming Uses and Development apply.

D. Prohibited Uses

Uses listed in Table 19.304.2 with an “N,” or uses not listed below, are prohibited as new uses. In addition, drive-through facilities are prohibited in the downtown zones.

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

Similar uses not listed in Table 19.304.2 may be allowed through a Director determination pursuant to Section 19.903.

Table 19.304.2 Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Residential			
Boarding house	CU	N	Section 19.905 Conditional Uses
Rowhouse <u>Townhouse</u>	P	N	Subsection 19.304.3.A.1 Downtown residential use limitations Figure 19.304-2 <u>Downtown Residential Use Limitations</u> Subsection 19.505.5 Rowhouses <u>Townhouses</u>
Multifamily	P	N	Figure 19.304-2 Ground-Floor Residential Permitted Downtown Residential Use Limitations Subsection 19.304.3.A.1 Downtown residential use limitations Subsection 19.505.3 Multifamily Housing
Live/work units	P	N	Subsection 19.304.3.A.1 Downtown residential use limitations Subsection 19.505.6 Live/Work Units
Second-story housing	P	N	Section 19.508 Downtown Site and Building Design Standards
Senior and retirement housing	P	N	Subsection 19.304.3.A.1 Downtown residential use limitations Subsection 19.505.3 Multifamily Housing
Commercial			
Traditional office Traditional office uses are characterized by activities that generally focus on business, government, professional, medical, or financial services. These office uses generally involve a high level of face-to-face customer contact and are typically expected to generate foot traffic. Examples include: professional services such as lawyers, architects, or accountants; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; sales offices; government offices and public utility offices; and medical and dental clinics.	P/CU	N	Subsection 19.304.3.A.3 Commercial use limitations Section 19.905 Conditional Uses

Table 19.304.2 CONTINUED Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Commercial CONTINUED			
<p>Production-related office</p> <p>Production-related office uses are characterized by activities that, while conducted in an office-like setting, involve less face-to-face customer contact and do not tend to generate foot traffic. Their operations are less service-oriented than traditional office uses and focus on the development, testing, research, production, processing, packaging, or assembly of goods and products.</p> <p>Examples include: software and internet content development and publishing; telecommunication service providers; data processing; television, video, radio, and internet studios and broadcasting; scientific and technical services; call centers, marijuana testing and research facilities, and medical and dental labs.</p>	P/CU	N	<p>Subsection 19.304.3.A.2 Main Street limitations</p> <p>Subsection 19.304.3.A.3 Commercial use limitations</p> <p>Subsection 19.509.2 Security and odor control for certain marijuana business</p> <p>Section 19.905 Conditional Uses</p> <p>Note: Production, processing, packaging, and assembly uses must meet the standards listed below under Manufacturing.</p>
<p>Eating and drinking establishment</p> <p>Eating and drinking establishments primarily involve the sale of prepared food and beverages for on-site consumption or takeaway.</p> <p>Examples include restaurants, delicatessens, retail bakeries, taverns, brewpubs, coffee shops, concession stands, wine bars, and espresso bars.</p>	P/CU	CU	<p>Subsection 19.304.3.A.3 Commercial use limitations</p> <p>Section 19.905 Conditional Uses</p>
<p>Indoor recreation</p> <p>Indoor recreation consists of facilities providing active recreational uses of a primarily indoor nature.</p> <p>Examples include gyms; dance studios; tennis, racquetball, and soccer centers; recreational centers; skating rinks; bowling alleys; arcades; shooting ranges; and movie theaters.</p>	P/CU	N	<p>Subsection 19.304.3.A.3 Commercial use limitations</p> <p>Section 19.905 Conditional Uses</p>

Table 19.304.2 CONTINUED Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Commercial CONTINUED			
<p>Retail-oriented sales</p> <p>Sales-oriented retail firms are involved in the sale, leasing, and rental of new or used products to the general public.</p> <p>Examples include stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronics, fabric, gifts, groceries, hardware, household products, jewelry, pets and pet products, pharmaceuticals, plants, printed materials, stationery, and printed and electronic media.</p>	P/CU	P/CU	<p>Subsection 19.304.3.A.3 Commercial use limitations Section 19.905 Conditional Uses</p>
<p>Personal/business services</p> <p>Personal/business services are involved in providing consumer services.</p> <p>Examples include hair, tanning, and spa services; pet grooming; photo and laundry drop-off; dry cleaners; and quick printing.</p>	P/CU	N	<p>Subsection 19.304.3.A.3 Commercial use limitations Section 19.905 Conditional Uses</p>
<p>Repair-oriented</p> <p>Repair-oriented uses are establishments providing product repair of consumer and business goods.</p> <p>Examples include repair of televisions and radios, bicycles, clocks, jewelry, guns, small appliances, office equipment, tailors and seamstresses, shoe repair, locksmiths, upholsterers, and some automobile service and repair.</p>	P/CU	N	<p>Subsection 19.304.3.A.3 Commercial use limitations Section 19.905 Conditional Uses</p>
<p>Day care</p> <p>Day care is the provision of regular child care, with or without compensation, to 4 or more children by a person or person(s) who are not the child's parent, guardian, or person acting in place of the parent, in a facility meeting all State requirements.</p> <p>Examples include nursery schools, before- and after-school care facilities, and child development centers.</p>	P	N	<p>Subsection 19.304.3.A.5 Day care limitation</p>

Table 19.304.2 CONTINUED Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Commercial CONTINUED			
<p>Commercial lodging Commercial lodging includes for-profit residential facilities where tenancy is typically less than 1 month. Examples include hotels, motels, vacation rentals, and bed-and-breakfast establishments. Does not include senior and retirement housing.</p>	P/CU	N	Section 19.905 Conditional Uses (for vacation rentals only)
<p>Parking facility Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a parking facility. Examples include short- and long-term fee parking facilities, commercial district shared parking lots, and commercial shuttle parking.</p>	CU	P	Subsection 19.304.3.A.6 OS Zone parking limitations Section 19.905 Conditional Uses Chapter 19.600 Off-Street Parking and Loading
<p>Marijuana retailer Marijuana retailer means a state-licensed business that sells or distributes marijuana and marijuana-derived products to consumers. A marijuana retailer may sell or distribute recreational or medical marijuana.</p>	P/CU	N	Subsection 19.509.1 Standards for Marijuana Retailers
Manufacturing			
<p>Manufacturing and production Uses are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Examples include processing of food and related products; catering establishments; breweries, distilleries, and wineries; marijuana processors; weaving or production of textiles or apparel; woodworking, including cabinet makers; manufacture or assembly of machinery, equipment, instruments (including musical instruments), vehicles, appliances, precision items, and other electrical items; and production of artwork and toys.</p>	P	N	Subsection 19.304.3.A.8 Manufacturing and production limitations Subsection 19.509.2 Security and odor control for certain marijuana businesses

Table 19.304.2 CONTINUED Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Institutional			
Parks and open space Parks and open space uses are lands focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few buildings. Examples include parks, public squares, plazas, recreational trails, botanical gardens, farmers markets, boat launching areas, nature preserves, and community gardens.	P	P	
Community service uses	CSU	CSU	Section 19.904 Community Service Uses
Accessory and Other			
Accessory use	P	P	Subsection 19.304.2.E Accessory Uses Section 19.503 Accessory Uses
Home occupation	P	N	Section 19.507 Home Occupation Standards
Short-term rentals	P	P	Section 19.507 Home Occupation Standards

P = Permitted.

N = Not permitted.

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

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

19.304.3 Use Limitations, Restrictions, and Provisions

A. Use Limitations and Restrictions

The following provisions describe the limitations for uses listed in Table 19.304.2.

1. Residential uses are permitted throughout downtown Milwaukie, subject to the following limitations and as shown in Figure 19.304-2.
 - a. Along Main Street south of the intersection with Scott Street, as shown in Figure 19.304-2, residential dwellings are only allowed on the second floor or above; they are not permitted on the ground floor. Lobbies for upper-level dwellings are allowed

on the ground floor only if a commercial use is located along a majority of the property's street frontage.

- b. ~~Lobbies for upper level dwellings are allowed on the ground floor only if a commercial use is located along a majority of the property's street frontage.~~ Along Main Street nNorth of the intersection with Scott Street and on all other streets, residential dwellings and/or lobbies are permitted anywhere on the ground floor along Main Street.
- c. Live/work units and ~~rowhouses~~-townhouses are not permitted on Main Street.

Figure 19.304-2
Downtown Residential Use Limitations



2. Production-related office uses are not permitted on the ground floor along Main Street.
3. Commercial uses are permitted throughout downtown, subject to the following limitations:
 - a. In the ~~Downtown Mixed Use DMU Zone~~, the following uses are limited to 20,000 sq ft in floor area per use on the ground floor.
 - (1) Traditional office
 - (2) Eating/drinking establishments

[Click here to enter text.](#)

- (3) Indoor recreation
 - (4) Retail-oriented sales
 - (5) Personal-service-oriented
 - (6) Repair-oriented
- b. In the ~~Open Space OS~~ OS Zone, retail-oriented sales are limited to 20,000 sq ft in floor area per use on the ground floor.
 - c. Uses listed in Subsections 19.304.3.A.3.a-b that are larger than 20,000 sq ft in floor area on the ground floor may be approved through a conditional use review pursuant to Section 19.905.
 - d. In the DMU Zone, production-related office uses are limited to 20,000 sq ft in total area.
 - e. Uses listed in Subsection 19.304.3.A.3.d that are larger than 20,000 sq ft in total area may be approved through conditional use review pursuant to Section 19.905.
4. Automobile/motor vehicle repair (excluding body and fender repair and painting) is permitted in the ~~Downtown Mixed Use DMU~~ DMU Zone only when conducted within a completely enclosed building.
 5. Day care and childcare uses are limited to 5,000 sq ft.
 6. Parking facilities in the ~~Open Space OS~~ OS Zone are limited to surface lots that are intended primarily for the users of the related park or open space.
 7. Manufacturing and production uses are limited to 5,000 sq ft in floor area per use on the ground floor and are only permitted when associated with, and accessory to, a related retail-oriented sales or eating/drinking establishment use. For purposes of this subsection, manufacturing and production involve goods that are sold or distributed beyond or outside of the associated on-site eating or drinking establishment or retail trade use. For example, a brewing facility that distributes or sells its products elsewhere would be considered a manufacturing and production use, while a restaurant kitchen that prepares food that is purchased on-site would not be considered manufacturing or production. Marijuana production is prohibited.

B. Use Provisions

1. The limit of 4 consecutive ~~rowhouses~~ townhouses established in Subsection 19.505.5.D does not apply in the DMU Zone. In the DMU Zone, there is no limit on the number of consecutive ~~rowhouses~~ townhouses.

19.304.4 Development Standards

In the downtown zones, the development standards in Table 19.304.4 apply. Notes and/or cross references to other applicable code sections are listed in the “Standards/Additional Provisions” column. Additional standards are provided in Subsection 19.304.5.

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

The development standards address several issues of particular importance to maintaining the appropriate character for the downtown. Table 19.304.4 summarizes some of the development

standards that apply downtown. Development standards are presented in full in Subsection 19.304.5.

Table 19.304.4 Downtown Zones—Summary of Development Standards			
Standard	DMU	OS	Standards/ Additional Provisions
A. Lot Standards			
1. Minimum lot size (sq ft)	750	None	
2. Minimum street frontage (ft)	15	None	Section 19.201 Definitions
B. Development Standards			
1. Floor area ratio a. Minimum b. Maximum	0.5:1–1:1 4-6:1 (FAR bonus available)	None None	Section 19.201 Definitions Subsection 19.304.5.A Floor Area Ratios Figure 19.304-3 Minimum Floor Area Ratios Subsection 19.611.4 Incentives for Provision of Structured Parking
2. Building height (ft) a. Minimum b. Maximum	25 45– 69 <u>55</u> (height bonus available)	None 15	Subsection 19.304.5.B Building Height Figure 19.304-4 Base Maximum Building Heights Subsection 19.304.5.I Transition Measures Subsection 19.304.5.B.3 Height Bonuses Section 19.510 Green Building Standards Subsection 19.911.6 Building Height Variance in the Downtown Mixed Use Zone
3. Flexible ground floor space	Yes, where applicable	None	Subsection 19.304.5.C Flexible Ground-Floor Space
43. Street setbacks/build to lines (ft) a. Minimum street setback b. Maximum street setback cb. Side and rear setbacks	0 10–20 None	0 None None	Figure 19.304-5 First Floor Build To Lines Subsection 19.304.5.DC Street Setbacks/Build To Lines Subsection 19.304.5.I Transition Measures Subsection 19.501.2 Yard Exceptions

Click here to enter text.

Table 19.304.4 CONTINUED			
Downtown Zones—Summary of Development Standards			
Standard	DMU	OS	Standards/ Additional Provisions
B. Development Standards CONTINUED			
5. Frontage occupancy requirements	50–90%	None	Subsection 19.304.5.E Frontage Occupancy Requirements Figure 19.304-6 Minimum Frontage Occupancy
6. Primary entrances	Yes	Ne	Subsection 19.304.5.F Primary Entrances
74. Off-street parking required	Yes, where applicable	Yes, where applicable	Subsection 19.304.5.GD Off-Street Parking Chapter 19.600 Off-Street Parking and Loading
8. Open space	Yes, where applicable	Yes, where applicable	Subsection 19.304.5.H Open Space Subsection 19.508.4.G Open Space/Plazas
9. Transition measures	Yes, where applicable	Ne	Subsection 19.304.5.I Transition Measures Subsection 19.504.6 Transition Area Measures
C. Other Standards			
1. Residential density requirements (dwelling units per acre)			Subsection 19.202.4 Density Calculations Subsection 19.304.5.JE Residential Density Subsection 19.501.4 Density Exceptions
a. Rowhouses-Townhouses and live/work units			
(1) Minimum	40-25	None <u>n/a</u>	
(2) Maximum	None	None <u>n/a</u>	
b. Stand-alone multifamily			
(1) Minimum	30	None <u>n/a</u>	
(2) Maximum	None	None <u>n/a</u>	
c. Mixed-use buildings	None	None <u>n/a</u>	
2. Signs	Yes	Yes	Section 14.16.060 Downtown Zones

Table 19.304.4 is supplemented by the explanation of the development standards provided in Subsection 19.304.5 below, and the following figures:

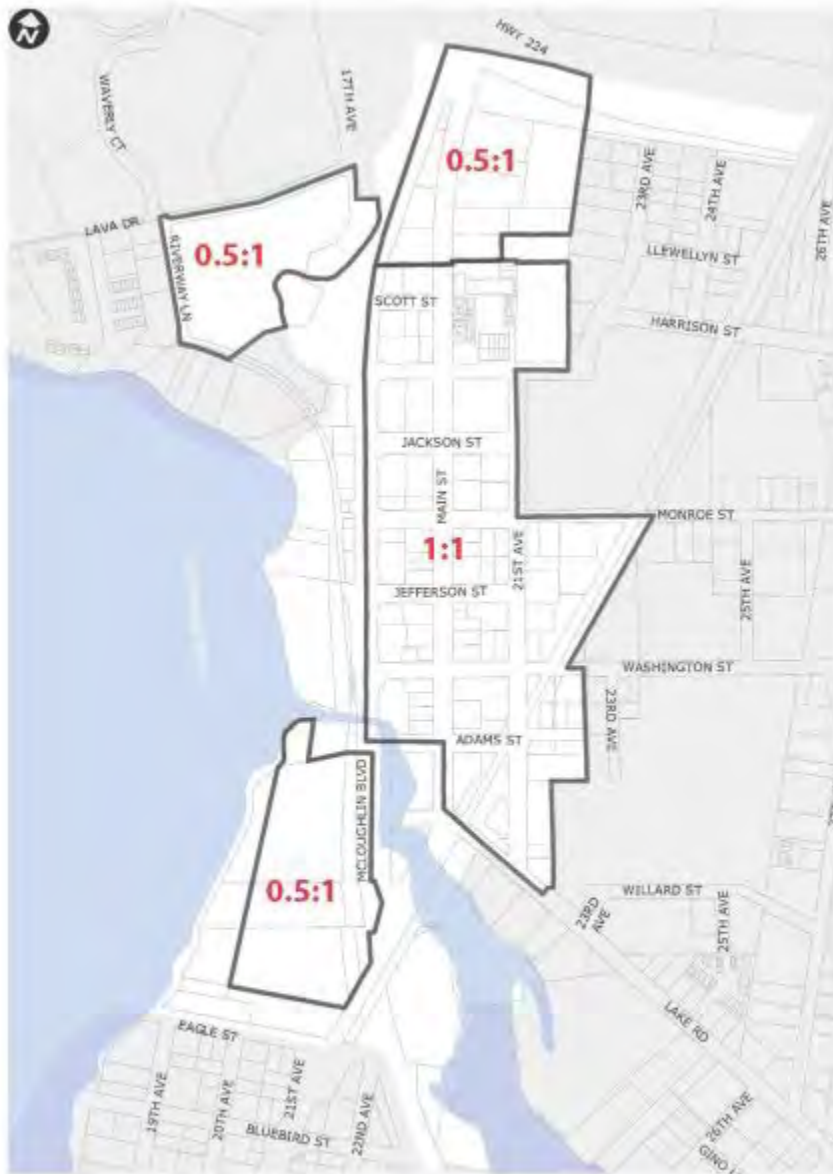
Figure 19.304-3 Minimum Floor Area Ratios

Figure 19.304-4 Base Maximum Building Heights

Figure 19.304-5 First Floor Build-To Lines

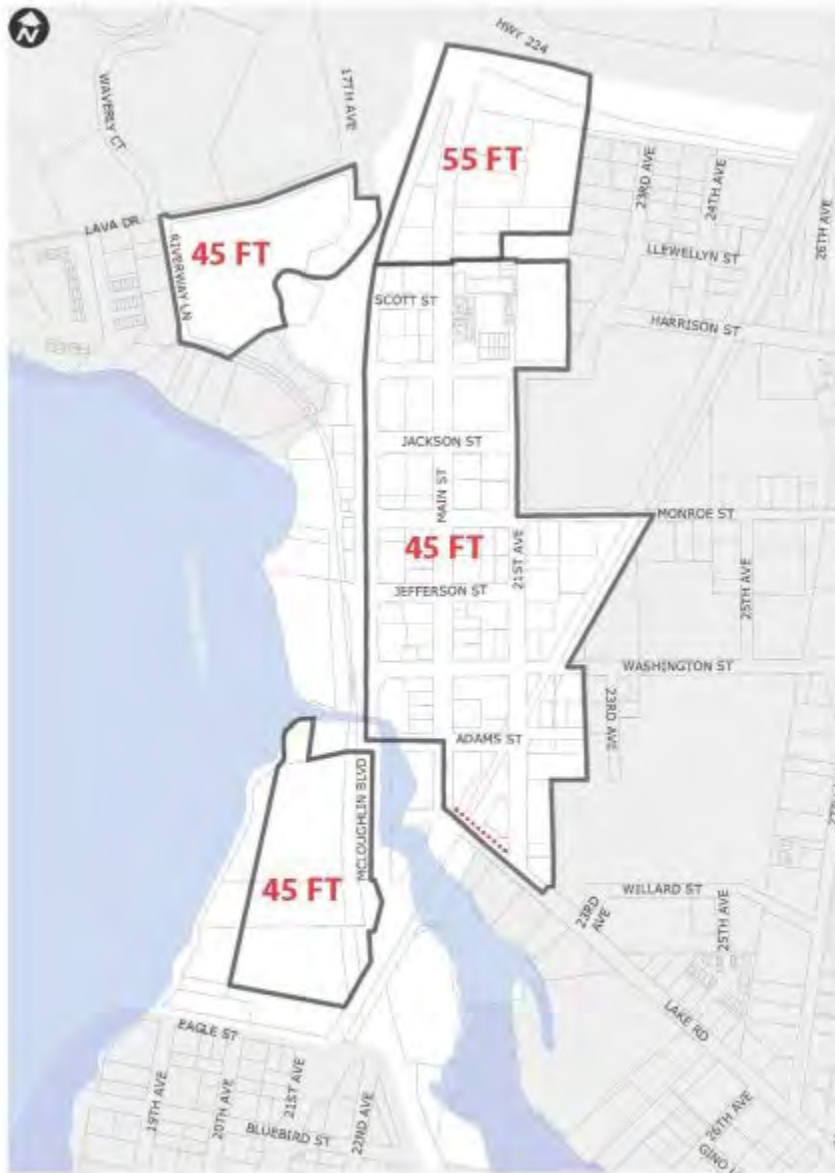
Figure 19.304-6 Minimum Frontage Occupancy

Figure 19.304-3
Minimum Floor Area Ratios



[Click here to enter text.](#)

Figure 19.304-4
Base Maximum Building Heights



[delete the four following existing maps]

[Click here to enter text.](#)



[Click here to enter text.](#)





[Click here to enter text.](#)



[Click here to enter text.](#)

19.304.5 Detailed Development Standards

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

A. Floor Area Ratios

1. Intent

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. In some cases, FAR densities are provided for provision of a public benefit or amenity to the community.

2. Standards

- a. The minimum floor area ratios in Subsection 19.304.4.B.1 apply to all nonresidential building development. Stand-alone residential densities are controlled by minimum density requirements.
- b. Required minimum floor area ratios ~~shall be~~ are 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. FAR bonuses are available for provision of structured parking per Subsection 19.611.4.

3. Exemptions

The following are exempt from the minimum floor area ratio requirement.

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

B. Building Height

1. Intent

Minimum and maximum building height standards serve several purposes. They promote a compatible building scale and relationship of one structure to another. A minimum building height is established to ensure that the traditional building scale for the downtown area is maintained.

2. Standards

- a. The minimum building height standards apply to new commercial, office, residential, and mixed-use buildings.
- b. Minimum building heights are specified in Table 19.304.4. The minimum building height of 25 ft ~~shall~~ must be met along all street frontages for a depth of at least 25 ft from the front of the building.

- c. Base maximum building heights are specified in Figure 19.304-4. Height bonuses are available for buildings that meet the standards of Subsection 19.304.5.B.3.

3. Height Bonuses

To incentivize the provision of additional public amenities or benefits beyond those required by the baseline standards, height bonuses are available for buildings that include desired public amenities or components; increase downtown vibrancy; and/or help meet sustainability goals.

A building can utilize up to ~~2~~two of the development incentive bonuses of this subsection, for a total of ~~2 stories or~~ 24 ft of additional height, ~~whichever is less,~~ above the height maximum specified in Figure 19.304-4.

Height bonuses cannot be applied within 50 ft of the moderate density residential (R-MD) zone.

a. Residential

New buildings that devote at least one story or 25% of the gross floor area to residential uses are permitted ~~1 additional story or~~ an additional 12 ft of building height, ~~whichever is less.~~ The residential height bonus cannot be used in combination with the lodging height bonus.

b. Lodging

New buildings that devote at least one story, or 25% of the gross floor area, to lodging uses are permitted ~~1 additional story, or~~ an additional 12 ft of building height, ~~whichever is less.~~ The lodging height bonus cannot be used in combination with the residential height bonus.

c. Green Building

Project proposals that receive approvals and certification as identified in Section 19.510 are permitted ~~1 additional story or~~ an additional 12 ft of building height, ~~whichever is less.~~

d. Building Height Variance

Additional building height may be approved through Type III variance review, per Subsection 19.911.6 Building Height Variance.

4. Exemptions

The following are exempt from the minimum building height standards.

- a. Additions to existing buildings.
- b. Accessory structures.
- c. Buildings with less than 1,000 sq ft of floor area.

~~G. Flexible Ground-Floor Space~~

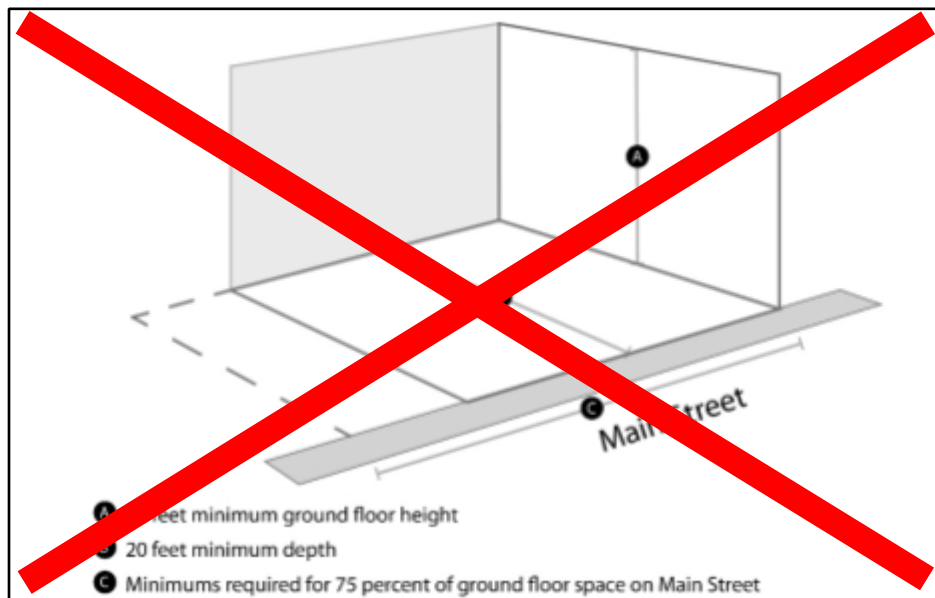
~~1. Intent~~

~~To ensure that new buildings in the downtown are designed and constructed to accommodate active uses such as retail and eating/drinking establishments.~~

~~2. Standards~~

- a. ~~This standard applies to new buildings fronting Main St.~~
- b. ~~This standard is met when at least 75% of the ground floor space in a new building meets the following requirements.~~
 - (1) ~~The ground floor height must be at least 14 ft, as measured from the finished floor to the ceiling, or from the finished floor to the bottom of the structure above (as in a multistory building). The bottom of the structure above is the lowest portion of the structure and includes supporting beams, and any heating, ventilation and/or fire suppression sprinkler systems.~~
 - (2) ~~The interior floor area adjacent to Main St must be at least 20 ft deep, as measured from the inside building wall or windows facing Main St.~~

Figure 19.304.5.C.2
Flexible Ground Floor Space Standards



3. ~~Exemptions~~

~~Stand-alone residential buildings on Main St as specified in Figure 19.304-2 are exempt from this requirement.~~

DC. ~~Street Setbacks/Build-To-Lines~~

1. Intent

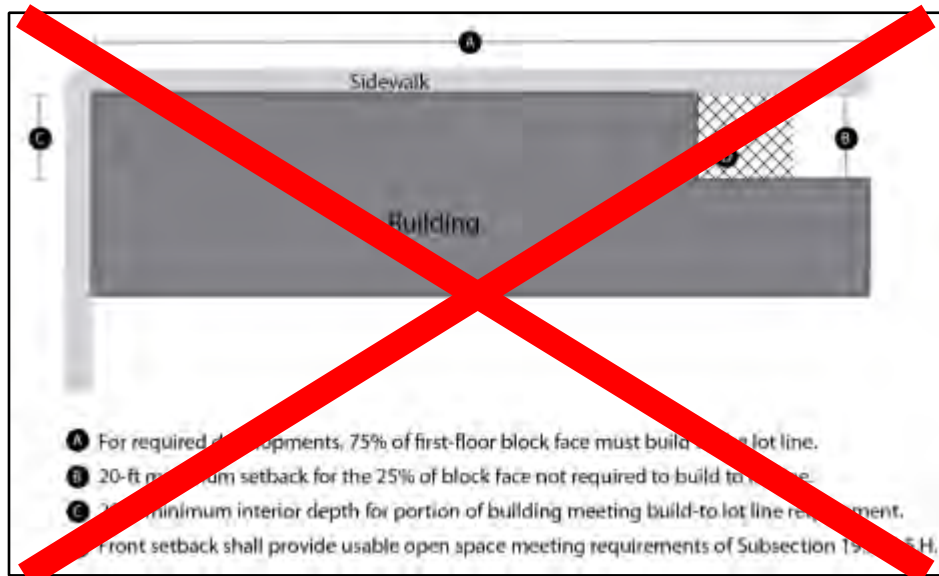
Buildings are allowed and encouraged to build up to the street right-of-way in the DMU Zone to ensure that the ground floors of buildings engage the street right-of-way. ~~Required build-to-lines are used in combination with the frontage occupancy requirements of Subsection 19.304.5.E and are established in specific areas of the downtown to ensure that the ground floors of buildings engage the street right-of-way (see Figure 19.304-5). 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.~~

[Click here to enter text.](#)

2. Standards

- a. No minimum street setbacks are required.
- b. Minimum setbacks are used in combination with the Site Frontage design element in Subsection 19.508.4.A.
- ~~b. First floor build to lines (required zero setbacks) are established for block faces identified on Figure 19.304-5. The build to line applies to the portion of the building that is subject to the frontage occupancy requirements of Subsection 19.304.5.E as follows:
 - (1) ~~For those block faces identified on Figure 19.304-5, 75% of the first floor shall be built to the front lot line (zero setback). The remaining 25% may be set back from the front lot line a maximum of 20 ft. The front setback shall provide usable open space, such as a public plaza or pedestrian amenities, that meets the requirements of Subsection 19.304.5.H.~~~~

**Figure 19.304.5.D.2.b(1&3)
First-Floor Build-To Lines
for Block Faces Identified on Figure 19.304-5**



- (2) ~~For other block faces, there is no build to line requirement and the maximum setback shall be 10 ft. The front setback shall provide usable open space that meets the requirements of Subsection 19.304.5.H.~~
- (3) ~~The portions of the building used to meet the build to line requirement in (1) above shall have a depth of at least 20 ft.~~

3. Exemption

The DMU Zone is 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 Blvd.

[Click here to enter text.](#)

~~E. Frontage Occupancy~~

~~1. Intent~~

~~To ensure that buildings are used to create a “street wall” that contributes to a walkable and pedestrian-friendly environment.~~

~~2. Standards~~

~~Minimum frontage occupancy requirements are established for block faces identified on Figure 19.304-6. Frontage occupancy requirements are used in combination with the required build-to-line of Subsection 19.304.5.D. The frontage occupancy requirements apply as follows:~~

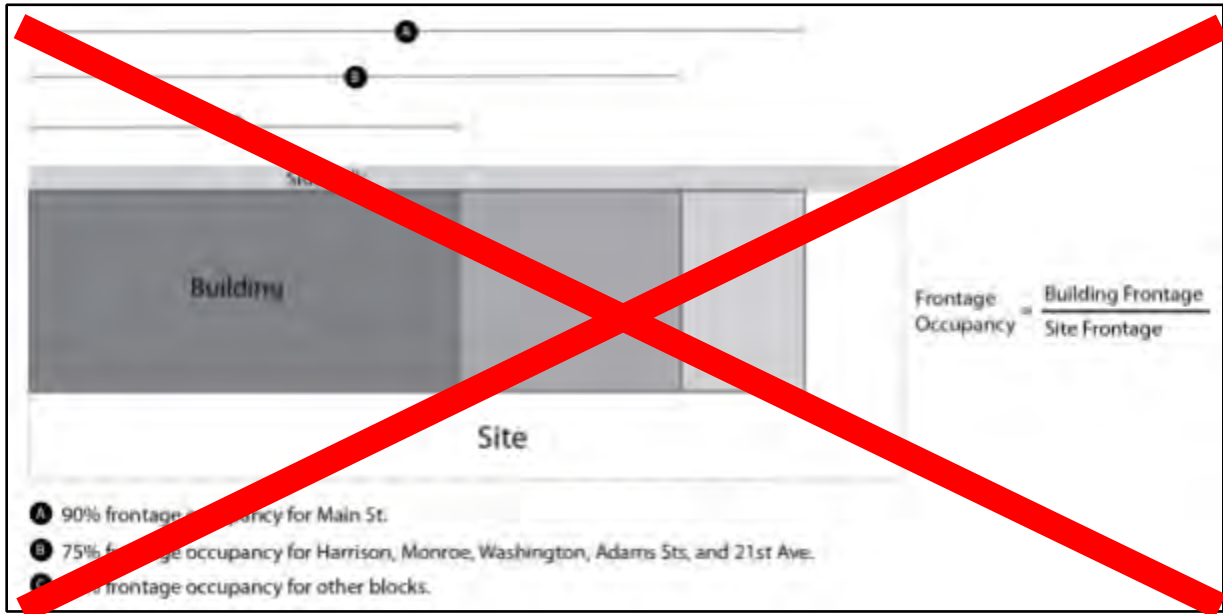
~~**Figure 19.304.5.E.2**
Frontage Occupancy Requirements and Build-To-Line~~



- ~~a. For block faces that front on Main St, 90% of the site frontage must be occupied by a building or buildings. If the development site has frontage on Main St and another street, the frontage occupancy requirement must be met on Main St only.~~
- ~~b. For block faces that front on Harrison, Monroe, Washington, and Adams Sts and 21st Ave, 75% of the site frontage must be occupied by a building or buildings. Except for Subsection 19.304.5.E.2.a above, if the development site has frontage on one of the streets listed here and another street, the frontage occupancy requirement must be met on the streets listed here only.~~
- ~~c. For other block faces, 50% of the site frontage must be occupied by a building or buildings. Except for Subsections 19.304.5.E.2.a b above, if the development site has frontage on more than one street, the frontage occupancy requirement must be met on one street only.~~

[Click here to enter text.](#)

Figure 19.304.5.E.2.a-c
Frontage Occupancy Requirements



- d. ~~Building façades with recesses incorporated to comply with façade articulation requirements are considered to be occupying the site frontage if the recesses do not exceed 24 in.~~

F. ~~Primary Entrances~~

1. ~~Intent~~

~~To promote pedestrian-friendly development by providing building entrances that are oriented to the sidewalk or other public space and connected with clearly marked pedestrian walkways.~~

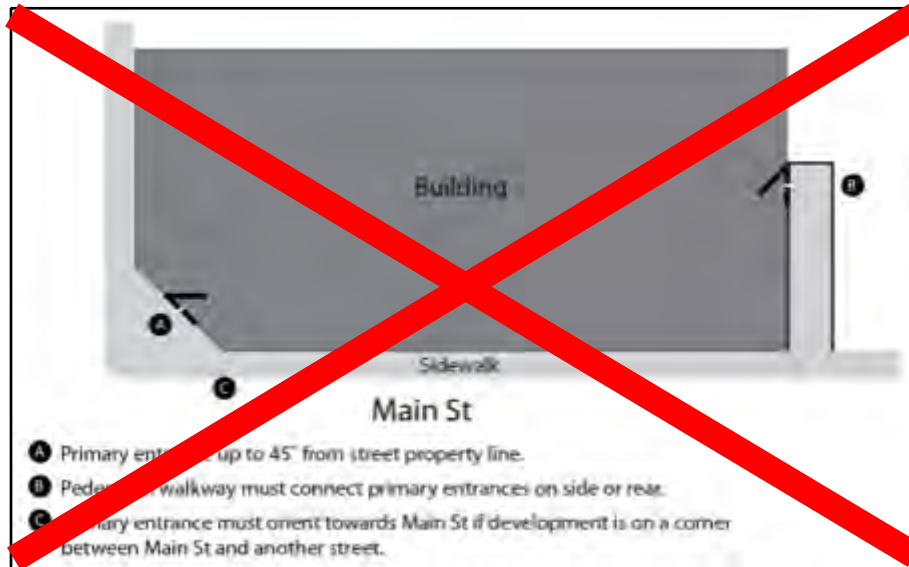
2. ~~Standards~~

- a. ~~All new buildings shall have at least one primary entrance facing an abutting street (i.e., within 45° of the street property line) or, if the building entrance must be turned more than 45° from the street (i.e., front door is on a side or rear elevation) due to the configuration of the site or similar constraints, a pedestrian walkway must connect the primary entrance to the sidewalk.~~
- b. ~~Where a development contains multiple buildings and there is insufficient street frontage to meet the above building orientation standards for all buildings on the subject site, a building's primary entrance may orient to plaza, courtyard, or similar pedestrian space containing pedestrian amenities. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a pedestrian walkway.~~
- c. ~~If a development is on the corner of Main St and another street, the primary entrance shall be oriented toward Main St. If the development is on the~~

[Click here to enter text.](#)

~~corner of McLoughlin Blvd and another street, the primary entrance may be oriented toward either street.~~

**Figure 19.304.5.F.2
Primary Entrance Standards**



GD. Off-Street Parking

1. Intent

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

2. Standards

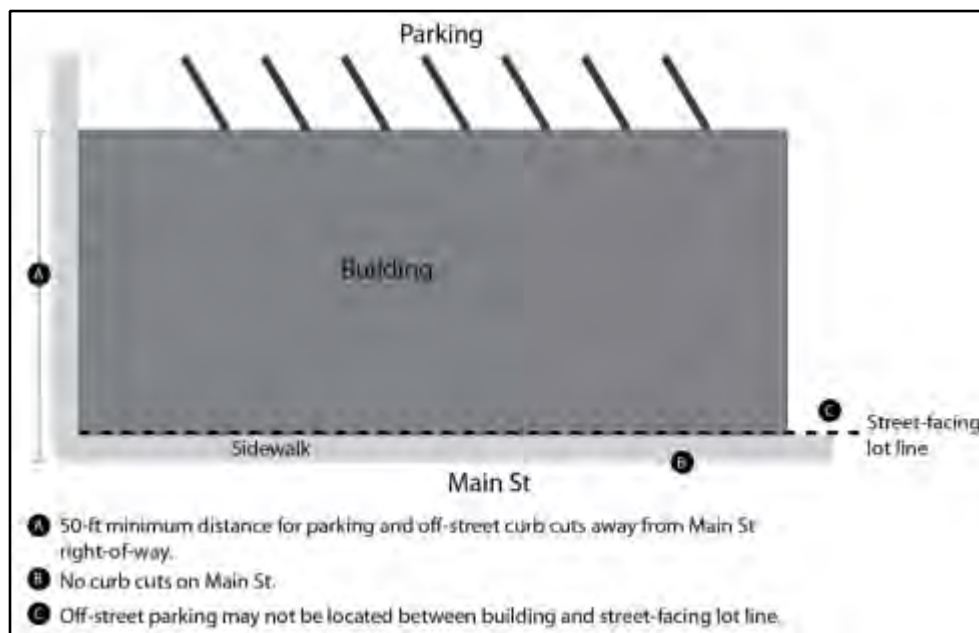
- a. Off-street parking for residential uses is required at the ratios established in Table 19.605.1. All other applicable standards of Chapter 19.600 apply.
- b. No off-street parking is required for nonresidential uses. If off-street parking is provided for nonresidential uses, the parking maximums in Table 19.605.1 ~~shall~~will apply. All other applicable standards of Chapter 19.600 ~~shall~~will also apply.
- c. Off-street surface parking lots (including curb cuts) ~~shall~~must not be located within 50 ft of the Main Street right-of-way. Off-street surface parking lots approved prior to October 31, 2015, the effective date of Ordinance #2106, are exempt from this prohibition. This exemption applies only to the property owner on file with the Clackamas County Assessor as of October 31, 2015, the effective date of Ordinance #2106, and is dissolved upon transfer of ownership.

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

[Click here to enter text.](#)

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

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



~~3. Exemptions~~

~~All nonresidential uses are exempt from the off-street parking requirements.~~

~~H. Open Space~~

~~1. Intent~~

~~To provide amenities for downtown visitors and residents, promote livability, and help soften the effects of built and paved areas.~~

~~2. Standards~~

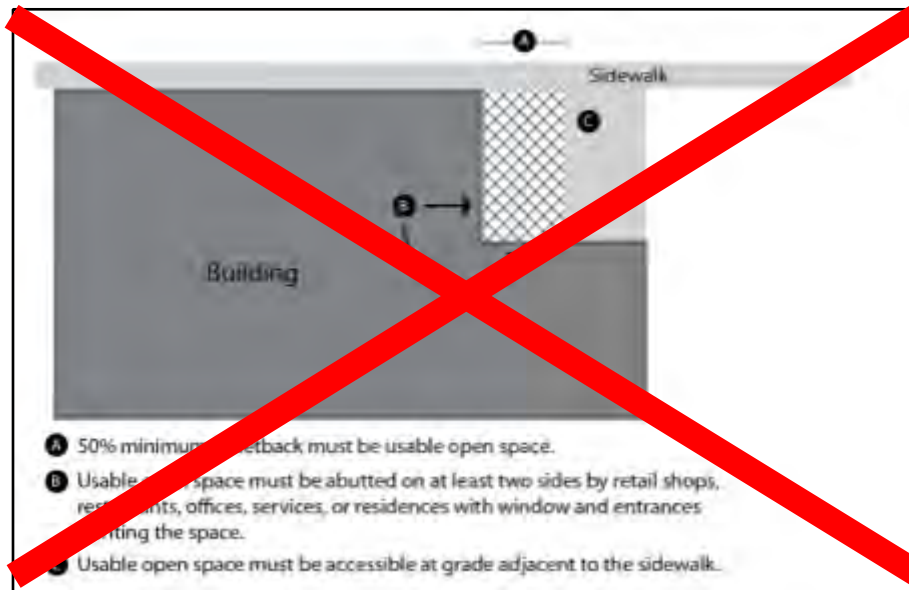
- a. ~~When a building is set back from the sidewalk, at least 50% of the setback area shall provide usable open space, such as a public plaza or pedestrian amenities, that meets the standards of this subsection. Building setbacks cannot exceed the maximum setbacks established by Subsection~~

[Click here to enter text.](#)

~~19.304.5.D and the frontage occupancy requirements of Subsection 19.304.5.E.~~

- ~~b. Usable open space shall be abutted on at least two sides by retail shops, restaurants, offices, services, or residences with windows and entrances fronting on the space.~~
- ~~c. Usable open space must be accessible at grade adjacent to the sidewalk.~~
- ~~d. Open space may be hardscaped or landscaped, including plazas, courtyards, gardens, terraces, outdoor seating, and small parks.~~

**Figure 19.304.5.H.2
Open Space Standards**



~~I. Transition Measures~~

~~1. Intent~~

~~To minimize impacts of commercial or mixed-use development on lower-density residential uses.~~

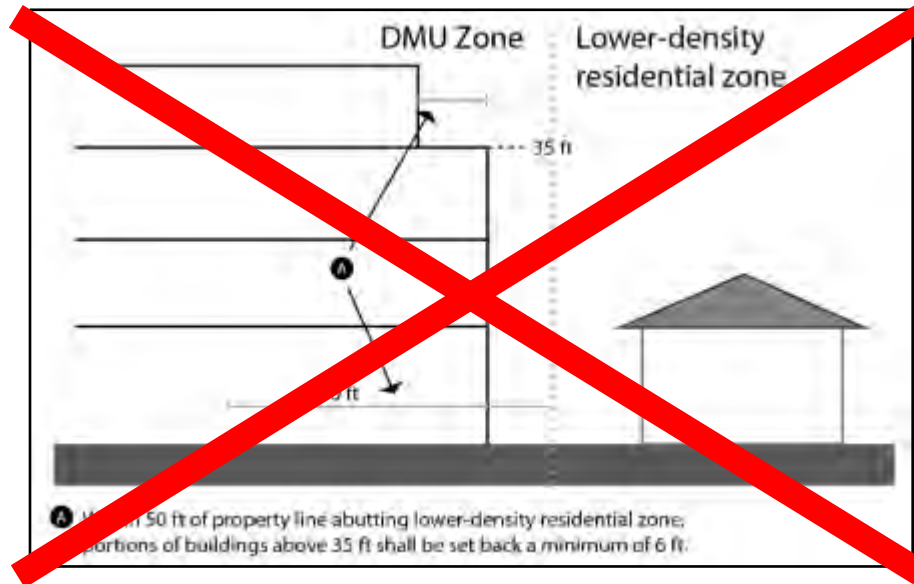
~~2. Standards~~

~~For properties north of Harrison St and located within 50 ft of a lower-density residential zone (R-10, R-7, or R-5), the transition area measures in Subsection 19.504.6 apply. In addition:~~

- ~~a. Within 50 ft of the property line abutting lower-density residential zones, buildings shall provide a step back of at least 6 ft for any portion of the building above 35 ft.~~
- ~~b. The height bonuses in Subsection 19.304.5.B.3 cannot be applied within 50 ft of a lower-density residential zone.~~

[Click here to enter text.](#)

**Figure 19.304.5.1.2
Transition Measure Standards**



JE. Residential Density

1. Intent

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

2. Standards

- a. Minimum densities for ~~rowhouses townhouses~~ and live/work units shall be are 10-25 units per acre. There is no maximum residential density for townhouses or live/work units.
- b. Minimum densities for stand-alone multifamily dwellings and senior/retirement housing in the DMU Zone shall be are 30 units per acre. Maximum residential densities are effectively controlled by height limits.

3. Exemption

There are no minimum density requirements when residential units are developed as part of a mixed-use building.

19.304.6 Public Area Requirements

A. Purpose

The Public Area Requirements (PAR) implement the Downtown and Riverfront Land Use Framework Plan. The purpose of the PAR is to ensure that, as revitalization occurs in downtown, there will be a consistent and high-quality public right-of-way that establishes a safe, comfortable, contiguous pedestrian-oriented environment. Public area requirements are defined as improvements within the public right-of-way and include, but are not limited to, sidewalks, bicycle lanes, on-street parking, curb

[Click here to enter text.](#)

extensions, lighting, street furniture, and landscaping. The PAR is implemented through Chapter 19.700 and the Milwaukie Public Works Standards.

B. Applicability, Review Process, and Standards

Development in downtown zones is subject to the review process and standards of Chapter 19.700 as specified in the chapter's applicability provisions. Required public improvements along rights-of-way included in the PAR ~~shall~~must be consistent with the PAR as implemented in the Milwaukie Public Works Standards.

19.304.7 Additional Standards

Depending upon the type of use and development proposed, the following sections of Chapter 19.500 Supplementary Development Regulations may apply. These sections are referenced for convenience and do not limit or determine the applicability of other sections within the Milwaukie Municipal Code.

- A. Section 19.504 Site Design Standards
- B. Section 19.505 Building Design Standards
- C. Section 19.508 Downtown Site and Building Design Standards and Guidelines

19.304.8 Variances

The Planning ~~Director~~Manager or Planning Commission may authorize variances to the development standards under Subsection 19.304.4 in accordance with procedures of Section 19.911.

Note: Although the bulk of MMC 19.508 is effectively being repealed and replaced, the introductory sections will remain largely intact. The ~~strikeout~~/underline format is used for these sections to more clearly show where minor changes are proposed.

19.508 DOWNTOWN SITE AND BUILDING DESIGN STANDARDS AND GUIDELINES

This section contains building design standards to be used with Type I and II downtown design reviews, as established in Section 19.907, and to provide additional direction when the Downtown Design Guidelines are applied through a Type III downtown design review process.

19.508.1 Purpose

The design standards and guidelines contained in this section are intended to encourage high-quality building design and construction with durable, high-quality materials that complements district development patterns, fosters human-scale design, and adds vitality. The design standards and guidelines will support the development of a cohesive, attractive, and safe downtown area and encourage private investment. The design standards and guidelines do not prescribe a particular building or architectural style. Compliance with the standards is reviewed as part of a Type I or II These standards and guidelines apply to all downtown design reviews.

19.508.2 Applicability

The design standards and guidelines in this section generally apply to the street-abutting-facing façades, as defined in Section 19.201, of nonresidential, mixed-use, and residential-only multifamily buildings within the downtown zones. More detailed applicability language is provided at the beginning of Any exceptions are detailed within each specific standard design element. Development is subject to the standards of this section as described below.

A. New Development

1. All new development is subject to the standards design elements of this section.
- ~~2. New development that does not meet one or more standards of this section is subject to Type III downtown design review per Section 19.907 and review against the purpose statement and Downtown Design Guideline(s) related to that standard.~~
2. Townhouse and live/work units, where permitted, are subject to the following design elements and additional standards:
 - a. Subsection 19.508.4.A Site Frontage.
 - b. Subsection 19.508.4.E Building Entrances.
 - c. Subsection 19.508.4.M Plazas and Usable Open Space.
 - d. Townhouses are subject to the standards of Subsection 19.505.5 Townhouses, as revised by Subsection 19.304.3.B.1.
 - e. Live/work units are subject to the standards of Subsection 19.505.6 Live/Work Units.

B. Expansions, Additions, and/or Changes to Existing Buildings or Structures

The following elements are applicable to expansions of, and/or additions to, existing buildings or structures. Elements that are applicable to expansions or additions do not apply to existing buildings unless stated below. Expansions or additions that bring the building or structure out of conformance, or further out of conformance if already nonconforming, with the applicable design standard or standards are subject to Chapter 19.800 Nonconforming Uses and Development or Section 19.907 Downtown Design Review.

1. Expansions or additions that add 250 sq ft or less—and are not visible from the pedestrian level of adjacent streets, sidewalks, courtyards, and/or public parks or pedestrian walkways—are exempt from the design ~~standards~~ elements of Section 19.508.
2. Expansions or additions to the street—~~abutting~~ facing façade are subject to the following ~~standards~~ elements.
 - a. Subsection 19.508.4.A Site Frontage.
 - ~~a.b.~~ Subsection 19.508.4.A.2 Wall Structure and Building Façade Details, Nonresidential and Mixed-Use Buildings, for the area of expansion or addition only.
 - c. Subsection 19.508.4.C Exterior Building Materials, For Existing Buildings, only for the area of the expansion.
 - d. Subsection 19.508.4.D Façade Transparency and Activation, only for the area of expansion or addition.
 - e. Subsection 19.508.4.E Building Entrances, if the addition or expansion includes a building entry.
 - f. Subsection 19.508.4.F Windows, only for the area of expansion or addition.
 - ~~b.g.~~ Subsection 19.508.4.BG Corners, if applicable.
 - ~~e.h.~~ Subsection 19.508.4.GI Weather Protection, if the addition or expansion includes a building entry.
 - ~~d.~~ Subsection 19.508.4.D.3 Exterior Building Materials, For Existing Development, only for the area of the expansion.
 - ~~e.~~ Subsection 19.508.4.E Windows and Doors, only for the area of expansion or addition.
 - f.i. Subsection 19.508.4.FJ Roofs and Rooftop Equipment Screening, for expansions that include an additional floor, a new roof, and/or new rooftop equipment.
 - g.j. Subsection 19.508.4.GL Resident Open Space/Plazas.
 - k. Subsection 19.508.4.M Plazas and Usable Open Space.
 - l. Subsection 19.508.4.N Outdoor and Exterior Building Lighting, if the addition or expansion includes lighting.

C. Replacement of Materials

The following elements are applicable for work that would replace any of the façade materials on a building or change elements of the façade such as windows, doors, awnings, canopies, and other structural elements. The element applies only to the portion of the façade on which the new materials are installed or the structural element being replaced.

1. ~~Subsection 19.508.4.A.2.a(1)(b)~~ B.2.a(1) for replacement of more than 25% of the building façade materials.
2. ~~Subsection 19.508.4.A.2.a(2)(b)~~ B.2.a(2) for replacement of more than 25% of the building façade materials.
3. ~~Subsection 19.508.4.A.2.b~~ B.2.b, for replacement of more than 25% of the building façade materials.

4. Subsection 19.508.4.~~D.3~~-C.2.b for existing development.

D. Other Activities

Any activity not described in Subsections 19.508.2.A-C is exempt from the design ~~standards elements~~ of this section.

19.508.3 Review Process

Design standards and guidelines for development in downtown Milwaukie are applied through downtown design review as established in Section 19.907. Projects subject to downtown design review are described in the applicability language in Subsection 19.907.2.

For those projects that are subject to downtown design review, ~~there are three possible review paths. Regardless of the review process,~~ the applicant must demonstrate how the applicable standards or guidelines are being met.

A. Applicants may elect to meet all of the applicable design standards for each design element in Section 19.508.4. Such projects can be reviewed through an administrative Type I downtown design review as established in Section 19.907.

B. Applicants that do not meet all of the applicable design standards may demonstrate compliance with individual design elements by meeting either the design standards or the design guidelines for a specific element. Such projects must be reviewed through a discretionary Type II or III downtown design review as established in Section 19.907.

~~A. Type I~~

~~This provides for a Type I review process using clear and quantifiable design standards. It is intended to apply limited design standards to smaller building and site renovation projects.~~

~~B. Type II~~

~~This provides for a Type II process that requires staff review utilizing clear and quantifiable design standards. It generally applies to new development and renovation/remodeling projects.~~

~~C. Type III~~

~~This provides for a discretionary Type III review process through which the Design and Landmarks Committee and Planning Commission determine substantial consistency with the Milwaukie Downtown Design Guidelines document. The discretionary process uses design guidelines that are more discretionary in nature and are intended to provide the applicant with more design flexibility.~~

~~Designing a project to meet the quantifiable design and development standards would result in an administrative (Type I or II) review process. However, applicants, at their discretion, may choose to use the Type III process with the Design and Landmarks Committee and Planning Commission.~~

19.508.4 Building Downtown Design Standards Elements

All ~~buildings development~~ that meets the applicability provisions in Subsection 19.508.2 ~~shall must~~ meet the following design standards or guidelines for each design element. An architectural design feature may be used to comply with more than one standard or guideline.

[The proposal is to repeal and replace the remainder of the existing MMC 19.508.4, so the ~~strikeout~~/underline format is not used throughout the rest of this subsection, for ease of review.]

A. Site Frontage

1. Purpose

To encourage building design and site placement that enlivens the public realm and streetscape through significant building presence along site frontages and active ground-floor uses.

2. Design Standards

a. Frontage Occupancy

- (1) Minimum frontage occupancy requirements are established for block faces identified in Figure 19.508.4.A.2.a.(1) and detailed in Table 19.508.4.A.2.a.(1). Frontage occupancy requirements are used in combination with the required build-to line of Subsection 19.508.4.A.2.b.

Figure 19.508.4.A.2.a.(1)
Minimum Frontage Occupancy

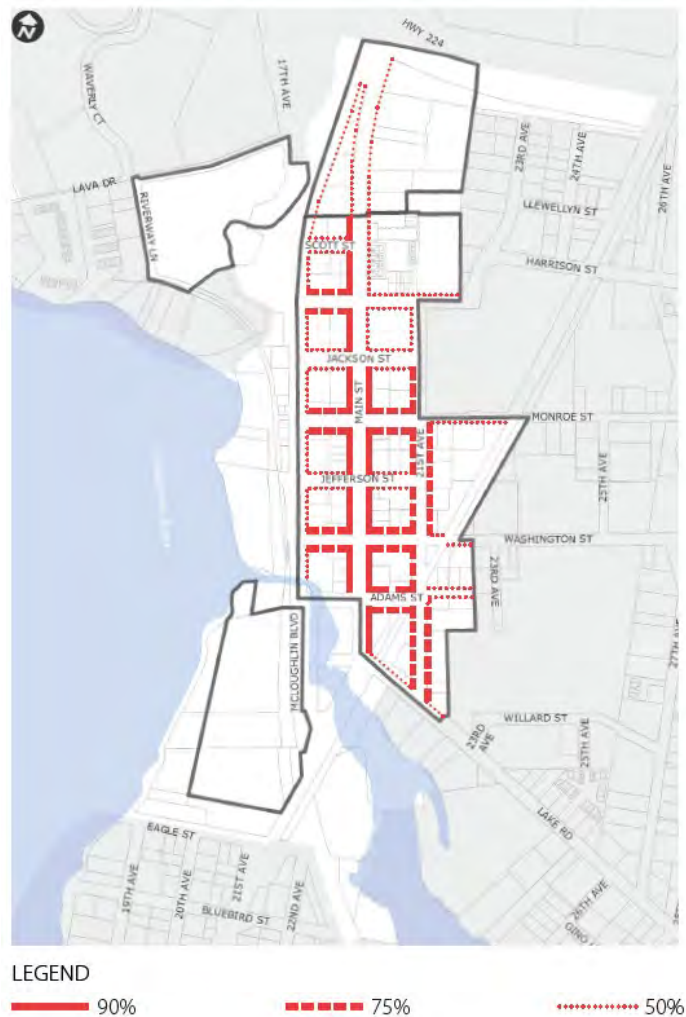
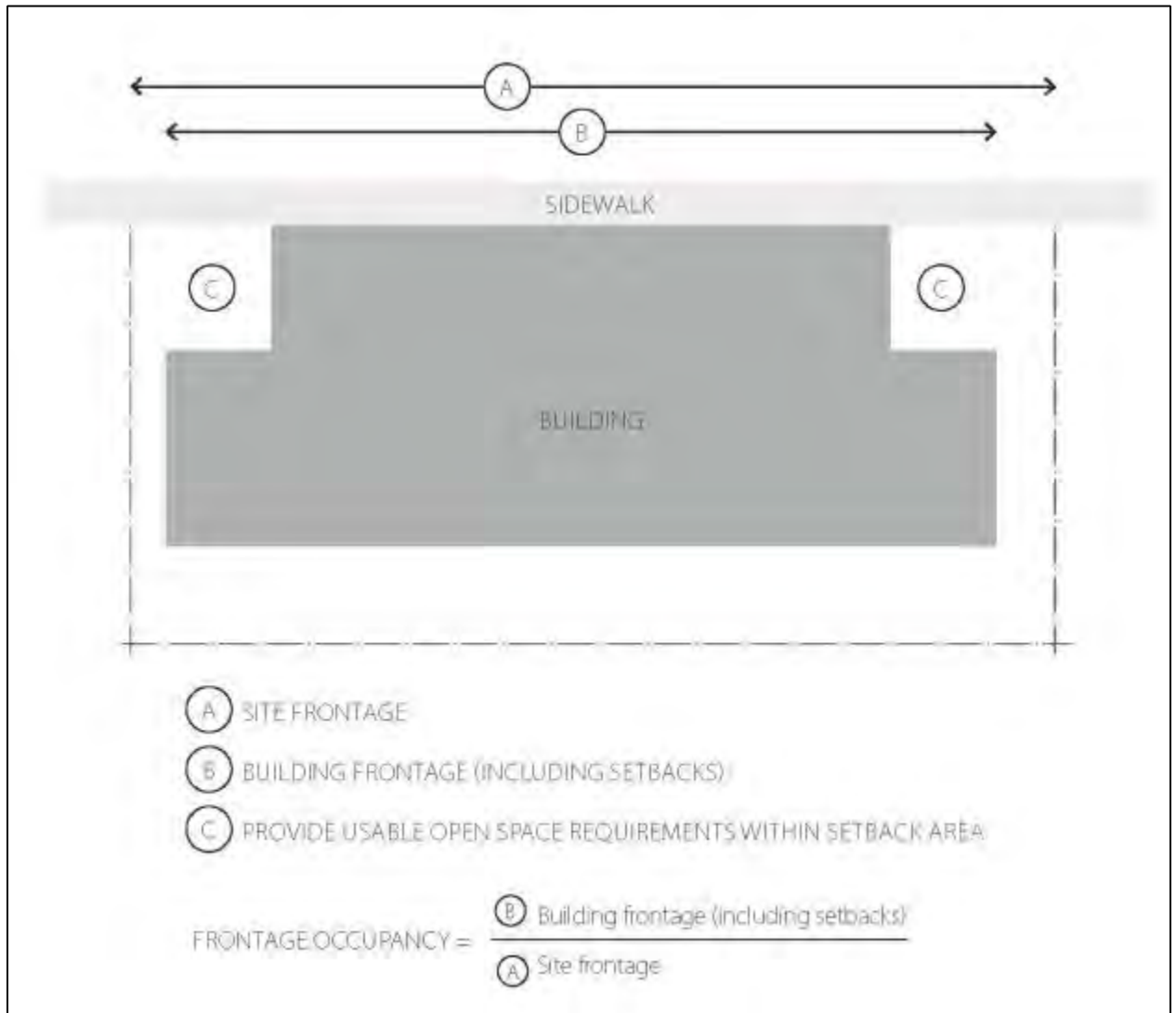


Table 19.508.4.A.2.a.(1) Minimum Frontage Occupancy Requirements		
Block Faces¹	Minimum Frontage Occupancy Requirement	Notes
Main Street	90%	If the development site has frontage on Main Street and another street, the frontage occupancy requirement must be met on Main Street only.
Secondary Streets (Harrison Street, Monroe Street, Washington Street, Adams Street, and 21 st Avenue)	75%	If the development site has frontage on one of the streets listed here and another street where neither frontage is on Main Street, the frontage occupancy requirement must be met on the streets listed here only.
Tertiary Streets (All others)	50%	

1. As illustrated in Figure 19.508.4.A.2.a, which controls in the instance of a conflict with the street names as listed here.

(2) Frontage occupancy is calculated as the building frontage divided by the site frontage, as illustrated in Figure 19.508.4.A.2.a.(2). The building frontage includes both portions of the building at the build-to line and portions of the building set back from the front lot line consistent with maximum setbacks, as specified in Subsection 19.508.4.A.2.b.

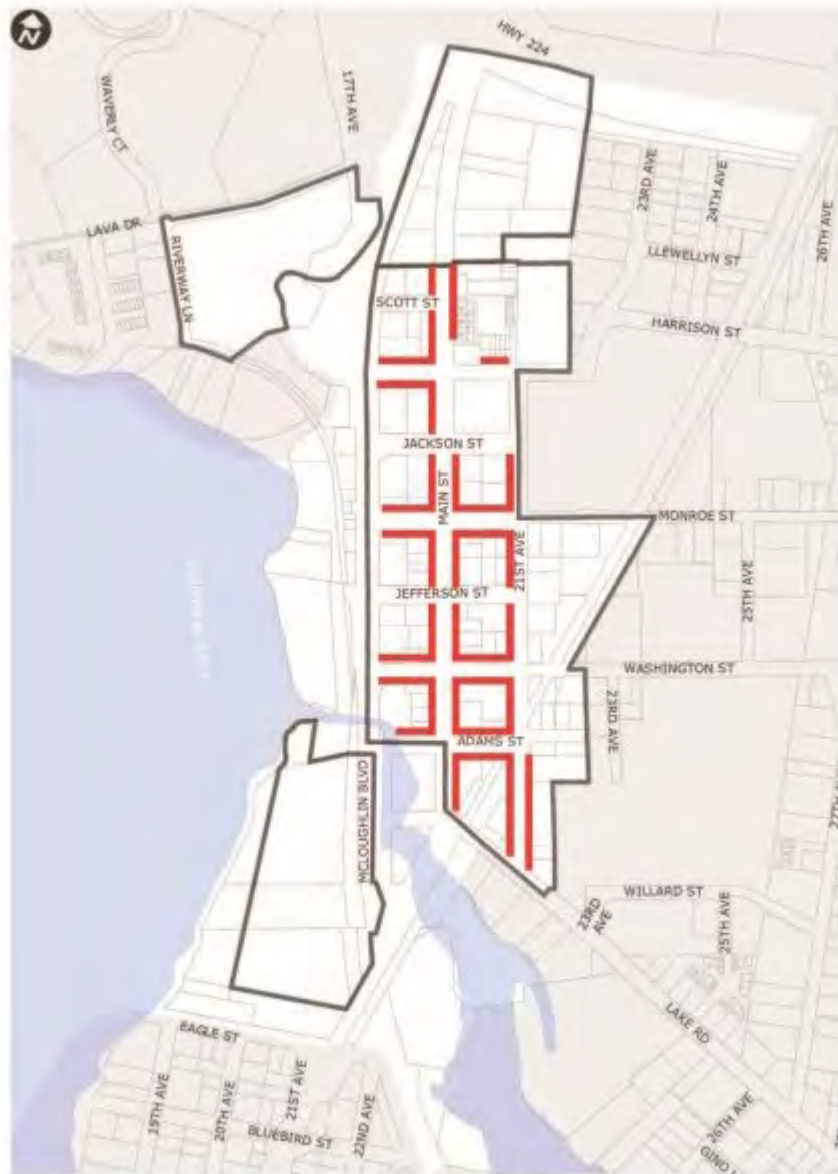
Figure 19.508.4.A.2.a.(2)
Frontage Occupancy Requirements



b. Build-To Lines / Street Setbacks

- (1) A build-to line as illustrated in in Figure 19.508.4.A.2.b.(1) must be met for those block faces identified in Figure 19.508.4.A.2.b as follows:

Figure 19.508.4.A.2.b
First-Floor Build-to Requirements

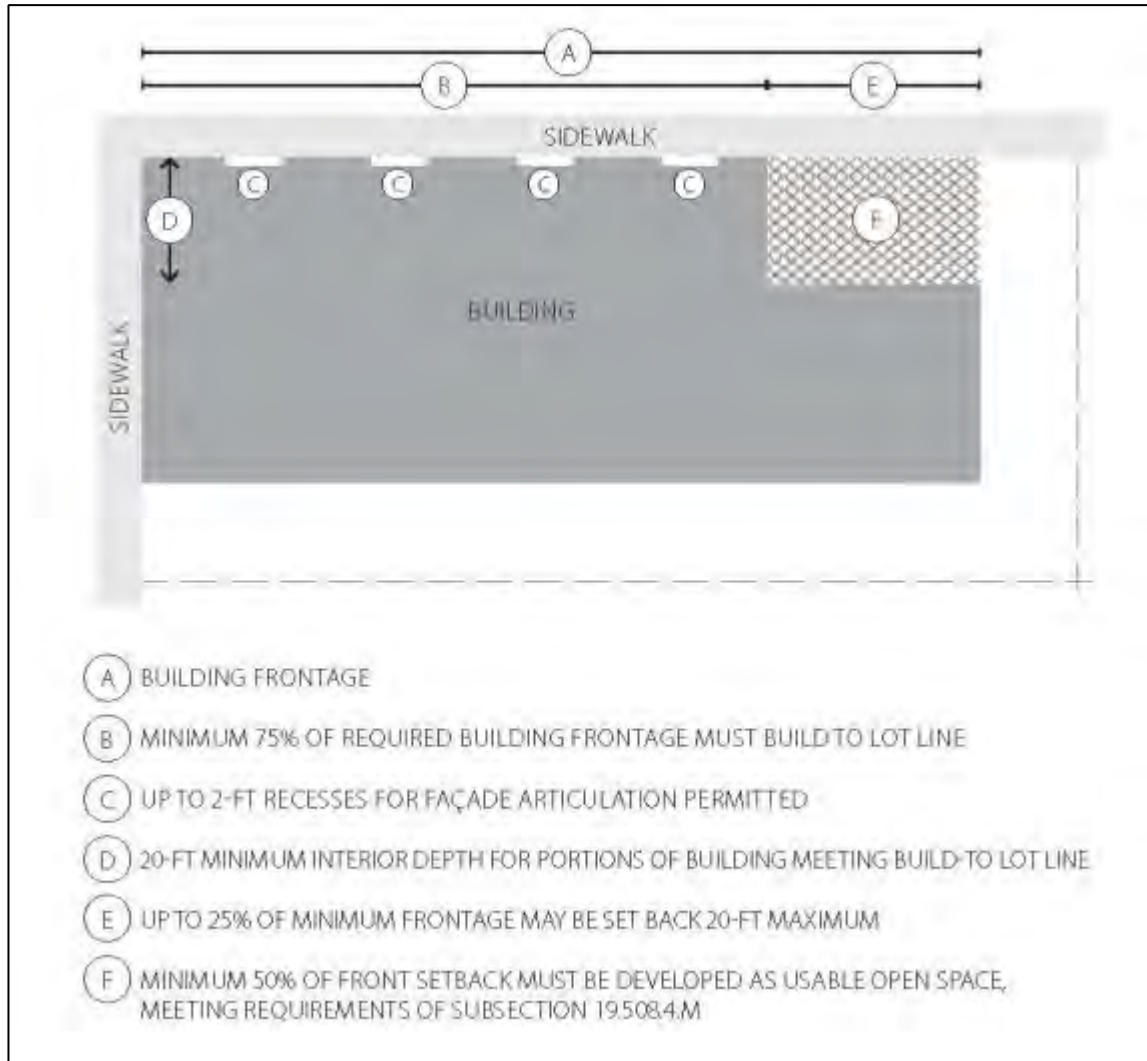


- (a) Of the minimum frontage occupancy required for the site per Subsection 19.508.4.A.2.a, a minimum of 75% of the building's first floor must be built to the front lot line with a zero-foot setback, or up to a 2-ft setback for recesses in the building façade incorporated to comply with façade articulation requirements.
- (b) The portions of the building used to meet the build-to-line requirement must have an interior depth of at least 20 ft.

- (c) The remaining 25% of the first floor used to meet the build-to-line requirement may be set back from the front lot line a maximum of 20 ft. At least 50% of any front setback area must be developed as usable open space, such as a plaza or pedestrian amenities, that meets the requirements of Subsection 19.508.4.M.2.

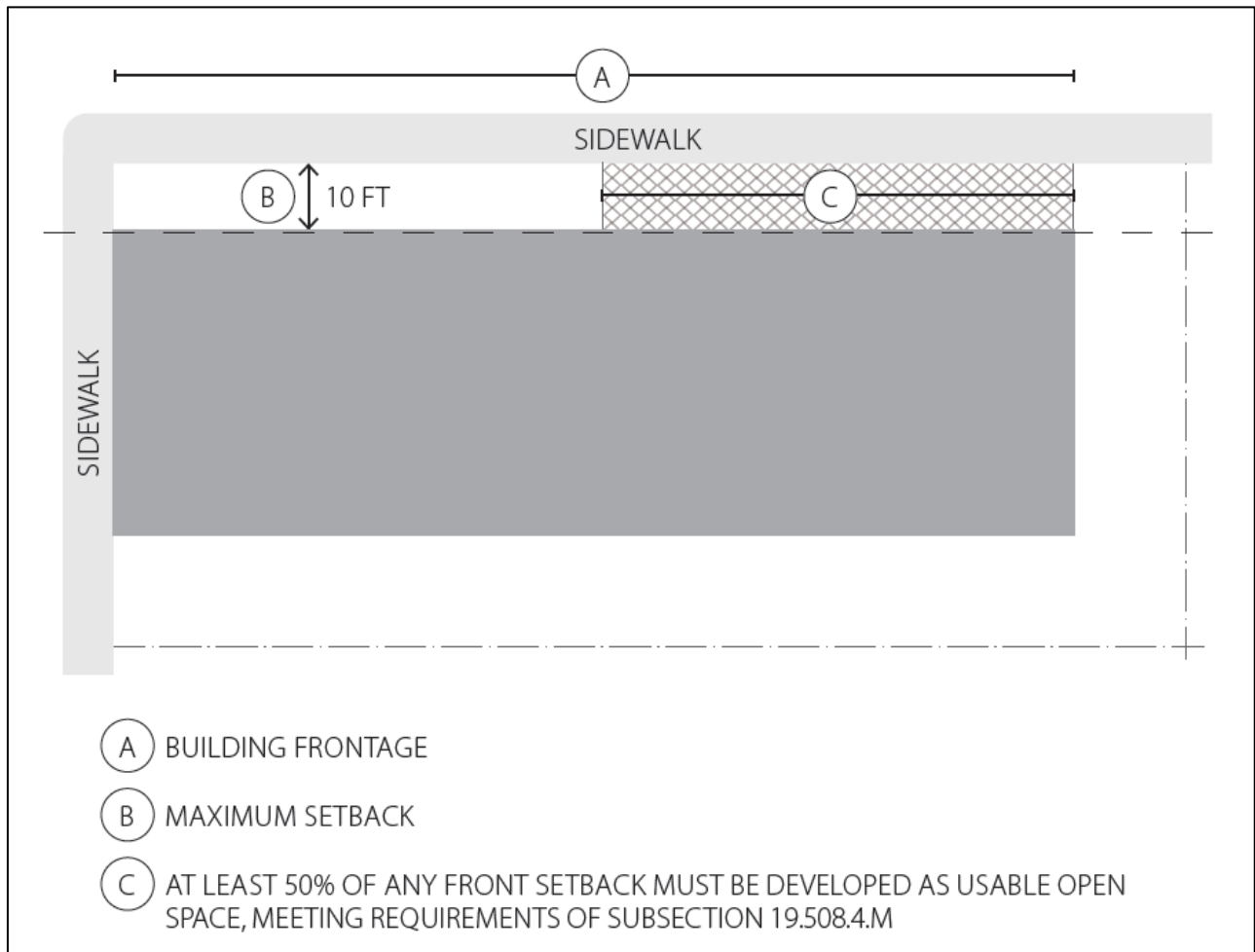
Figure 19.508.4.A.2.b.(1)

First-Floor Build-To Lines



- (2) For other block faces, there is no build-to-line requirement and the maximum setback is 10 ft. At least 50% of any front setback area must be developed as usable open space, such as a plaza or pedestrian amenities, that meets the requirements of 19.508.4.M.2. (See Figure 19.508.4.A.2.b.(2).)

Figure 19.508.4.A.2.b.(2)
Maximum Setbacks



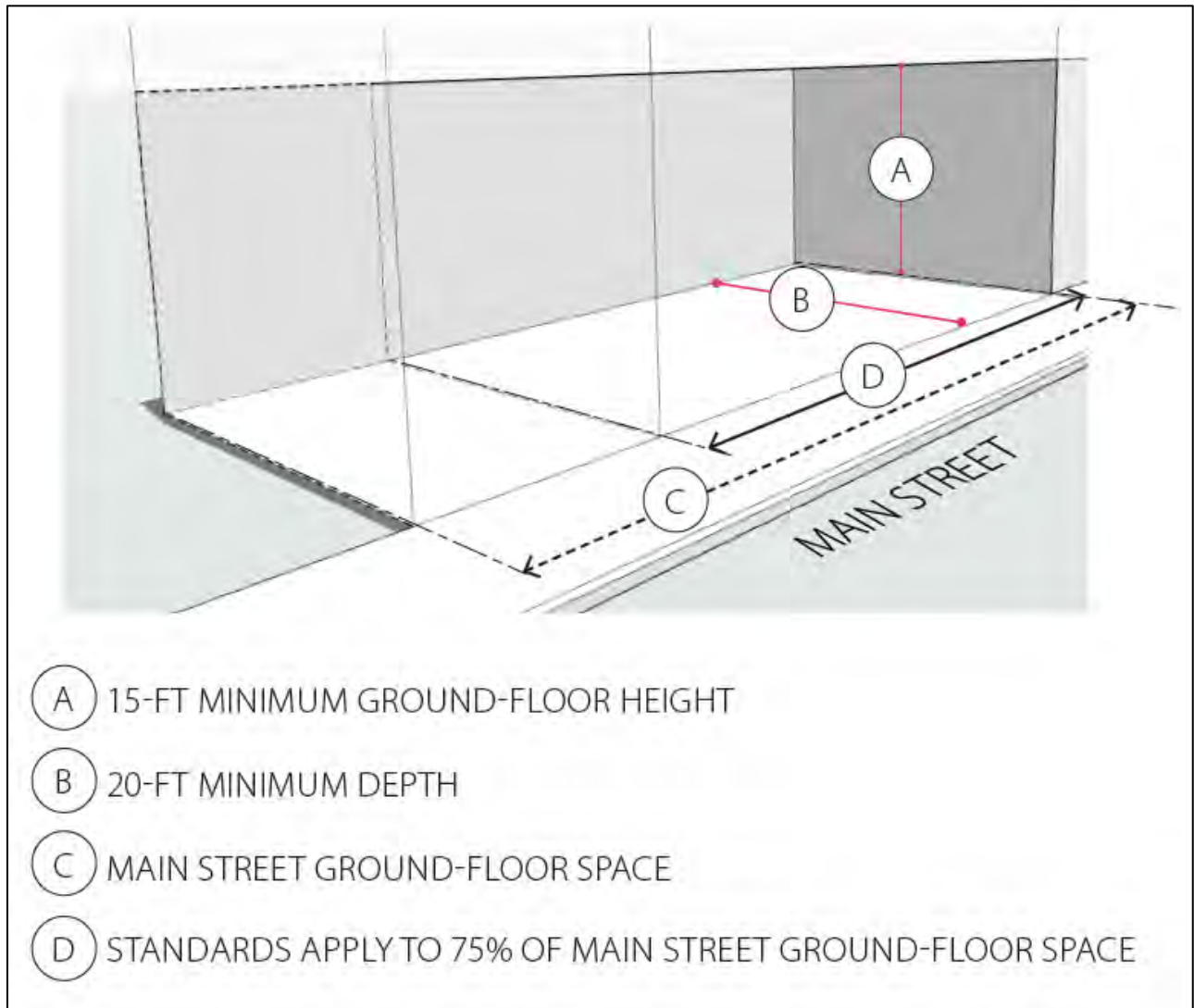
(3) The Downtown Mixed Use (DMU) zone is exempt from the clear vision area requirements of Chapter 12.24, with the exception of driveway and street intersections with McLoughlin Boulevard.

c. Active Ground-Floor Space

For new buildings fronting Main Street, excluding ground-floor residential, the following standards must be met as illustrated in Figure 19.508.4.A.2.c:

- (1) At least 75% of the ground-floor height must be at least 15 ft, as measured from the finished floor to the ceiling, or from the finished floor to the bottom of the structure above (as in a multistory building). The bottom of the structure above is the lowest portion of the structure and includes supporting beams.
- (2) At least 75% of the interior floor area adjacent to Main Street must be at least 20 ft deep, as measured from the inside building wall or windows facing Main Street.

Figure 19.508.4.A.2.c
Active Ground-Floor Space Standards



3. Design Guidelines

- a. A strong and high-percentage presence of buildings on the site edge, and spacious active ground-floor spaces and uses should be provided to create a continuous building frontage on the street to create compatibility and harmony between buildings and to encourage pedestrian activities. Building placement along the street should contribute to a continuous street wall that integrates storefront opportunities and architectural interest along the street, and should bring buildings up to the sidewalk for pedestrian interest. The amount of building presence should be scaled to the uses and intensity of the street.
- b. Where buildings are set back from the property line and sidewalk, the setback distance should be minimized and plazas and open space should be located between the building and sidewalk edge, helping to enliven the street edge and

pedestrian realm. The plaza and open space area should incorporate pedestrian-scale features consistent with guidelines in Subsection 19.508.4.M.

- c. Ground floors of commercial, public, and mixed-use buildings should be flexible and offer ample space for active uses serving occupants and visitors, such as retail, service, or food service. The amount of active ground-floor space should be scaled to match the uses and intensity of the street, with the greatest amount in new buildings along Main Street. High ground-floor heights and adequate depths should provide flexible interior spaces for active uses.

B. Wall Structure and Building Façade Detail

1. Purpose

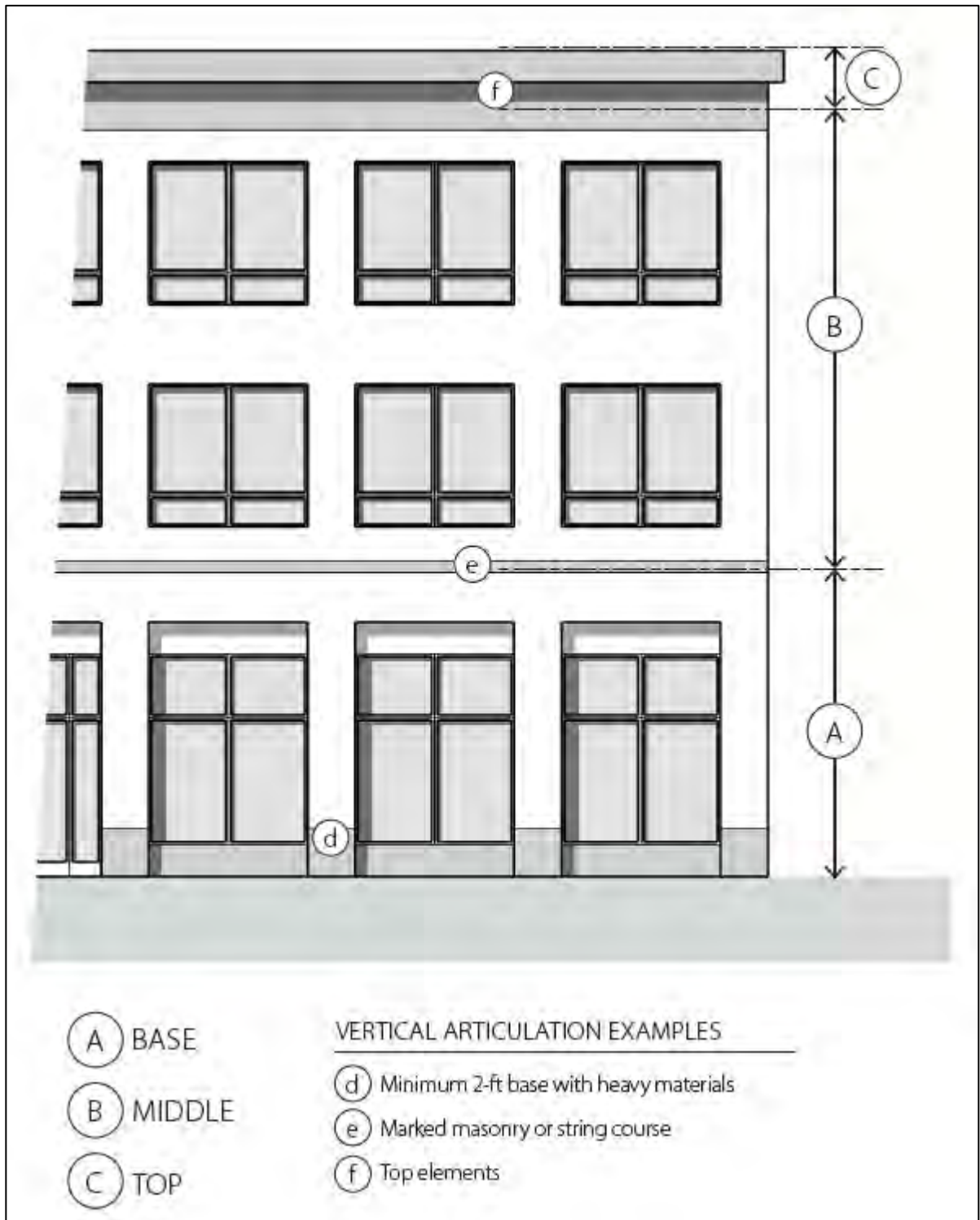
To add visual interest to buildings and enhance the street environment with engaging and varied wall structures. Use design features and details to break down the scale and mass of a building to create comfortable, pedestrian-friendly environments and enclosure to public areas.

2. Design Standards

a. Vertical Articulation

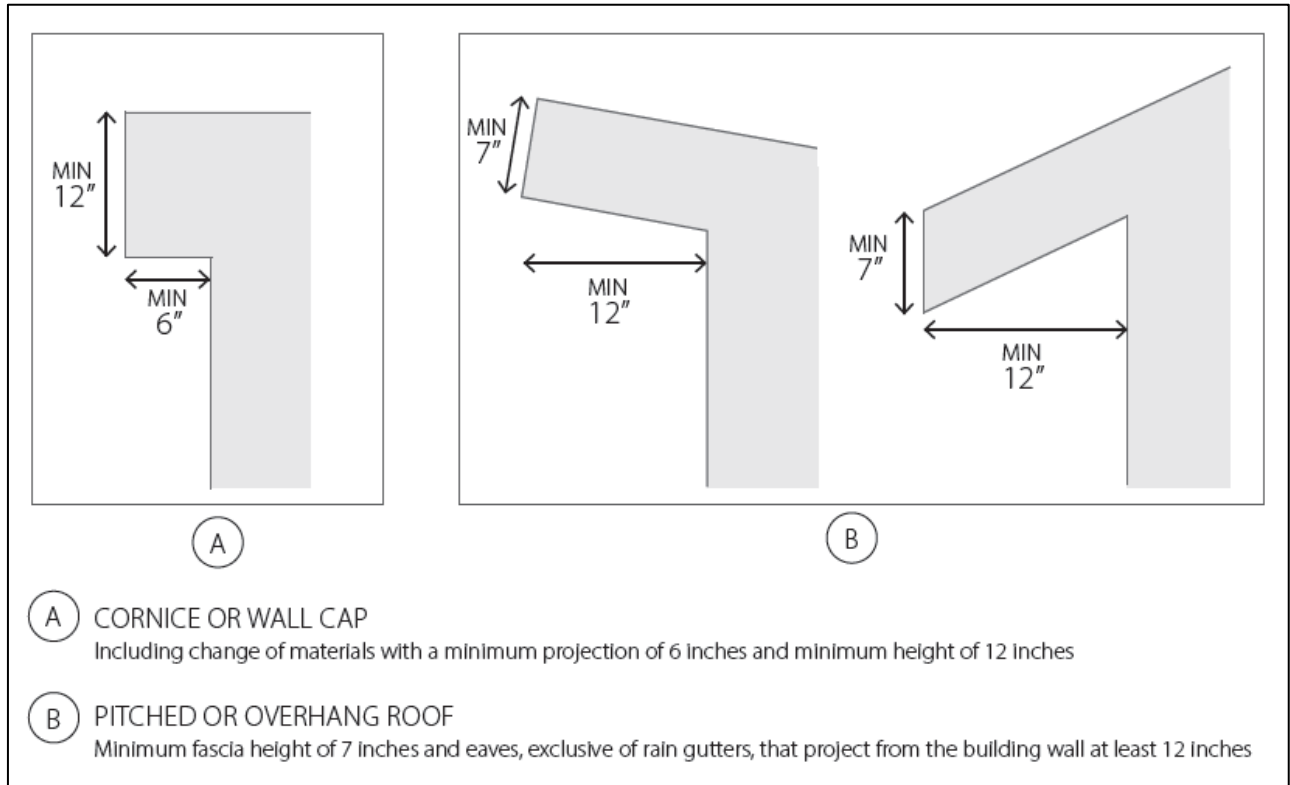
Buildings of two stories and above must be divided vertically to create a defined base, middle, and top by incorporating the following elements as shown in Figure 19.508.4.B.2.a:

Figure 19.508.4.B.2.a
Vertical Articulation Features



- (1) Base. The base of the building extends between the sidewalk and the top of the ground floor or the belt course/string course that separates the ground floor from the middle of the building. A minimum of the first 2 ft above finished grade of the ground-floor street-facing façade must be constructed of brick, stone, or concrete, excluding windows, entrances, and garage openings. The remainder of the base must meet the exterior building materials standards in Subsection 19.508.4.C.
- (2) Middle. The middle of the building between the top of the ground floor and top of the highest floor must incorporate at least one of the following elements:
 - (a) A change in exterior building materials and/or material color between the ground floor and upper floors.
 - (b) Street-facing balconies or decks at least 2 ft deep and 4 ft wide for at least 25% of the length of the building façade.
 - (c) Horizontal architectural elements such as masonry string courses, ledges, and water tables at least 8 in tall that project or recess at least 1 in from the building face and extend across a minimum of 75% of the façade length.
- (3) Top. The top of the building extends from the ceiling of the uppermost floor to the highest vertical point on the roof of the building. The building top must be distinguished from the building facades by one of the following (see Figure 19.508.4.B.2.a.(3)):

Figure 19.508.4.B.2.a.(3)
Façade Top Details



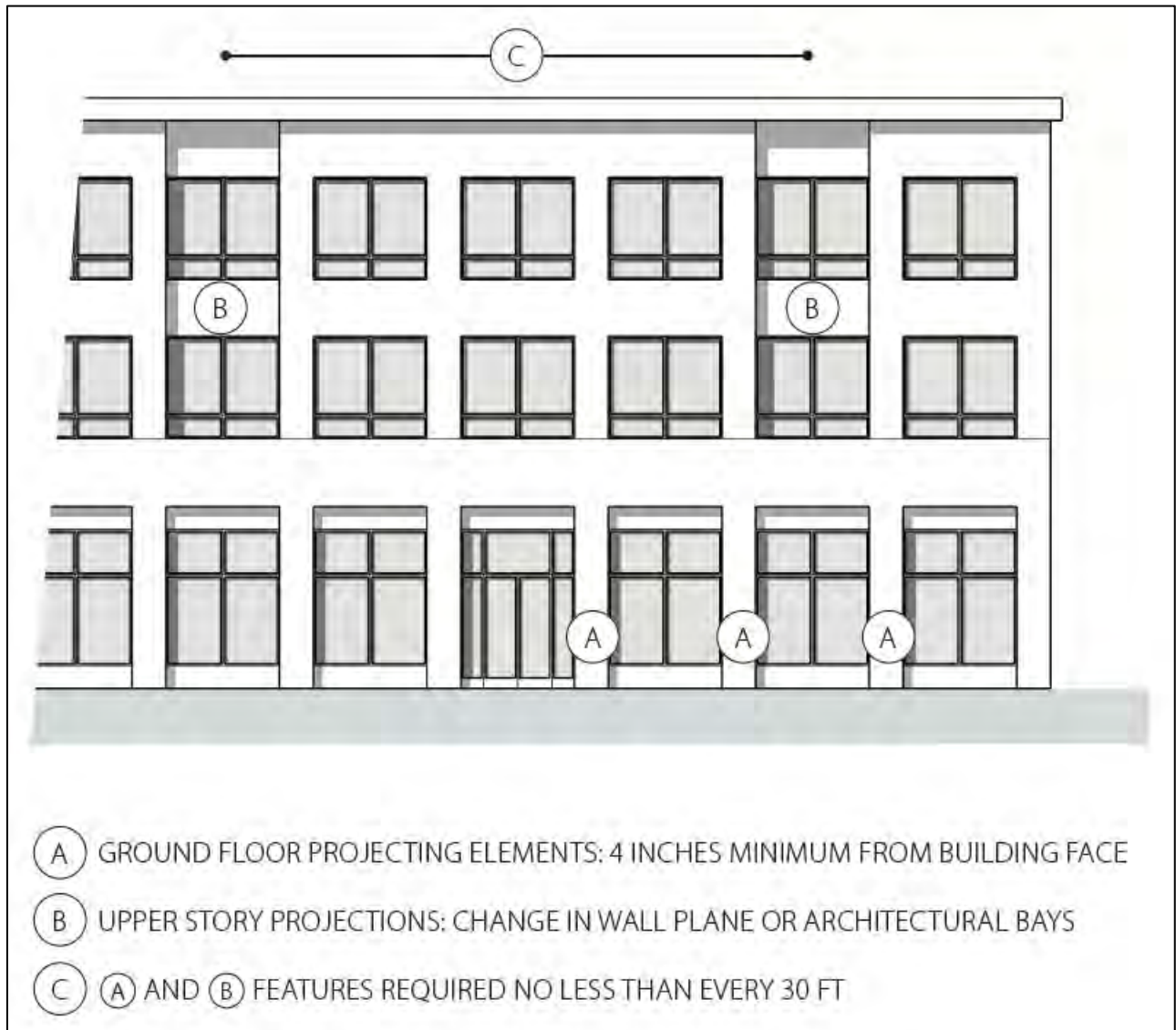
- (a) Cornice or wall cap including a change of materials with a minimum projection of 6 in and minimum height of 12 in.
- (b) A pitched or overhang roof with a minimum fascia height of 7 in and eaves, exclusive of rain gutters, that project from the building wall at least 12 in.

b. Horizontal Articulation

- (1) The street-facing façade must create a sense of rhythm and variation by incorporating the following as illustrated in Figure 19.508.4.B.2.b:
 - (a) The ground floor façade must include columns, piers, pilasters or revealed structural elements projecting a minimum of 4 in from the building face no less than every 30 ft.
 - (b) The upper story façade must include one of the following no less than every 30 ft:
 - (1) A change in wall plane of not less than 2 ft deep and 2 ft wide. Breaks may include but are not limited to an offset, recess, window reveal, pilaster, pediment, coursing, column or similar architectural feature.
 - (2) Architectural bays at least 6 ft wide projecting 4 inches or more from the building face, with windows covering at least 50% of the projected wall area.

- (c) As an alternative to complying with (a) and (b) separately, features meeting the requirements of either (a) or (b) may be extended vertically across all stories.
- (2) Horizontal datum lines—such as belt lines, cornices, or upper-floor windows—must line up with adjacent facades if applicable.

Figure 19.508.4.B.2.b
Horizontal Articulation Details



3. Design Guidelines

- a. Street-facing façades should engage the street, achieving a distinct and high-quality treatment that contributes to the downtown as the center of the community.

- b. Building façades should create a sense of coherence through holistic and human-scale design. They should be designed with vertical divisions such as a tripartite façade of base, middle, and top, and horizontal design elements that reference traditional storefront widths and create a sense of rhythm, or an alternative design of vertical and horizontal elements that bring a human scale to the space of the street. Such vertical and horizontal architectural elements should create a coherent pattern and visual interest at a pedestrian scale, particularly for larger buildings.
- c. Buildings should avoid blank wall faces on street-facing façades, particularly on ground floors and building corners at street intersections.
- d. Building façades should integrate façade articulation techniques to add visual interest to the built environment and clearly demarcate areas of visual interest, highlighting entries or displays.
- e. Massing should be purposeful and cohesive, boldly showing depth and/or visual lightness to enrich the pedestrian zone, integrating façade articulation techniques to reduce the perceived scale of larger buildings.

C. Exterior Building Materials

1. Purpose

To encourage the use of high-quality building materials that highlight architectural elements, create a sense of permanence, are compatible with downtown Milwaukie and the surrounding built and natural environment, and activate the building around the pedestrian realm.

2. Design Standards

Table 19.508.4.C.2 specifies the primary, secondary, accent, and prohibited material types referenced in this standard.

Table 19.508.4.C Exterior Building Materials for Street-Facing Façades		
	Allowed Status of Material P = Primary S = Secondary A = Accent R = Review needed X = Prohibited	
Material Type	Ground Floor (First story down to sidewalk grade)	Upper Floors
Brick or brick veneer	P	P
Architectural concrete block or veneer	P	S
Architectural treated poured in place concrete	P	S
Tilt-up concrete walls (finished)	P	P
Pre-cast concrete	P	P
Stone veneer (natural or manufactured)	A-R	A-R
Stucco (topcoat with sand finish)	P	P

Exterior insulation finishing system (EIFS) or other synthetic stucco panels	P-R	P-R
Metal siding = Finished metal panels (e.g., anodized aluminum, stainless steel, copper) featuring a polished, brushed, or patina finish	P	P
Composite wall panels	P	P
Ceramic tile	A	S
Finished natural wood siding and composite wood siding	A	A
Fiber-reinforced cement siding and panels (5/16-in or thicker)	A	P
Through color reinforced cement siding and panels	A	S
Glazing (refer to Façade Transparency element)	P	P
Vinyl siding	X	X
Plywood paneling	X	X
Plastic or vinyl fencing	X	X
Chain-link fencing	X	X

a. New Buildings

The following standards are applicable to the street-facing façades of all new buildings, as well as façades facing plazas and/or open spaces.

(1) Façade coverage

(a) Table 19.508.4.C.2.a.(1) establishes façade coverage requirements.

Table 19.508.4.C.2.a.(1) Façade Coverage Materials Requirements			
Façade Type	Primary Materials (Minimum)	Secondary Materials (Maximum)	Accent Materials (Maximum)
Ground-floor façades	90%	n/a	10%
Upper-floor façades	65%	35%	10%

(b) The use of the following materials requires a Director’s Determination consistent with Section 19.903. The Planning Manager must consult with Design and Landmarks Commission in making the determination, and the applicant must provide materials specifications and proposed installation details to inform the determination.

i. Materials permitted as review uses in Table 19.508.4.C.

ii. Materials similar to the primary, secondary, and accent materials listed in Table 19.508.4.C.

(c) Materials prohibited in Table 19.508.4.C may not be used on any exterior wall, whether or not it is a street-facing façade.

(2) Ground-floor or street-level materials must wrap around to the non-street-facing façade of the building to minimum depth of 10 ft or to the edge of the abutting building, whichever is less.

- b. Existing Buildings
 - (1) Street-facing façade modifications that affect more than 50% of the existing façade area must comply with standards of Subsection 19.508.4.C.2.a for the modified portion of the façade.
 - (2) Building expansions or additions that add street-facing façade area greater than 25% of the existing façade area, as measured in square feet, or 500 sq ft of façade area, whichever is less, must meet the standards of Subsection 19.508.4.C.2.a for the façade of the building expansion or addition.
- 3. Design Guidelines
 - a. Exterior materials and finishes should be durable, long-lasting, and low-maintenance and create a sense of permanence and high quality.
 - b. Exterior materials for street-facing façades should include a palette that is visually interesting, coherent, compatible, related to its place, and observant of environmental elements of our region.
 - c. Ground-floor materials should consist primarily of a simple palette of long-lasting materials such as brick, stone, or concrete to create a sense of groundedness.
 - d. Upper-floor materials should be attractive and compatible with the dominant materials and colors used on ground-floor facades of the building. Upper-floor materials should not overwhelm ground floor materials.
 - e. Street-facing façade materials should be wrapped around the edge to non-street facing façades to create a seamless appearance.
 - f. For renovations to existing development, new and existing materials should create a unified appearance.

D. Façade Transparency and Activation

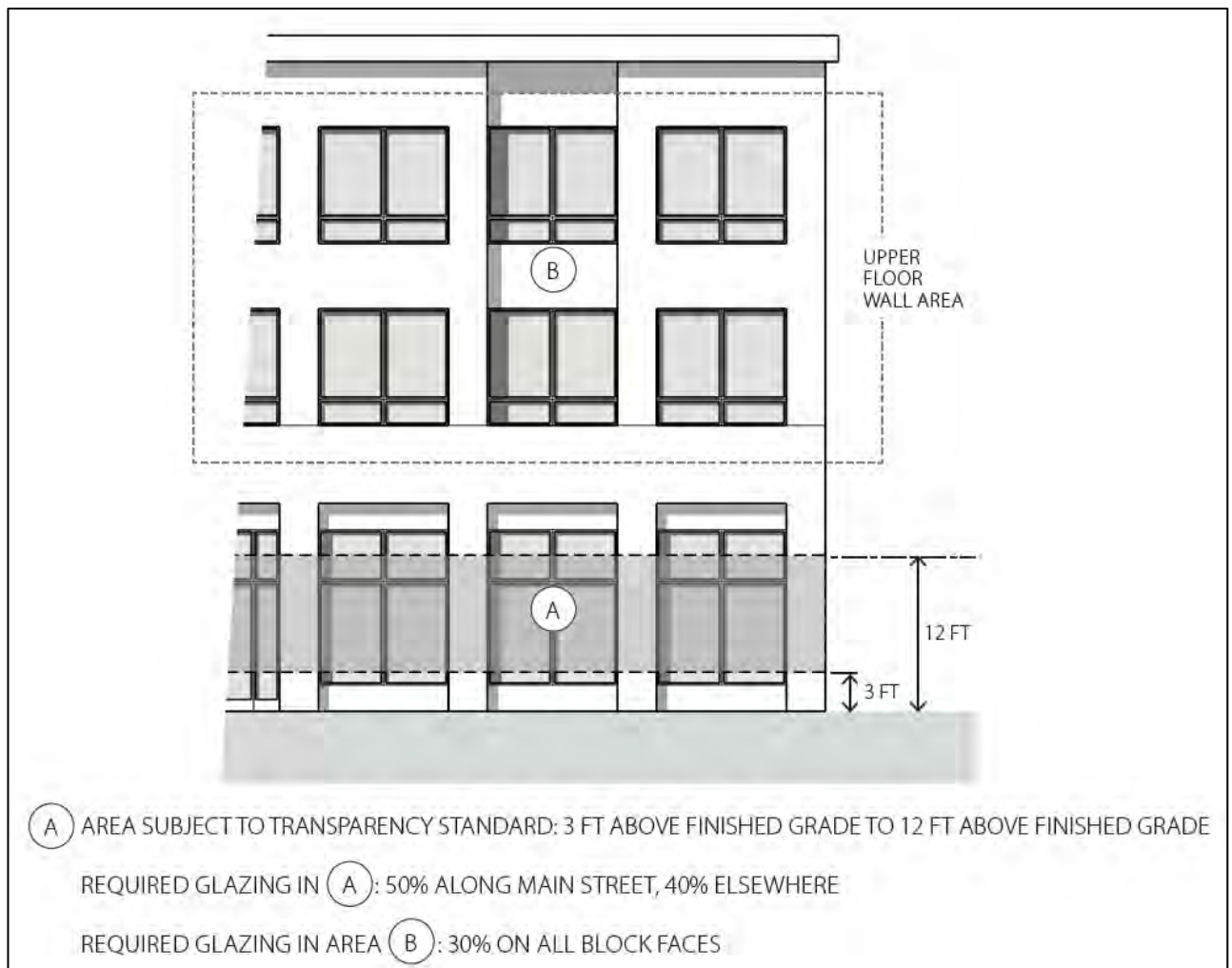
- 1. Purpose

To activate building interiors and exteriors by ensuring transparency through the building, allowing for daylighting of ground-floor commercial and public uses of buildings, and promoting a safe and vibrant pedestrian environment through visual and physical connections between interior and exterior spaces. To limit blank walls and promote alternatives to glazing where needed to activate façades and engage pedestrians viewing building exteriors.
- 2. Design Standards
 - a. Transparency must be created through glazing, defined here as windows and the glazed portions of doors.
 - b. Nonresidential and Mixed-Use Buildings
 - (1) Ground Floor
 - (a) Along Main Street, a minimum of 50% of the ground-floor street-facing wall area must consist of glazing.
 - (b) For all other block faces, a minimum of 40% of the ground-floor street-facing wall area must consist of glazing.

- (c) The ground-floor street-facing wall area is defined as the area from 3 ft above finished grade to 12 ft above finished grade or to the bottom of the ceiling joists or, where there is no ceiling, to the bottom of the roof rafters of the space fronting the street, whichever is less.
- (2) Upper Floors
- Along all block faces, the following standards are applicable on street-facing upper-floor building façades:
- (a) The wall area of street-facing upper floors must include a minimum of 30% glazing.
 - (b) The required street-facing upper-floor glazing does not apply to floors where sloped roofs and dormer windows are used.

See Figure 19.508.4.D.2.b for an illustration of these standards.

Figure 19.508.4.D.2.b
Glazing Standards for Nonresidential and Mixed-Use Buildings



- (3) Street-facing blank walls that contain no glazing are limited to 450 sq ft or 30 linear ft, whichever is less. In instances where a blank wall exceeds 450 sq ft or 30 linear ft, at least one of the following techniques must be employed in addition to the horizontal articulation requirements of Subsection 19.508.4.B.2.a.(2):
 - (a) Provide a landscaped planting bed(s) with plant materials capable of obscuring or screening at least 50% of the blank wall's surface area within three years.
 - (b) Provide a public art mural or original art mural, as defined in Section 20.04.020, over at least 50% of the blank wall surface.
- (4) Blank walls on façades that are not street-facing must also employ one or more of the techniques in Subsections 19.508.4.D.2.(3)(a) and (b) if they meet any of the following criteria:
 - (a) Ground-floor blank walls that exceed 450 sq ft or 30 linear ft, whichever is less, without glazing, that are visible from an adjacent public street. A side or rear façade is considered visible if there is no intervening building, wall, fence, or landscaping with a ground-floor wall area equal to at least 50% of the ground-floor wall area of the subject building between the subject façade and the adjacent public street. Ground-floor wall area is defined as the area from finished grade to 12 ft above finished grade or to the bottom of the ceiling joists or, where there is no ceiling, to the bottom of the roof rafters, whichever is less.
 - (b) Upper-floor blank walls that exceed 750 sq ft or 50 linear ft, whichever is less, without glazing, that face, or are within 45 degrees of, a shared property line where the abutting lot has no building taller than 25 ft between the subject façade and an adjacent public street.
 - (c) Blank walls on façades facing, or within 45 degrees of, on-site pedestrian walkways, that exceed 450 sq ft or 30 linear ft, whichever is less, without glazing.
 - (d) A blank wall spanning both the ground floor and upper floors may provide a unified landscaping or mural treatment meeting the requirements of Subsections 19.508.4.D.2.(3)(a) and (b).

c. Residential-Only Buildings

- (1) Twenty-five percent (25%) of the total street-facing façade for all floors must consist of glazing.
- (2) Street-facing blank walls that contain no glazing are limited to 450 sq ft or 30 linear ft. In instances where a blank wall exceeds 450 sq ft or 30 linear ft, at least one of the following techniques must be employed:
 - (a) Articulate the wall with projections or recesses consistent with Subsection 19.508.4.B.2.a.(2).

- (b) Provide a landscaped planting bed or raised planter bed at least 3 ft wide in front of the wall, with plant materials that obscure or screen at least 50% of the wall's surface within three years.
 - (c) Provide artwork (mosaic, mural, sculpture, relief, etc.) over at least 50% of the blank wall surface.
- (3) Façades that are not street-facing are subject to the blank wall standards of Subsection 19.508.4.D.2.b.(4).

3. Design Guidelines

- a. Design street-facing nonresidential and mixed-use ground floors with a high percentage of glazing to create transparency and engagement at the pedestrian eye level.
- b. Design nonresidential and mixed-use street-facing upper floors with sufficient glazing coverage to create visual interest along the façade and access to views, light, and air for building inhabitants.
- c. Design residential street-facing façade glazing coverage to balance transparency and privacy for residents.
- d. Arrange glazing to provide balanced coverage of the façade and limit blank walls on both street-facing and street-visible façades. If blank walls are proposed, use alternatives to glazing such as artwork, murals, vertical landscaping, and changes in materials or articulation to create visual interest.
- e. Design window and doors to maximize transparency and flexibility for ongoing use and adaptation that can be integrate into planned and future building uses and operations, considering such future treatments as shades, curtains, security fencing, and product shelving near windows or doors.

E. Building Entrances

1. Purpose

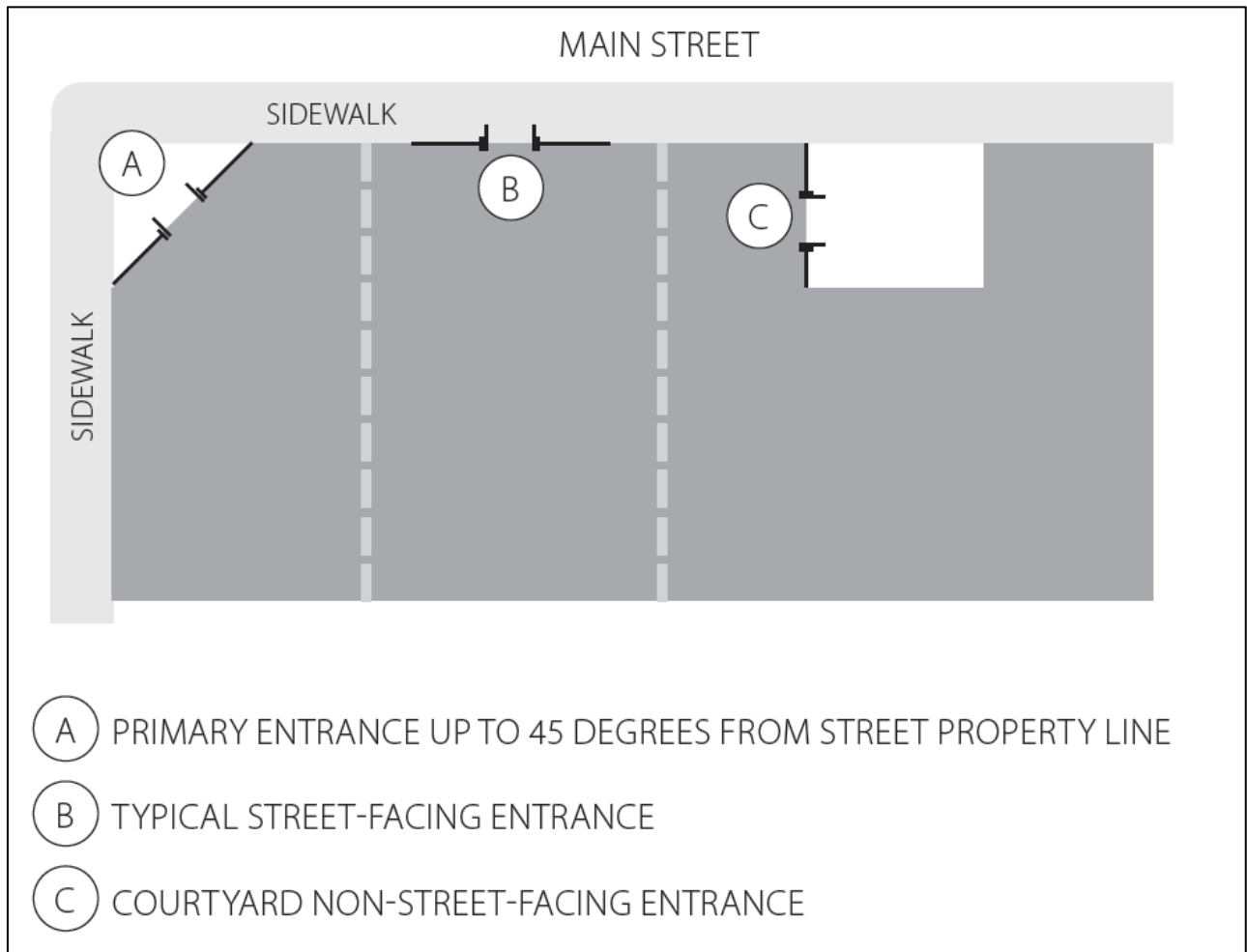
To create pedestrian-friendly development by providing building entrances that are oriented to the sidewalk or other public space and connected with clearly marked pedestrian walkways.

2. Design Standards

- a. All new buildings must have at least one primary entrance facing an abutting street. For purposes of this standard, “facing” means within 45 degrees of the street property line.
- b. For lots with frontage along more than one street, including multiple lots under common ownership being developed as a single site, the primary entrance must be located as follows:
 - (1) For lots with one frontage along a transit street, the primary entrance must be oriented to the transit street with the exception of Subsection 19.508.4.E.2.c.
 - (2) For lots with frontage along two transit streets, the primary entrance must be oriented to the street with higher-frequency transit service or the corner of the two streets.

- (3) For lots with frontage along Main Street, the primary entrance must be oriented to Main Street or the corner of the two streets, even if the other frontage is along a transit street.
- (4) For lots without frontage on Main Street or a transit street, the primary entrance may be oriented to either street.
- c. Where a development contains multiple buildings or multiple individual storefronts or residential units and there is insufficient street frontage to meet the above entrance location standards for all buildings, storefronts, or residential units on the subject site, the primary entrances for each building, storefront, or residential unit may orient to a plaza, courtyard, or similar pedestrian space designed as usable open space meeting the standards of Subsection 19.508.4.M. When oriented this way, the primary entrances must be connected to the street by an on-site pedestrian walkway either directly or through a plaza, courtyard, or similar pedestrian space as shown in Figure 19.508.4.E.2.

Figure 19.508.4.E.2
Primary Entrance Locations



- d. For nonresidential and mixed-use buildings:
 - (1) Primary entrances for mixed-use and nonresidential buildings must be clearly defined and distinguished from other parts of the building by incorporating at least one of the following design elements:
 - (a) Recessed or projected entry.
 - (b) Entry surrounds such as arches, columns, insets, and design elements above and/or flanking the entrance.
 - (c) Transom windows above the entrance door.
 - (2) The glazed portions of doors for primary entrances must be 75% or more of the door area.
 - e. For residential-only buildings, primary entrances must:
 - (1) Incorporate one of the design elements in Subsection 19.508.4.E.2.d.(1) above;
or
 - (2) Incorporate a covered porch, stoop, or patio with a minimum depth of 4 ft that may be elevated from sidewalk grade by no more than 8 ft.
 - f. All entrances must be lighted consistent with Subsection 19.508.4.N.
3. Design Guidelines
- a. Entryways should be sited to provide access where the highest amount of pedestrian activity is planned and where the pedestrian experience is designed to be exceptional. Primary building entries should be located along the Main Street or transit street frontage, where present, or at the corner of two such frontages for corner lots, whenever possible. Primary entries should not be oriented towards parking lots and service areas.
 - b. Building entries should be designed as prominent architectural features that are clearly defined and demarcated. Entryways should integrate features such as scale, materials, glazing, projecting or recessed forms, architectural details, and color in entryway areas, along with accent features such as lighting and landscaping to set an entry apart.
 - c. Nonresidential doors should create a strong connection to the street through the use of techniques such as storefront doors and surrounding windows with a high percentage of glazing, double doors, and large glazed sectional doors.
 - d. Residential entryways should incorporate vertical and horizontal layering by including a comfortable change of grade or entry features such as porches, terraces, stoops, or covered landings to create a connection to the street while maintaining a respectful separation for resident privacy. Residential doors should be substantial enough to suggest privacy yet still express a welcoming sense of friendly contact for those who approach and enter.

F. Windows

1. Purpose

To integrate windows made of high-quality materials that are compatible with the building design to create visually interesting exterior façades and that function to create sufficient interior light and enhance connections between interior and exterior spaces.

2. Design Standards

a. General Standards

- (1) Window openings must provide shadowing by recessing windows 4 in into the façade and/or incorporating exterior trim of at least 4-in reveal and of a contrasting material or color.
- (2) The following materials are approved for new window frames:
 - (a) Anodized or painted aluminum windows
 - (b) Wood
 - (c) Fiberglass
 - (d) Alternatively, frameless window systems may be used.
- (3) The use of spandrel glass is limited to floor lines and parapets.
- (4) For modification and expansion of existing buildings, replacement windows must match existing windows with respect to materials and dimensions. Alternatively, landmarks subject to Section 19.403 must comply with Subsection 19.403.5.E.4.

b. Prohibited Window Elements

For all street-facing building windows, the following window elements are prohibited:

- (1) Opaque, reflective or mirrored glazing. Opaque glazing is allowed on non-Main-Street façades as necessary for privacy (such as for bathrooms).
- (2) Glazing tinted beyond energy code requirements.
- (3) Simulated divisions (internal or applied synthetic materials).

c. Window Placement and Proportion

- (1) For nonresidential ground-floor windows, the bottom edge of windows along pedestrian walkways must be an average of no less than 1 ft and an average of no more than 3 ft above the abutting finished grade.
- (2) For all windows on street-facing façades, each window must comply with at least one of the following to create a sense of pattern and compatible design:
 - (a) Window shares the same width or height as another window on the same façade.
 - (b) The top or bottom edge of the window aligns with the top or bottom edge of another window on the same façade.

- d. For modification and expansion of existing buildings, replacement windows must match existing windows with respect to materials and dimensions. Alternatively, landmarks subject to Section 19.403 must comply with Subsection 19.403.5.E.4.

3. Design Guidelines

- a. Window materials should be compatible with other primary wall and surface materials while providing a degree of contrast. Materials should be high quality and provide a high degree of transparency. Windows should provide shadowing through use of trim and/or recesses.
- b. Nonresidential uses should provide windows at the street level, inviting pedestrians in and providing views both in and out, maintaining transparency and visibility regardless of the time of day.
- c. Ground-floor street-facing nonresidential windows should engage with the street and connect indoor and outdoor spaces, such as through the use of operable, opening windows (e.g., sliding, pivoting, or articulating windows).
- d. Window groupings, proportions and orientation should create a sense of rhythm and pattern to provide architectural interest to the overall building composition.

G. Corners

1. Purpose

To create a strong architectural statement at street corners, provide opportunities for pedestrian-scale activity, establish visual landmarks, and enhance visual variety.

2. Design Standards

a. Nonresidential or Mixed-Use Buildings

On corner lots or development sites consisting of more than one lot under common ownership at the corner of two public streets—or at the corner of a street and a public area, park, or plaza—nonresidential or mixed-use buildings must incorporate at least two of the following features:

- (1) The primary entrance located within 5 ft of the corner of the building.
- (2) A lobby or retail space a minimum of 100 sq ft in floor area with 90% transparency on facing windows and entrances within 5 ft of the corner of the building.
- (3) A pedestrian canopy or marquee at least 10 ft long at the corner of the building.
- (4) A chamfered corner at least 10 ft wide with an entry on the chamfer, or a similarly dimensioned rounded or stepped corner.
- (5) Enhanced pedestrian amenities including at least two of the following three options adjacent to the public right-of-way: a minimum of 100 sq ft of special paving materials, a minimum of two pieces of street furniture such as a bench or garbage can, water fountain, and/or a minimum of 20 sq ft of landscaping or planters.
- (6) Only for corner lots with frontage along Main Street and either Harrison, Monroe, Washington or Adams Streets, a prominent architectural element including one of the following:
 - (a) Height modulation element such as tower, turret or cupola, defined as an architectural feature that projects a minimum of 5 ft and maximum of 10 ft above the surrounding building, with a minimum width of 8 ft, which has a

separate roof structure and is uniquely identifiable from the rest of the building. Such features are exempt from maximum height standards in 19.304.4.B provided they are not used for human occupancy.

- (b) Corner offset projecting at least 2 ft from the main façade and extending at least 10 linear ft on both sides of the corner, incorporating distinctive materials compared to the main facade and extending a minimum height of one story.
- (c) Corner inset from the building face by at least 8 ft on at least the first story and extending at least 10 linear ft on both sides of the corner, including a recessed entrance. A pedestrian canopy or marquee at least 10 ft long at the corner of the building. A chamfered corner at least 10 ft wide with an entry on the chamfer, or a similarly dimensioned rounded or stepped corner. Enhanced pedestrian amenities including at least two of the following three options adjacent to the public right-of-way: a minimum of 100 sq ft of special paving materials, a minimum of two pieces of street furniture such as a bench or garbage can, water fountain, and/or a minimum of 20 sq ft of landscaping or planters.

3. Design Guidelines

- a. For all nonresidential and mixed-use buildings at the corner of two public streets or at the corner of a street and a public area, park, or plaza, highlight and make the corner prominent through the use of features such as:
 - (1) Change in building material
 - (2) Window coverage pattern
 - (3) Chamfered, rounded or stepped corner
 - (4) Increased building height at the corner, potentially incorporating features such as tower, turret or cupola
 - (5) Façade articulation
 - (6) Projecting or recessed building entrances
 - (7) Canopies or marquees
 - (8) Active retail and semi-public spaces such as building lobbies
- b. Design of the corner should have a scale and character compatible with the scale of the corner and other buildings at the corner and the level of activity at the corner.
- c. For all nonresidential and mixed-use buildings, create active exterior spaces at site corners, particularly where building corners are set back, in ways that emphasize pedestrian use and encourage people to come together and gather through features such as street furnishings, special paving materials and planting materials.

H. Building Massing and Transitions

1. Purpose

To promote building massing that creates compatible building scale and relationships between adjacent downtown buildings including massing variation that reflects the rhythm of traditional storefronts and breaks up the perceived massing of larger buildings, while

creating an inviting pedestrian realm on the street by increasing access to light and air. To provide scaled transitions to adjacent residential uses to minimize impacts of building massing.

2. Design Standards

a. Building Massing

For any street-facing portion of the building above the base maximum height as identified in Figure 19.304-4, buildings must include:

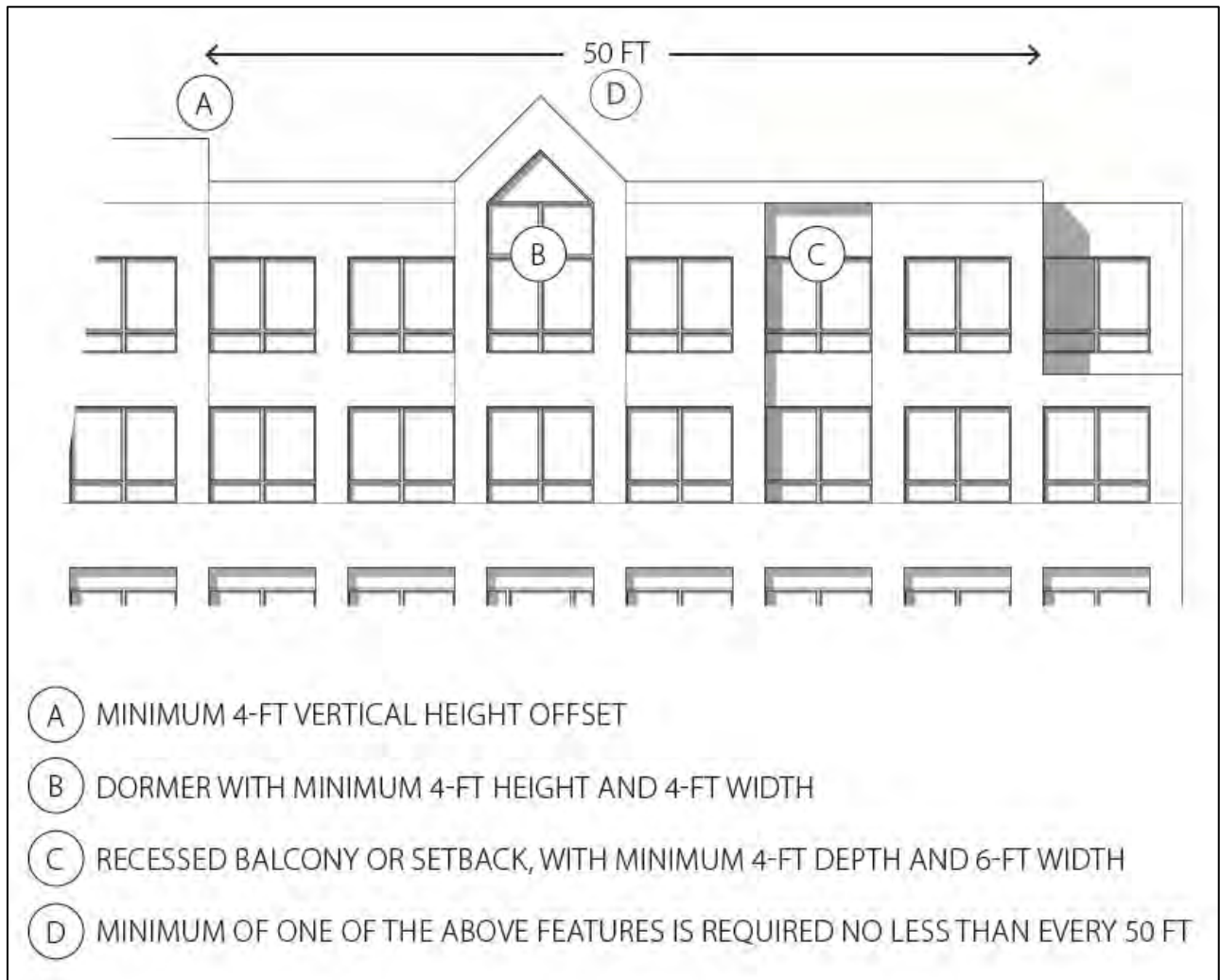
- (1) A step back of at least 6 ft along the street-facing portion of the building.
- (2) The step back area may be used for balconies, roof-top gardens, or other common or private open spaces.

b. Building Façade Height Variation

The height of building elements along street-facing façades must be varied in order to break up the overall bulk and mass of buildings as illustrated in Figure 19.508.4.H.2.b. At least one variation in height along the street-facing façade(s) ~~shall~~ must be provided for every 50-ft interval or portion thereof. Exact spacing of variations may vary provided that the total number of variations required is met and no portion of the façade exceeds 50 ft without a variation. Building façade height variation must be accomplished by using one or more of the following methods:

- (1) Vertical offset of height along the façade by minimum of 4 ft.
- (2) Dormer or other projecting element along or within 2 ft of the façade with minimum 4-ft height and 4-ft width.
- (3) Recessed balcony or step back from the façade on the upper floor with a minimum 4-ft depth and minimum 6-ft width.
- (4) Other techniques approved by the Planning Manager, shown to create variation along the top of street-facing façade through modulations in height, mass or bulk.

Figure 19.508.4.H.2.b
Building Façade Height Variation

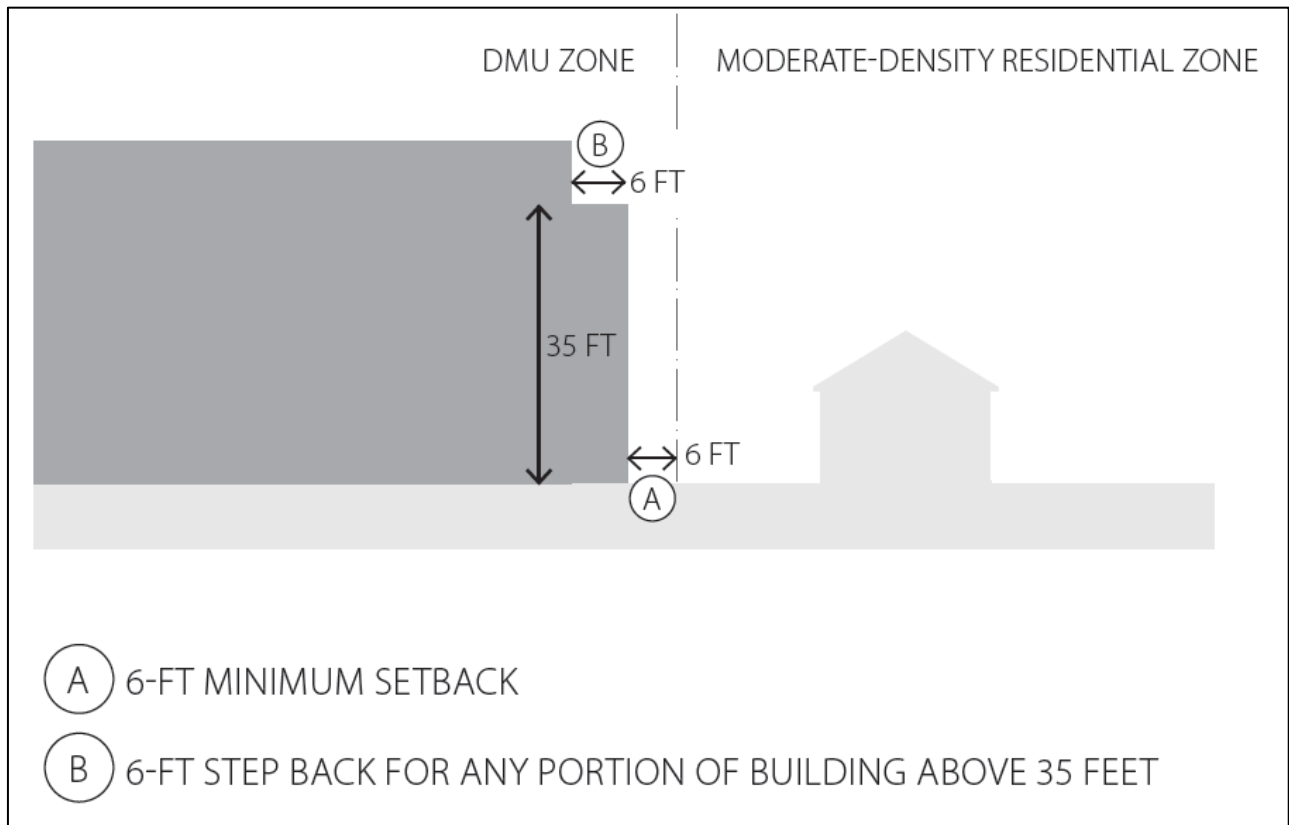


c. Building Transitions

For any property in the Downtown Mixed Use (DMU) zone that is north of Harrison Street and within 50 ft of the property line abutting the moderate density residential zone (R-MD), the following transition measures are required for any new building (see Figure 19.508.4.H.2.c):

- (1) The new building must be located at least 6 ft from any property line abutting a low-density residential zone. This requirement supersedes the applicability of the transition area measures provided in Subsection 19.504.6.
- (2) The new building must provide a step back of at least 6 ft for any portion of the building above 35 ft in height above grade.

Figure 19.508.4.H.2.c
Building Transition Measures



3. Design Guidelines

- a. Building massing should contribute to a welcoming and pedestrian-scaled sense of enclosure and definition of the street.
- b. Buildings that utilize bonus height should mitigate impacts of additional height and mass by including step backs, façade insets, high façade permeability, and other perceived mass-reducing techniques to ensure access to light, privacy, and sky views for nearby building occupants and people on the street.
- c. Building façades should incorporate variation in height or character to break up the perceived bulk and mass of the building into pedestrian-scale components that create a sense of pattern and rhythm. Such variation should be aligned with horizontal articulation elements to create a harmonious design. (See Subsection 19.508.4.B.3.)
- d. For buildings abutting the moderate density residential zone, building setbacks, step backs, façade articulation, landscaping, fencing, and/or transition measures should be deployed to blend building massing between downtown and any adjacent residentially zoned neighborhoods to reduce perceived mass of buildings.

I. Weather Protection

1. Purpose

To create an all-season pedestrian environment shielded from the elements, whether by the building structure itself or with added-on features such as awnings and canopies, that is integrated with rather than obscures the building design. Overhead protection encourages window shopping and lingering, and weather protection features can provide interest and detail to a façade as well as create outdoor sidewalk seating areas for restaurants and cafés.

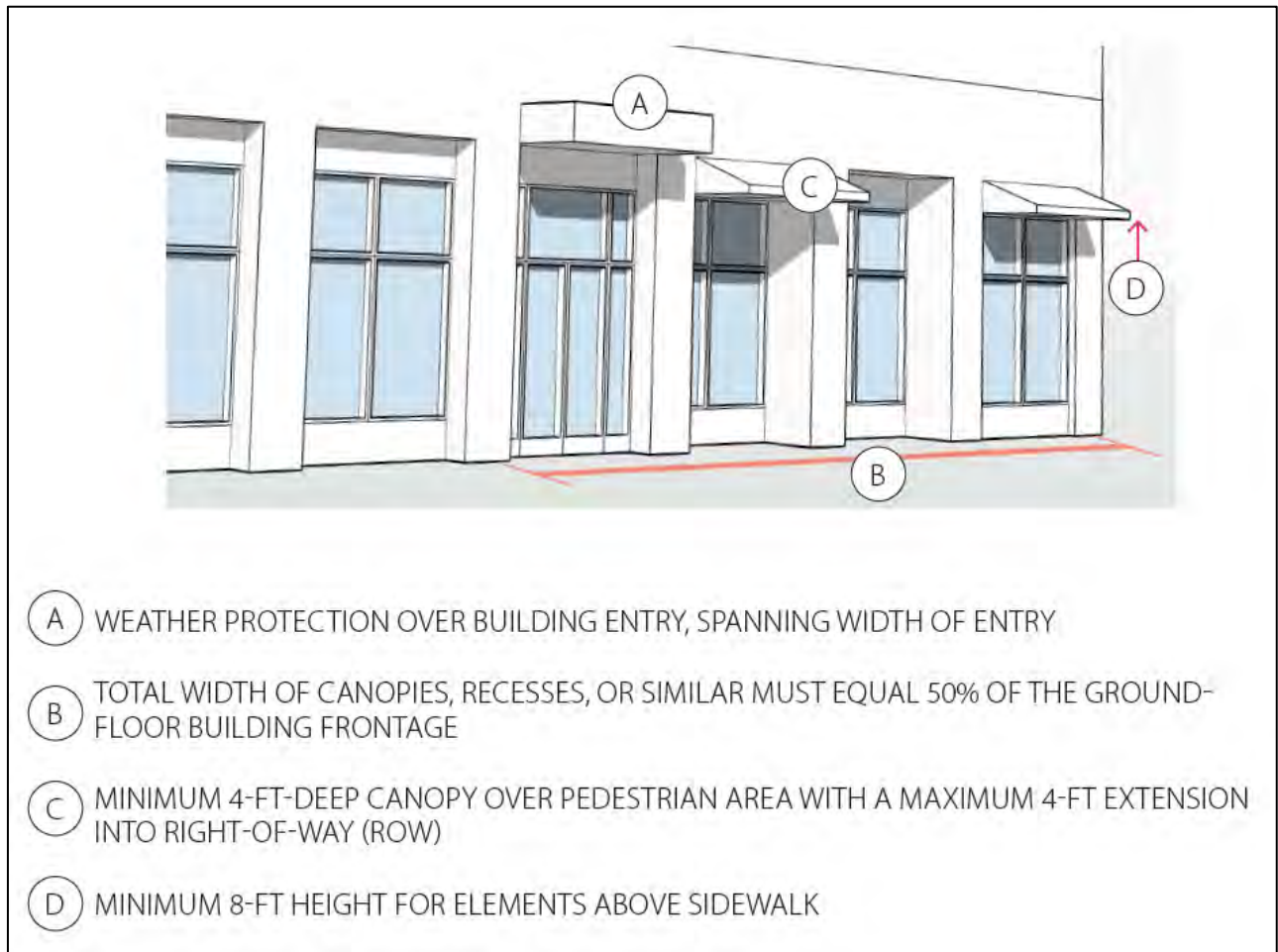
2. Design Standards

a. Minimum Weather Protection Coverage

- (1) All ground-floor building entries must be protected from the weather by awnings, canopies, marquees, recesses, or similar weather protection.
- (2) Awnings, canopies, marquees, recesses, or similar weather protection must be provided along at least 50% of the ground-floor elevation(s) of a nonresidential or mixed-use building where the building abuts a sidewalk, plaza, courtyard, or similar pedestrian space designed as usable open space meeting the standards of Subsection 19.508.4.M, or on-site pedestrian walkway.
- (3) Weather protection used to meet this section must extend at least 4 ft over the pedestrian area but no more than 4 ft into the right-of-way. Balconies and recesses meeting these dimensional requirements can be counted toward this requirement.
- (4) Weather protection used to meet the above standards must be at least 8 ft above the finished grade, including any valance.

See Figure 19.508.4.1.2.a for an illustration of these standards.

Figure 19.508.4.1.2.a
Weather Protection Requirements



b. Weather Protection Materials, Design, and Details

(1) Materials

- (a) Awnings must be constructed of a non-vinyl cloth or canvas with a matte finish or a material similar in appearance and texture.
- (b) Canopies must be constructed of rigid plastic, metal, glass, or a material similar in appearance and texture.
- (c) Marquees must be constructed of metal, glass, wood, or a material similar in appearance and texture.
- (d) Vinyl or any similar flexible plastic sheet material is prohibited for all weather protection features.
- (e) The structure or frame materials for awnings and canopies must be aluminum or steel.

- (2) Awnings or canopies must be attached directly above an entry or window. Awning and canopy width must not exceed the width of the entry or associated window opening and may not extend over more than one storefront opening. Marquees must be attached to the building directly above the entrance and may extend past the entrance.
- (3) For awnings and canopies, only lighting that illuminates the building and/or sidewalk is allowed. Awnings and canopies must not be illuminated from below or internally.
- (4) Any signage on awnings, canopies or marquees must be consistent with requirements of Subsection 14.16.060.C.

3. Design Guidelines

- a. Along the ground floor, buildings should protect pedestrians from inclement weather and provide shade in the summer through use of awnings, canopies, marquees, or elements of the building structure itself such as recesses or balconies. The total amount of awning, canopy, and/or marquee coverage along a façade should provide adequate weather protection for pedestrians without overly shadowing the sidewalk.
- b. Awnings, canopies, and marquees should be placed over all building entrances and storefront windows or other similar locations and integrated with other entryway design features. (See Subsection 19.508.4.E.) The total amount of awning, canopy and/or marquee coverage along a façade should provide adequate weather protection for pedestrians without overly shadowing the sidewalk.
- c. The design of awnings, canopies, marquees, and elements of the building structure should be an integral and well-proportioned component of the building façade. Awnings, canopies and marquees should not obscure or negatively impact the character-defining features of the subject building.
- d. Canopies and awnings should be sized to match individual entrances and storefront windows. They should be placed directly above such features and should not extend outside the piers and lintel of the storefront opening. A single awning or canopy spanning across multiple commercial storefronts and that obscures character-defining features is strongly discouraged.
- e. Weather protection features should be well proportioned relative to the sidewalks. Features should not be so project so far into the public right-of-way as to detract from street trees, light fixtures, or street furniture, but should extend far enough to provide coverage for pedestrians at entrances and windows. Features should provide adequate vertical clearance for pedestrian movement.
- f. Awnings, canopies, and marquees should be of high-quality materials and should not include vinyl.
- g. Awning or canopy lighting, if provided, should highlight the building or illuminate the sidewalk and should not illuminate awnings or canopies from below or internally.

J. Roofs and Rooftop Equipment Screening

1. Purpose

To create a visually interesting feature at the top of the building that enhances the quality and character of the building and complements the building design, while reducing or

eliminating the visual impact of rooftop equipment on the street pedestrian environment by providing screening or other concealing design features that also contribute to the high-quality design and visual interest of the building.

2. Design Standards

a. Rooftop Design

- (1) The roof of a building must follow one (or a combination) of the following forms:
 - (a) Flat roof (less than 1/12 pitch) or low-slope roof (between 1/12 and 4/12 pitch)
 - (b) Hip roof
 - (c) Gabled roof
 - (d) Dormers
 - (e) Shed roof
- (2) Roofs are subject to the following standards as applicable:
 - (a) All flat or low-slope roofs must be architecturally treated or articulated with a parapet wall that projects vertically above the roofline at least 12 in and/or a cornice that projects from the building face at least 6 in. See Figure 19.508.4.B.2.a(3).
 - (b) All hip or gabled roofs exposed to view from adjacent public streets and properties must have a minimum 4/12 pitch.
 - (c) Sloped roofs with a 4/12 pitch or higher must have eaves, exclusive of rain gutters, that project from the building wall at least 12 in.
 - (d) When an addition to an existing structure, or a new structure, is proposed in an existing development, the roof forms for the new structure(s) must have the same slope and be constructed of the same materials as the existing roofing.

b. Rooftop Equipment Screening

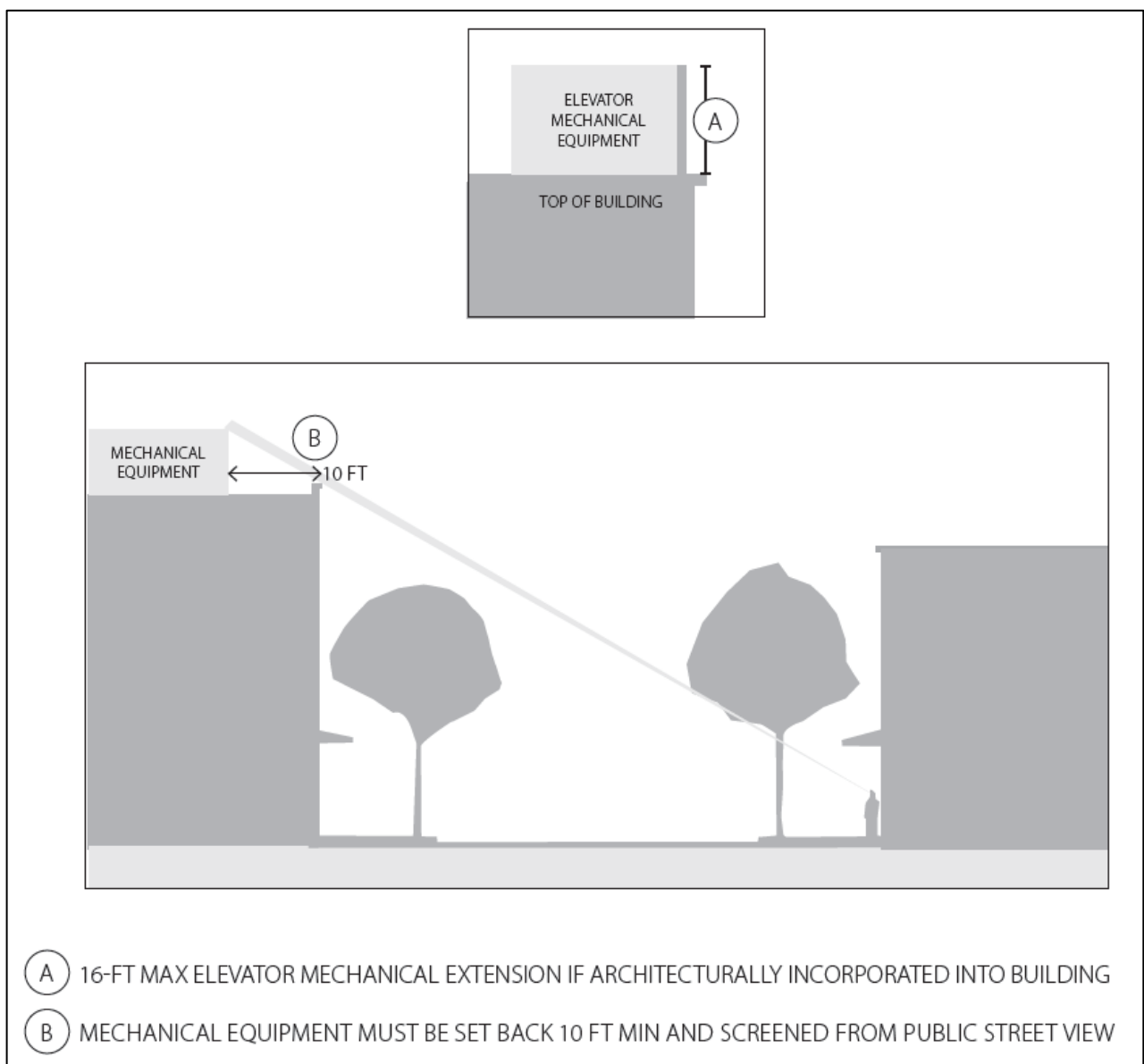
- (1) The following rooftop elements do not require screening:
 - (a) Solar panels, wind generators, and green roof features.
 - (b) Equipment under 2 ft high, if set back a minimum of 10 ft from the outer edge of the roof.
- (2) If visible from public street view, elevator mechanical equipment or a mechanical penthouse may not extend above the height limit by more than 16 ft, and must use a consistent exterior building material for the mechanical shaft or penthouse.
- (3) Satellite dishes, communications equipment, and all other roof-mounted mechanical equipment must be set back a minimum of 10 ft from the roof edge and must be screened from public street view. For purposes of this standard, “public street view” means the pedestrian level from across the adjacent public street and does not include views from adjacent buildings. If necessary, screening from public street view must be achieved by one of the following

methods that is at least as tall as the tallest part of the equipment being screened:

- (a) A screen around the equipment that is made of an exterior building material used on other portions of the building, or masonry.
 - (b) Vertical green roof features or regularly maintained, dense foliage that forms an opaque barrier year-round when planted.
- (4) Required screening will not be included in the building's maximum height calculation.

See Figure 19.508.4.J.2.b for an illustration of these standards.

Figure 19.508.4.J.2.b
Rooftop Equipment Screening



3. Design Guidelines

- a. Building rooflines should enliven the pedestrian experience and be of visual interest, with detail and variation that will create a skyline composed of interesting forms and shadows. Building silhouette should be compatible with those of other buildings along the existing streetscape.
- b. Roof shape, surface materials, colors, mechanical equipment and other penthouse functions should all be integrated into the overall building design and should be considered an additional façade to complement the building's design.
- c. Roof mounted mechanical equipment should be hidden from public street view by parapets, screening walls, vertical landscaping or green roof features, enclosures installed as an integral part of the architectural composition, strategic placement, or similar treatments. If such treatments are not practicable, mechanical units may be painted in lieu of screening with muted, neutral colors that make the equipment visually subordinate to the building and any adjacent buildings.

K. Service Areas (Screening)

1. Purpose

To preserve well-designed building frontages and pedestrian environments by minimizing the potential negative impacts of service areas on visual design and circulation while maintaining sufficiently accessible and functional loading, waste collection, utility, and other service areas.

2. Design Standards

Service areas include external utility structures, loading docks, recycling facilities, trash containers, and other similar areas; they exclude off-street parking areas which are subject to Subsection 19.304.5.C.

- a. Service areas must be located for access from the most minor street.
- b. Screening must be established on all sides of service areas, except where an opening is required for access. If access is possible only on a side that is visible from a public street, a solid gate or door is required.
- c. Landscaping, structural elements, painting, and/or murals or other public art must be used to screen service areas that are located along a public street frontage. The required screening must result in an opaque barrier to a minimum height of 6 ft.
- d. Where structural forms of screening are utilized, the materials must match the primary or secondary building materials and colors as described in Subsection 19.508.4.C.
- e. For new buildings, waste collection areas must be located within the building itself rather than a stand-alone waste enclosure.
- f. Residential-only multifamily and mixed-use buildings must meet the recycling area standards of Table 19.505.3.D.10.

3. Design Guidelines

- a. Service areas, loading docks, waste enclosures, external utility structures, and other similar features should be located away from pedestrian areas, public street frontages especially Main Street, or at a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.
- b. Whenever possible, all sides of service areas, loading docks, waste enclosures, and other outbuildings should be screened and concealed. Solid gates or doors should be used on sides requiring access.
- c. Screening, fencing, landscaping, decorative walls, or other treatments should be used to provide screening, using materials and designs compatible with the primary building they serve. Screening should be of a height, width, and opacity necessary to sufficiently screen all equipment and service areas.
- d. Waste collection areas should be located and designed to minimize visual, odor, and noise nuisances, and should be integrated into the building. If separate waste collection enclosures are utilized, they ~~shall~~must be screened, covered with a roof or be self-contained.
- e. Residential-only multifamily and mixed-use buildings should provide recycling areas that are appropriately sized to accommodate the amount of recyclable materials generated by residents. Areas should be located such that they provide convenient access for residents and for waste and recycling haulers. Recycling areas located outdoors should be appropriately screened or located so that they are not prominent features viewed from the street.

L. Resident Open Space

1. Purpose

To promote livability in the downtown environment by providing open space amenities within the development site for use by residents.

2. Design Standards

- a. The following standards apply to mixed-use buildings and residential-only multifamily buildings with four or more units.
- b. Fifty (50) sq ft of resident open space is required for each dwelling unit. The open space may be developed entirely as private open space or common open space, or it may be a combination of the two types of open space. Usable open space required by Subsection 19.508.4.A.2.b that meets the design standards of Subsection 19.508.4.M.2 may also be counted towards the resident open space requirement.
- c. Private Open Space
 - (1) Private open space, if provided, must be contiguous to the unit it serves ~~shall~~must be directly accessible from the interior of the dwelling unit.
 - (2) Private open space may be provided in the form of a porch, deck, balcony, patio, terrace, or other private outdoor area.
 - (3) Areas used for entrances or exits will not be considered as private open space except where such entrances or exits are for the sole use of the unit they serve.

- (4) Balconies, decks, porches and patios must have a minimum depth of 4 ft and may project up to a minimum of 4 ft into the public right-of-way.

d. Common Open Space

- (1) Common open space, if provided, must be at least 15 ft by 15 ft in dimension and may be provided in the form of decks, shared patios, plazas, courtyards, landscaped areas, roof gardens, recreation rooms, lobbies, or other gathering spaces created strictly for the occupants and not associated with storage or circulation.
- (2) Outdoor common open space areas must integrate amenities such as tables, benches, movable seating, trees, shrubs, landscaping areas or planters, garden plots, and/or fountains.
- (3) Outdoor common open space must be lighted as required by Subsection 19.508.4.N.
- (4) When provided at ground level, outdoor common open space must be abutted on at least one side by the building, with at least 1 window and 1 door to access the space; and must be bordered on at least one other side by fencing or walls less than 42 in high, landscaping strip or planters at least 2 ft wide, site furnishings, or other building walls.
- (5) Regardless of location (ground-level or above), where any building wall abuts an outdoor common open space, the wall must include at least 1 window or door with a minimum of 50% glazing.

3. Design Guidelines

- a. Building design should incorporate ample open space opportunities for residents with a mix of private and/or common open spaces to provide access to outdoor recreation, scenic amenity, or shared outdoor space for people to gather.
- b. Any private open spaces should be scaled to enhance usability by residents and have direct access from the dwelling unit and should be visually and/or physically separate from common areas.
- c. Any common open spaces should be inviting and enhance opportunities for use by residents. These spaces should be human-scaled, accessible, durable, attractive, and secure.
- d. Any common open spaces should integrate amenities for residents' use and enjoyment, including landscaping in outdoor spaces.
- e. Any common open spaces should be well-defined by surrounding buildings, walls, fences, landscaping, or other techniques to provide visual definition for the space. Adjacent buildings should incorporate transparent windows and doors to provide physical and visual access to the space and should include active use areas that front the open space.

M. Plazas and Usable Open Space

1. Purpose

To ensure that downtown plazas and open spaces are designed for usability and a variety of activities during all hours and seasons; provide amenities for downtown visitors,

businesses, and residents; promote livability; and help soften the effects of built and paved areas.

2. Design Standards

Open spaces such as plazas, courtyards, gardens, terraces, outdoor seating, small parks, and similar spaces, including usable open space provided to meet the standards of Subsection 19.508.4.A.2.b, must meet the following standards.

- a. Where any building wall abuts an open space, the wall must include at least one window or door with a minimum of 50% glazing.
- b. Usable open space must be directly accessible at grade adjacent to the public sidewalk.
- c. Hardscaping in open spaces must utilize concrete or unit paving and may not use asphalt or gravel surfacing.
- d. Landscaping must be integrated into open spaces to meet the following:
 - (1) A minimum of 10% of the open space area must be landscaped areas incorporating trees, shrubs, and ground cover.
 - (2) No more than 20% of this landscaped area can be covered in mulch or bark dust. This requirement excludes mulch or bark dust under the canopy of trees or shrubs.
 - (3) Nuisance species listed in the Milwaukie Native Plant List are prohibited.
- e. Open spaces must provide at least 3 ft of seating area (e.g., bench, ledge, etc.) or one individual seat, including movable seating for outdoor seating areas, per 60 sq ft of plaza or open space area.
- f. Open spaces must be lighted as required by Element N (Outdoor and Exterior Building Lighting).

3. Design Guidelines

- a. Plazas and open spaces should be inviting and create opportunities for a variety of uses.
- b. Plazas and open spaces should avoid separation from the street by visual barriers or significant change of grade. Plazas and open spaces should create visual and physical connections to abutting buildings.
- c. Plazas and open spaces should be human-scaled, accessible, durable, and attractive, and should enhance users' comfort and enjoyment by integrating features such as:
 - (1) Pedestrian amenities such as water features, drinking fountains, and/or distinctive paving or artwork
 - (2) Permanent or movable seating
 - (3) Weather protection, especially weather protection that can be moved or altered to accommodate conditions
 - (4) Transitional zones along building edges to allow for outdoor eating areas and a planted buffer

(5) Lighting

- d. Plazas and open spaces should create visual interest by including a mix of hardscape and landscape elements such as trees, shrubs, and plants.
- e. Landscaping in plazas and open spaces should be integrated to provide shade for hardscaped areas and to provide visual interest and texture.
- f. Buildings adjacent to plazas and open spaces should incorporate transparent windows and doors to provide physical and visual access to the space and should include active use areas that front the open space.
- g. Plazas and open space should be designed to integrate sustainability and enhance the relationship to the natural environment, including consideration of the sun angle at noon and the wind pattern in the design of the space and incorporation of water treatment features such as rain gardens.

N. Outdoor and Exterior Building Lighting

1. Purpose

To incorporate outdoor and exterior building lighting that increases pedestrian comfort, accentuates design and architectural features, enhances safety, and minimizes light pollution (both spill and casting or glare).

2. Design Standards

- a. Lighting must be designed to comply with the following standards:
 - (1) Primary building entrances required in Subsection 19.508.4.E must have a minimum illumination of 2.0 foot-candles.
 - (2) All other building entrances and areas underneath weather protection elements described in Element I (Weather Protection) must have a minimum illumination of 1.0 foot-candles.
 - (3) Common open spaces for residents subject to Subsection 19.508.4.L must be lighted with pedestrian-scaled lighting (no more than 14 ft in height) at a level at least 1.0 foot-candles throughout the space.
 - (4) Plazas and usable open space subject to Subsection 19.508.4.M must be lighted with pedestrian-scaled lighting (no more than 14 ft in height) at a level at least 2.0 foot-candles throughout the space.
 - (5) If off-street parking areas are present, lighting must comply with standards in 19.606.3.F.
- b. Lighting luminaires must have a cutoff angle of 90 degrees or greater to ensure that lighting is directed downward, except as provided for up-lighting of flags and permitted building-mounted signs.
- c. Lighting must not cause a light trespass of more than 0.5 footcandles measured vertically at all shared property lines of the site, with the exception of property lines along public right-of-way.
- d. Flashing or strobe lights, fluorescent tube lights, and security spotlights are prohibited on building exteriors.

3. Design Guidelines

- a. Exterior lighting should be used to articulate the building elements, including (but not limited to) entrances, common open spaces for residents, plazas and usable open space, signage, canopies, cornices, storefronts, and other architectural features. Lighting levels of entrances, areas underneath weather protection elements, and all open spaces should be pedestrian scale and provide a sense of safety.
- b. All lighting should be designed to prevent unnecessary illumination of adjacent sites, with the exception of adjacent sidewalks within a public-right-of-way where illumination is desired. As a rule of thumb, lighting levels should be no greater than necessary to provide for pedestrian safety, property or business identification, and crime prevention.
- c. Flashing or strobe lights, fluorescent tube lights, and security spotlights are strongly discouraged from use on building exteriors.

19.508.5 Variances

Variances cannot be granted for the design ~~standards elements~~ of Section 19.508. Projects that ~~cannot~~ must meet the design standards and/or guidelines in this section ~~must be reviewed through a Type III downtown design review and demonstrate compliance with the Milwaukie Downtown Design Guidelines, pursuant to Section 19.907.~~

19.907 DOWNTOWN DESIGN REVIEW

19.907.1 Purpose

Downtown design review is intended to achieve the following purposes:

- A. Preserve and enhance the character of downtown Milwaukie.
- B. Ensure a degree of order, harmony, and quality in the downtown, providing buildings and projects that are attractive individually yet contribute to a downtown that is distinctive as a whole.
- C. Ensure that new development, and alterations or enlargement of existing development, are consistent with the downtown site and building design standards and guidelines of Section 19.508 ~~or Downtown Design Guidelines~~.
- D. Implement the vision of the Downtown and Riverfront Land Use Framework Plan.
- E. Provide a design review process that allows applicants to choose standards or more flexible discretionary guidelines.

19.907.2 Applicability

Applications for downtown design review shall be processed through a Type I, II, or III procedure, in accordance with Chapter 19.1000, as follows:

A. Exemptions

Downtown design review does not apply to the following projects:

1. Demolition, unless listed on the City of Milwaukie Historic Resource Inventory and subject to the standards of Section 19.403.
2. Building additions of less than 250 sq ft that are not visible from streets, sidewalks, courtyards, public parks, and/or pedestrian walkways.
3. Maintenance, restoration, and repair of a building in a manner that is consistent with previous approvals and/or necessary for safety. Examples include paint retouching, and other routine upkeep of the building exterior, and in-kind restoration or replacement of damaged materials. Maintenance, restoration, and repair does not include replacement of materials due to obsolescence.
4. Minor building or site upgrades needed to bring an existing development into compliance with the Americans with Disabilities Act.
5. Exterior painting and weatherproofing.
6. Any exterior project that doesn't require a building permit.
7. Interior remodeling.
8. Minor site improvements, including, but not limited to, installation of benches, trash cans, bicycle racks, informational kiosks, site lighting, signs, and other similar improvements as determined by the Planning Director. A guide for determining whether a proposed improvement is exempt shall be the consideration of whether there are any applicable design standards provided in Section 19.508.
9. In City parks, improvements that are consistent with an approved master plan.
10. Fences and/or retaining walls, which are subject to Subsection 19.502.2.B, including the standards for commercial zone fencing in Subsection 19.502.2.B.1.b.

B. Type I

The following projects are subject to Type I downtown design review:

- ~~1. Demolition or replacement of less than 25% of the surface area of any exterior wall or roof.~~
- ~~2. Addition, elimination, or change in location of windows that does not decrease the overall percentage of window coverage.~~
- ~~3. Addition, elimination, or change in location of entry doors and loading doors.~~
- ~~4. Addition of new, or change to existing, awnings, canopies, and other mounted structures to an existing façade.~~
- ~~5. For commercial and mixed-use developments, modification of up to 15% of on-site landscaping with no reduction of the overall landscaping percentage. Modification refers to changing the hardscape elements and the location of required landscaped areas and/or trees.~~
- ~~6. Modification of an off-street parking area with no reduction in parking spaces or increase in paved area, including restriping.~~
- ~~7. Addition of new fences and/or retaining walls of 4 ft height or less.~~
- ~~8. Change of existing grade.~~
- ~~9. An increase in floor area proposed for a nonresidential use of less than 10% up to a maximum of 2,000 sq ft.~~
- ~~10. A reduction in the area reserved for common open space and/or usable open space which does not reduce the open space area below the minimum required or which reduces the open space area by less than 10%. Reduction of the open space area below the minimum required requires variance review per Chapter 19.911.~~
- ~~11. A new stand-alone multifamily residential building or addition that meets the objective design standards in Table 19.505.3.D. Applicants may elect to process a stand-alone residential building through Type II downtown design review if the applicant prefers to meet the design standards of Section 19.508.~~
1. New development and expansions or modifications of existing development that meet the applicable downtown design standards of Section 19.508.

C. Type II

The following projects are subject to Type II downtown design review:

- ~~1. New development that meets the design standards of Section 19.508.~~
- ~~2~~1. Demolition or replacement of ~~more~~-less than 25% of the surface area of any exterior wall or roof that does not meet the applicable standards of Section 19.508.
- ~~3~~2. Addition, elimination, or change in location of windows that decreases the overall percentage of window coverage and that does not meet the applicable standards of Section 19.508.
- ~~4. For commercial and mixed-use developments, modification of more than 15% of on-site landscaping or modification that results in a reduction of overall landscaping percentage.~~

~~Modification refers to changing the hardscape elements and the location of required landscaped areas and/or trees.~~

- ~~5. Modification of an off-street parking area that results in a reduction in parking spaces and/or an increase in paved area.~~
- ~~6. Addition of new fences and/or retaining walls more than 4 ft high.~~
- ~~7. An increase in floor area proposed for a nonresidential use by ~~more~~less than 10% or 2,000 sq ft, whichever is greater.~~
- ~~8. A reduction in the area reserved for common open space and/or usable open space ~~which~~that reduces the open space area below the minimum required or by 10% or ~~more~~less.~~
- ~~9. An increase in the height of an existing building up to the maximum height.~~
- ~~10. A reduction in the area reserved for common open space and/or usable open space which reduces the open space area below the minimum required or reduces the open space area by more than 10%.~~
- ~~11. A new stand-alone multifamily residential building or addition that satisfies the design guidelines in Table 19.505.3.D. An applicant may elect to process a stand-alone residential building through Type II downtown design review if the applicant prefers to meet the design standards of Section 19.508.~~

D. Type III

The following projects are subject to Type III downtown design review:

1. Any project, at the applicant's option.
2. A project, addition, or expansion that ~~is unable~~ proposes to meet one or more of the design standards ~~guidelines~~ of Section 19.508 in lieu of complying with the design standards of Section 19.508 because additional design flexibility is desired.
3. A project that does not fit the applicability for Type I or II review.
- ~~4. A stand-alone multifamily residential building, if applicants elect to process through Type III downtown design review rather than Type I or II Development Review because additional design flexibility is desired.~~

19.907.3 Review Process

A. General Provisions

Downtown design review generally includes review of the proposed structure(s) and site improvements for compliance with applicable design standards and/or guidelines. For expansions or modifications of existing development, the review is limited to the modified portions of the site or structure and any other site improvements that may be affected by the proposed modifications.

B. Review Types

To achieve the purpose of the downtown design standards and guidelines, there are three downtown design review processes through which to apply for approval:

1. Type I

The ministerial review track provides for a Type I review process pursuant to Section 19.1004 using the design standards in Section 19.508. ~~It is generally intended for smaller building and site renovation projects, as listed in Subsection 19.907.2.B.~~

2. Type II

The administrative review track provides for a Type II process pursuant to Section 19.1005 that requires staff review utilizing the design standards and applicable guidelines in Section 19.508. ~~It generally applies to new development and renovation/remodeling projects, as listed in Subsection 19.907.2.C.~~

3. Type III

The discretionary review track provides for a Type III review process pursuant to Section 19.1006, through which the Design and Landmarks Committee and Planning Commission determine substantial consistency compliance with the purpose statement of the relevant standard or standards and the Milwaukee Downtown Design Guidelines downtown design guidelines in Section 19.508. ~~It generally applies to new development and renovation/remodeling projects, as listed in Subsection 19.907.2.D.~~

C. Review Options

Designing a project to the design standards would result in a Type I ~~or II~~ review process. However, applicants, at their option, may choose to use Type III discretionary review.

Through Type II or III review, applicants can address downtown design review requirements through a combination of satisfying certain design standards in Section 19.508 and, in instances where they elect not to utilize design standards, satisfying ~~the purpose statement of the applicable standard or standards and the applicable design guidelines in Section 19.508~~ instead. In such a case, the public hearing and decision will focus on whether or not the project satisfies the requirements of the applicable design guidelines only.

19.907.4 Application

Applications for downtown design review shall be filed with the Planning Department on forms prescribed by the Planning ~~Director~~ Manager. The applicant shall demonstrate compliance with applicable zoning criteria. In addition to all information specified on the “Submittal Requirements” and “Site Plan Requirements” forms, each application for downtown design review shall be accompanied by the following information:

~~A. Completed downtown design review checklist (for Type III only).~~

BA. Written statement that describes the following:

1. For Type I ~~and II~~ downtown design review, how the proposal is consistent with applicable downtown design standards in Section 19.508.
2. For Type II and III Design Review, how the proposal meets applicable design standards and/or design guidelines in the Milwaukee Downtown Design Guidelines document Section 19.508.

~~CB.~~ Footprints of surrounding buildings, including driveways and pedestrian connections.

~~DC.~~ Location, dimension, and setbacks of all proposed buildings, structures, walls, and fences.

~~ED~~. Dimensioned building elevations indicating height, exterior materials, colors, and details of exterior architectural features, such as cornices, windows, and trim.

~~FE~~. A streetscape drawing showing the relationship of the proposed project to adjacent buildings.

~~GE~~. Frontage improvements in the public right-of-way per the Public Works Standards.

19.907.5 Approval Criteria

A. Type I Downtown Design Review

An application for Type I downtown design review ~~shall~~will be approved when all of the following criteria have been met:

1. Compliance with Title 19.
2. Compliance with applicable design standards in Section 19.508 and any prior land use approvals.

B. Type II Downtown Design Review

An application for Type II downtown design review ~~shall~~will be approved when all of the following criteria have been met:

1. Compliance with Title 19.
2. Compliance with applicable design standards and/or design guidelines in Section 19.508.

C. Type III Downtown Design Review

An application for Type III downtown design review ~~shall~~will be approved when all of the following criteria have been met:

1. Compliance with Title 19.
2. Compliance with applicable design standards in Section 19.508.
3. ~~Substantial consistency with the purpose statement of the applicable design standard and the applicable Downtown Design Guideline(s)~~ Compliance with the applicable design guidelines in Section 19.508 being utilized in place of the applicable design standard(s).

19.907.6 Report and Recommendation by Design and Landmarks Committee

The Design and Landmarks Committee ~~shall~~will hold a public meeting and prepare a downtown design review report for Type III applications pursuant to Section 19.1011. The Planning Commission shall consider the findings and recommendations contained in the downtown design review report during a public hearing on the proposal.

19.907.7 Variances

A. Variances cannot be granted for the downtown design standards of Section 19.508.

Applications unable to meet one or more standards must meet the applicable downtown design guideline(s) in Subsection 19.508.4 instead and use the Type III discretionary downtown design review process.

B. ~~For applications using the Type III downtown design review process, variances will only be allowed for the development standards and design standards that are not met. Variances to the design guidelines themselves will not be granted. Variances can be granted for the downtown development standards of Section 19.304 unless otherwise specified, through the variance review process in Section 19.911.~~

19.911 VARIANCES

19.911.6 Building Height Variance in the Downtown Mixed Use Zone

A. Intent

To provide a discretionary option for variances to maximum building heights in the Downtown Mixed Use Zone to reward buildings of truly exceptional design that respond to the specific context of their location and provide desired public benefits and/or amenities.

B. Applicability

The Type III building height variance is an option for proposed buildings that exceed the maximum heights or stories allowed through the bonuses specified in Figure 19.304-4, Subsection 19.304.5.B.3, and Section 19.510.

C. Review Process

The building height variance shall be subject to Type III review and approval by the Design and Landmarks Committee and the Planning Commission, in accordance with Chapter 19.907 and Section 19.1011. The building height variance shall be consolidated with downtown design review.

1. Because the building height variance provides substantial flexibility and discretion, additional time will be required for public input and technical evaluation of the proposal. To use this option, the applicant shall sign a waiver of the 120-day decision requirement.
2. The applicant may request design advice from the Design and Landmarks Committee prior to submitting an application. Design advice requests provide the opportunity to assess approval potential prior to committing excessive time or money to detailed design plans.
3. Design advice requests may not be made for a specific project or site with an active land use review application.
4. A special application fee may be required to use this Type III option to allow the City to contract with a registered architect to assist in the review of the height variance application.

D. Approval Criteria

The approval authority may approve, approve with conditions, or deny the building height variance based on the following approval criteria:

1. ~~Substantial consistency~~ Compliance with the Downtown Design Guidelines downtown design guidelines in Subsection 19.508.4.
2. The proposed height variance will result in a project that is exceptional in the quality of detailing, appearance and materials or creates a positive unique relationship to other nearby structures, views or open space.
3. The proposed height variance preserves important views to the Willamette River, limits shadows on public open spaces and ensures step downs and transitions to neighborhoods at the edge of the Downtown Mixed Use Zone.
4. The proposed height variance will result in a project that provides public benefits and/or amenities beyond those required by the base zone standards and that will increase downtown vibrancy and/or help meet sustainability goals.

EXHIBIT C

(clean format)

19.304 DOWNTOWN ZONES

19.304.1 Purpose

The downtown zones are Downtown Mixed Use Zone DMU and Open Space Zone OS. The zones are shown on Figure 19.304-1. These zones implement the Town Center and Public land use designations in the Milwaukie Comprehensive Plan. The downtown zones implement the Downtown and Riverfront Land Use Framework Plan and Milwaukie Comprehensive Plan.

The downtown and riverfront area is envisioned as the focus of the community. Two zones are designated to distinguish between areas intended for public open space and those intended for downtown development. Specific use, development, and design standards are adopted for the downtown zones to assure an active, attractive, and accessible environment for shoppers, employees, and residents.

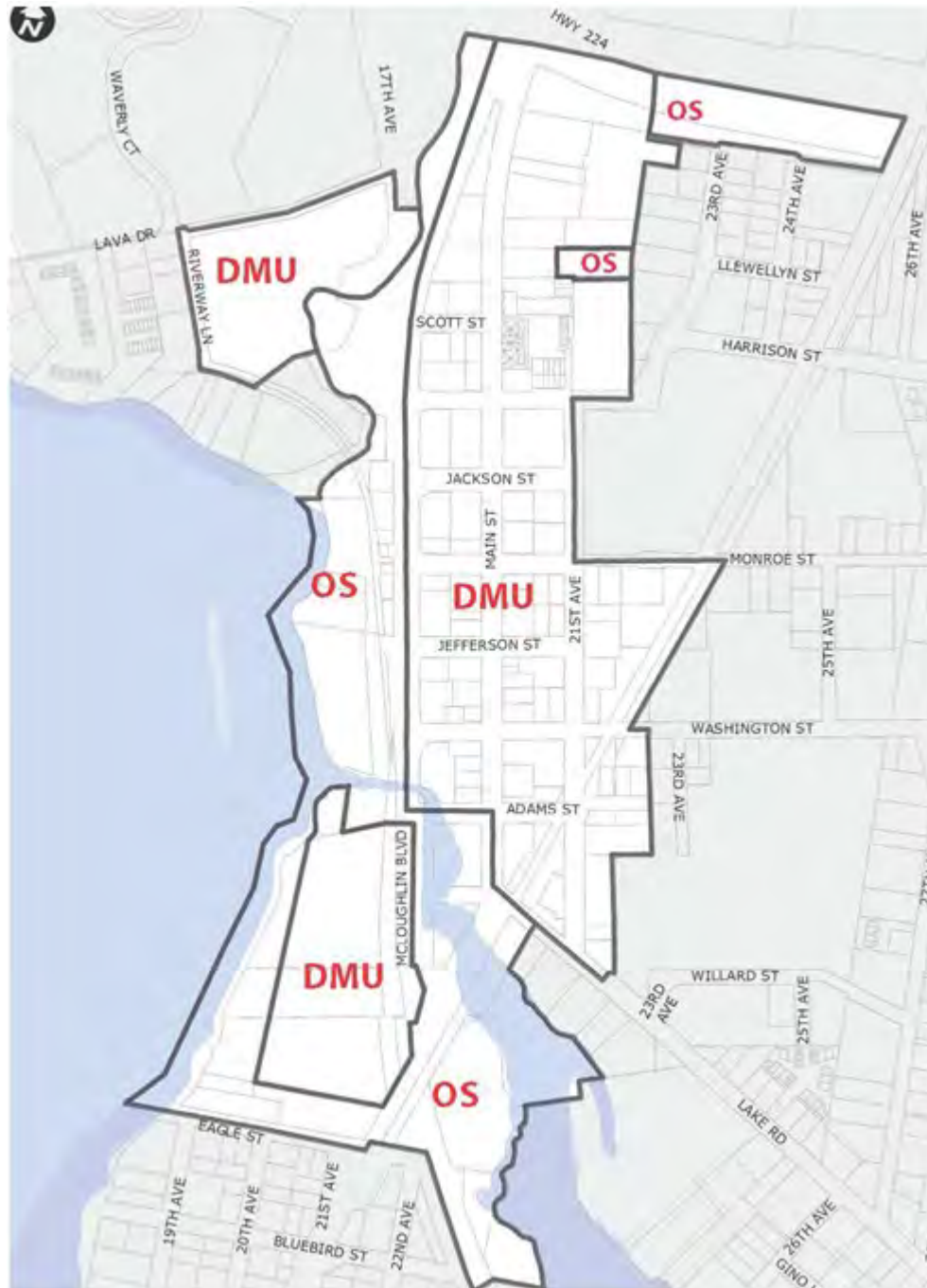
A. Downtown Mixed Use (DMU)

The Downtown Mixed Use Zone provides for a wide range of uses—including retail, office, commercial, and residential—that will bring visitors to the downtown to live, work, shop, dine, and recreate. The desired character for this zone is a pedestrian-friendly and vibrant urban center, with a prominent main street and connections to the riverfront, and which 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. Open Space (OS)

The Open Space Zone provides a specific zone to accommodate open space, park, and riverfront uses. The 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 Open Space Zone includes parkland, open space, and riverfront amenities.

**Figure 19.304-1
Downtown Zoning**



[Click here to enter text.](#)

19.304.2 Uses

A. Permitted Uses

Uses allowed in the downtown zones are listed in Table 19.304.2 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 title.

B. Conditional Uses

Uses listed in Table 19.304.2 as “CU” are permitted only as conditional uses in conformance with Section 19.905. Type III review is required to establish a new CU or for major modification of an existing CU. Type I review is required for a minor modification of an existing CU.

C. Nonconforming Uses, Structures, and Development

Existing structures and uses that do not meet the standards for the downtown zones may continue in existence. Alteration or expansion of a nonconforming use, structure, or development that brings the use, structure, or development closer to compliance may be allowed through a Type II downtown design review pursuant to Section 19.907. Alteration or expansion of a nonconforming use or structure that does not bring the use or structure closer to compliance may be allowed through a Type III Variance pursuant to Section 19.911. Except where otherwise stated in this section, the provisions of Chapter 19.800 Nonconforming Uses and Development apply.

D. Prohibited Uses

Uses listed in Table 19.304.2 with an “N,” or uses not listed below, are prohibited as new uses. In addition, drive-through facilities are prohibited in the downtown zones.

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

Similar uses not listed in Table 19.304.2 may be allowed through a Director determination pursuant to Section 19.903.

Table 19.304.2 Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Residential			
Boarding house	CU	N	Section 19.905 Conditional Uses
Townhouse	P	N	Subsection 19.304.3.A.1 Downtown residential use limitations Figure 19.304-2 Downtown Residential Use Limitations Subsection 19.505.5 Townhouses
Multifamily	P	N	Figure 19.304-2 Downtown Residential Use Limitations Subsection 19.304.3.A.1 Downtown residential use limitations
Live/work units	P	N	Subsection 19.304.3.A.1 Downtown residential use limitations Subsection 19.505.6 Live/Work Units
Second-story housing	P	N	Section 19.508 Downtown Site and Building Design Standards
Senior and retirement housing	P	N	Subsection 19.304.3.A.1 Downtown residential use limitations
Commercial			
Traditional office Traditional office uses are characterized by activities that generally focus on business, government, professional, medical, or financial services. These office uses generally involve a high level of face-to-face customer contact and are typically expected to generate foot traffic. Examples include: professional services such as lawyers, architects, or accountants; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; sales offices; government offices and public utility offices; and medical and dental clinics.	P/CU	N	Subsection 19.304.3.A.3 Commercial use limitations Section 19.905 Conditional Uses

Table 19.304.2 CONTINUED Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Commercial CONTINUED			
<p>Production-related office</p> <p>Production-related office uses are characterized by activities that, while conducted in an office-like setting, involve less face-to-face customer contact and do not tend to generate foot traffic. Their operations are less service-oriented than traditional office uses and focus on the development, testing, research, production, processing, packaging, or assembly of goods and products.</p> <p>Examples include: software and internet content development and publishing; telecommunication service providers; data processing; television, video, radio, and internet studios and broadcasting; scientific and technical services; call centers, marijuana testing and research facilities, and medical and dental labs.</p>	P/CU	N	<p>Subsection 19.304.3.A.2 Main Street limitations</p> <p>Subsection 19.304.3.A.3 Commercial use limitations</p> <p>Subsection 19.509.2 Security and odor control for certain marijuana business</p> <p>Section 19.905 Conditional Uses</p> <p>Note: Production, processing, packaging, and assembly uses must meet the standards listed below under Manufacturing.</p>
<p>Eating and drinking establishment</p> <p>Eating and drinking establishments primarily involve the sale of prepared food and beverages for on-site consumption or takeaway.</p> <p>Examples include restaurants, delicatessens, retail bakeries, taverns, brewpubs, coffee shops, concession stands, wine bars, and espresso bars.</p>	P/CU	CU	<p>Subsection 19.304.3.A.3 Commercial use limitations</p> <p>Section 19.905 Conditional Uses</p>
<p>Indoor recreation</p> <p>Indoor recreation consists of facilities providing active recreational uses of a primarily indoor nature.</p> <p>Examples include gyms; dance studios; tennis, racquetball, and soccer centers; recreational centers; skating rinks; bowling alleys; arcades; shooting ranges; and movie theaters.</p>	P/CU	N	<p>Subsection 19.304.3.A.3 Commercial use limitations</p> <p>Section 19.905 Conditional Uses</p>

Table 19.304.2 CONTINUED Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Commercial CONTINUED			
<p>Retail-oriented sales</p> <p>Sales-oriented retail firms are involved in the sale, leasing, and rental of new or used products to the general public.</p> <p>Examples include stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronics, fabric, gifts, groceries, hardware, household products, jewelry, pets and pet products, pharmaceuticals, plants, printed materials, stationery, and printed and electronic media.</p>	P/CU	P/CU	<p>Subsection 19.304.3.A.3 Commercial use limitations Section 19.905 Conditional Uses</p>
<p>Personal/business services</p> <p>Personal/business services are involved in providing consumer services.</p> <p>Examples include hair, tanning, and spa services; pet grooming; photo and laundry drop-off; dry cleaners; and quick printing.</p>	P/CU	N	<p>Subsection 19.304.3.A.3 Commercial use limitations Section 19.905 Conditional Uses</p>
<p>Repair-oriented</p> <p>Repair-oriented uses are establishments providing product repair of consumer and business goods.</p> <p>Examples include repair of televisions and radios, bicycles, clocks, jewelry, guns, small appliances, office equipment, tailors and seamstresses, shoe repair, locksmiths, upholsterers, and some automobile service and repair.</p>	P/CU	N	<p>Subsection 19.304.3.A.3 Commercial use limitations Section 19.905 Conditional Uses</p>
<p>Day care</p> <p>Day care is the provision of regular child care, with or without compensation, to 4 or more children by a person or person(s) who are not the child's parent, guardian, or person acting in place of the parent, in a facility meeting all State requirements.</p> <p>Examples include nursery schools, before- and after-school care facilities, and child development centers.</p>	P	N	<p>Subsection 19.304.3.A.5 Day care limitation</p>

Table 19.304.2 CONTINUED Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Commercial CONTINUED			
<p>Commercial lodging Commercial lodging includes for-profit residential facilities where tenancy is typically less than 1 month. Examples include hotels, motels, vacation rentals, and bed-and-breakfast establishments. Does not include senior and retirement housing.</p>	P/CU	N	Section 19.905 Conditional Uses (for vacation rentals only)
<p>Parking facility Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a parking facility. Examples include short- and long-term fee parking facilities, commercial district shared parking lots, and commercial shuttle parking.</p>	CU	P	Subsection 19.304.3.A.6 OS Zone parking limitations Section 19.905 Conditional Uses Chapter 19.600 Off-Street Parking and Loading
<p>Marijuana retailer Marijuana retailer means a state-licensed business that sells or distributes marijuana and marijuana-derived products to consumers. A marijuana retailer may sell or distribute recreational or medical marijuana.</p>	P/CU	N	Subsection 19.509.1 Standards for Marijuana Retailers
Manufacturing			
<p>Manufacturing and production Uses are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Examples include processing of food and related products; catering establishments; breweries, distilleries, and wineries; marijuana processors; weaving or production of textiles or apparel; woodworking, including cabinet makers; manufacture or assembly of machinery, equipment, instruments (including musical instruments), vehicles, appliances, precision items, and other electrical items; and production of artwork and toys.</p>	P	N	Subsection 19.304.3.A.8 Manufacturing and production limitations Subsection 19.509.2 Security and odor control for certain marijuana businesses

Table 19.304.2 CONTINUED Uses Allowed in Downtown Zones			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Institutional			
Parks and open space Parks and open space uses are lands focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few buildings. Examples include parks, public squares, plazas, recreational trails, botanical gardens, farmers markets, boat launching areas, nature preserves, and community gardens.	P	P	
Community service uses	CSU	CSU	Section 19.904 Community Service Uses
Accessory and Other			
Accessory use	P	P	Subsection 19.304.2.E Accessory Uses Section 19.503 Accessory Uses
Home occupation	P	N	Section 19.507 Home Occupation Standards
Short-term rentals	P	P	Section 19.507 Home Occupation Standards

P = Permitted.

N = Not permitted.

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

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

19.304.3 Use Limitations, Restrictions, and Provisions

A. Use Limitations and Restrictions

The following provisions describe the limitations for uses listed in Table 19.304.2.

1. Residential uses are permitted throughout downtown Milwaukie, subject to the following limitations and as shown in Figure 19.304-2.
 - a. Along Main Street south of the intersection with Scott Street, residential dwellings are only allowed on the second floor or above; they are not permitted on the ground floor. Lobbies for upper-level dwellings are allowed on the ground floor only if a commercial use is located along a majority of the property’s street frontage.

- b. Along Main Street north of the intersection with Scott Street and on all other streets, residential dwellings and/or lobbies are permitted anywhere on the ground floor along Main Street.
- c. Live/work units and townhouses are not permitted on Main Street.

[Click here to enter text.](#)

- (3) Indoor recreation
 - (4) Retail-oriented sales
 - (5) Personal-service-oriented
 - (6) Repair-oriented
- b. In the OS Zone, retail-oriented sales are limited to 20,000 sq ft in floor area per use on the ground floor.
 - c. Uses listed in Subsections 19.304.3.A.3.a-b that are larger than 20,000 sq ft in floor area on the ground floor may be approved through a conditional use review pursuant to Section 19.905.
 - d. In the DMU Zone, production-related office uses are limited to 20,000 sq ft in total area.
 - e. Uses listed in Subsection 19.304.3.A.3.d that are larger than 20,000 sq ft in total area may be approved through conditional use review pursuant to Section 19.905.
4. Automobile/motor vehicle repair (excluding body and fender repair and painting) is permitted in the DMU Zone only when conducted within a completely enclosed building.
 5. Day care and childcare uses are limited to 5,000 sq ft.
 6. Parking facilities in the OS Zone are limited to surface lots that are intended primarily for the users of the related park or open space.
 7. Manufacturing and production uses are limited to 5,000 sq ft in floor area per use on the ground floor and are only permitted when associated with, and accessory to, a related retail-oriented sales or eating/drinking establishment use. For purposes of this subsection, manufacturing and production involve goods that are sold or distributed beyond or outside of the associated on-site eating or drinking establishment or retail trade use. For example, a brewing facility that distributes or sells its products elsewhere would be considered a manufacturing and production use, while a restaurant kitchen that prepares food that is purchased on-site would not be considered manufacturing or production. Marijuana production is prohibited.

B. Use Provisions

1. The limit of 4 consecutive townhouses established in Subsection 19.505.5.D does not apply in the DMU Zone. In the DMU Zone, there is no limit on the number of consecutive townhouses.

19.304.4 Development Standards

In the downtown zones, the development standards in Table 19.304.4 apply. Notes and/or cross references to other applicable code sections are listed in the “Standards/Additional Provisions” column. Additional standards are provided in Subsection 19.304.5.

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

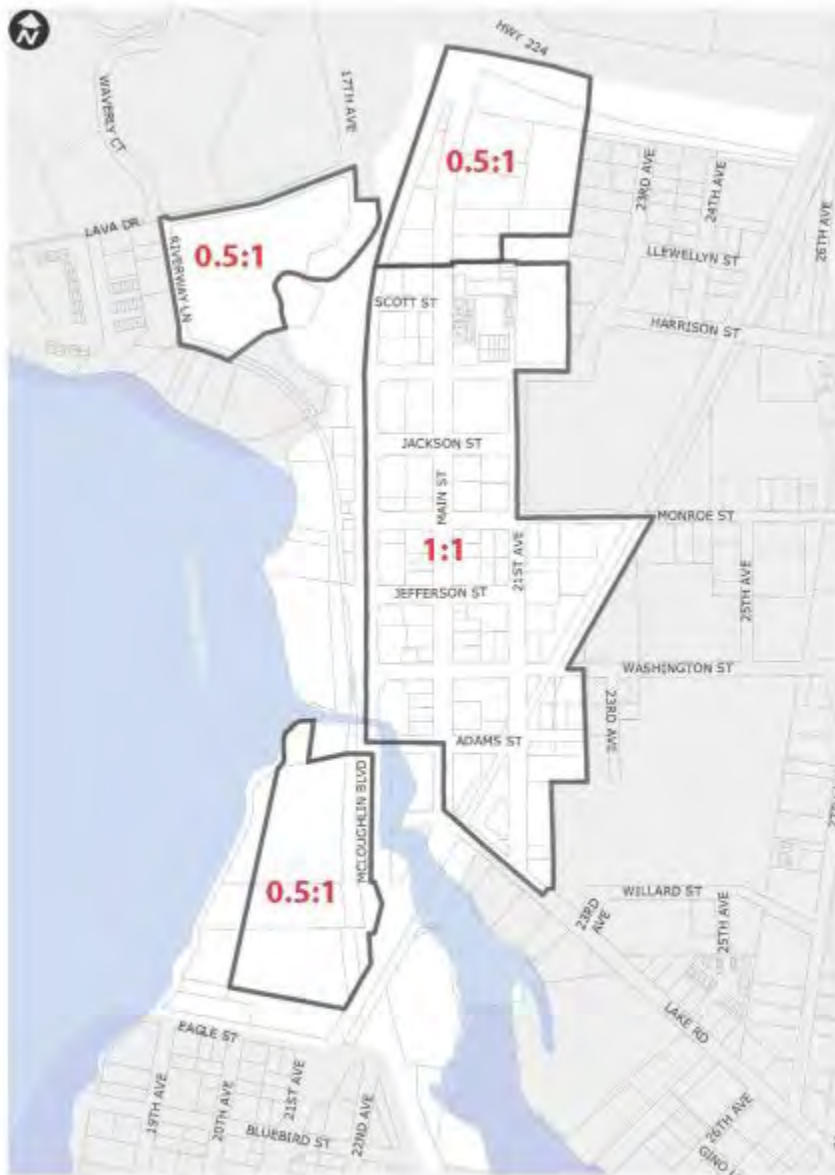
The development standards address several issues of particular importance to maintaining the appropriate character for the downtown. Table 19.304.4 summarizes some of the development standards that apply downtown. Development standards are presented in full in Subsection 19.304.5.

Table 19.304.4 Downtown Zones—Summary of Development Standards			
Standard	DMU	OS	Standards/ Additional Provisions
A. Lot Standards			
1. Minimum lot size (sq ft)	750	None	
2. Minimum street frontage (ft)	15	None	Section 19.201 Definitions
B. Development Standards			
1. Floor area ratio a. Minimum b. Maximum	0.5:1–1:1 4-6:1 (FAR bonus available)	None None	Section 19.201 Definitions Subsection 19.304.5.A Floor Area Ratios Figure 19.304-3 Minimum Floor Area Ratios Subsection 19.611.4 Incentives for Provision of Structured Parking
2. Building height (ft) a. Minimum b. Maximum	25 45–55 (height bonus available)	None 15	Subsection 19.304.5.B Building Height Figure 19.304-4 Base Maximum Building Heights Subsection 19.304.5.B.3 Height Bonuses Section 19.510 Green Building Standards Subsection 19.911.6 Building Height Variance in the Downtown Mixed Use Zone
3. Street setbacks (ft) a. Minimum street setback b. Side and rear setbacks	0 None	0 None	Subsection 19.304.5.C Street Setbacks Subsection 19.501.2 Yard Exceptions

[Click here to enter text.](#)

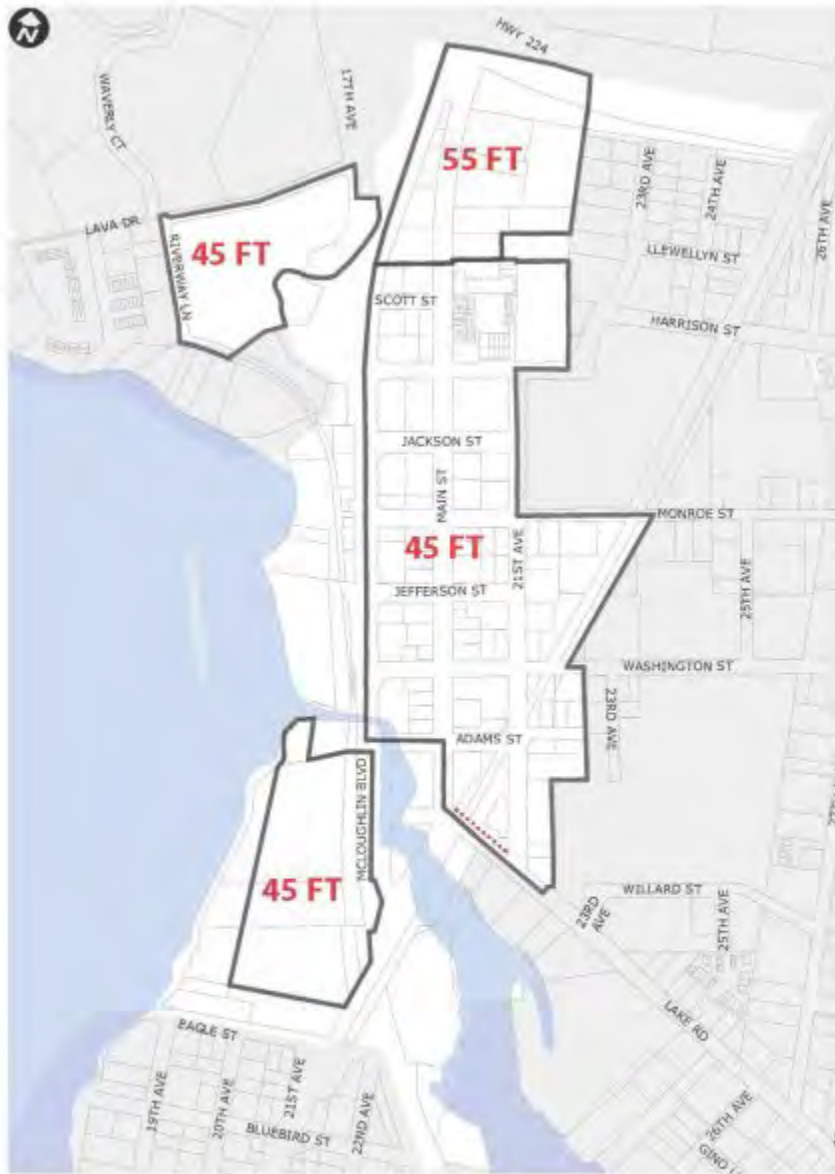
Table 19.304.4 CONTINUED			
Downtown Zones—Summary of Development Standards			
Standard	DMU	OS	Standards/ Additional Provisions
B. Development Standards CONTINUED			
4. Off-street parking required	Yes, where applicable	Yes, where applicable	Subsection 19.304.5.D Off-Street Parking Chapter 19.600 Off-Street Parking and Loading
C. Other Standards			
1. Residential density requirements (dwelling units per acre)			Subsection 19.202.4 Density Calculations Subsection 19.304.5.E Residential Density Subsection 19.501.4 Density Exceptions
a. Townhouses and live/work units			
(1) Minimum	25	n/a	
(2) Maximum	None	n/a	
b. Stand-alone multifamily			
(1) Minimum	30	n/a	
(2) Maximum	None	n/a	
c. Mixed-use buildings	None	n/a	
2. Signs	Yes	Yes	Section 14.16.060 Downtown Zones

Figure 19.304-3
Minimum Floor Area Ratios



[Click here to enter text.](#)

Figure 19.304-4
Base Maximum Building Heights



[Click here to enter text.](#)

19.304.5 Detailed Development Standards

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

A. Floor Area Ratios

1. Intent

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. In some cases, FAR densities are provided for provision of a public benefit or amenity to the community.

2. Standards

- a. The minimum floor area ratios in Subsection 19.304.4.B.1 apply to all nonresidential building development. Stand-alone residential densities are controlled by minimum density requirements.
- b. Required minimum floor area ratios are 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. FAR bonuses are available for provision of structured parking per Subsection 19.611.4.

3. Exemptions

The following are exempt from the minimum floor area ratio requirement.

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

B. Building Height

1. Intent

Minimum and maximum building height standards serve several purposes. They promote a compatible building scale and relationship of one structure to another. A minimum building height is established to ensure that the traditional building scale for the downtown area is maintained.

2. Standards

- a. The minimum building height standards apply to new commercial, office, residential, and mixed-use buildings.

- b. Minimum building heights are specified in Table 19.304.4. The minimum building height of 25 ft must be met along all street frontages for a depth of at least 25 ft from the front of the building.
- c. Base maximum building heights are specified in Figure 19.304-4. Height bonuses are available for buildings that meet the standards of Subsection 19.304.5.B.3.

3. Height Bonuses

To incentivize the provision of additional public amenities or benefits beyond those required by the baseline standards, height bonuses are available for buildings that include desired public amenities or components; increase downtown vibrancy; and/or help meet sustainability goals.

A building can utilize up to two of the development incentive bonuses of this subsection, for a total of 24 ft of additional height above the height maximum specified in Figure 19.304-4.

Height bonuses cannot be applied within 50 ft of the moderate density residential (R-MD) zone.

a. Residential

New buildings that devote at least one story or 25% of the gross floor area to residential uses are permitted an additional 12 ft of building height. The residential height bonus cannot be used in combination with the lodging height bonus.

b. Lodging

New buildings that devote at least one story or 25% of the gross floor area to lodging uses are permitted an additional 12 ft of building height. The lodging height bonus cannot be used in combination with the residential height bonus.

c. Green Building

Project proposals that receive approvals and certification as identified in Section 19.510 are permitted an additional 12 ft of building height.

d. Building Height Variance

Additional building height may be approved through Type III variance review, per Subsection 19.911.6 Building Height Variance.

4. Exemptions

The following are exempt from the minimum building height standards.

- a. Additions to existing buildings.
- b. Accessory structures.
- c. Buildings with less than 1,000 sq ft of floor area.

C. Street Setbacks

1. Intent

Buildings are allowed and encouraged to build up to the street right-of-way in the DMU Zone to ensure that the ground floors of buildings engage the street right-of-way.

2. Standards

- a. No minimum street setbacks are required.
- b. Minimum setbacks are used in combination with the Site Frontage design element in Subsection 19.508.4.A.

3. Exemption

The DMU Zone is 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 Blvd.

D. Off-Street Parking

1. Intent

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

2. Standards

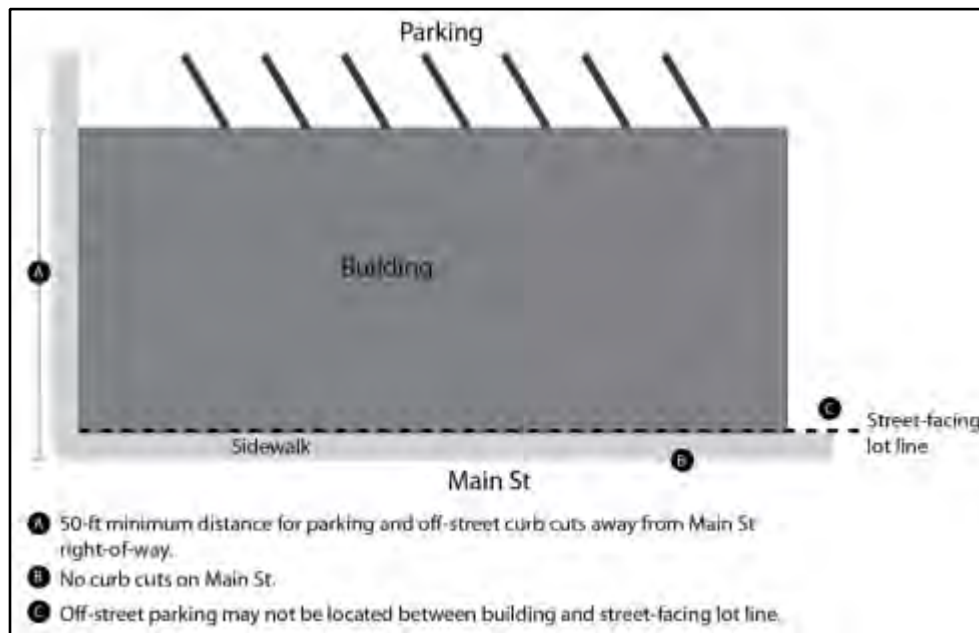
- a. Off-street parking for residential uses is required at the ratios established in Table 19.605.1. All other applicable standards of Chapter 19.600 apply.
- b. No off-street parking is required for nonresidential uses. If off-street parking is provided for nonresidential uses, the parking maximums in Table 19.605.1 will apply. All other applicable standards of Chapter 19.600 will also apply.
- c. Off-street surface parking lots (including curb cuts) must not be located within 50 ft of the Main Street right-of-way. Off-street surface parking lots approved prior to October 31, 2015, the effective date of Ordinance #2106, are exempt from this prohibition. This exemption applies only to the property owner on file with the Clackamas County Assessor as of October 31, 2015, the effective date of Ordinance #2106, and is dissolved upon transfer of ownership.

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

- (1) The overall project meets the intent of providing a continuous façade of buildings close to Main Street.
- (2) The off-street parking area or curb cut is visually screened from view from Main Street.

- (3) The community need for the off-street parking area or curb cut within 50 ft of Main Street outweighs the need to provide a continuous façade of buildings in that area.
- d. Off-street parking must not be located between a building and the street-facing lot line.

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



E. Residential Density

1. Intent

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

2. Standards

- a. Minimum densities for townhouses and live/work units are 25 units per acre. There is no maximum residential density for townhouses or live/work units.
- b. Minimum densities for stand-alone multifamily dwellings and senior/retirement housing in the DMU Zone are 30 units per acre. Maximum residential densities are effectively controlled by height limits.

3. Exemption

There are no minimum density requirements when residential units are developed as part of a mixed-use building.

[Click here to enter text.](#)

19.304.6 Public Area Requirements

A. Purpose

The Public Area Requirements (PAR) implement the Downtown and Riverfront Land Use Framework Plan. The purpose of the PAR is to ensure that, as revitalization occurs in downtown, there will be a consistent and high-quality public right-of-way that establishes a safe, comfortable, contiguous pedestrian-oriented environment. Public area requirements are defined as improvements within the public right-of-way and include, but are not limited to, sidewalks, bicycle lanes, on-street parking, curb extensions, lighting, street furniture, and landscaping. The PAR is implemented through Chapter 19.700 and the Milwaukie Public Works Standards.

B. Applicability, Review Process, and Standards

Development in downtown zones is subject to the review process and standards of Chapter 19.700 as specified in the chapter's applicability provisions. Required public improvements along rights-of-way included in the PAR must be consistent with the PAR as implemented in the Milwaukie Public Works Standards.

19.304.7 Additional Standards

Depending upon the type of use and development proposed, the following sections of Chapter 19.500 Supplementary Development Regulations may apply. These sections are referenced for convenience and do not limit or determine the applicability of other sections within the Milwaukie Municipal Code.

A. Section 19.504 Site Design Standards

B. Section 19.505 Building Design Standards

C. Section 19.508 Downtown Site and Building Design Standards and Guidelines

19.304.8 Variances

The Planning Manager or Planning Commission may authorize variances to the development standards under Subsection 19.304.4 in accordance with procedures of Section 19.911.

19.508 DOWNTOWN SITE AND BUILDING DESIGN STANDARDS AND GUIDELINES

19.508.1 Purpose

The design standards and guidelines contained in this section are intended to encourage high-quality building design and construction that complements district development patterns, fosters human-scale design, and adds vitality. The design standards and guidelines will support the development of a cohesive, attractive, and safe downtown area and encourage private investment. The design standards and guidelines do not prescribe a particular building or architectural style. These standards and guidelines apply to all downtown design reviews.

19.508.2 Applicability

The design standards and guidelines in this section generally apply to the street-facing façades, as defined in Section 19.201, of nonresidential, mixed-use, and residential-only multifamily buildings within the downtown zones. Any exceptions are detailed within each specific design element. Development is subject to the standards of this section as described below.

A. New Development

1. All new development is subject to the design elements of this section.
2. Townhouse and live/work units, where permitted, are subject to the following design elements and additional standards:
 - a. Subsection 19.508.4.A Site Frontage.
 - b. Subsection 19.508.4.E Building Entrances.
 - c. Subsection 19.508.4.M Plazas and Usable Open Space.
 - d. Townhouses are subject to the standards of Subsection 19.505.5 Townhouses, as revised by Subsection 19.304.3.B.1.
 - e. Live/work units are subject to the standards of Subsection 19.505.6 Live/Work Units.

B. Expansions, Additions, and/or Changes to Existing Buildings or Structures

The following elements are applicable to expansions of, and/or additions to, existing buildings or structures. Elements that are applicable to expansions or additions do not apply to existing buildings unless stated below. Expansions or additions that bring the building or structure out of conformance, or further out of conformance if already nonconforming, with the applicable design standard or standards are subject to Chapter 19.800 Nonconforming Uses and Development or Section 19.907 Downtown Design Review.

1. Expansions or additions that add 250 sq ft or less—and are not visible from the pedestrian level of adjacent streets, sidewalks, courtyards, and/or public parks or pedestrian walkways—are exempt from the design elements of Section 19.508.
2. Expansions or additions to the street-facing façade are subject to the following elements.
 - a. Subsection 19.508.4.A Site Frontage.
 - b. Subsection 19.508.4.A Wall Structure and Building Façade Details, for the area of expansion or addition only.
 - c. Subsection 19.508.4.C Exterior Building Materials, For Existing Buildings, only for the area of the expansion.

- d. Subsection 19.508.4.D Façade Transparency and Activation, only for the area of expansion or addition.
- e. Subsection 19.508.4.E Building Entrances, if the addition or expansion includes a building entry.
- f. Subsection 19.508.4.F Windows, only for the area of expansion or addition.
- g. Subsection 19.508.4.G Corners, if applicable.
- h. Subsection 19.508.4.I Weather Protection, if the addition or expansion includes a building entry.
- i. Subsection 19.508.4.J Roofs and Rooftop Equipment Screening, for expansions that include an additional floor, a new roof, and/or new rooftop equipment.
- j. Subsection 19.508.4.L Resident Open Space.
- k. Subsection 19.508.4.M Plazas and Usable Open Space.
- l. Subsection 19.508.4.N Outdoor and Exterior Building Lighting, if the addition or expansion includes lighting.

C. Replacement of Materials

The following elements are applicable for work that would replace any of the façade materials on a building or change elements of the façade such as windows, doors, awnings, canopies, and other structural elements. The element applies only to the portion of the façade on which the new materials are installed or the structural element being replaced.

- 1. Subsection 19.508.4.B.2.a(1) for replacement of more than 25% of the building façade materials.
- 2. Subsection 19.508.4.B.2.a(2) for replacement of more than 25% of the building façade materials.
- 3. Subsection 19.508.4.B.2.b, for replacement of more than 25% of the building façade materials.
- 4. Subsection 19.508.4.C.2.b for existing development.

D. Other Activities

Any activity not described in Subsections 19.508.2.A-C is exempt from the design elements of this section.

19.508.3 Review Process

Design standards and guidelines for development in downtown Milwaukie are applied through downtown design review as established in Section 19.907. Projects subject to downtown design review are described in the applicability language in Subsection 19.907.2.

For those projects that are subject to downtown design review, the applicant must demonstrate how the applicable standards or guidelines are being met.

- A. Applicants may elect to meet all of the applicable design standards for each design element in Section 19.508.4. Such projects can be reviewed through an administrative Type I downtown design review as established in Section 19.907.
- B. Applicants that do not meet all of the applicable design standards may demonstrate compliance with individual design elements by meeting either the design standards or the

design guidelines for a specific element. Such projects must be reviewed through a discretionary Type II or III downtown design review as established in Section 19.907.

19.508.4 Downtown Design Elements

All development that meets the applicability provisions in Subsection 19.508.2 must meet the following design standards or guidelines for each design element. A design feature may be used to comply with more than one standard or guideline.

A. Site Frontage

1. Purpose

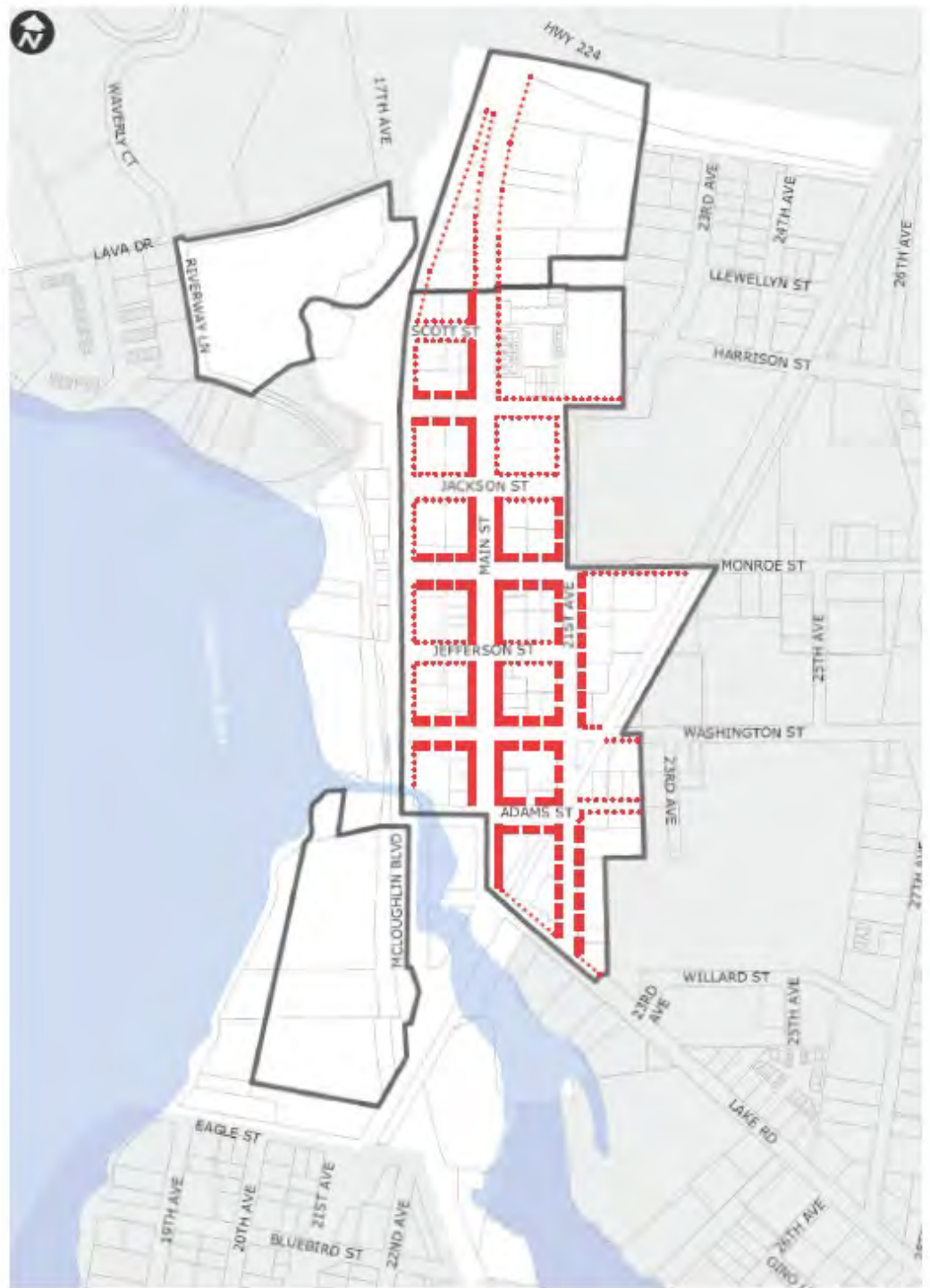
To encourage building design and site placement that enlivens the public realm and streetscape through significant building presence along site frontages and active ground-floor uses.

2. Design Standards

a. Frontage Occupancy

- (1) Minimum frontage occupancy requirements are established for block faces identified in Figure 19.508.4.A.2.a.(1) and detailed in Table 19.508.4.A.2.a.(1). Frontage occupancy requirements are used in combination with the required build-to line of Subsection 19.508.4.A.2.b.

Figure 19.508.4.A.2.a.(1)
Minimum Frontage Occupancy



LEGEND

— 90%

- - - 75%

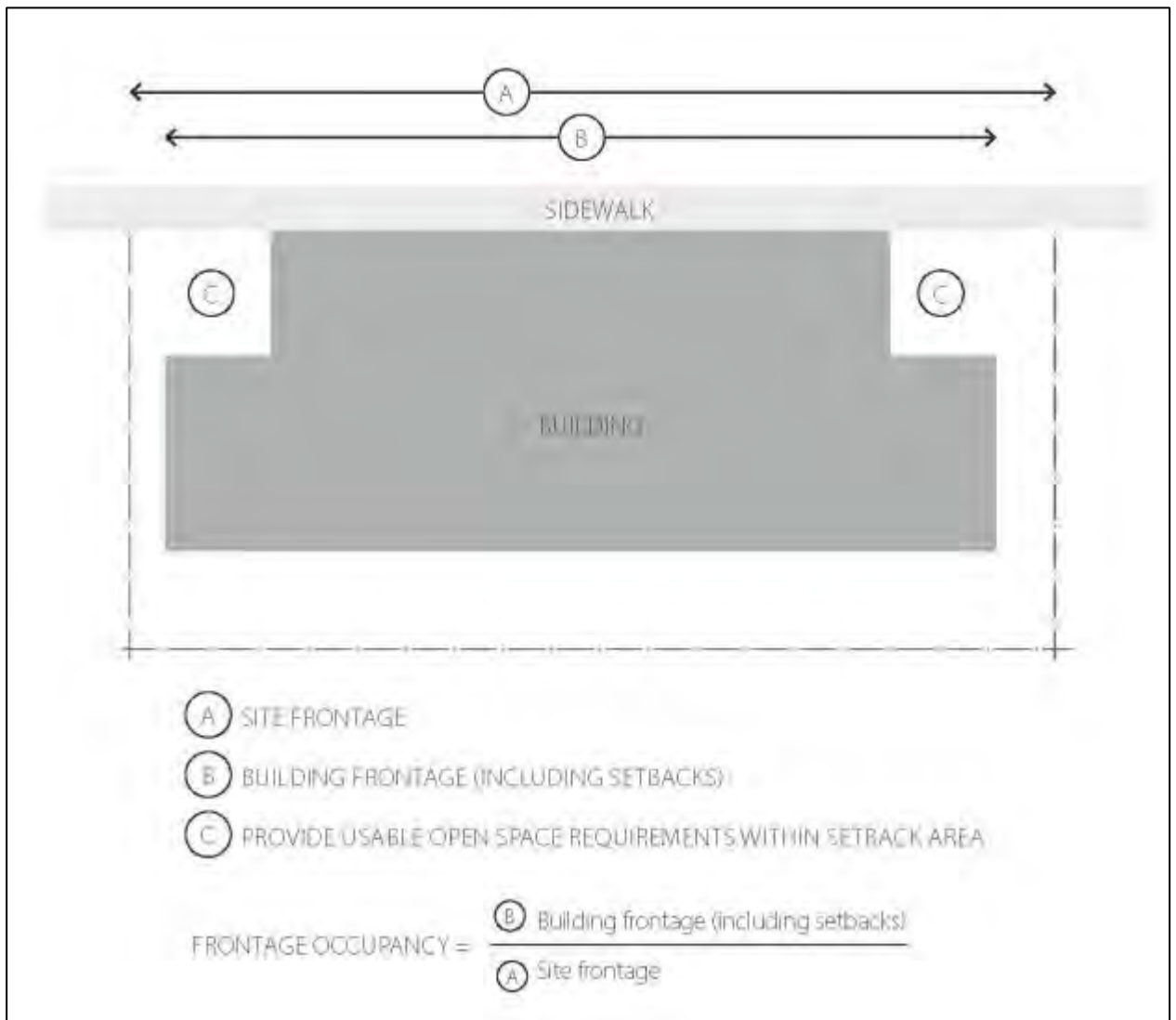
..... 50%

Table 19.508.4.A.2.a.(1) Minimum Frontage Occupancy Requirements		
Block Faces¹	Minimum Frontage Occupancy Requirement	Notes
Main Street	90%	If the development site has frontage on Main Street and another street, the frontage occupancy requirement must be met on Main Street only.
Secondary Streets (Harrison Street, Monroe Street, Washington Street, Adams Street, and 21 st Avenue)	75%	If the development site has frontage on one of the streets listed here and another street where neither frontage is on Main Street, the frontage occupancy requirement must be met on the streets listed here only.
Tertiary Streets (All others)	50%	

1. As illustrated in Figure 19.508.4.A.2.a, which controls in the instance of a conflict with the street names as listed here.

(2) Frontage occupancy is calculated as the building frontage divided by the site frontage, as illustrated in Figure 19.508.4.A.2.a.(2). The building frontage includes both portions of the building at the build-to line and portions of the building set back from the front lot line consistent with maximum setbacks, as specified in Subsection 19.508.4.A.2.b.

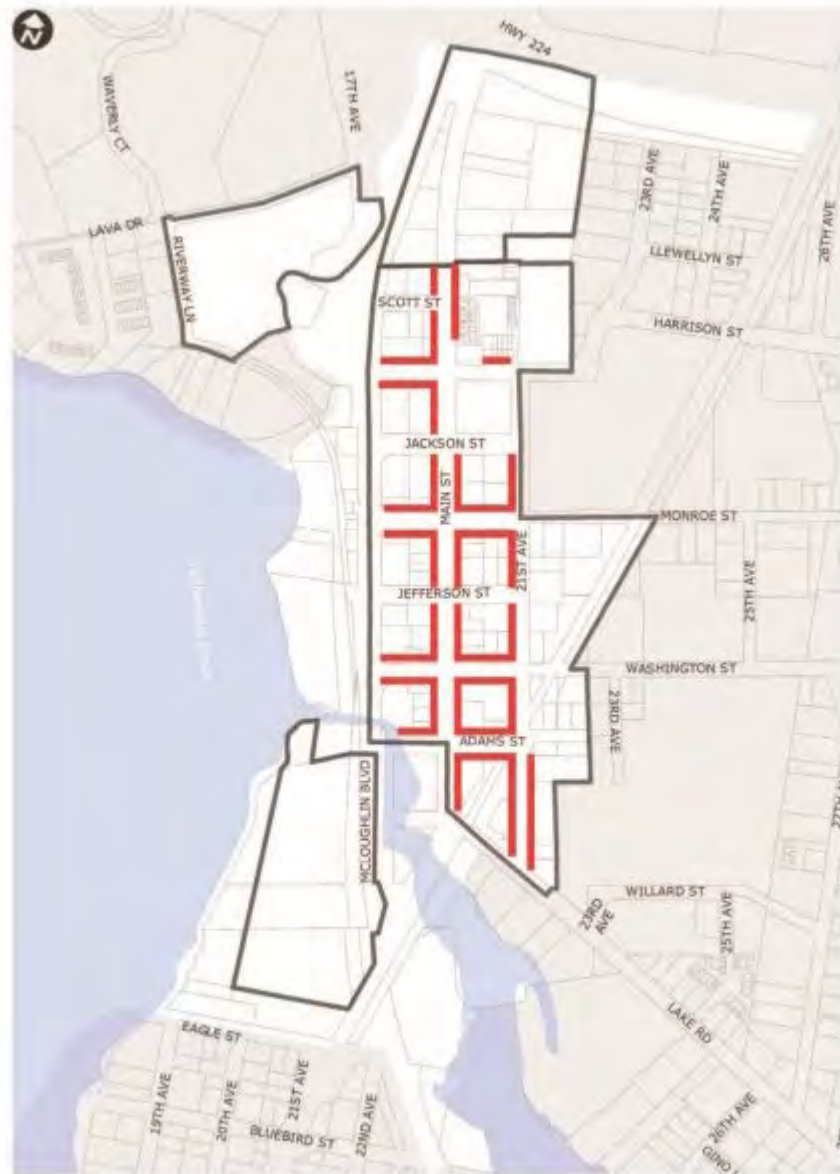
Figure 19.508.4.A.2.a.(2)
Frontage Occupancy Requirements



b. Build-To Lines / Street Setbacks

- (1) A build-to line as illustrated in in Figure 19.508.4.A.2.b.(1) must be met for those block faces identified in Figure 19.508.4.A.2.b as follows:

Figure 19.508.4.A.2.b
First-Floor Build-to Requirements

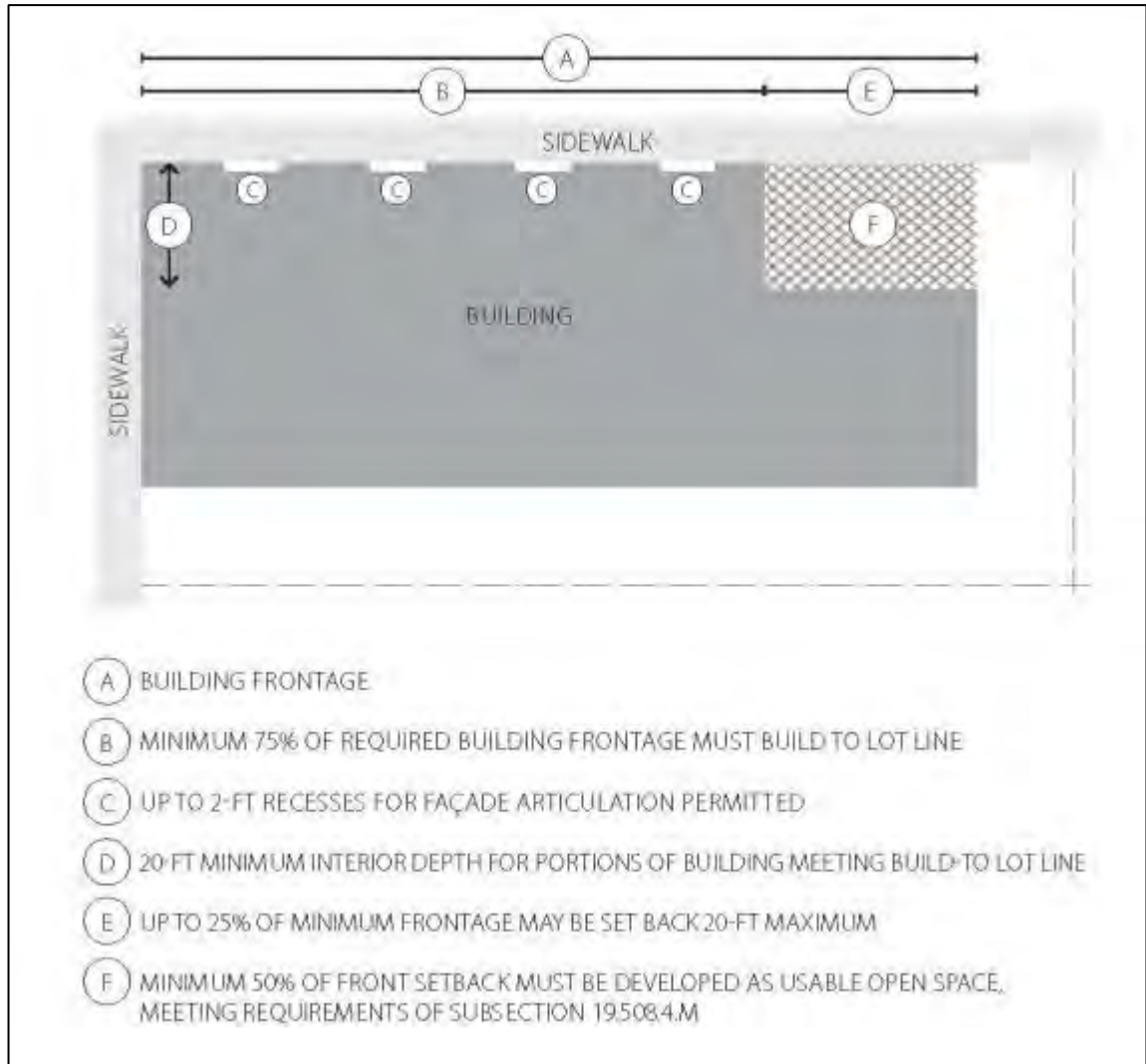


- (a) Of the minimum frontage occupancy required for the site per Subsection 19.508.4.A.2.a, a minimum of 75% of the building's first floor must be built to the front lot line with a zero-foot setback, or up to a 2-ft setback for recesses in the building façade incorporated to comply with façade articulation requirements.
- (b) The portions of the building used to meet the build-to-line requirement must have an interior depth of at least 20 ft.

- (c) The remaining 25% of the first floor used to meet the build-to-line requirement may be set back from the front lot line a maximum of 20 ft. At least 50% of any front setback area must be developed as usable open space, such as a plaza or pedestrian amenities, that meets the requirements of Subsection 19.508.4.M.2.

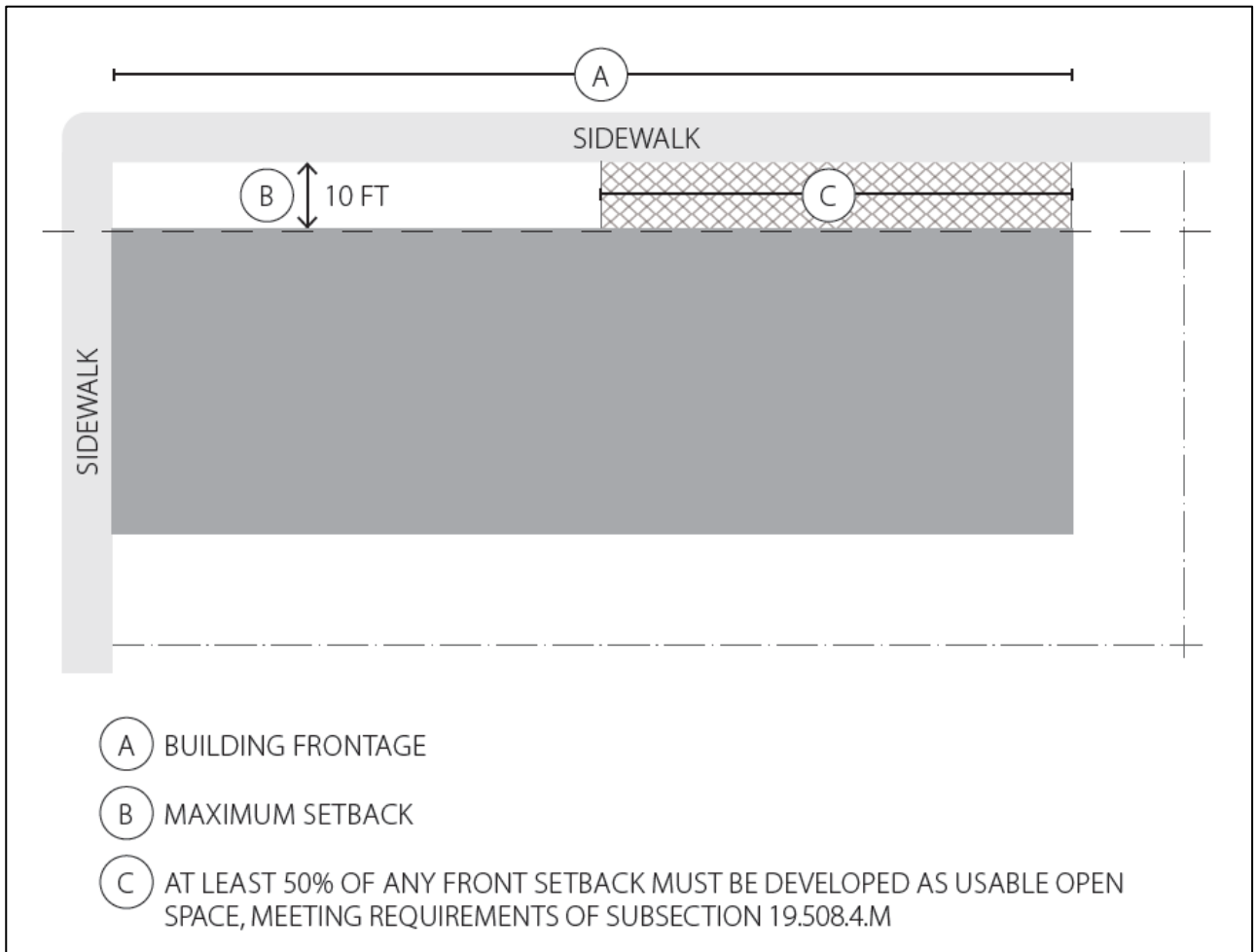
Figure 19.508.4.A.2.b.(1)

First-Floor Build-To Lines



- (2) For other block faces, there is no build-to-line requirement and the maximum setback is 10 ft. At least 50% of any front setback area must be developed as usable open space, such as a plaza or pedestrian amenities, that meets the requirements of 19.508.4.M.2. (See Figure 19.508.4.A.2.b.(2).)

Figure 19.508.4.A.2.b.(2)
Maximum Setbacks



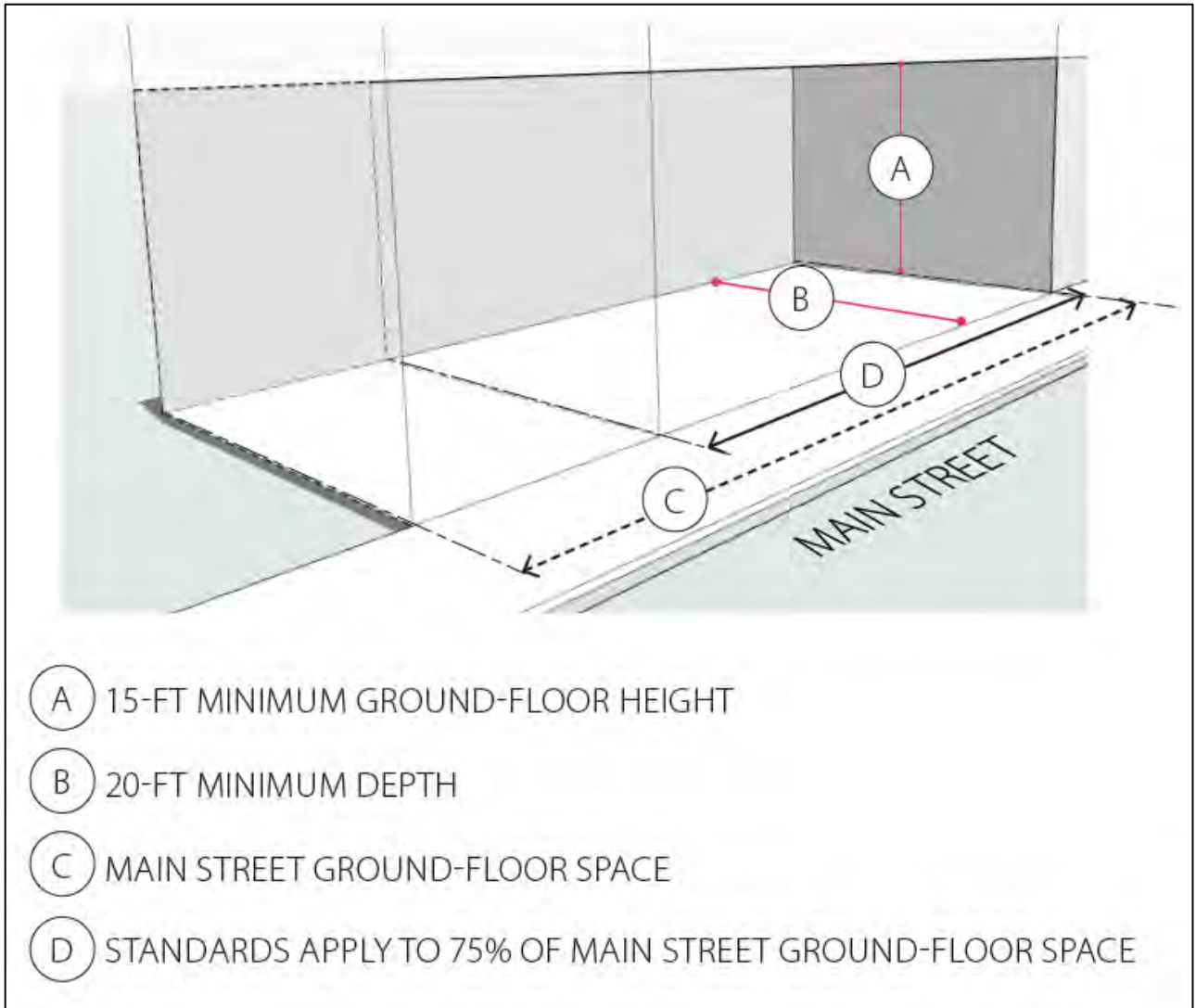
- (3) The Downtown Mixed Use (DMU) zone is exempt from the clear vision area requirements of Chapter 12.24, with the exception of driveway and street intersections with McLoughlin Boulevard.

c. Active Ground-Floor Space

For new buildings fronting Main Street, excluding ground-floor residential, the following standards must be met as illustrated in Figure 19.508.4.A.2.c:

- (1) At least 75% of the ground-floor height must be at least 15 ft, as measured from the finished floor to the ceiling, or from the finished floor to the bottom of the structure above (as in a multistory building). The bottom of the structure above is the lowest portion of the structure and includes supporting beams.
- (2) At least 75% of the interior floor area adjacent to Main Street must be at least 20 ft deep, as measured from the inside building wall or windows facing Main Street.

Figure 19.508.4.A.2.c
Active Ground-Floor Space Standards



3. Design Guidelines

- a. A strong and high-percentage presence of buildings on the site edge, and spacious active ground-floor spaces and uses should be provided to create a continuous building frontage on the street to create compatibility and harmony between buildings and to encourage pedestrian activities. Building placement along the street should contribute to a continuous street wall that integrates storefront opportunities and architectural interest along the street, and should bring buildings up to the sidewalk for pedestrian interest. The amount of building presence should be scaled to the uses and intensity of the street.
- b. Where buildings are set back from the property line and sidewalk, the setback distance should be minimized and plazas and open space should be located between the building and sidewalk edge, helping to enliven the street edge and

pedestrian realm. The plaza and open space area should incorporate pedestrian-scale features consistent with guidelines in Subsection 19.508.4.M.

- c. Ground floors of commercial, public, and mixed-use buildings should be flexible and offer ample space for active uses serving occupants and visitors, such as retail, service, or food service. The amount of active ground-floor space should be scaled to match the uses and intensity of the street, with the greatest amount in new buildings along Main Street. High ground-floor heights and adequate depths should provide flexible interior spaces for active uses.

B. Wall Structure and Building Façade Detail

1. Purpose

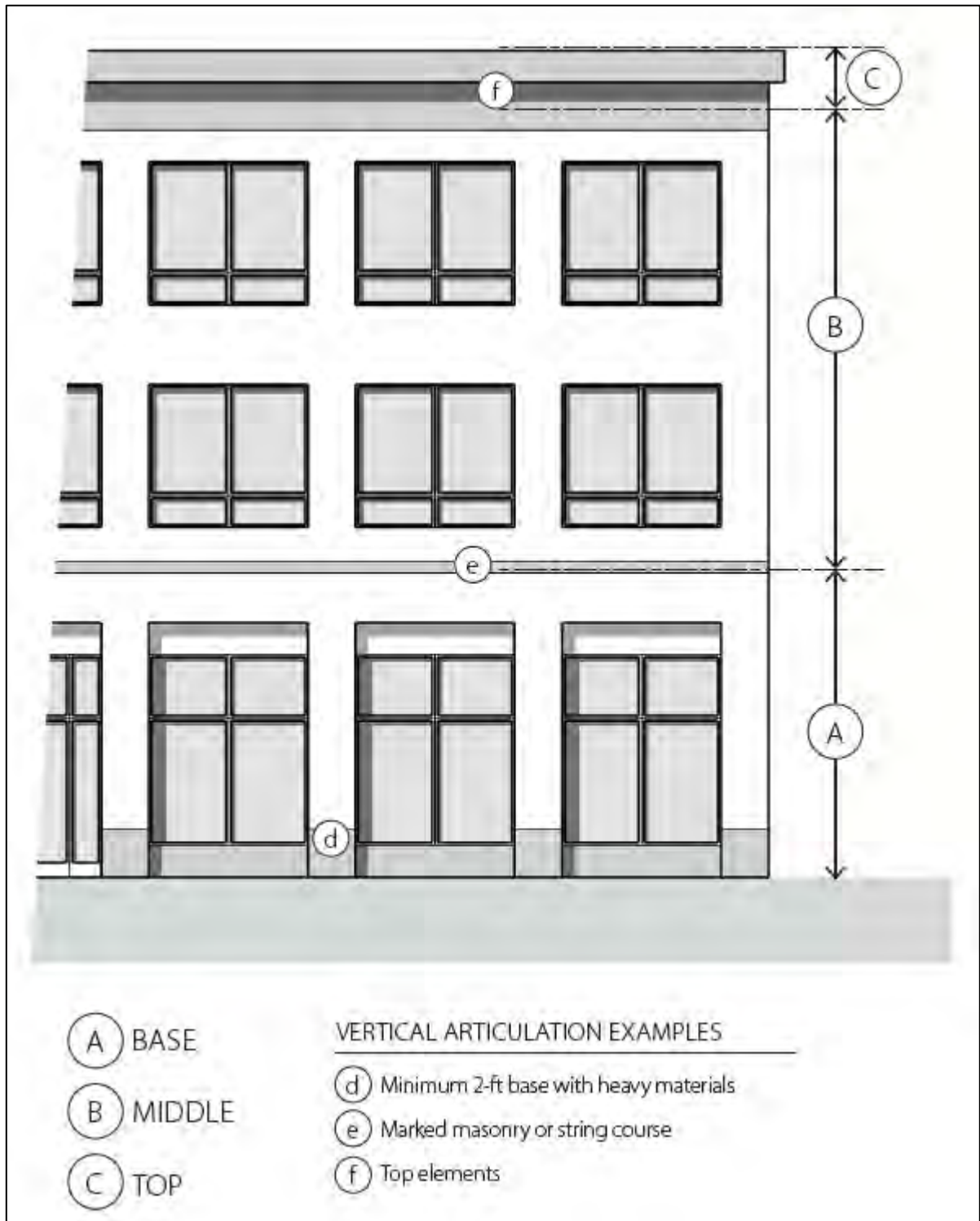
To add visual interest to buildings and enhance the street environment with engaging and varied wall structures. Use design features and details to break down the scale and mass of a building to create comfortable, pedestrian-friendly environments and enclosure to public areas.

2. Design Standards

a. Vertical Articulation

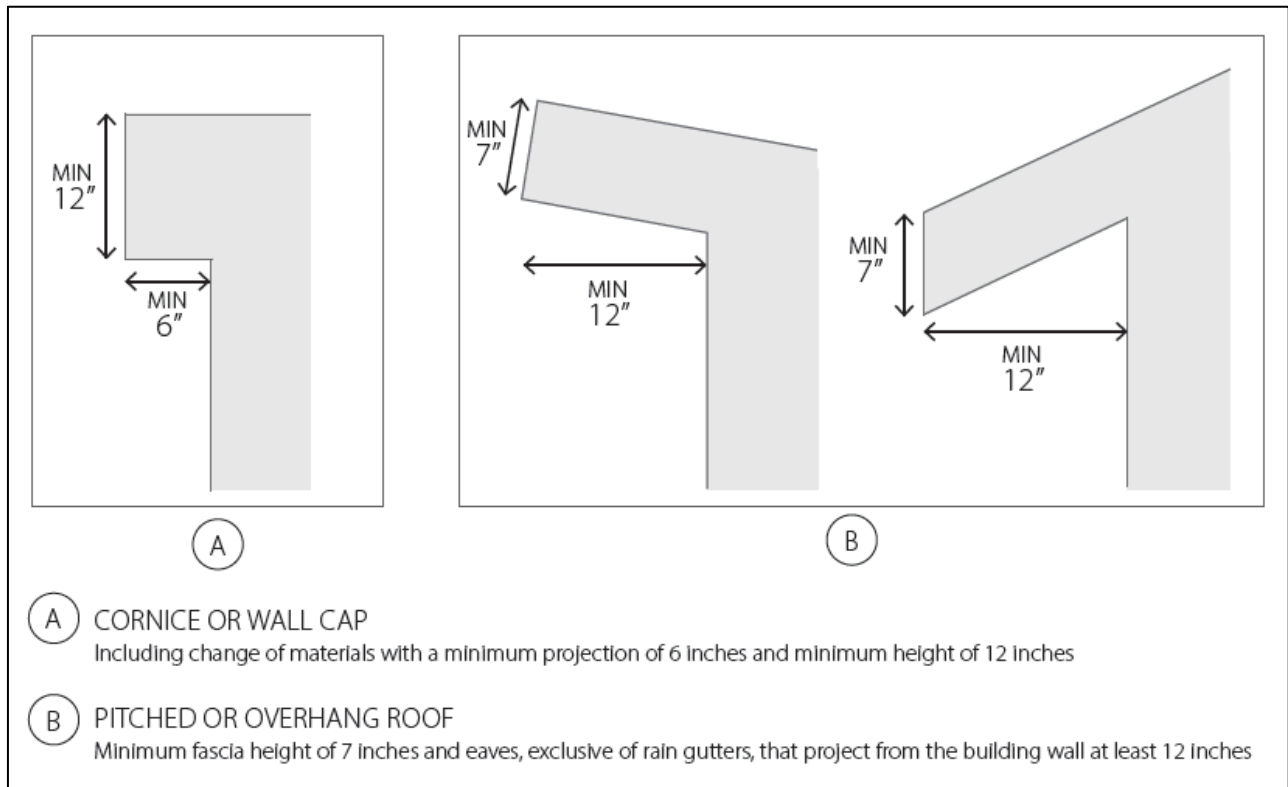
Buildings of two stories and above must be divided vertically to create a defined base, middle, and top by incorporating the following elements as shown in Figure 19.508.4.B.2.a:

Figure 19.508.4.B.2.a
Vertical Articulation Features



- (1) **Base.** The base of the building extends between the sidewalk and the top of the ground floor or the belt course/string course that separates the ground floor from the middle of the building. A minimum of the first 2 ft above finished grade of the ground-floor street-facing façade must be constructed of brick, stone, or concrete, excluding windows, entrances, and garage openings. The remainder of the base must meet the exterior building materials standards in Subsection 19.508.4.C.
- (2) **Middle.** The middle of the building between the top of the ground floor and top of the highest floor must incorporate at least one of the following elements:
 - (a) A change in exterior building materials and/or material color between the ground floor and upper floors.
 - (b) Street-facing balconies or decks at least 2 ft deep and 4 ft wide for at least 25% of the length of the building façade.
 - (c) Horizontal architectural elements such as masonry string courses, ledges, and water tables at least 8 in tall that project or recess at least 1 in from the building face and extend across a minimum of 75% of the façade length.
- (3) **Top.** The top of the building extends from the ceiling of the uppermost floor to the highest vertical point on the roof of the building. The building top must be distinguished from the building facades by one of the following (see Figure 19.508.4.B.2.a.(3)):

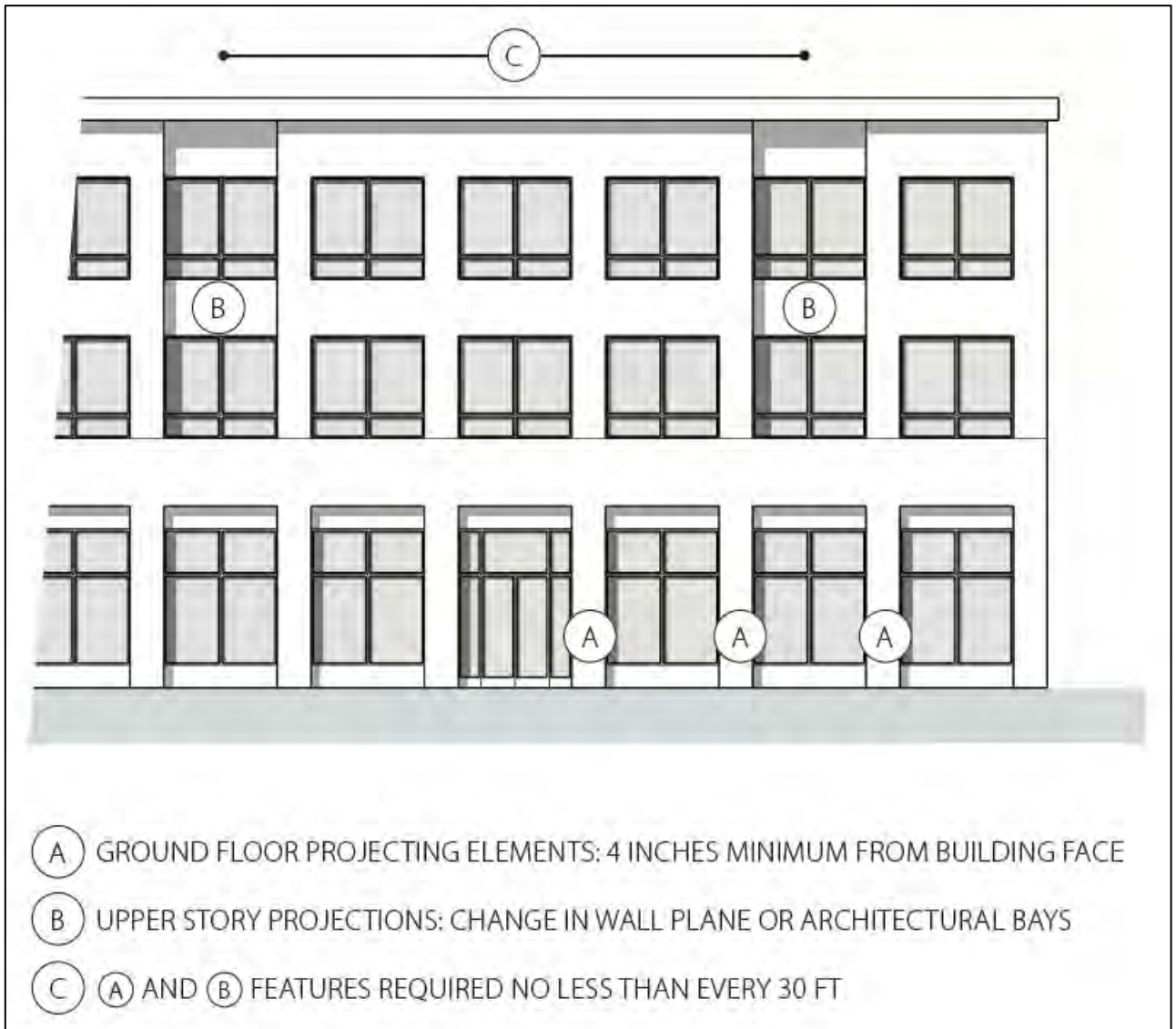
Figure 19.508.4.B.2.a.(3)
Façade Top Details



- (a) Cornice or wall cap including a change of materials with a minimum projection of 6 in and minimum height of 12 in.
 - (b) A pitched or overhang roof with a minimum fascia height of 7 in and eaves, exclusive of rain gutters, that project from the building wall at least 12 in.
- b. Horizontal Articulation
- (1) The street-facing façade must create a sense of rhythm and variation by incorporating the following as illustrated in Figure 19.508.4.B.2.b:
 - (a) The ground floor façade must include columns, piers, pilasters or revealed structural elements projecting a minimum of 4 in from the building face no less than every 30 ft.
 - (b) The upper story façade must include one of the following no less than every 30 ft:
 - (1) A change in wall plane of not less than 2 ft deep and 2 ft wide. Breaks may include but are not limited to an offset, recess, window reveal, pilaster, pediment, coursing, column or similar architectural feature.
 - (2) Architectural bays at least 6 ft wide projecting 4 inches or more from the building face, with windows covering at least 50% of the projected wall area.

- (c) As an alternative to complying with (a) and (b) separately, features meeting the requirements of either (a) or (b) may be extended vertically across all stories.
- (2) Horizontal datum lines—such as belt lines, cornices, or upper-floor windows—must line up with adjacent facades if applicable.

Figure 19.508.4.B.2.b
Horizontal Articulation Details



3. Design Guidelines

- a. Street-facing façades should engage the street, achieving a distinct and high-quality treatment that contributes to the downtown as the center of the community.

- b. Building façades should create a sense of coherence through holistic and human-scale design. They should be designed with vertical divisions such as a tripartite façade of base, middle, and top, and horizontal design elements that reference traditional storefront widths and create a sense of rhythm, or an alternative design of vertical and horizontal elements that bring a human scale to the space of the street. Such vertical and horizontal architectural elements should create a coherent pattern and visual interest at a pedestrian scale, particularly for larger buildings.
- c. Buildings should avoid blank wall faces on street-facing façades, particularly on ground floors and building corners at street intersections.
- d. Building façades should integrate façade articulation techniques to add visual interest to the built environment and clearly demarcate areas of visual interest, highlighting entries or displays.
- e. Massing should be purposeful and cohesive, boldly showing depth and/or visual lightness to enrich the pedestrian zone, integrating façade articulation techniques to reduce the perceived scale of larger buildings.

C. Exterior Building Materials

1. Purpose

To encourage the use of high-quality building materials that highlight architectural elements, create a sense of permanence, are compatible with downtown Milwaukie and the surrounding built and natural environment, and activate the building around the pedestrian realm.

2. Design Standards

Table 19.508.4.C.2 specifies the primary, secondary, accent, and prohibited material types referenced in this standard.

Table 19.508.4.C Exterior Building Materials for Street-Facing Façades		
	Allowed Status of Material P = Primary S = Secondary A = Accent R = Review needed X = Prohibited	
Material Type	Ground Floor (First story down to sidewalk grade)	Upper Floors
Brick or brick veneer	P	P
Architectural concrete block or veneer	P	S
Architectural treated poured in place concrete	P	S
Tilt-up concrete walls (finished)	P	P
Pre-cast concrete	P	P
Stone veneer (natural or manufactured)	A-R	A-R
Stucco (topcoat with sand finish)	P	P

Exterior insulation finishing system (EIFS) or other synthetic stucco panels	P-R	P-R
Metal siding = Finished metal panels (e.g., anodized aluminum, stainless steel, copper) featuring a polished, brushed, or patina finish	P	P
Composite wall panels	P	P
Ceramic tile	A	S
Finished natural wood siding and composite wood siding	A	A
Fiber-reinforced cement siding and panels (5/16-in or thicker)	A	P
Through color reinforced cement siding and panels	A	S
Glazing (refer to Façade Transparency element)	P	P
Vinyl siding	X	X
Plywood paneling	X	X
Plastic or vinyl fencing	X	X
Chain-link fencing	X	X

a. New Buildings

The following standards are applicable to the street-facing façades of all new buildings, as well as façades facing plazas and/or open spaces.

(1) Façade coverage

(a) Table 19.508.4.C.2.a.(1) establishes façade coverage requirements.

Table 19.508.4.C.2.a.(1) Façade Coverage Materials Requirements			
Façade Type	Primary Materials (Minimum)	Secondary Materials (Maximum)	Accent Materials (Maximum)
Ground-floor façades	90%	n/a	10%
Upper-floor façades	65%	35%	10%

(b) The use of the following materials requires a Director’s Determination consistent with Section 19.903. The Planning Manager must consult with Design and Landmarks Commission in making the determination, and the applicant must provide materials specifications and proposed installation details to inform the determination.

i. Materials permitted as review uses in Table 19.508.4.C.

ii. Materials similar to the primary, secondary, and accent materials listed in Table 19.508.4.C.

(c) Materials prohibited in Table 19.508.4.C may not be used on any exterior wall, whether or not it is a street-facing façade.

(2) Ground-floor or street-level materials must wrap around to the non-street-facing façade of the building to minimum depth of 10 ft or to the edge of the abutting building, whichever is less.

- b. Existing Buildings
 - (1) Street-facing façade modifications that affect more than 50% of the existing façade area must comply with standards of Subsection 19.508.4.C.2.a for the modified portion of the façade.
 - (2) Building expansions or additions that add street-facing façade area greater than 25% of the existing façade area, as measured in square feet, or 500 sq ft of façade area, whichever is less, must meet the standards of Subsection 19.508.4.C.2.a for the façade of the building expansion or addition.
- 3. Design Guidelines
 - a. Exterior materials and finishes should be durable, long-lasting, and low-maintenance and create a sense of permanence and high quality.
 - b. Exterior materials for street-facing façades should include a palette that is visually interesting, coherent, compatible, related to its place, and observant of environmental elements of our region.
 - c. Ground-floor materials should consist primarily of a simple palette of long-lasting materials such as brick, stone, or concrete to create a sense of groundedness.
 - d. Upper-floor materials should be attractive and compatible with the dominant materials and colors used on ground-floor facades of the building. Upper-floor materials should not overwhelm ground floor materials.
 - e. Street-facing façade materials should be wrapped around the edge to non-street facing façades to create a seamless appearance.
 - f. For renovations to existing development, new and existing materials should create a unified appearance.

D. Façade Transparency and Activation

- 1. Purpose

To activate building interiors and exteriors by ensuring transparency through the building, allowing for daylighting of ground-floor commercial and public uses of buildings, and promoting a safe and vibrant pedestrian environment through visual and physical connections between interior and exterior spaces. To limit blank walls and promote alternatives to glazing where needed to activate façades and engage pedestrians viewing building exteriors.
- 2. Design Standards
 - a. Transparency must be created through glazing, defined here as windows and the glazed portions of doors.
 - b. Nonresidential and Mixed-Use Buildings
 - (1) Ground Floor
 - (a) Along Main Street, a minimum of 50% of the ground-floor street-facing wall area must consist of glazing.
 - (b) For all other block faces, a minimum of 40% of the ground-floor street-facing wall area must consist of glazing.

- (c) The ground-floor street-facing wall area is defined as the area from 3 ft above finished grade to 12 ft above finished grade or to the bottom of the ceiling joists or, where there is no ceiling, to the bottom of the roof rafters of the space fronting the street, whichever is less.

(2) Upper Floors

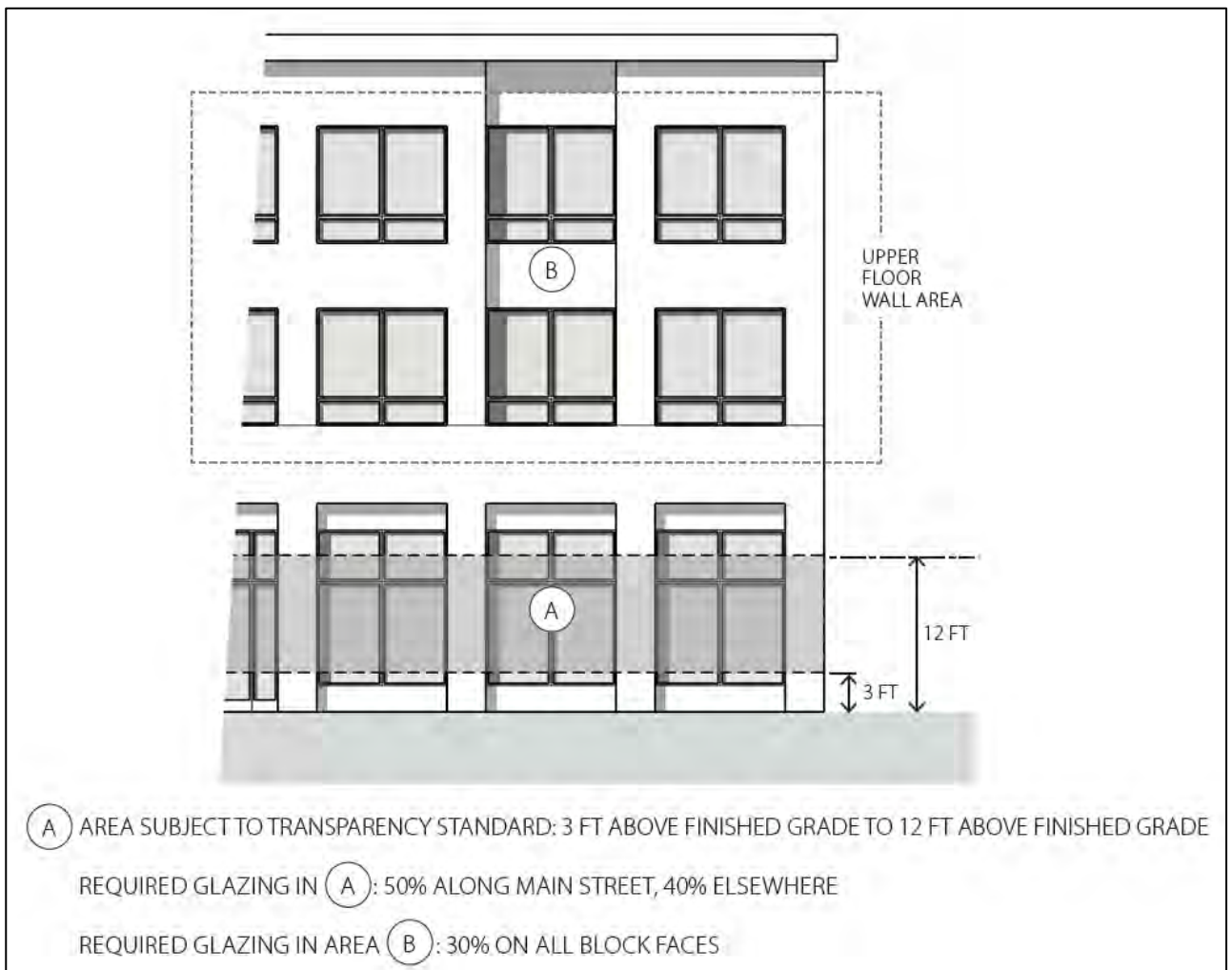
Along all block faces, the following standards are applicable on street-facing upper-floor building façades:

- (a) The wall area of street-facing upper floors must include a minimum of 30% glazing.
- (b) The required street-facing upper-floor glazing does not apply to floors where sloped roofs and dormer windows are used.

See Figure 19.508.4.D.2.b for an illustration of these standards.

Figure 19.508.4.D.2.b

Glazing Standards for Nonresidential and Mixed-Use Buildings



- (3) Street-facing blank walls that contain no glazing are limited to 450 sq ft or 30 linear ft, whichever is less. In instances where a blank wall exceeds 450 sq ft or 30 linear ft, at least one of the following techniques must be employed in addition to the horizontal articulation requirements of Subsection 19.508.4.B.2.a.(2):
 - (a) Provide a landscaped planting bed(s) with plant materials capable of obscuring or screening at least 50% of the blank wall's surface area within three years.
 - (b) Provide a public art mural or original art mural, as defined in Section 20.04.020, over at least 50% of the blank wall surface.
- (4) Blank walls on façades that are not street-facing must also employ one or more of the techniques in Subsections 19.508.4.D.2.(3)(a) and (b) if they meet any of the following criteria:
 - (a) Ground-floor blank walls that exceed 450 sq ft or 30 linear ft, whichever is less, without glazing, that are visible from an adjacent public street. A side or rear façade is considered visible if there is no intervening building, wall, fence, or landscaping with a ground-floor wall area equal to at least 50% of the ground-floor wall area of the subject building between the subject façade and the adjacent public street. Ground-floor wall area is defined as the area from finished grade to 12 ft above finished grade or to the bottom of the ceiling joists or, where there is no ceiling, to the bottom of the roof rafters, whichever is less.
 - (b) Upper-floor blank walls that exceed 750 sq ft or 50 linear ft, whichever is less, without glazing, that face, or are within 45 degrees of, a shared property line where the abutting lot has no building taller than 25 ft between the subject façade and an adjacent public street.
 - (c) Blank walls on façades facing, or within 45 degrees of, on-site pedestrian walkways, that exceed 450 sq ft or 30 linear ft, whichever is less, without glazing.
 - (d) A blank wall spanning both the ground floor and upper floors may provide a unified landscaping or mural treatment meeting the requirements of Subsections 19.508.4.D.2.(3)(a) and (b).

c. Residential-Only Buildings

- (1) Twenty-five percent (25%) of the total street-facing façade for all floors must consist of glazing.
- (2) Street-facing blank walls that contain no glazing are limited to 450 sq ft or 30 linear ft. In instances where a blank wall exceeds 450 sq ft or 30 linear ft, at least one of the following techniques must be employed:
 - (a) Articulate the wall with projections or recesses consistent with Subsection 19.508.4.B.2.a.(2).

- (b) Provide a landscaped planting bed or raised planter bed at least 3 ft wide in front of the wall, with plant materials that obscure or screen at least 50% of the wall's surface within three years.
 - (c) Provide artwork (mosaic, mural, sculpture, relief, etc.) over at least 50% of the blank wall surface.
- (3) Façades that are not street-facing are subject to the blank wall standards of Subsection 19.508.4.D.2.b.(4).

3. Design Guidelines

- a. Design street-facing nonresidential and mixed-use ground floors with a high percentage of glazing to create transparency and engagement at the pedestrian eye level.
- b. Design nonresidential and mixed-use street-facing upper floors with sufficient glazing coverage to create visual interest along the façade and access to views, light, and air for building inhabitants.
- c. Design residential street-facing façade glazing coverage to balance transparency and privacy for residents.
- d. Arrange glazing to provide balanced coverage of the façade and limit blank walls on both street-facing and street-visible façades. If blank walls are proposed, use alternatives to glazing such as artwork, murals, vertical landscaping, and changes in materials or articulation to create visual interest.
- e. Design window and doors to maximize transparency and flexibility for ongoing use and adaptation that can be integrate into planned and future building uses and operations, considering such future treatments as shades, curtains, security fencing, and product shelving near windows or doors.

E. Building Entrances

1. Purpose

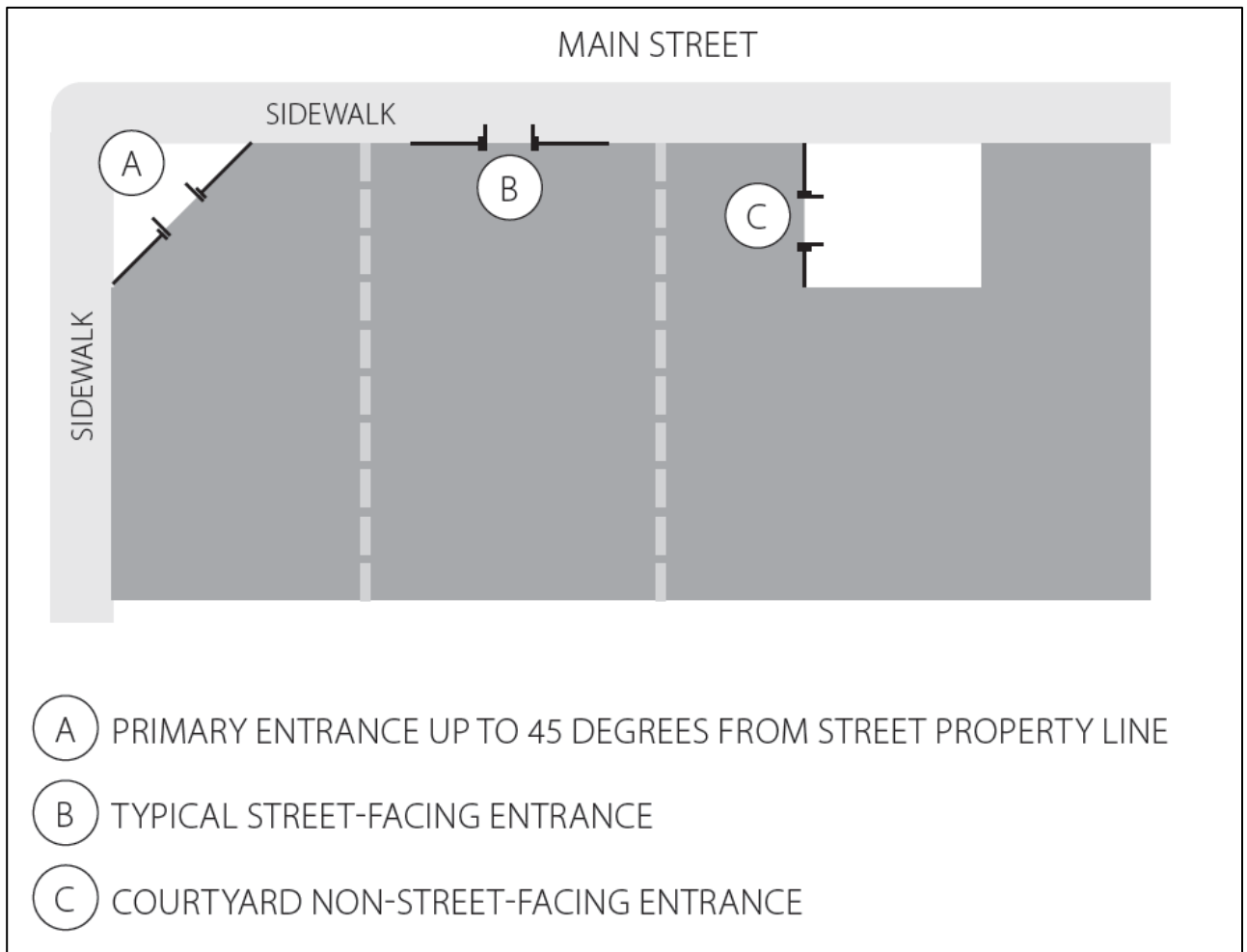
To create pedestrian-friendly development by providing building entrances that are oriented to the sidewalk or other public space and connected with clearly marked pedestrian walkways.

2. Design Standards

- a. All new buildings must have at least one primary entrance facing an abutting street. For purposes of this standard, “facing” means within 45 degrees of the street property line.
- b. For lots with frontage along more than one street, including multiple lots under common ownership being developed as a single site, the primary entrance must be located as follows:
 - (1) For lots with one frontage along a transit street, the primary entrance must be oriented to the transit street with the exception of Subsection 19.508.4.E.2.c.
 - (2) For lots with frontage along two transit streets, the primary entrance must be oriented to the street with higher-frequency transit service or the corner of the two streets.

- (3) For lots with frontage along Main Street, the primary entrance must be oriented to Main Street or the corner of the two streets, even if the other frontage is along a transit street.
- (4) For lots without frontage on Main Street or a transit street, the primary entrance may be oriented to either street.
- c. Where a development contains multiple buildings or multiple individual storefronts or residential units and there is insufficient street frontage to meet the above entrance location standards for all buildings, storefronts, or residential units on the subject site, the primary entrances for each building, storefront, or residential unit may orient to a plaza, courtyard, or similar pedestrian space designed as usable open space meeting the standards of Subsection 19.508.4.M. When oriented this way, the primary entrances must be connected to the street by an on-site pedestrian walkway either directly or through a plaza, courtyard, or similar pedestrian space as shown in Figure 19.508.4.E.2.

Figure 19.508.4.E.2
Primary Entrance Locations



- d. For nonresidential and mixed-use buildings:
 - (1) Primary entrances for mixed-use and nonresidential buildings must be clearly defined and distinguished from other parts of the building by incorporating at least one of the following design elements:
 - (a) Recessed or projected entry.
 - (b) Entry surrounds such as arches, columns, insets, and design elements above and/or flanking the entrance.
 - (c) Transom windows above the entrance door.
 - (2) The glazed portions of doors for primary entrances must be 75% or more of the door area.
 - e. For residential-only buildings, primary entrances must:
 - (1) Incorporate one of the design elements in Subsection 19.508.4.E.2.d.(1) above;
or
 - (2) Incorporate a covered porch, stoop, or patio with a minimum depth of 4 ft that may be elevated from sidewalk grade by no more than 8 ft.
 - f. All entrances must be lighted consistent with Subsection 19.508.4.N.
3. Design Guidelines
- a. Entryways should be sited to provide access where the highest amount of pedestrian activity is planned and where the pedestrian experience is designed to be exceptional. Primary building entries should be located along the Main Street or transit street frontage, where present, or at the corner of two such frontages for corner lots, whenever possible. Primary entries should not be oriented towards parking lots and service areas.
 - b. Building entries should be designed as prominent architectural features that are clearly defined and demarcated. Entryways should integrate features such as scale, materials, glazing, projecting or recessed forms, architectural details, and color in entryway areas, along with accent features such as lighting and landscaping to set an entry apart.
 - c. Nonresidential doors should create a strong connection to the street through the use of techniques such as storefront doors and surrounding windows with a high percentage of glazing, double doors, and large glazed sectional doors.
 - d. Residential entryways should incorporate vertical and horizontal layering by including a comfortable change of grade or entry features such as porches, terraces, stoops, or covered landings to create a connection to the street while maintaining a respectful separation for resident privacy. Residential doors should be substantial enough to suggest privacy yet still express a welcoming sense of friendly contact for those who approach and enter.

F. Windows

1. Purpose

To integrate windows made of high-quality materials that are compatible with the building design to create visually interesting exterior façades and that function to create sufficient interior light and enhance connections between interior and exterior spaces.

2. Design Standards

a. General Standards

- (1) Window openings must provide shadowing by recessing windows 4 in into the façade and/or incorporating exterior trim of at least 4-in reveal and of a contrasting material or color.
- (2) The following materials are approved for new window frames:
 - (a) Anodized or painted aluminum windows
 - (b) Wood
 - (c) Fiberglass
 - (d) Alternatively, frameless window systems may be used.
- (3) The use of spandrel glass is limited to floor lines and parapets.
- (4) For modification and expansion of existing buildings, replacement windows must match existing windows with respect to materials and dimensions. Alternatively, landmarks subject to Section 19.403 must comply with Subsection 19.403.5.E.4.

b. Prohibited Window Elements

For all street-facing building windows, the following window elements are prohibited:

- (1) Opaque, reflective or mirrored glazing. Opaque glazing is allowed on non-Main-Street façades as necessary for privacy (such as for bathrooms).
- (2) Glazing tinted beyond energy code requirements.
- (3) Simulated divisions (internal or applied synthetic materials).

c. Window Placement and Proportion

- (1) For nonresidential ground-floor windows, the bottom edge of windows along pedestrian walkways must be an average of no less than 1 ft and an average of no more than 3 ft above the abutting finished grade.
- (2) For all windows on street-facing façades, each window must comply with at least one of the following to create a sense of pattern and compatible design:
 - (a) Window shares the same width or height as another window on the same façade.
 - (b) The top or bottom edge of the window aligns with the top or bottom edge of another window on the same façade.

- d. For modification and expansion of existing buildings, replacement windows must match existing windows with respect to materials and dimensions. Alternatively, landmarks subject to Section 19.403 must comply with Subsection 19.403.5.E.4.

3. Design Guidelines

- a. Window materials should be compatible with other primary wall and surface materials while providing a degree of contrast. Materials should be high quality and provide a high degree of transparency. Windows should provide shadowing through use of trim and/or recesses.
- b. Nonresidential uses should provide windows at the street level, inviting pedestrians in and providing views both in and out, maintaining transparency and visibility regardless of the time of day.
- c. Ground-floor street-facing nonresidential windows should engage with the street and connect indoor and outdoor spaces, such as through the use of operable, opening windows (e.g., sliding, pivoting, or articulating windows).
- d. Window groupings, proportions and orientation should create a sense of rhythm and pattern to provide architectural interest to the overall building composition.

G. Corners

1. Purpose

To create a strong architectural statement at street corners, provide opportunities for pedestrian-scale activity, establish visual landmarks, and enhance visual variety.

2. Design Standards

a. Nonresidential or Mixed-Use Buildings

On corner lots or development sites consisting of more than one lot under common ownership at the corner of two public streets—or at the corner of a street and a public area, park, or plaza—nonresidential or mixed-use buildings must incorporate at least two of the following features:

- (1) The primary entrance located within 5 ft of the corner of the building.
- (2) A lobby or retail space a minimum of 100 sq ft in floor area with 90% transparency on facing windows and entrances within 5 ft of the corner of the building.
- (3) A pedestrian canopy or marquee at least 10 ft long at the corner of the building.
- (4) A chamfered corner at least 10 ft wide with an entry on the chamfer, or a similarly dimensioned rounded or stepped corner.
- (5) Enhanced pedestrian amenities including at least two of the following three options adjacent to the public right-of-way: a minimum of 100 sq ft of special paving materials, a minimum of two pieces of street furniture such as a bench or garbage can, water fountain, and/or a minimum of 20 sq ft of landscaping or planters.
- (6) Only for corner lots with frontage along Main Street and either Harrison, Monroe, Washington or Adams Streets, a prominent architectural element including one of the following:
 - (a) Height modulation element such as tower, turret or cupola, defined as an architectural feature that projects a minimum of 5 ft and maximum of 10 ft above the surrounding building, with a minimum width of 8 ft, which has a

separate roof structure and is uniquely identifiable from the rest of the building. Such features are exempt from maximum height standards in 19.304.4.B provided they are not used for human occupancy.

- (b) Corner offset projecting at least 2 ft from the main façade and extending at least 10 linear ft on both sides of the corner, incorporating distinctive materials compared to the main facade and extending a minimum height of one story.
- (c) Corner inset from the building face by at least 8 ft on at least the first story and extending at least 10 linear ft on both sides of the corner, including a recessed entrance. A pedestrian canopy or marquee at least 10 ft long at the corner of the building. A chamfered corner at least 10 ft wide with an entry on the chamfer, or a similarly dimensioned rounded or stepped corner. Enhanced pedestrian amenities including at least two of the following three options adjacent to the public right-of-way: a minimum of 100 sq ft of special paving materials, a minimum of two pieces of street furniture such as a bench or garbage can, water fountain, and/or a minimum of 20 sq ft of landscaping or planters.

3. Design Guidelines

- a. For all nonresidential and mixed-use buildings at the corner of two public streets or at the corner of a street and a public area, park, or plaza, highlight and make the corner prominent through the use of features such as:
 - (1) Change in building material
 - (2) Window coverage pattern
 - (3) Chamfered, rounded or stepped corner
 - (4) Increased building height at the corner, potentially incorporating features such as tower, turret or cupola
 - (5) Façade articulation
 - (6) Projecting or recessed building entrances
 - (7) Canopies or marquees
 - (8) Active retail and semi-public spaces such as building lobbies
- b. Design of the corner should have a scale and character compatible with the scale of the corner and other buildings at the corner and the level of activity at the corner.
- c. For all nonresidential and mixed-use buildings, create active exterior spaces at site corners, particularly where building corners are set back, in ways that emphasize pedestrian use and encourage people to come together and gather through features such as street furnishings, special paving materials and planting materials.

H. Building Massing and Transitions

1. Purpose

To promote building massing that creates compatible building scale and relationships between adjacent downtown buildings including massing variation that reflects the rhythm of traditional storefronts and breaks up the perceived massing of larger buildings, while

creating an inviting pedestrian realm on the street by increasing access to light and air. To provide scaled transitions to adjacent residential uses to minimize impacts of building massing.

2. Design Standards

a. Building Massing

For any street-facing portion of the building above the base maximum height as identified in Figure 19.304-4, buildings must include:

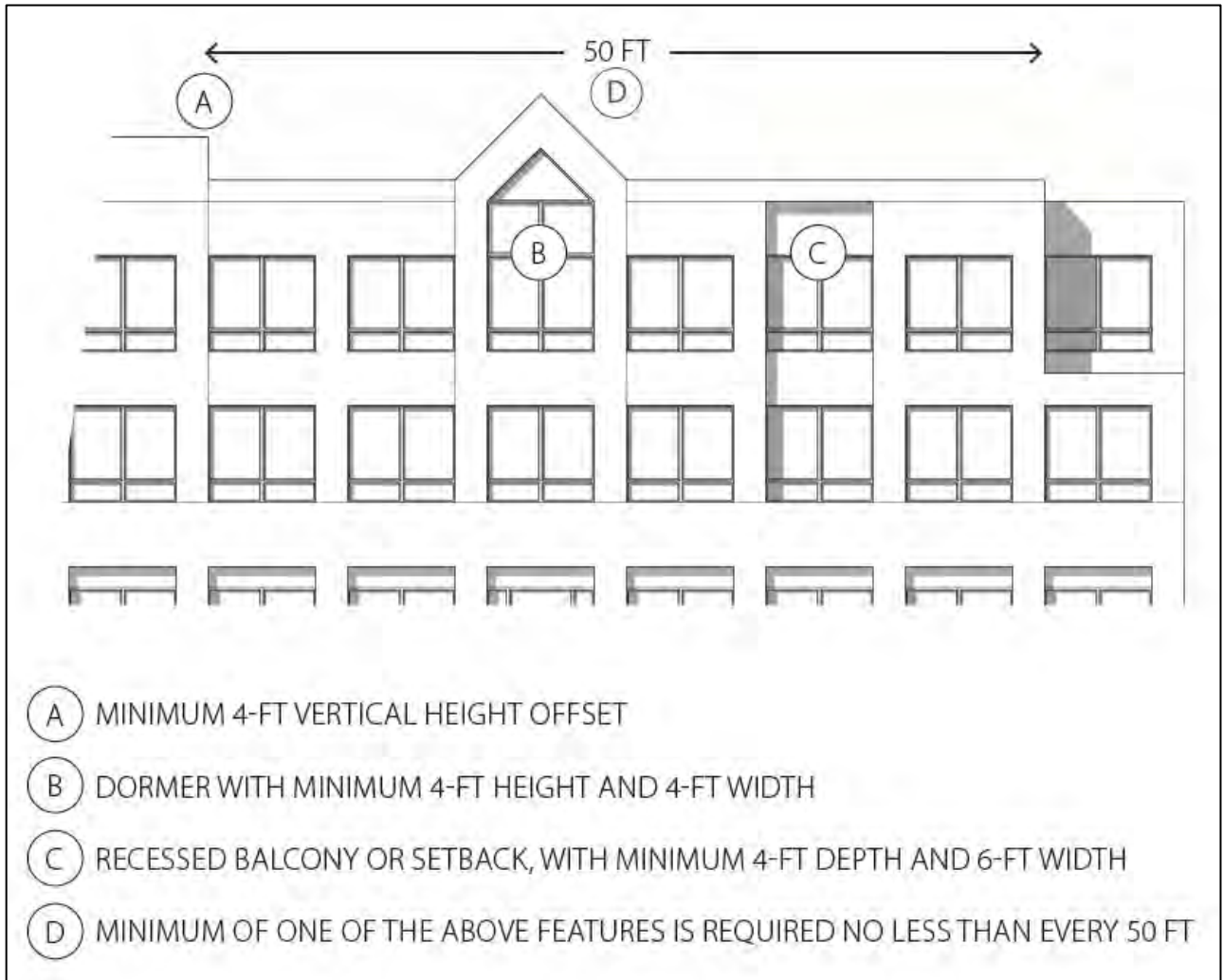
- (1) A step back of at least 6 ft along the street-facing portion of the building.
- (2) The step back area may be used for balconies, roof-top gardens, or other common or private open spaces.

b. Building Façade Height Variation

The height of building elements along street-facing façades must be varied in order to break up the overall bulk and mass of buildings as illustrated in Figure 19.508.4.H.2.b. At least one variation in height along the street-facing façade(s) must be provided for every 50-ft interval or portion thereof. Exact spacing of variations may vary provided that the total number of variations required is met and no portion of the façade exceeds 50 ft without a variation. Building façade height variation must be accomplished by using one or more of the following methods:

- (1) Vertical offset of height along the façade by minimum of 4 ft.
- (2) Dormer or other projecting element along or within 2 ft of the façade with minimum 4-ft height and 4-ft width.
- (3) Recessed balcony or step back from the façade on the upper floor with a minimum 4-ft depth and minimum 6-ft width.
- (4) Other techniques approved by the Planning Manager, shown to create variation along the top of street-facing façade through modulations in height, mass or bulk.

Figure 19.508.4.H.2.b
Building Façade Height Variation

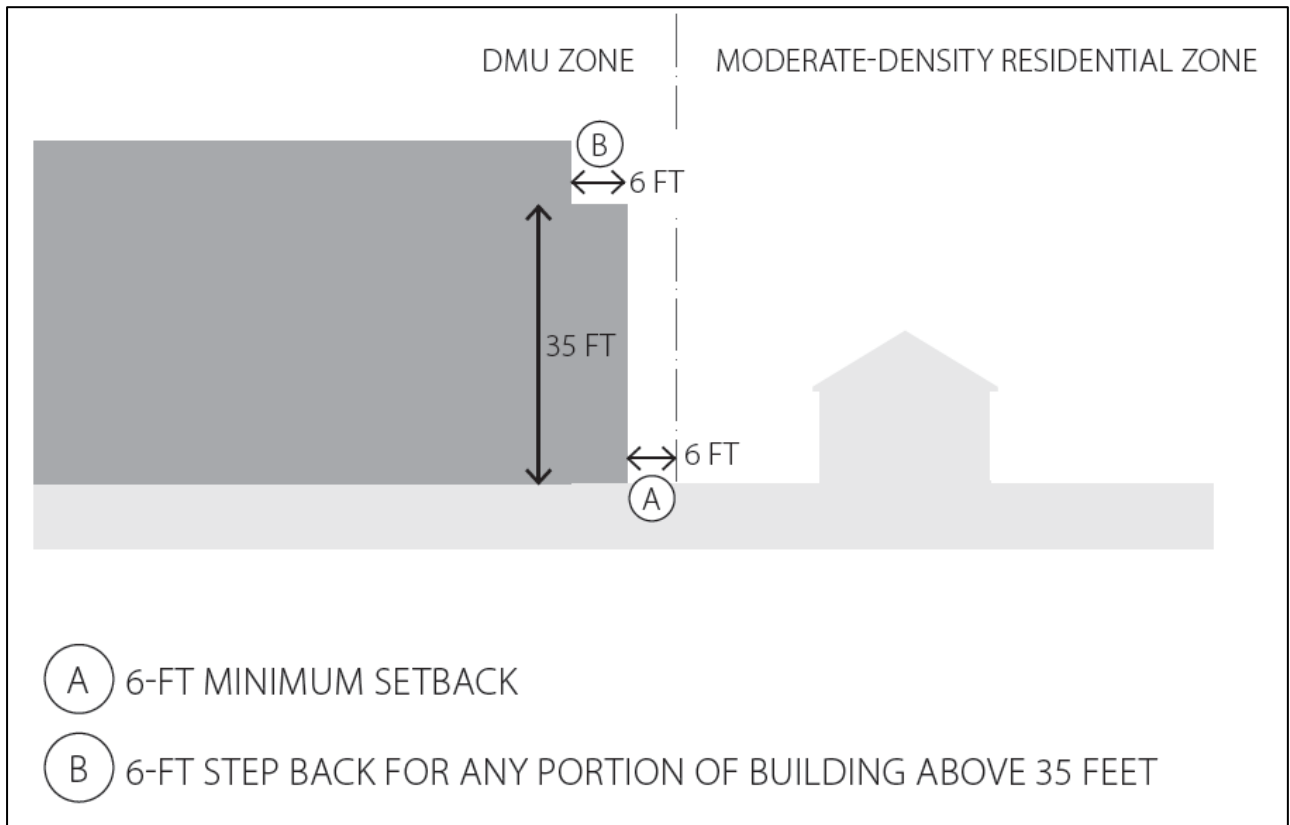


c. Building Transitions

For any property in the Downtown Mixed Use (DMU) zone that is north of Harrison Street and within 50 ft of the property line abutting the moderate density residential zone (R-MD), the following transition measures are required for any new building (see Figure 19.508.4.H.2.c):

- (1) The new building must be located at least 6 ft from any property line abutting a low-density residential zone. This requirement supersedes the applicability of the transition area measures provided in Subsection 19.504.6.
- (2) The new building must provide a step back of at least 6 ft for any portion of the building above 35 ft in height above grade.

Figure 19.508.4.H.2.c
Building Transition Measures



3. Design Guidelines

- a. Building massing should contribute to a welcoming and pedestrian-scaled sense of enclosure and definition of the street.
- b. Buildings that utilize bonus height should mitigate impacts of additional height and mass by including step backs, façade insets, high façade permeability, and other perceived mass-reducing techniques to ensure access to light, privacy, and sky views for nearby building occupants and people on the street.
- c. Building façades should incorporate variation in height or character to break up the perceived bulk and mass of the building into pedestrian-scale components that create a sense of pattern and rhythm. Such variation should be aligned with horizontal articulation elements to create a harmonious design. (See Subsection 19.508.4.B.3.)
- d. For buildings abutting the moderate density residential zone, building setbacks, step backs, façade articulation, landscaping, fencing, and/or transition measures should be deployed to blend building massing between downtown and any adjacent residentially zoned neighborhoods to reduce perceived mass of buildings.

I. Weather Protection

1. Purpose

To create an all-season pedestrian environment shielded from the elements, whether by the building structure itself or with added-on features such as awnings and canopies, that is integrated with rather than obscures the building design. Overhead protection encourages window shopping and lingering, and weather protection features can provide interest and detail to a façade as well as create outdoor sidewalk seating areas for restaurants and cafés.

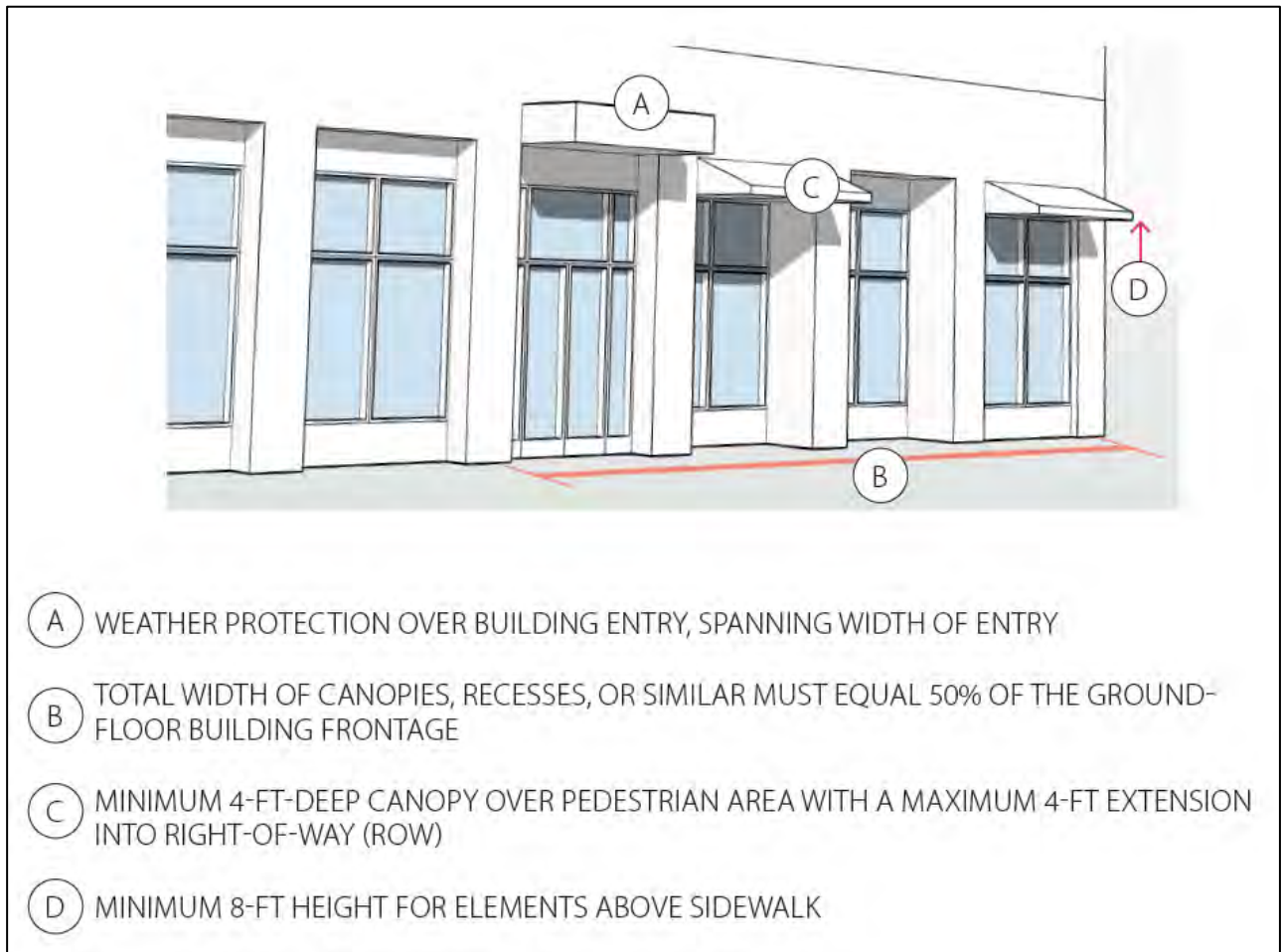
2. Design Standards

a. Minimum Weather Protection Coverage

- (1) All ground-floor building entries must be protected from the weather by awnings, canopies, marquees, recesses, or similar weather protection.
- (2) Awnings, canopies, marquees, recesses, or similar weather protection must be provided along at least 50% of the ground-floor elevation(s) of a nonresidential or mixed-use building where the building abuts a sidewalk, plaza, courtyard, or similar pedestrian space designed as usable open space meeting the standards of Subsection 19.508.4.M, or on-site pedestrian walkway.
- (3) Weather protection used to meet this section must extend at least 4 ft over the pedestrian area but no more than 4 ft into the right-of-way. Balconies and recesses meeting these dimensional requirements can be counted toward this requirement.
- (4) Weather protection used to meet the above standards must be at least 8 ft above the finished grade, including any valance.

See Figure 19.508.4.I.2.a for an illustration of these standards.

Figure 19.508.4.1.2.a
Weather Protection Requirements



b. Weather Protection Materials, Design, and Details

(1) Materials

- (a) Awnings must be constructed of a non-vinyl cloth or canvas with a matte finish or a material similar in appearance and texture.
- (b) Canopies must be constructed of rigid plastic, metal, glass, or a material similar in appearance and texture.
- (c) Marquees must be constructed of metal, glass, wood, or a material similar in appearance and texture.
- (d) Vinyl or any similar flexible plastic sheet material is prohibited for all weather protection features.
- (e) The structure or frame materials for awnings and canopies must be aluminum or steel.

- (2) Awnings or canopies must be attached directly above an entry or window. Awning and canopy width must not exceed the width of the entry or associated window opening and may not extend over more than one storefront opening. Marquees must be attached to the building directly above the entrance and may extend past the entrance.
- (3) For awnings and canopies, only lighting that illuminates the building and/or sidewalk is allowed. Awnings and canopies must not be illuminated from below or internally.
- (4) Any signage on awnings, canopies or marquees must be consistent with requirements of Subsection 14.16.060.C.

3. Design Guidelines

- a. Along the ground floor, buildings should protect pedestrians from inclement weather and provide shade in the summer through use of awnings, canopies, marquees, or elements of the building structure itself such as recesses or balconies. The total amount of awning, canopy, and/or marquee coverage along a façade should provide adequate weather protection for pedestrians without overly shadowing the sidewalk.
- b. Awnings, canopies, and marquees should be placed over all building entrances and storefront windows or other similar locations and integrated with other entryway design features. (See Subsection 19.508.4.E.) The total amount of awning, canopy and/or marquee coverage along a façade should provide adequate weather protection for pedestrians without overly shadowing the sidewalk.
- c. The design of awnings, canopies, marquees, and elements of the building structure should be an integral and well-proportioned component of the building façade. Awnings, canopies and marquees should not obscure or negatively impact the character-defining features of the subject building.
- d. Canopies and awnings should be sized to match individual entrances and storefront windows. They should be placed directly above such features and should not extend outside the piers and lintel of the storefront opening. A single awning or canopy spanning across multiple commercial storefronts and that obscures character-defining features is strongly discouraged.
- e. Weather protection features should be well proportioned relative to the sidewalks. Features should not be so project so far into the public right-of-way as to detract from street trees, light fixtures, or street furniture, but should extend far enough to provide coverage for pedestrians at entrances and windows. Features should provide adequate vertical clearance for pedestrian movement.
- f. Awnings, canopies, and marquees should be of high-quality materials and should not include vinyl.
- g. Awning or canopy lighting, if provided, should highlight the building or illuminate the sidewalk and should not illuminate awnings or canopies from below or internally.

J. Roofs and Rooftop Equipment Screening

1. Purpose

To create a visually interesting feature at the top of the building that enhances the quality and character of the building and complements the building design, while reducing or

eliminating the visual impact of rooftop equipment on the street pedestrian environment by providing screening or other concealing design features that also contribute to the high-quality design and visual interest of the building.

2. Design Standards

a. Rooftop Design

- (1) The roof of a building must follow one (or a combination) of the following forms:
 - (a) Flat roof (less than 1/12 pitch) or low-slope roof (between 1/12 and 4/12 pitch)
 - (b) Hip roof
 - (c) Gabled roof
 - (d) Dormers
 - (e) Shed roof
- (2) Roofs are subject to the following standards as applicable:
 - (a) All flat or low-slope roofs must be architecturally treated or articulated with a parapet wall that projects vertically above the roofline at least 12 in and/or a cornice that projects from the building face at least 6 in. See Figure 19.508.4.B.2.a(3).
 - (b) All hip or gabled roofs exposed to view from adjacent public streets and properties must have a minimum 4/12 pitch.
 - (c) Sloped roofs with a 4/12 pitch or higher must have eaves, exclusive of rain gutters, that project from the building wall at least 12 in.
 - (d) When an addition to an existing structure, or a new structure, is proposed in an existing development, the roof forms for the new structure(s) must have the same slope and be constructed of the same materials as the existing roofing.

b. Rooftop Equipment Screening

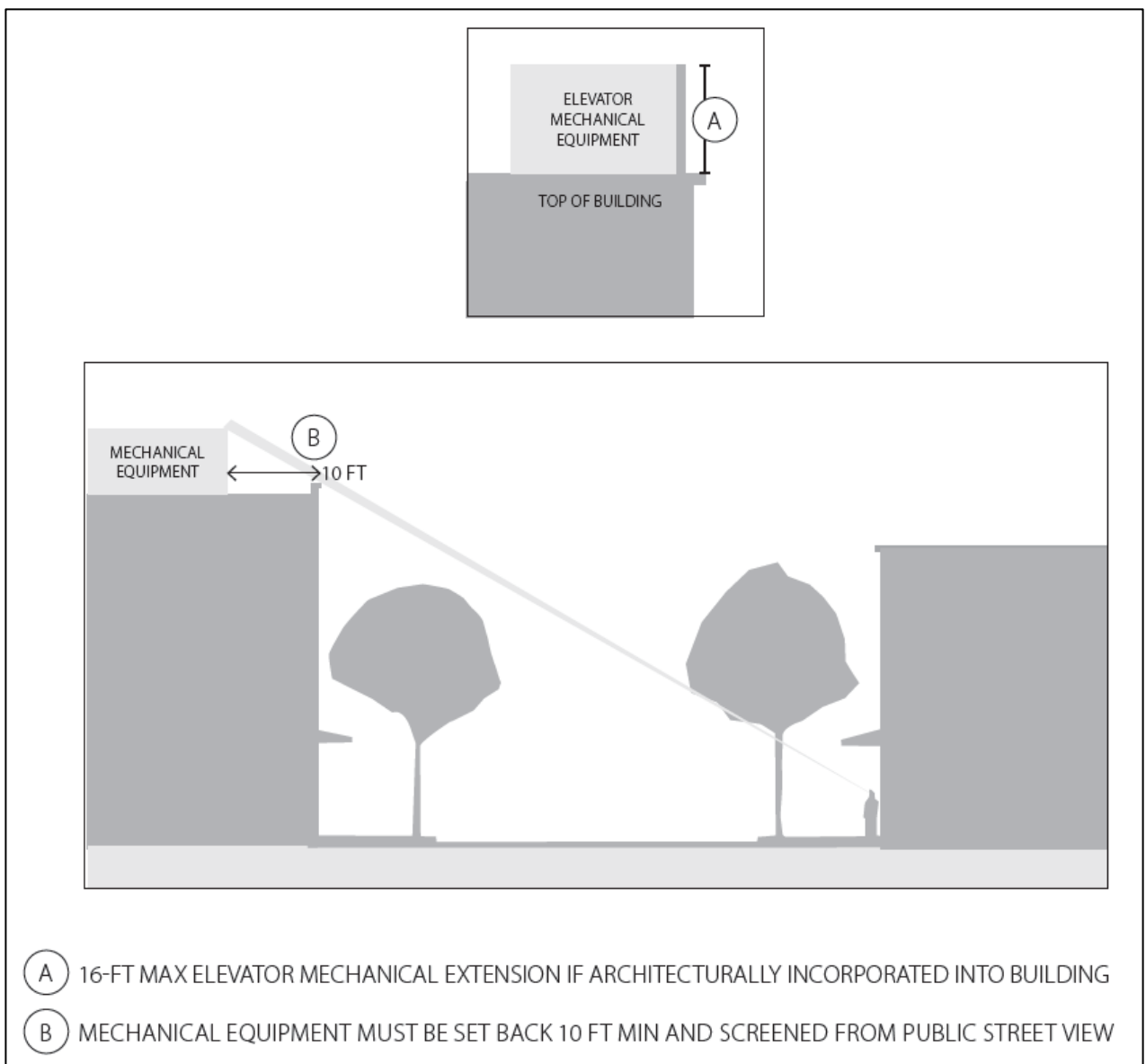
- (1) The following rooftop elements do not require screening:
 - (a) Solar panels, wind generators, and green roof features.
 - (b) Equipment under 2 ft high, if set back a minimum of 10 ft from the outer edge of the roof.
- (2) If visible from public street view, elevator mechanical equipment or a mechanical penthouse may not extend above the height limit by more than 16 ft, and must use a consistent exterior building material for the mechanical shaft or penthouse.
- (3) Satellite dishes, communications equipment, and all other roof-mounted mechanical equipment must be set back a minimum of 10 ft from the roof edge and must be screened from public street view. For purposes of this standard, “public street view” means the pedestrian level from across the adjacent public street and does not include views from adjacent buildings. If necessary, screening from public street view must be achieved by one of the following

methods that is at least as tall as the tallest part of the equipment being screened:

- (a) A screen around the equipment that is made of an exterior building material used on other portions of the building, or masonry.
 - (b) Vertical green roof features or regularly maintained, dense foliage that forms an opaque barrier year-round when planted.
- (4) Required screening will not be included in the building's maximum height calculation.

See Figure 19.508.4.J.2.b for an illustration of these standards.

Figure 19.508.4.J.2.b
Rooftop Equipment Screening



3. Design Guidelines

- a. Building rooflines should enliven the pedestrian experience and be of visual interest, with detail and variation that will create a skyline composed of interesting forms and shadows. Building silhouette should be compatible with those of other buildings along the existing streetscape.
- b. Roof shape, surface materials, colors, mechanical equipment and other penthouse functions should all be integrated into the overall building design and should be considered an additional façade to complement the building's design.
- c. Roof mounted mechanical equipment should be hidden from public street view by parapets, screening walls, vertical landscaping or green roof features, enclosures installed as an integral part of the architectural composition, strategic placement, or similar treatments. If such treatments are not practicable, mechanical units may be painted in lieu of screening with muted, neutral colors that make the equipment visually subordinate to the building and any adjacent buildings.

K. Service Areas (Screening)

1. Purpose

To preserve well-designed building frontages and pedestrian environments by minimizing the potential negative impacts of service areas on visual design and circulation while maintaining sufficiently accessible and functional loading, waste collection, utility, and other service areas.

2. Design Standards

Service areas include external utility structures, loading docks, recycling facilities, trash containers, and other similar areas; they exclude off-street parking areas which are subject to Subsection 19.304.5.C.

- a. Service areas must be located for access from the most minor street.
- b. Screening must be established on all sides of service areas, except where an opening is required for access. If access is possible only on a side that is visible from a public street, a solid gate or door is required.
- c. Landscaping, structural elements, painting, and/or murals or other public art must be used to screen service areas that are located along a public street frontage. The required screening must result in an opaque barrier to a minimum height of 6 ft.
- d. Where structural forms of screening are utilized, the materials must match the primary or secondary building materials and colors as described in Subsection 19.508.4.C.
- e. For new buildings, waste collection areas must be located within the building itself rather than a stand-alone waste enclosure.
- f. Residential-only multifamily and mixed-use buildings must meet the recycling area standards of Table 19.505.3.D.10.

3. Design Guidelines

- a. Service areas, loading docks, waste enclosures, external utility structures, and other similar features should be located away from pedestrian areas, public street frontages especially Main Street, or at a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.
- b. Whenever possible, all sides of service areas, loading docks, waste enclosures, and other outbuildings should be screened and concealed. Solid gates or doors should be used on sides requiring access.
- c. Screening, fencing, landscaping, decorative walls, or other treatments should be used to provide screening, using materials and designs compatible with the primary building they serve. Screening should be of a height, width, and opacity necessary to sufficiently screen all equipment and service areas.
- d. Waste collection areas should be located and designed to minimize visual, odor, and noise nuisances, and should be integrated into the building. If separate waste collection enclosures are utilized, they must be screened, covered with a roof or be self-contained.
- e. Residential-only multifamily and mixed-use buildings should provide recycling areas that are appropriately sized to accommodate the amount of recyclable materials generated by residents. Areas should be located such that they provide convenient access for residents and for waste and recycling haulers. Recycling areas located outdoors should be appropriately screened or located so that they are not prominent features viewed from the street.

L. Resident Open Space

1. Purpose

To promote livability in the downtown environment by providing open space amenities within the development site for use by residents.

2. Design Standards

- a. The following standards apply to mixed-use buildings and residential-only multifamily buildings with four or more units.
- b. Fifty (50) sq ft of resident open space is required for each dwelling unit. The open space may be developed entirely as private open space or common open space, or it may be a combination of the two types of open space. Usable open space required by Subsection 19.508.4.A.2.b that meets the design standards of Subsection 19.508.4.M.2 may also be counted towards the resident open space requirement.
- c. Private Open Space
 - (1) Private open space, if provided, must be contiguous to the unit it serves must be directly accessible from the interior of the dwelling unit.
 - (2) Private open space may be provided in the form of a porch, deck, balcony, patio, terrace, or other private outdoor area.
 - (3) Areas used for entrances or exits will not be considered as private open space except where such entrances or exits are for the sole use of the unit they serve.

- (4) Balconies, decks, porches and patios must have a minimum depth of 4 ft and may project up to a minimum of 4 ft into the public right-of-way.

d. Common Open Space

- (1) Common open space, if provided, must be at least 15 ft by 15 ft in dimension and may be provided in the form of decks, shared patios, plazas, courtyards, landscaped areas, roof gardens, recreation rooms, lobbies, or other gathering spaces created strictly for the occupants and not associated with storage or circulation.
- (2) Outdoor common open space areas must integrate amenities such as tables, benches, movable seating, trees, shrubs, landscaping areas or planters, garden plots, and/or fountains.
- (3) Outdoor common open space must be lighted as required by Subsection 19.508.4.N.
- (4) When provided at ground level, outdoor common open space must be abutted on at least one side by the building, with at least 1 window and 1 door to access the space; and must be bordered on at least one other side by fencing or walls less than 42 in high, landscaping strip or planters at least 2 ft wide, site furnishings, or other building walls.
- (5) Regardless of location (ground-level or above), where any building wall abuts an outdoor common open space, the wall must include at least 1 window or door with a minimum of 50% glazing.

3. Design Guidelines

- a. Building design should incorporate ample open space opportunities for residents with a mix of private and/or common open spaces to provide access to outdoor recreation, scenic amenity, or shared outdoor space for people to gather.
- b. Any private open spaces should be scaled to enhance usability by residents and have direct access from the dwelling unit and should be visually and/or physically separate from common areas.
- c. Any common open spaces should be inviting and enhance opportunities for use by residents. These spaces should be human-scaled, accessible, durable, attractive, and secure.
- d. Any common open spaces should integrate amenities for residents' use and enjoyment, including landscaping in outdoor spaces.
- e. Any common open spaces should be well-defined by surrounding buildings, walls, fences, landscaping, or other techniques to provide visual definition for the space. Adjacent buildings should incorporate transparent windows and doors to provide physical and visual access to the space and should include active use areas that front the open space.

M. Plazas and Usable Open Space

1. Purpose

To ensure that downtown plazas and open spaces are designed for usability and a variety of activities during all hours and seasons; provide amenities for downtown visitors,

businesses, and residents; promote livability; and help soften the effects of built and paved areas.

2. Design Standards

Open spaces such as plazas, courtyards, gardens, terraces, outdoor seating, small parks, and similar spaces, including usable open space provided to meet the standards of Subsection 19.508.4.A.2.b, must meet the following standards.

- a. Where any building wall abuts an open space, the wall must include at least one window or door with a minimum of 50% glazing.
- b. Usable open space must be directly accessible at grade adjacent to the public sidewalk.
- c. Hardscaping in open spaces must utilize concrete or unit paving and may not use asphalt or gravel surfacing.
- d. Landscaping must be integrated into open spaces to meet the following:
 - (1) A minimum of 10% of the open space area must be landscaped areas incorporating trees, shrubs, and ground cover.
 - (2) No more than 20% of this landscaped area can be covered in mulch or bark dust. This requirement excludes mulch or bark dust under the canopy of trees or shrubs.
 - (3) Nuisance species listed in the Milwaukie Native Plant List are prohibited.
- e. Open spaces must provide at least 3 ft of seating area (e.g., bench, ledge, etc.) or one individual seat, including movable seating for outdoor seating areas, per 60 sq ft of plaza or open space area.
- f. Open spaces must be lighted as required by Element N (Outdoor and Exterior Building Lighting).

3. Design Guidelines

- a. Plazas and open spaces should be inviting and create opportunities for a variety of uses.
- b. Plazas and open spaces should avoid separation from the street by visual barriers or significant change of grade. Plazas and open spaces should create visual and physical connections to abutting buildings.
- c. Plazas and open spaces should be human-scaled, accessible, durable, and attractive, and should enhance users' comfort and enjoyment by integrating features such as:
 - (1) Pedestrian amenities such as water features, drinking fountains, and/or distinctive paving or artwork
 - (2) Permanent or movable seating
 - (3) Weather protection, especially weather protection that can be moved or altered to accommodate conditions
 - (4) Transitional zones along building edges to allow for outdoor eating areas and a planted buffer

(5) Lighting

- d. Plazas and open spaces should create visual interest by including a mix of hardscape and landscape elements such as trees, shrubs, and plants.
- e. Landscaping in plazas and open spaces should be integrated to provide shade for hardscaped areas and to provide visual interest and texture.
- f. Buildings adjacent to plazas and open spaces should incorporate transparent windows and doors to provide physical and visual access to the space and should include active use areas that front the open space.
- g. Plazas and open space should be designed to integrate sustainability and enhance the relationship to the natural environment, including consideration of the sun angle at noon and the wind pattern in the design of the space and incorporation of water treatment features such as rain gardens.

N. Outdoor and Exterior Building Lighting

1. Purpose

To incorporate outdoor and exterior building lighting that increases pedestrian comfort, accentuates design and architectural features, enhances safety, and minimizes light pollution (both spill and casting or glare).

2. Design Standards

- a. Lighting must be designed to comply with the following standards:
 - (1) Primary building entrances required in Subsection 19.508.4.E must have a minimum illumination of 2.0 foot-candles.
 - (2) All other building entrances and areas underneath weather protection elements described in Element I (Weather Protection) must have a minimum illumination of 1.0 foot-candles.
 - (3) Common open spaces for residents subject to Subsection 19.508.4.L must be lighted with pedestrian-scaled lighting (no more than 14 ft in height) at a level at least 1.0 foot-candles throughout the space.
 - (4) Plazas and usable open space subject to Subsection 19.508.4.M must be lighted with pedestrian-scaled lighting (no more than 14 ft in height) at a level at least 2.0 foot-candles throughout the space.
 - (5) If off-street parking areas are present, lighting must comply with standards in 19.606.3.F.
- b. Lighting luminaires must have a cutoff angle of 90 degrees or greater to ensure that lighting is directed downward, except as provided for up-lighting of flags and permitted building-mounted signs.
- c. Lighting must not cause a light trespass of more than 0.5 footcandles measured vertically at all shared property lines of the site, with the exception of property lines along public right-of-way.
- d. Flashing or strobe lights, fluorescent tube lights, and security spotlights are prohibited on building exteriors.

3. Design Guidelines

- a. Exterior lighting should be used to articulate the building elements, including (but not limited to) entrances, common open spaces for residents, plazas and usable open space, signage, canopies, cornices, storefronts, and other architectural features. Lighting levels of entrances, areas underneath weather protection elements, and all open spaces should be pedestrian scale and provide a sense of safety.
- b. All lighting should be designed to prevent unnecessary illumination of adjacent sites, with the exception of adjacent sidewalks within a public-right-of-way where illumination is desired. As a rule of thumb, lighting levels should be no greater than necessary to provide for pedestrian safety, property or business identification, and crime prevention.
- c. Flashing or strobe lights, fluorescent tube lights, and security spotlights are strongly discouraged from use on building exteriors.

19.508.5 Variances

Variances cannot be granted for the design elements of Section 19.508. Projects must meet the design standards and/or guidelines in this section.

19.907 DOWNTOWN DESIGN REVIEW

19.907.1 Purpose

Downtown design review is intended to achieve the following purposes:

- A. Preserve and enhance the character of downtown Milwaukie.
- B. Ensure a degree of order, harmony, and quality in the downtown, providing buildings and projects that are attractive individually yet contribute to a downtown that is distinctive as a whole.
- C. Ensure that new development, and alterations or enlargement of existing development, are consistent with the downtown site and building design standards and guidelines of Section 19.508.
- D. Implement the vision of the Downtown and Riverfront Land Use Framework Plan.
- E. Provide a design review process that allows applicants to choose standards or more flexible discretionary guidelines.

19.907.2 Applicability

Applications for downtown design review shall be processed through a Type I, II, or III procedure, in accordance with Chapter 19.1000, as follows:

A. Exemptions

Downtown design review does not apply to the following projects:

1. Demolition, unless listed on the City of Milwaukie Historic Resource Inventory and subject to the standards of Section 19.403.
2. Building additions of less than 250 sq ft that are not visible from streets, sidewalks, courtyards, public parks, and/or pedestrian walkways.
3. Maintenance, restoration, and repair of a building in a manner that is consistent with previous approvals and/or necessary for safety. Examples include paint retouching, and other routine upkeep of the building exterior, and in-kind restoration or replacement of damaged materials. Maintenance, restoration, and repair does not include replacement of materials due to obsolescence.
4. Minor building or site upgrades needed to bring an existing development into compliance with the Americans with Disabilities Act.
5. Exterior painting and weatherproofing.
6. Any exterior project that doesn't require a building permit.
7. Interior remodeling.
8. Minor site improvements, including, but not limited to, installation of benches, trash cans, bicycle racks, informational kiosks, site lighting, signs, and other similar improvements as determined by the Planning Director. A guide for determining whether a proposed improvement is exempt shall be the consideration of whether there are any applicable design standards provided in Section 19.508.
9. In City parks, improvements that are consistent with an approved master plan.
10. Fences and/or retaining walls, which are subject to Subsection 19.502.2.B, including the standards for commercial zone fencing in Subsection 19.502.2.B.1.b.

B. Type I

The following projects are subject to Type I downtown design review:

1. New development and expansions or modifications of existing development that meet the applicable downtown design standards of Section 19.508.

C. Type II

The following projects are subject to Type II downtown design review:

1. Demolition or replacement of less than 25% of the surface area of any exterior wall or roof that does not meet the applicable standards of Section 19.508.
2. Addition, elimination, or change in location of windows that decreases the overall percentage of window coverage and that does not meet the applicable standards of Section 19.508.
3. An increase in floor area proposed for a nonresidential use by less than 10% or 2,000 sq ft, whichever is greater.
4. A reduction in the area reserved for common open space and/or usable open space that reduces the open space area below the minimum required or by 10% or less.

D. Type III

The following projects are subject to Type III downtown design review:

1. Any project, at the applicant's option.
2. A project, addition, or expansion that proposes to meet one or more of the design guidelines of Section 19.508 in lieu of complying with the design standards of Section 19.508 because additional design flexibility is desired.
3. A project that does not fit the applicability for Type I or II review.

19.907.3 Review Process

A. General Provisions

Downtown design review generally includes review of the proposed structure(s) and site improvements for compliance with applicable design standards and/or guidelines. For expansions or modifications of existing development, the review is limited to the modified portions of the site or structure and any other site improvements that may be affected by the proposed modifications.

B. Review Types

To achieve the purpose of the downtown design standards and guidelines, there are three downtown design review processes through which to apply for approval:

1. Type I

The ministerial review track provides for a Type I review process pursuant to Section 19.1004 using the design standards in Section 19.508.

2. Type II

The administrative review track provides for a Type II process pursuant to Section 19.1005 that requires staff review utilizing the design standards and applicable guidelines in Section 19.508.

3. Type III

The discretionary review track provides for a Type III review process pursuant to Section 19.1006, through which the Design and Landmarks Committee and Planning Commission determine compliance with the downtown design guidelines in Section 19.508.

C. Review Options

Designing a project to the design standards would result in a Type I review process. However, applicants, at their option, may choose to use Type III discretionary review.

Through Type II or III review, applicants can address downtown design review requirements through a combination of satisfying certain design standards in Section 19.508 and, in instances where they elect not to utilize design standards, satisfying the applicable design guidelines in Section 19.508 instead. In such a case, the public hearing and decision will focus on whether or not the project satisfies the requirements of the applicable design guidelines only.

19.907.4 Application

Applications for downtown design review shall be filed with the Planning Department on forms prescribed by the Planning Manager. The applicant shall demonstrate compliance with applicable zoning criteria. In addition to all information specified on the “Submittal Requirements” and “Site Plan Requirements” forms, each application for downtown design review shall be accompanied by the following information:

A. Written statement that describes the following:

1. For Type I downtown design review, how the proposal is consistent with applicable downtown design standards in Section 19.508.
2. For Type II and III Design Review, how the proposal meets applicable design standards and/or design guidelines in Section 19.508.

B. Footprints of surrounding buildings, including driveways and pedestrian connections.

C. Location, dimension, and setbacks of all proposed buildings, structures, walls, and fences.

D. Dimensioned building elevations indicating height, exterior materials, colors, and details of exterior architectural features, such as cornices, windows, and trim.

E. A streetscape drawing showing the relationship of the proposed project to adjacent buildings.

F. Frontage improvements in the public right-of-way per the Public Works Standards.

19.907.5 Approval Criteria

A. Type I Downtown Design Review

An application for Type I downtown design review will be approved when all of the following criteria have been met:

1. Compliance with Title 19.
2. Compliance with applicable design standards in Section 19.508 and any prior land use approvals.

B. Type II Downtown Design Review

An application for Type II downtown design review will be approved when all of the following criteria have been met:

1. Compliance with Title 19.
 2. Compliance with applicable design standards and/or design guidelines in Section 19.508.
- C. Type III Downtown Design Review
- An application for Type III downtown design review will be approved when all of the following criteria have been met:
1. Compliance with Title 19.
 2. Compliance with applicable design standards in Section 19.508.
 3. Compliance with the applicable design guidelines in Section 19.508 being utilized in place of the applicable design standard(s).

19.907.6 Report and Recommendation by Design and Landmarks Committee

The Design and Landmarks Committee will hold a public meeting and prepare a downtown design review report for Type III applications pursuant to Section 19.1011. The Planning Commission shall consider the findings and recommendations contained in the downtown design review report during a public hearing on the proposal.

19.907.7 Variances

- A. Variances cannot be granted for the downtown design standards of Section 19.508. Applications unable to meet one or more standards must meet the applicable downtown design guideline(s) in Subsection 19.508.4 instead and use the Type III discretionary downtown design review process.
- B. Variances can be granted for the downtown development standards of Section 19.304 unless otherwise specified, through the variance review process in Section 19.911.

19.911 VARIANCES

19.911.6 Building Height Variance in the Downtown Mixed Use Zone

A. Intent

To provide a discretionary option for variances to maximum building heights in the Downtown Mixed Use Zone to reward buildings of truly exceptional design that respond to the specific context of their location and provide desired public benefits and/or amenities.

B. Applicability

The Type III building height variance is an option for proposed buildings that exceed the maximum heights or stories allowed through the bonuses specified in Figure 19.304-4, Subsection 19.304.5.B.3, and Section 19.510.

C. Review Process

The building height variance shall be subject to Type III review and approval by the Design and Landmarks Committee and the Planning Commission, in accordance with Chapter 19.907 and Section 19.1011. The building height variance shall be consolidated with downtown design review.

1. Because the building height variance provides substantial flexibility and discretion, additional time will be required for public input and technical evaluation of the proposal. To use this option, the applicant shall sign a waiver of the 120-day decision requirement.
2. The applicant may request design advice from the Design and Landmarks Committee prior to submitting an application. Design advice requests provide the opportunity to assess approval potential prior to committing excessive time or money to detailed design plans.
3. Design advice requests may not be made for a specific project or site with an active land use review application.
4. A special application fee may be required to use this Type III option to allow the City to contract with a registered architect to assist in the review of the height variance application.

D. Approval Criteria

The approval authority may approve, approve with conditions, or deny the building height variance based on the following approval criteria:

1. Compliance with the downtown design guidelines in Subsection 19.508.4.
2. The proposed height variance will result in a project that is exceptional in the quality of detailing, appearance and materials or creates a positive unique relationship to other nearby structures, views or open space.
3. The proposed height variance preserves important views to the Willamette River, limits shadows on public open spaces and ensures step downs and transitions to neighborhoods at the edge of the Downtown Mixed Use Zone.
4. The proposed height variance will result in a project that provides public benefits and/or amenities beyond those required by the base zone standards and that will increase downtown vibrancy and/or help meet sustainability goals.

Summary of Proposed Amendments

Downtown Design Review Update (2023)

Key Changes to MMC 19.508.4 (downtown design standards)

A. Site Frontage (*new element*)

Purpose/Intent – *To encourage building design and site placement that enlivens the public realm and streetscape through significant building presence along site frontages and active ground-floor uses.*

Background – The current code includes three different development standards that all relate to a site’s frontage: (1) Flexible Ground-Floor Space, intended to ensure that new buildings are designed to accommodate active uses (e.g., retail and eating/drinking establishments); (2) Street Setbacks / Build-To Lines, to ensure that the ground floors of buildings engage the street right-of-way, for compatibility and harmony between buildings; and (3) Frontage Occupancy, to ensure that buildings are used to create a “street wall” that contributes to a walkable and pedestrian-friendly environment.

In the current code, a proposal that does not meet these development standards would have to request a variance. The proposed amendments combine the standards into a new design element and establish some guidelines for use in the discretionary review process, allowing an opportunity for alternative designs that still meet the intent.

Key Changes

- Frontage Occupancy
 - Revise Figure 19.304-6 to more clearly indicate the frontages that have the 50% standard.
- Street Setbacks / Build-To Lines
 - No changes proposed.
- Active Ground-Floor Space
 - Rename from “flexible ground-floor space” to be clearer about the intention.
 - Raise the minimum ground-floor height from 14 ft to 15 ft, to allow slightly more flexibility for ground-floor uses and the infrastructure that may be necessary (e.g., HVAC, etc., such as for restaurants).

B. Wall Structure and Building Façade Detail (*existing element*)

Purpose/Intent – *To add visual interest to buildings and enhance the street environment with engaging and varied wall structures. Use design features and details to break down the scale and mass of a building to create comfortable, pedestrian-friendly environments and enclosure to public areas.*

Background – This element is currently labeled simply as Building Façade Details and is intended to provide cohesive and visually interesting building façades, particularly along the ground floor. The design standards are focused on nonresidential and mixed-use buildings and address both vertical and horizontal aspects of the façade.

Key Changes

- Vertical Articulation
 - Base
 - ❖ Shift the ground-floor architectural bay requirement into the Horizontal Articulation subsection of this element.
 - ❖ Eliminate the redundant requirements to comply with the standards of the Weather Protection and Windows elements, leaving only the requirement to construct the ground-floor façade of brick, stone, or concrete.
 - ❖ The updated guidelines allow flexibility for tripartite design or an alternative “human scale” design.
 - Middle
 - ❖ Reduce the design requirement from providing each of three different features to choosing from a menu of options.
 - ❖ The requirement for changes in wall plane has been shifted to the Horizontal Articulation section in favor of a more general requirement to provide horizontal architectural features that extend along at least 75% of the façade length.
 - ❖ Move the 6-ft step back option to Building Massing and Transitions (Element H) as a requirement for buildings exceeding the maximum base height.
 - Top
 - ❖ Require that the top be distinguished from the rest of the façade, depending on the roof type (e.g., flat/low-slope versus pitched/overhang). *(The current code has no specific requirement for the building top, only a reference to Roofs and Rooftop Equipment Screening (Element J).)*
- Horizontal Articulation
 - Incorporate some standards previously in the Vertical Articulation subsection to establish more options for dividing the street-facing façade.
 - Eliminate the requirement for a significant break in façades over 150 ft in length to allow for a more coherent design.
- Residential-only Buildings
 - Require residential-only buildings downtown to address the downtown design standards of MMC 19.508 (with no option to address the multifamily MMC Subsection 19.505.3 instead)—this is something that is changing throughout MMC 19.508 for residential-only buildings.

C. Exterior Building Materials *(existing element)*

Purpose/Intent – *To encourage the use of high-quality building materials that highlight architectural elements, create a sense of permanence, are compatible with downtown Milwaukee and the surrounding built and natural environment, and activate the building around the pedestrian realm.*

Background – In the current code, this design element is applicable to the street-facing façades of new buildings and to façade modifications that affect more than 50% of the existing façade area. It distinguishes primary, secondary, and accent materials by percentage of use—primary materials are required on at least 65% of the façade, secondary materials on

no more than 35%, and accent materials on no more than 10%. A table lists material types and indicates whether each is allowed as a primary, secondary, or accent material for either nonresidential/mixed-use or residential buildings. The table also lists five materials that are prohibited.

Key Changes

- Differentiation in the building materials list for ground-floor and upper-floor materials, while eliminating distinctions for residential and nonresidential uses.
- Refinements to the materials themselves are intended to align the list with modern construction practices while retaining a focus on durable and quality materials. For example, finished wood siding is proposed as an accent material rather than a primary material in favor of primary materials such as brick and concrete that provide greater durability and presence.
- Remove prohibited materials from the list, to have the table simply show what materials are allowed.
- For ground-floor façades, raise the standard of required primary materials to a minimum of 90%, with 0% secondary materials and no more than 10% accent materials. For upper-floor façades, maintain the same percentages as present for primary (65% min), secondary (35% max), and accent (10% max) materials.
- Add flexibility to use a Director's Determination to propose similar materials not listed in the table.
- Require ground-floor materials to wrap around to non-street-facing façades to a minimum depth of 10 ft or the edge of the abutting building (whichever is less).
- Establish an applicability threshold for expansions or additions to existing street-facing façades (25% of existing façade area or 500 sq ft, whichever is less). Maintain the 50% threshold for modifications to existing street-facing façades.

D. Façade Transparency and Activation (*new element*)

Purpose/Intent – *To activate building interiors and exteriors by ensuring transparency through the building, allowing for daylighting of ground-floor commercial and public uses of buildings, and promoting a safe and vibrant pedestrian environment through visual and physical connections between interior and exterior spaces. To limit blank walls and promote alternatives to glazing where needed to activate façades and engage pedestrians viewing building exteriors.*

Background – The current code includes a design element that combines standards for windows and doors.

Key Changes

- Separate the features addressed by windows and doors into three distinct elements, including this one that focuses on the concept of façade transparency. Doors and building entrances are addressed in Element E, and the design and material nature of windows are the focus of Element F.
- Establish distinct standards for transparency at the ground-floor level versus for upper floors and for nonresidential/mixed-use versus residential-only buildings.

- Raise the ground-floor glazing percentage on McLoughlin Boulevard from 30% to 40%.
- Redefine the ground-floor street-facing wall area as 3 ft above finished grade to the bottom of ceiling joists or roof rafters or 12 ft above finished grade (whichever is less). *(The current definition is from grade level up to finished ceiling height or 15 ft above grade. The rationale for change is that the building does not benefit as much from transparency at the lowest part of the façade, so the emphasis should be on providing windows starting at a height where they make the biggest design difference.)*
- Limit blank street-facing walls to no more than 450 sq ft or 30 linear ft (whichever is less) without windows or doorways. Require Horizontal Articulation treatments (from Element B) and offer two alternatives if this blank-wall standard cannot be met: (1) provide landscaping in front of the wall (screening at least 50% of the wall surface in three years), or (2) provide an art mural on at least 50% of the wall.
- Establish similar limits on blank walls that do not abut a public street but that are visible from a public street or pedestrian way due to the configuration of existing development on an adjacent property.
- Eliminate the standards related to views into buildings and limiting window coverings, as these are more about post-construction operation and performance.

E. Building Entrances *(new element)*

Purpose/Intent – *To create pedestrian-friendly development by providing building entrances that are oriented to the sidewalk or other public space and connected with clearly marked pedestrian walkways.*

Background – Currently, there are design standards for windows and doors, with a single development standard for primary entrances.

Key Changes

- With the proposal to establish separate elements for façade transparency and windows, the remaining design standards for doors and primary entrances have been combined and expanded in this new element.
- Establish requirements for entrance locations on higher classification streets, with greater detail on the prioritization of streets.
- Maintain the requirement for a primary entrance facing an abutting street or oriented to within 45° of the abutting street property line. But eliminate the option of meeting this standard by simply providing a connecting walkway to the sidewalk (if the entrance is turned more than 45°), as a walkway is not enough to provide the desired effect.
- Require design elements to define the primary entrance for nonresidential and mixed-use buildings, with a menu of options (choose one of three).
- Require 75% glazing on doors at primary entrances of nonresidential/mixed-use buildings.
- Require illumination of all entrances.
- Remove the requirement to maintain primary entrances and doors on street-facing block faces unlocked during business hours (commercial use)—this is a performance issue and not something to be addressed with design.

F. Windows *(existing element)*

Purpose/Intent – *To integrate windows made of high-quality materials that are compatible with the building design to visually interesting exterior façades and that function to create sufficient interior light and enhance connections between interior and exterior spaces.*

Background – As noted above, the current code includes design standards for windows. Although windows by their nature are major contributors to façade transparency, they also have physical aspects that need to be addressed specifically as a separate element.

Key Changes

- Eliminate the visible transmittance (VT) requirement to avoid conflict with energy code and building code standards.
- Eliminate requirements to require views into storefronts and limit window coverings— this is more of a performance standard and not directly a design issue.
- Eliminate the requirement about sign coverage in windows as unnecessary/redundant— the sign code sets the standard.
- Limit the use of spandrel glass to floor lines and parapets.
- Eliminate the requirement that a minimum of 60% of all upper-floor windows be vertically oriented. *(The nature of contemporary design and the challenges of multistory construction naturally push windows to be vertically oriented.)*
- Adjust the requirement for the bottom edge of nonresidential/mixed-use windows along pedestrian walkways to no more than 1 ft above grade and no more than 3 ft above grade. *(The 3-ft maximum is intended to be consistent with the Façade Transparency and Articulation element (Element D), which only counts transparency starting at 3 ft above grade.)*
- Establish a list of approvable materials for new window frames (anodized or painted aluminum, frameless, fiberglass, wood).
- Require consistency of materials and dimensions when replacing windows.
- With respect to prohibited elements, acknowledge that tinting can be allowed in conjunction with the energy code. Remove the prohibition on unpainted metal frame windows, due to the clarification above that anodized or painted aluminum windows are the only kind of new metal windows allowed. Allow opaque glazing on non-Main-Street façades, since it may be necessary for privacy (e.g., bathrooms).

G. Corners *(existing element)*

Purpose/Intent – *To create a strong architectural statement at street corners, provide opportunities for pedestrian-scale activity, establish visual landmarks, and enhance visual variety.*

Background – The current code includes a Corners element, with standards for nonresidential and mixed-use buildings only— the proposed amendments maintain that focus.

Key Changes

- Add to and clarify the menu of design options for distinct corner treatment:
 - A lobby or retail space (100-sq-ft minimum) with 90% transparency within 5 ft of the corner.

- Pedestrian canopy or marquee (10-ft-long minimum).
- Chamfered corner (or rounded or stepped corners) at least 10 ft wide.
- More specific options for providing “enhanced pedestrian amenities.”
- Create subset of priority corners along Main Street at prominent east-west streets identified in the Downtown Framework Plan, where stronger building presence directly on the corner (elements like a tower or corner inset that anchor the corner) is promoted.

H. Building Massing and Transitions *(new element)*

Purpose/Intent – *To promote building massing that creates compatible building scale and relationships between adjacent downtown buildings, including massing variation that reflects the rhythm of traditional storefronts and breaks up the perceived massing of larger buildings, while creating an inviting pedestrian realm on the street by increasing access to light and air. To provide scaled transitions to adjacent residential uses to minimize impacts of building massing.*

Background – There are currently development standards for both building height and transition measures. Building height would continue to be addressed as a development standard; but building mass and transition measures are aspects that are better addressed together as design standards, where the option for discretionary design review would allow consideration of alternative methods for mitigating mass. Options for height bonuses and a special variance for building height would continue to be addressed as a development standard and not a design standard, though the DLC’s recommendations for clarifying language would be incorporated into the development standard.

Key Changes

- Maintain the current requirement for a 6-ft step back for street-facing portions of a building over the base maximum height. Provide an option to design the step back area as recessed balconies, roof-top gardens, or other open spaces.
- Establish a requirement to vary building façade height, with options for breaking up bulk and mass. At least one variation in height must be provided for every 50-ft interval along the street-facing façade.
- Alternative approaches may be proposed to meet the design guidelines for this element, utilizing techniques to mitigate impacts of additional height and mass, ensuring access to light, privacy, and views for pedestrians and building occupants.

I. Weather Protection *(existing element)*

Purpose/Intent – *To create an all-season pedestrian environment shielded from the elements, whether by the building structure itself or with added-on features such as awnings and canopies, that is integrated with rather than obscures the building design. Overhead protection encourages window shopping and lingering, and weather protection features can provide interest and detail to a façade as well as create outdoor sidewalk seating areas for restaurants and cafés.*

Background – The current code includes a Weather Protection element.

Key Changes

- Minimum Weather Protection Coverage

- Eliminate the 3-ft minimum depth requirement for recesses (keep it general).
- Adjust the maximum distance that weather protection can extend into the public right-of-way as needed to remain consistent with the Public Works Standards.
- Add a requirement to provide a minimum of 8 ft of clearance between any weather protection and the finished grade.
- Weather Protection Materials, Design, and Details
 - Provide specific material standards for awnings, canopies, and marquees.
 - Provide additional standards related to the location, installation, and illumination of awnings, canopies, and marquees.
 - Insert reference to ensure consistency with the applicable sign code standards.

J. Roofs and Rooftop Equipment Screening (*existing element*)

Purpose/Intent – *To create a visually interesting feature at the top of the building that enhances the quality and character of the building and complements the building design, while reducing or eliminating the visual impact of rooftop equipment on the street pedestrian environment by providing screening or other concealing design features that also contribute to the high-quality design and visual interest of the building.*

Background – The current code includes design standards for Roofs and Rooftop Equipment.

Key Changes

- Add “screening” to the title of this element, to emphasize that screening is a key part of this aspect of consideration.
- Enhance the design guidelines to facilitate use of the discretionary design review process if needed to achieve the goal of creating a visually interesting building.
- Clarify that the way elevator mechanical equipment is “incorporated into the architecture of the building” (*existing language*) is by using consistent exterior building materials for the mechanical shaft or penthouse.
- Clarify the idea that “screened from public view” is about being viewable from the pedestrian level from across the adjacent public street rather than being viewable from adjacent buildings.
- Clarify that rooftop screening does not count in the calculation of maximum building height.

K. Service Areas (Screening) (*new element*)

Purpose/Intent – *To preserve well-designed building frontages and pedestrian environments by minimizing the potential negative impacts of service areas on visual design and circulation while maintaining sufficiently accessible and functional loading, waste collection, utility, and other service areas.*

Background – There are currently no standards that require screening for the utilitarian aspects of new buildings. At present, garbage and recycling facilities for existing buildings are sometimes stored on public sidewalks. Some requirements are necessary to ensure that

new buildings are designed to efficiently meet their utilitarian needs while maintaining a pedestrian-friendly street environment.

Key Changes

- Define service areas as including external utility structures, loading docks, recycling facilities, and trash containers, among others.
- Require that service areas be located on the more minor street (for multi-frontage sites).
- Require screening. When structural forms of screening are used, materials must match the primary or secondary materials and colors of the building.
- Require waste collection areas to be located within the building itself.

L. Resident Open Space (*existing element*)

Purpose/Intent – *To promote livability in the downtown environment by providing open space amenities within the development site for use by residents.*

Background – The current code includes design standards for open space and plazas that primarily address the open space intended for residents of mixed-use and residential-only buildings (MMC Subsection 19.508.4.G). There are requirements for both private and common open space.

Key Changes

- Establish minimum dimensions for common open space (15 ft by 15 ft).
- Eliminate the limitation on counting landscaped buffer areas as common open space—the minimum required dimensions should prevent conflicts with adjacent uses, and the provision regarding the integration of active and passive uses was too discretionary for the objective review process.
- Revise the requirement that at least two sides of common open space abut the building, down to abutting the building on at least one side (including with at least one window and one door) and to be bordered on at least one other side by fencing, landscaping, low walls, or other building walls.
- Eliminate the existing 50% open-space credit for adjacency to an improved public park, to ensure that usable open space is provided on site.
- Introduce a reference to Outdoor and Exterior Building Lighting (Element N).

M. Plazas and Usable Open Space (*new element*)

Purpose/Intent – *To ensure that downtown plazas and open spaces are designed for usability and a variety of activities during all hours and seasons; provide amenities for downtown visitors, businesses, and residents; promote livability; and help soften the effects of built and paved areas.*

Background – The current code includes development standards for open space that serves not just building residents but also the larger public passing by (more externally oriented space).

Key Changes

- Move the requirement that at least 50% of any building setback area be developed as usable open space to Site Frontage (Element A).

- Eliminate the requirement that usable open space be abutted on at least two sides by a building; replace with requirement to provide at least one window or door with at least 50% glazing when abutted by a building wall.
- Clarify that hardscaping must be concrete or unit paving and not asphalt or gravel.
- Establish new requirements for at least 10% landscaping of open space areas, with a limit on bark dust or mulch (20% max) and prohibition of nuisance species from the Milwaukie Native Plant List.
- Require at least 3 ft of bench seating for each 60 sq ft of plaza or open space area.
- Introduce a reference to Outdoor and Exterior Building Lighting (Element N).

N. Outdoor and Exterior Building Lighting (*new element*)

Purpose/Intent – *To incorporate outdoor and exterior building lighting that increases pedestrian comfort, accentuates design and architectural features, enhances safety, and minimizes light pollution (both spill and casting or glare).*

Background – The current Downtown Design Guidelines address lighting, but there are no current standards requiring exterior building lighting or lighting of outdoor open spaces.

Key Changes

- Establish standards for lighting, though applicable only when lighting is provided. The standards address minimum lighting for building entrances, resident open space, and plazas and usable open space. A photometric plan will be required with proposed developments to determine compliance.
- Establish additional standards to limit light trespass.

Changes to MMC 19.304 (downtown development standards)

- Change “rowhouse” term to “townhouse,” to be consistent with other recent code changes related to middle housing.
- Remove building height limit based on number of stories—focus instead only on the height in feet.
- Adjust the maximum floor area ratio (FAR) from 4:1 to 6:1, acknowledging the available height bonuses.
- Move certain development standards out of this section, incorporating them into the design standards of MMC 19.508.4:
 - Flexible ground-floor space (*move to Site Frontage element*)
 - Maximum street setback and build-to lines (*to Site Frontage element*)
 - Frontage occupancy requirements (*to Site Frontage element*)
 - Primary entrances (*to Building Entrances element*)
 - Open space (*to Plazas and Usable Open Space element*)
 - Transition measures (*to Building Massing and Transitions element*)

Changes to MMC 19.907 (downtown design review process)

- Eliminate the option for residential-only buildings downtown to use the multifamily design standards/guidelines of MMC Subsection 19.505.3—instead, require multifamily buildings downtown to address the downtown design standards of MMC Section 19.508.
- Allow all new buildings downtown to use the Type I review process if they meet applicable downtown design standards. In addition, simplify the list of Type I actions to clarify that any expansion or modification of existing development that meets the applicable design standards of MMC 19.508 can be processed with Type I review. This effectively eliminates the applicability of the design review process to those actions for which there are no development or design standards to use as approval criteria.
- Preserve the Type II review process for a few specific actions that do not meet the design standards but are small enough in scale that Type III review and a public hearing are not warranted. Adjust the Type II approval criteria to include the design guidelines when applicable.
- Eliminate references to variances being needed for issues that shift from being development standards to design standards, since the design review process has a discretionary option that can consider what previously needed a variance.
- Remove the application requirement for a Downtown Design Review Checklist, since there will be greater clarity about which design guidelines are applicable to a project. Likewise, remove references to “substantial consistency” with the purpose statement of the relevant design standard, as the new criterion is to simply show compliance with the applicable standards and guidelines.

**Attachment 8. A. 3.
Recommended Adjustments to the Proposed Amendments**

(~~strikeout~~/underline format)

19.304 DOWNTOWN ZONES

19.304.3 Use Limitations, Restrictions, and Provisions

A. Use Limitations and Restrictions

The following provisions describe the limitations for uses listed in Table 19.304.2.

3. Commercial uses are permitted throughout downtown, subject to the following limitations:
 - a. In the DMU Zone, the following uses are limited to 20,000 sq ft in floor area per use on the ground floor.
 - (1) Traditional office
 - (2) Eating/drinking establishments
 - (3) Indoor recreation
 - (4) Retail-oriented sales
 - (5) Personal-service-oriented
 - (6) Repair-oriented
 - (7) Day care and child care

19.907 DOWNTOWN DESIGN REVIEW

19.907.8 Public Notice for New Buildings Approved with Type I Review

Within 7 days of issuing a notice of decision to approve a new building with Type I downtown design review, notice of the approval will be provided in the following forms:

- A. Written notice of the decision will be mailed to the owners of record of properties within 300 ft of the perimeter of the subject property as well as to the City-recognized neighborhood district association whose boundaries include the subject property or are within 300 ft of the subject property.
- B. A physical sign will be posted on the subject property in a location that is clearly visible to vehicles traveling on a public street and legible to pedestrians walking by the property. The sign will include a brief description of the approved building and will remain in place for a minimum of 30 days. Pursuant to Subsection 19.1001.6.C.1.d, the Planning Manager will adopt administrative rules for this required signage.

The provided notice is for information purposes only and does not constitute an opportunity for public comment on the approved building.

19.1004 TYPE I REVIEW

19.1004.3 Type I Public Notice

Public notice is not required for Type I applications, except for new buildings approved with Type I downtown design review, as established in Subsection 19.907.8. Application referral to other agencies may be required per Section 19.707 prior to issuing a Type I decision.

(clean format)

19.304 DOWNTOWN ZONES

19.304.3 Use Limitations, Restrictions, and Provisions

A. Use Limitations and Restrictions

The following provisions describe the limitations for uses listed in Table 19.304.2.

3. Commercial uses are permitted throughout downtown, subject to the following limitations:
 - a. In the DMU Zone, the following uses are limited to 20,000 sq ft in floor area per use on the ground floor.
 - (1) Traditional office
 - (2) Eating/drinking establishments
 - (3) Indoor recreation
 - (4) Retail-oriented sales
 - (5) Personal-service-oriented
 - (6) Repair-oriented
 - (7) Day care and child care

19.907 DOWNTOWN DESIGN REVIEW

19.907.8 Public Notice for New Buildings Approved with Type I Review

Within 7 days of issuing a notice of decision to approve a new building with Type I downtown design review, notice of the approval will be provided in the following forms:

- A. Written notice of the decision will be mailed to the owners of record of properties within 300 ft of the perimeter of the subject property as well as to the City-recognized neighborhood district association whose boundaries include the subject property or are within 300 ft of the subject property.
- B. A physical sign will be posted on the subject property in a location that is clearly visible to vehicles traveling on a public street and legible to pedestrians walking by the property. The sign will include a brief description of the approved building and will remain in place for a minimum of 30 days. Pursuant to Subsection 19.1001.6.C.1.d, the Planning Manager will adopt administrative rules for this required signage.

The provided notice is for information purposes only and does not constitute an opportunity for public comment on the approved building.

19.1004 TYPE I REVIEW

19.1004.3 Type I Public Notice

Public notice is not required for Type I applications, except for new buildings approved with Type I downtown design review, as established in Subsection 19.907.8. Application referral to other agencies may be required per Section 19.707 prior to issuing a Type I decision.

**RS 8. A. 3/21/23
Presentation**



Downtown Design Review Code Amendments

File #ZA-2022-003

City Council Regular Session
March 21, 2023

Brett Kelter, Senior Planner

Effort led by Design and Landmarks Committee (DLC)

- **March 2016 to March 2018:** Initial assessment of issues
 - 20+ sessions with DLC led by staff
 - Initial focus on updating photos—added goal of refreshing the text
- **April 2018 to Dec 2019:** Secondary assessment
 - Consultant help from SERA Architects & JET Planning
 - Decision to eliminate DDG document and integrate into code
- **January 2020 to present:** Final push to adoption
 - Code work by JET Planning



Recommended: Ornamental flowering trees (McCall Waterfront Park, Portland)



Recommended: Manicured, landscaped gardens and courtyards (Washington Park, Portland)

CURRENT CODE – DOWNTOWN DESIGN REVIEW

Downtown **Development Standards** (MMC 19.304)

- Floor Area Ratio, Height, Setbacks, etc.

Downtown **Design Standards** (MMC 19.508)

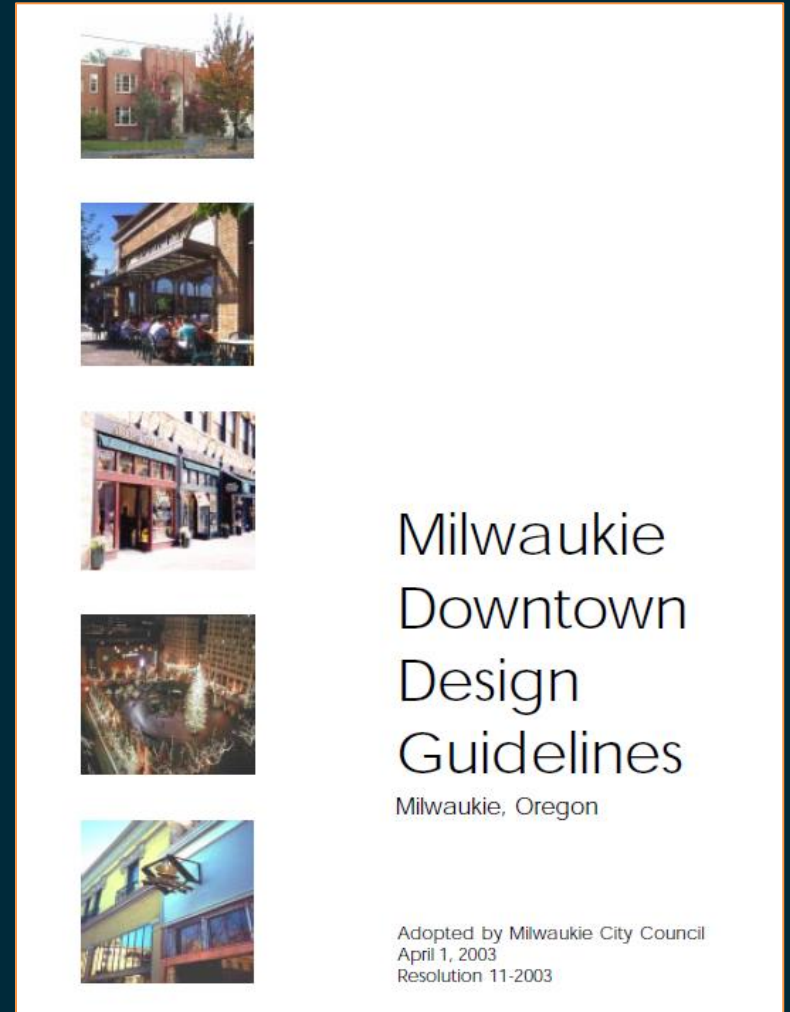
- Building Façade Details, Corners, Weather Protection, etc.

Downtown **Design Guidelines** (separate document)

- Milwaukie Character, Pedestrian Emphasis, Architecture, Lighting, Signs

ISSUES WITH CURRENT CODE

- Misalignment of design standards with design guidelines (gaps)
- Unclear applicability of guidelines (for applicants, staff, reviewers)
- Some development standards impact design (but need a variance if not specifically met)



ISSUES WITH CURRENT REVIEW PROCESS

Nonresidential or mixed-use buildings have two options:

1) Type II review (meet the design standards)

OR

2) Type III review (address the applicable design guidelines)

Residential-only buildings have four options:

1) Type I review (meet multifamily design standards of MMC 19.505.3)

2) Type II review (meet multifamily design guidelines of MMC 19.505.3)

3) Type II review (meet downtown design standards of MMC 19.508)

4) Type III review (address the downtown design standards & guidelines of MMC 19.508)

PROPOSED SOLUTIONS

CODE

- Revise sections of code related to downtown design review (MMC 19.304, 19.508, 19.907)
- Align design guidelines with design standards, eliminate gaps, and centrally locate in code
- Repeal separate Downtown Design Guidelines document

REVIEW PROCESS

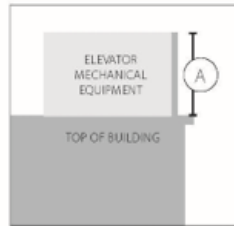
- Establish two review paths for downtown projects (Type I & III)
- Require new residential-only buildings to address downtown design elements (standards and/or guidelines)

Make the standards architecturally sound so that all new buildings are guaranteed to look good!



KEY CHANGES – CODE

FIGURE 19.508.4.J2.b – ROOFTOP EQUIPMENT SCREENING



(A) 16-FT MAX ELEVATOR MECHANICAL EXTENSION IF ARCHITECTURALLY INCORPORATED INTO BUILDING

(B) MECHANICAL EQUIPMENT MUST BE SET BACK 10 FT MIN AND SCREENED FROM PUBLIC STREET VIEW

- Move design-related development standards into design standards
- Expand design standards from 7 elements to 14
- Limit street-facing blank walls
- Update graphics

NEW LIST OF DESIGN ELEMENTS

1. Site Frontage
2. Wall Structure & Building Façade Detail
3. Exterior Building Materials
4. Façade Transparency & Activation
5. Building Entrances
6. Windows
7. Corners
8. Building Massing & Transitions
9. Weather Protection
10. Roofs & Rooftop Equipment Screening
11. Service Areas (Screening)
12. Resident Open Space
13. Plazas & Usable Open Space
14. Outdoor & Exterior Building Lighting

KEY CHANGES – REVIEW PROCESS

- Require multifamily buildings downtown to address downtown design elements
- Allow new buildings that meet design standards to use Type I review (with public notice)



HOUSEKEEPING ADJUSTMENTS

- Eliminate review for actions with no corresponding standards (i.e., landscaping, parking, fences)
- Increase townhouse minimum density in DMU to equal that of Moderate Density zone (R-MD)
- Remove stories from height max (only feet)
- Increase max floor area ratio (FAR) to be consistent with max building height (6:1)
- Raise size limit on day care uses from 5,000 sq ft to 20,000 sq ft (on ground floor)

RECOMMENDATIONS

- On January 24, 2023, Planning Commission voted to recommend approval of the proposed amendments.
- Staff recommends that Council adopt the proposed amendments, with the adjustments presented in Attachment 3.

(~~strikeout~~/underline format)

19.304 DOWNTOWN ZONES

19.304.3 Use Limitations, Restrictions, and Provisions

A. Use Limitations and Restrictions

The following provisions describe the limitations for uses listed in Table 19.304.2.

3. Commercial uses are permitted throughout downtown, subject to the following limitations:
 - a. In the DMU Zone, the following uses are limited to 20,000 sq ft in floor area per use on the ground floor.
 - (1) Traditional office
 - (2) Eating/drinking establishments
 - (3) Indoor recreation
 - (4) Retail-oriented sales
 - (5) Personal-service-oriented
 - (6) Repair-oriented
 - (7) Day care and child care

19.907 DOWNTOWN DESIGN REVIEW

19.907.8 Public Notice for New Buildings Approved with Type I Review

Within 7 days of issuing a notice of decision to approve a new building with Type I downtown design review, notice of the approval will be provided in the following forms:

- A. Written notice of the decision will be mailed to the owners of record of properties within 300 ft of the perimeter of the subject property as well as to the City-recognized neighborhood district association whose boundaries include the subject property or are within 300 ft of the subject property.
- B. A physical sign will be posted on the subject property in a location that is clearly visible to vehicles traveling on a public street and legible to pedestrians walking by the property. The sign will include a brief description of the approved building and will remain in place for a minimum of 30 days. Pursuant to Subsection 19.1001.6.C.1.d, the Planning Manager will adopt administrative rules for this required signage.

The provided notice is for information purposes only and does not constitute an opportunity for public comment on the approved building.

19.1004 TYPE I REVIEW

19.1004.3 Type I Public Notice

Public notice is not required for Type I applications, except for new buildings approved with Type I downtown design review, as established in Subsection 19.907.8. Application referral to other agencies may be required per Section 19.707 prior to issuing a Type I decision.

ADJUSTMENTS (ATTACHMENT 3)

DECISION-MAKING OPTIONS

1. Adopt the proposed amendments as presented (including the adjustments provided in Attachment 3), with the recommended Findings in Support of Approval.
2. Adopt the proposed amendments with additional revisions, revising the recommended Findings as needed.
3. Continue the hearing.

APPROVAL CRITERIA (TYPE V CODE AMENDMENTS)

Amendments to Zoning Text (MMC 19.902.5.B)

Show consistency with:

1. Other parts of Milwaukie Municipal Code
2. Goals/policies of Comp Plan
3. Metro Urban Growth Management Functional Plan
4. State statutes and Statewide Planning Goals
5. Relevant federal regulations

Questions?





TYPE I NOTICE OF NEW BUILDING DOWNTOWN

Date mailed: [redacted], 2023

Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email espanol@milwaukieoregon.gov.

You are receiving this notice because a new building in the Downtown Mixed Use (DMU) zone has been approved through the City's administrative (Type I) downtown design review process. The proposed new building has met all of the applicable clear and objective standards established in Milwaukie Municipal Code (MMC) Section 19.508, so no public hearing is required and there is no opportunity for public comment. This notice is being mailed **for informational purposes only** to all property owners, residents, and neighborhood district association(s) within 300 feet of the subject property.

A summary of the proposal and a staff contact for more information are described below. Please include the land use file number for reference.

File Number(s):	[redacted]
Location:	Address Tax Lot ID A map of the site is located on the last page of this notice.
Proposal:	Description of site and current use Description of approved new building
Staff contact:	Laura Weigel, AICP, Planning Manager City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd, Milwaukie, OR 97206 503-786-7654, weigell@milwaukieoregon.gov
Neighborhood District Association(s):	Historic Milwaukie NDA, contact Val Hubbard at 503-475-6030

To learn more about a proposal: Contact the staff contact assigned to the proposal or visit the project webpage at www.milwaukieoregon.gov/planning/AAA-YYYY-###. The application materials and the applicable approval criteria and development standards are available for review at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please call the staff contact ahead of time to schedule a review of the application materials. Copies of this information can be obtained for a reasonable fee.

Enclosures:

- Location map
 - Site plan
 - Building Elevation(s)
- (Modify enclosure list as appropriate.)

SAMPLE PUBLIC NOTICE



TYPE I NOTICE OF NEW BUILDING DOWNTOWN

Date mailed: 08/11/2023

Traducción de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntas en español, favor de email: espanol@milwaukieoregon.gov

You are receiving this notice because a new building in the Downtown Mixed Use (DMU) zone has been approved through the City's administrative (Type I) downtown design review process. The proposed new building has met all of the applicable clear and objective standards established in Milwaukie Municipal Code (MMC) Section 19.508, so no public hearing is required and there is no opportunity for public comment. This notice is being mailed for informational purposes only to all property owners, residents, and neighborhood district association(s) within 300 feet of the subject property.

A summary of the proposal and a staff contact for more information are described below. Please include the land use file number for reference.

File Number(s):	
Location:	Address Parcel ID A map of the site is located on the last page of this notice.
Proposal:	Description of site and current use Description of approved new building
Staff contact:	Laure Weiser, AICP, Planning Manager City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd, Milwaukie, OR 97206 503-752-7434; weiser@milwaukieoregon.gov
Neighborhood District Association(s):	Historic Milwaukie NDA, contact Val Hubbard at 503-475-6030

To learn more about a proposal: Contact the staff contact assigned to the proposal, or visit the project webpage at www.milwaukieoregon.gov/planning/444-1111.pdf. The application materials and the applicable approval criteria and development standards are available for review at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please call the staff contact ahead of time to schedule a review of the application materials. Copies of this information can be obtained for a reasonable fee.

Enclosures:

- Location map
 - Site plan
 - Building Elevation(s)
- (Include enclosure list as appropriate.)

SAMPLE PUBLIC NOTICE

“You are receiving this notice because a new building in the Downtown Mixed Use (DMU) zone has been approved through the City’s administrative (Type I) downtown design review process. The proposed new building has met all of the applicable clear and objective standards established in Milwaukie Municipal Code (MMC) Section 19.508, so no public hearing is required and there is no opportunity for public comment. This notice is being mailed for informational purposes only to all property owners, residents, and neighborhood district association(s) within 300 feet of the subject property.”





OTHER NOTES

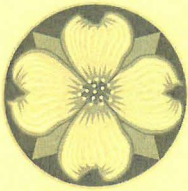
C. Other Standards	DMU	OS
1. Residential density requirements (dwelling units per acre)		
a. Rowhouses Townhouses and live/work units		
(1) Minimum	40 25	None n/a
(2) Maximum	None	None n/a
b. Stand-alone multifamily		
(1) Minimum	30	None n/a
(2) Maximum	None	None n/a
c. Mixed-use buildings	None	None n/a

Evaluation of Downtown Design Standards versus Downtown Design Guidelines

Key	
	Green = Guideline is applicable to standard
	Yellow = Unclear if guideline is consistently applicable to standard; one or both may need adjustment
	Red = Guideline is not applicable to standard; standard may need adjustment (or code may need a new standard)

Milwaukie Character

	Reinforce Sense of Place	Integrate the Environment	Horticultural Heritage	Gateways (deleted)	Consider View Opportunities	Arch. Context & Contrast	Preserve Historic Landmarks	Integrate Art
Building Façade								
Corners								
Weather Protection								
Exterior Materials								
Windows & Doors								
Roofs/Rooftop Equip.								
Open Space/Plazas								



**CITY OF MILWAUKIE
CITY COUNCIL**

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

Speaker Card

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

Name: Greg Werner

Organization:

Address: 5822 SE Harlem St

Phone: 971-202-2100

Email: greg.werner.milw@gmail.com

Meeting Date: 3/21/23

Topic: Downtown Ordinance

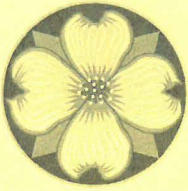
Agenda Item You Wish to Speak to:

- #5 Community Comments
- #7 Other Business, Topic:
- #8 Public Hearing, Topic:

You are Speaking...

- in Support
- in Opposition
- from a Neutral Position
- to ask a Question

Comments:



**CITY OF MILWAUKIE
CITY COUNCIL**

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

Speaker Card

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

Name: Jacob Sreeman

Organization:

Address:
Phone: you have it
Email:

Meeting Date: 3/21 **Topic:** _____

Agenda Item You Wish to Speak to:

- #5 Community Comments
- #7 Other Business, Topic:
- #8 Public Hearing, Topic:

You are Speaking...

- in Support
- in Opposition
- from a Neutral Position
- to ask a Question

Comments:

Downtown
Design



RS Agenda Item

9

Council Reports

COUNCIL RESOLUTION No.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING COUNCIL GOALS FOR 2023 AND 2024.**

WHEREAS establishing Council goals dedicates resources and capacity to address areas that are not yet embedded within the current work of the city; and

WHEREAS city staff create efficient government through strategic investment in infrastructure, professional and compassionate community service and law enforcement, effective organizational management, and the thoughtful application of city policy; and

WHEREAS Council discussed goals at our Council retreat in late January, our meeting on March 7, 2023, and our study session on March 14, 2023, and hereby identifies the following goals to serve as the city's primary objectives for the remainder of 2023 and 2024.

GOAL 1: CLIMATE CHANGE MITIGATION AND RESILIENCE ACTION:

WHEREAS Climate change is the single largest threat to the future citizens of Milwaukie; and

WHEREAS the Milwaukie Community Vision calls for Milwaukie to become a net zero city by the year 2040 as our contribution towards forestalling the worst effects of climate change; and

WHEREAS the city has adopted a Climate Action Plan (CAP) in 2017, and in the first five years has accomplished some things called for by that plan, but much remains to be accomplished.

Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the city will take aggressive steps to minimize climate change and increase climate-related resilience by continuing to implement specific actions identified in the City's Climate Action Plan that provide the greatest impact possible.

GOAL 2: EQUITY, JUSTICE, AND INCLUSION:

WHEREAS Black, Indigenous, and other People of Color have suffered horrific inequities and crimes against humanity such as slavery, slaughter, rape, theft of land and property, medical experimentation, forced relocation, denial of basic human rights, and restriction from generational wealth building in this country for centuries; and

WHEREAS the Milwaukie 2040 vision calls for a flourishing city that is ENTIRELY EQUITABLE, delightfully livable and completely sustainable for ALL residents; and

WHEREAS in adopting the 2020 Comprehensive Plan and ensuing code and zoning revisions, the city has begun to reverse the code and zoning that has disenfranchised our Black, Indigenous, and other People of color neighbors for almost a century; and

WHEREAS the Milwaukie Police Department has engaged with members of the community of Black, Indigenous, and other People of Color in revising and updating use of force, hiring, promotion and other police policies; and

WHEREAS the Council established the Equity Steering Committee as an advisory body on actions to further equity and social justice, including consulting on the forthcoming assessment and plan which will identify the areas of greatest need for equity-focused actions by the city.

Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that this city further commits to the pursuit of an entirely equitable Milwaukie by supporting the implementation of policies, procedures, practices, and training needs identified in the forthcoming plan to lead to a city that is more responsive to, more trusted by, and more reflective of the community we serve.

GOAL 3: IMPROVING MILWAUKIE’S PARKS SYSTEM AND SERVICES

WHEREAS the Clackamas Board of County Commissioners, acting as the Board for the North Clackamas Parks and Recreation District (NCPRD), has, for over two years, declined to move forward with construction of Milwaukie Bay Park; and

WHEREAS in over thirty years as a part of NCPRD, the city has purchased property for eventual development as parks and has raised the funding to develop most of the parks in Milwaukie; and

WHEREAS city staff has estimated that we have over \$900,000 worth of deferred maintenance in our parks; and

WHEREAS these and other recent developments have made clear that addressing deficiencies in the construction, management, and maintenance of Milwaukie’s parks is an important priority demanding significant staff time, as the city determines how best to serve the community’s needs and desires from their park system.

Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that this city further commits to the difficult work of determining whether and under what terms to leave the NCPRD and establish a city parks department; securing funding for that department; and engaging in a system planning process to identify community priorities for parks and recreation.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that the following City Council goals are adopted for 2023 and 2024.

- Climate Change Mitigation and Resilience Action; and
- Equity, Justice, and Inclusion; and
- Improving Milwaukie’s Parks System and Services

Introduced and adopted by the City Council on **March 21, 2023**.

This resolution is effective immediately.

Lisa M. Batey

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney



Climate Action Plan

Update Report

March 2023

RS187



MILWAUKIE CLIMATE ACTION UPDATE REPORT 2023

Prepared by:

Natalie Rogers,
Climate and Natural Resources Manager

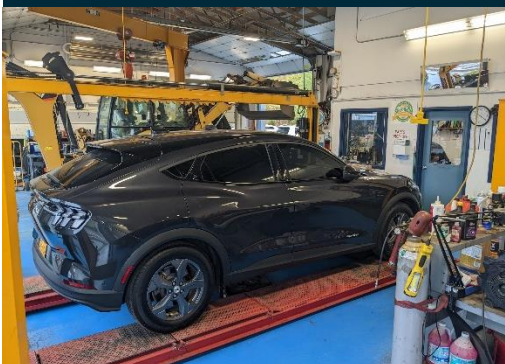
Peter Passarelli,
Public Works Director

[LEARN MORE AT MILWAUKIECLIMATEACTION.COM](https://www.milwaukieclimateaction.com)



CITY OF MILWAUKIE

Milwaukie Community Climate Action Plan



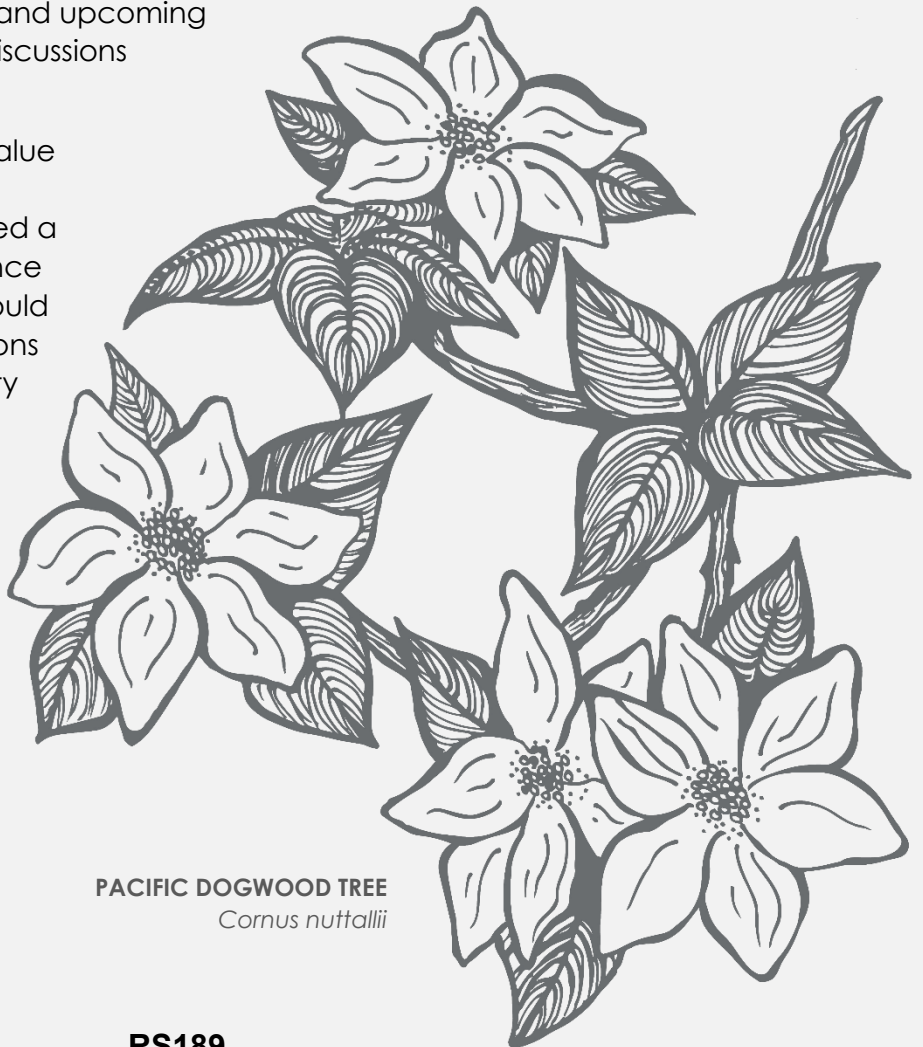
INTRODUCTION

In 2017, the City of Milwaukie adopted a community vision for the year 2040, imaging a future where Milwaukie would be *'delightfully livable, entirely equitable, and completely sustainable'*. The following year, Milwaukie adopted the Climate Action Plan (CAP), a roadmap for helping the community mitigate and adapt to the effects of climate change. This comprehensive city-led strategy identified 53 city-led actions to help Milwaukie achieve its climate goals and become completely carbon neutral by 2050.

In the years since the CAP adoption, Milwaukie has built a small climate program to implement the actions in the plan and achieve the city's climate goals for carbon emission reduction and expansion of the city's tree canopy. By right-sizing programs and strengthening relationships and collaboration with community and utility partners in Milwaukie, the city has become a regional leader in climate action and a role model for other small jurisdictions around the nation tackling climate change in their local communities.

This 2023 CAP update provides an overview of Milwaukie's developing climate program, recent greenhouse gas emission inventory, and implementation of the adopted city-led actions to reduce community emissions and prepare Milwaukie for a changing climate. The update also features completed and upcoming climate projects, along with current discussions about program funding and priorities.

Climate action has become a core value within Milwaukie's city operations and policies, and the city has accomplished a significant amount in the short time since the adoption of the CAP. This work would not be possible without the contributions of Milwaukie's elected and community leadership, residents, and businesses.



PACIFIC DOGWOOD TREE
Cornus nuttallii

TABLE OF CONTENTS

EXECUTIVE SUMMARY	6
2020 GREENHOUSE GAS REPORT SUMMARY	10
CLIMATE CHANGE IMPACTS IN MILWAUKIE	12
COMMITTING TO CITY-LED CLIMATE ACTION	16
CLIMATE ACTION IN CITY PROCESSES	17
COMMUNITY ENGAGEMENT	18
FUNDING MILWAUKIE'S CLIMATE WORK	20
CAP ACTION UPDATES	22
Building Energy and Efficiency	24
Vehicles and Fuels	37
Land use and transportation	45
Materials use, purchasing and recovery	50
Natural Resources	53
Public Health and Preparedness	60



2023 CAP UPDATE EXECUTIVE SUMMARY

Since adoption of the CAP in 2018, Milwaukie has created its own small climate program to achieve its adopted climate goals for carbon emissions and canopy coverage. By right-sizing programs and collaborating with community and utility partners in Milwaukie, the city has become a regional leader in climate action and a role model for other small jurisdictions tackling climate change.

This 2023 CAP update provides an overview of Milwaukie's developing climate program, recent GHG emission inventory, and city-led actions to reduce community emissions and prepare Milwaukie for a changing climate. The 2023 CAP update also features completed and upcoming climate projects and current discussions about program funding and priorities.

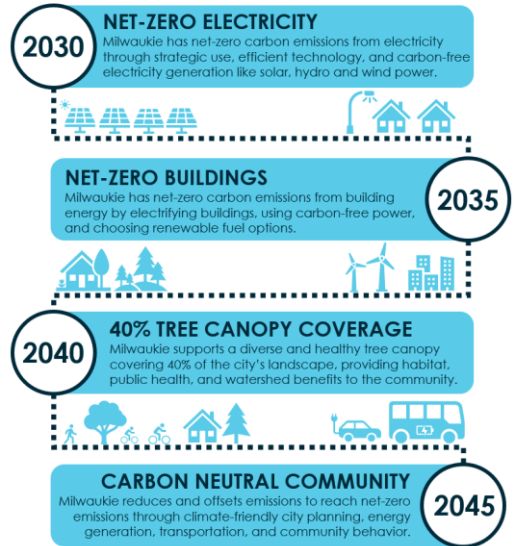
MILWAUKIE'S EMISSION PROFILE IS CHANGING OVER TIME

GHG inventories show community emissions by main emission sources, including building energy, transportation, waste processing, refrigerants and imported goods. Comparing the recent 2020 GHG inventory to the 2016 GHG inventory, the most notable changes were a decrease in building energy emissions and an increase in transportation emissions. Considering these emission changes, Milwaukie needs to continue its work to decarbonize buildings while increasing efforts to promote emission free transportation through electric vehicles and charging infrastructure, bike and pedestrian infrastructure, and public transportation.

MILWAUKIE HAS INCORPORATED CLIMATE ACTION INTO CITY PROCESSES AND POLICY

From city code to vehicle purchasing, considerations of climate impact are made in city processes and operations to help meet the city's adopted climate goals. Adopted strategy documents like the 2020 Comprehensive Plan, natural hazard mitigation plans (2019, 2024 pending) and utility system plans reference climate and urban forestry policies, and further institutionalize the city's commitment to climate action. In addition, new internal processes like including a statement of climate impact in city staff reports and tree accounting in city improvement projects ensure staff consider climate and urban forest impacts in all city-led initiatives.

MILWAUKIE'S CLIMATE ACTION GOALS



2020 GHG INVENTORY TAKEAWAYS



Transportation emissions increased by roughly 20%, becoming largest emission source in community



Building energy emissions decreased by 25% thanks to lower energy use and more renewable resources

CLIMATE POLICIES AND CONSIDERATIONS IN CITY PLANS

Adopted Plans:

- Urban Forest Management Plan
- Natural Hazard Mitigation Plan
- Comprehensive Plan
- Water Utility System Plan

Upcoming Plans:

- Stormwater System Plan
- Transportation System Plan

CLIMATE STAFF ENGAGE THE COMMUNITY ON PROJECTS AND PROGRAMS RELATED TO CLIMATE

Since adoption of the CAP, the city has engaged the community on a variety of programs and initiatives related to climate action. Climate engagement included in-person outreach at community events like the Home Energy Score community forum, tabling at farmers markets for climate goal awareness and tree code information, presenting to community groups, and offering sustainability tours.

Staff have created and shared outreach materials, like postcards, t-shirts, and mailers. The city has promoted climate actions through new websites and webtools, news and podcast interviews, and a variety of other printed and online media. More work is needed to expand the city's translated and culturally specific outreach materials for climate to ensure equitable engagement and educational opportunities.



UPCOMING CLIMATE PROJECTS INCLUDE A DISCUSSION ON CONTINUED CLIMATE FUNDING

Ongoing discussions in Milwaukie about climate-related projects include conversations about natural gas bans for new residential development, development of new carbon-free electricity products that align with city goals, and promotion of electric vehicles and charger installations in the community. Each of these projects are complex and involve collaborating with local utilities, community members, and city leadership. This work will need to be prioritized along with the ongoing implementation of Milwaukie's 53 city-led actions as staff reach capacity on time and resources dedicated to climate efforts in the city. To address the upcoming resource gap and a possible change to City Council's goals, the city is exploring a new climate funding mechanism to generate revenue for the implementation of climate-related programming associated with the CAP. Climate fund discussions were paused in late 2022 and will restart in spring 2023 with the new City Council.



CAP ACTION IMPLEMENTATION OVERVIEW

Of the 53 city-led actions in the CAP, the city has started implementing 40 actions and has completed 8 actions. City staff prioritized actions that could make impactful emission reductions while being cost and resource efficient. The city collaborated with a variety of stakeholders on implementation of climate actions including utility partners, community-based organizations, advocacy groups, and regional policy makers.

BUILDING ENERGY AND EFFICIENCY

The city has focused on energy-related emission reduction and has partnered with local electric utility Portland General Electric (PGE) to achieve community decarbonization goals for electricity, promote electrification, and explore new demand-side programs. Key building energy and efficiency highlights include:

- Subscription for 100% carbon-free Oregon solar electricity for city facilities and operations through PGE's Green Future Impact product.
- Adoption and implementation of a residential home energy score program.
- Adoption of a resolution to develop city code to ban new fossil fuel infrastructure connections for residential development.
- Ongoing development of a new city-aligned renewable electricity product focused on affordable utility-scale solar development.
- Coordination with PGE for multiple electrification events and Climate Collaborative educational campaigns
- Advocacy for regional legislation for building and utility-scale decarbonization, including the adopted Clean Energy for All Act (HB 2021) that requires electric utilities to decarbonize their energy mix by 2040.



VEHICLES AND FUELS

The city continues to electrify city vehicles and operations and promotes electric vehicles (EVs) and charging infrastructure through local projects, policy updates and regional advocacy. With transportation becoming the largest emission sector in Milwaukie, EV initiatives will be key in meeting local climate goals. Key vehicle and fuels highlights include:

- Purchase of 12 EV and plug-in hybrid vehicles for city operations with continued fleet transition efforts
- Adoption of renewable diesel use for city operations
- Advocacy for regional EV legislation, including a goal for 90% of Oregon vehicle sales to be zero-emission vehicles by 2035
- Installation of electric vehicle chargers across city facilities through local utility and business partnerships, including installation of Electric Avenue fast chargers, three new public chargers at city buildings, and additional city fleet chargers for city operations
- Development and adoption of electric vehicle ready code requirements for parking lots including incentives for charger installations



LAND USE AND TRANSPORTATION

Executive Order 20-04 pushed state departments to reach Oregon carbon emission goals, including the Department of Land Conservation and Development (DLCD). DLCD's Climate Friendly Equitable Community rulemaking set new development and land use standards for cities like Milwaukie to implement climate-forward development code. Combined with climate and energy policies outlined in the 2020 Comprehensive Plan, Milwaukie has been updating land use code to reflect the CAP goals and incorporating emission reduction strategies into city planning for development and transportation. Upcoming projects like the Transportation System Plan update will be significant in the implementation of CAP actions. Key land use and transportation highlights include:



- Adoption of the 2020 Comprehensive plan with numerous climate and energy policies
- Incorporation of DLCD climate rulemaking into city code, including incentives and code structure to enhance climate benefits
- Update of housing code to include more housing types to increase denser development along with new tree code to balance urban forest goals
- Continued project completion of the Safe Access for Everyone pedestrian and bikeway improvement projects
- Ongoing revisions of Public Works standards and development code for low impact development practices including stormwater and flood storage considerations

MATERIALS USE, PURCHASING AND RECOVERY

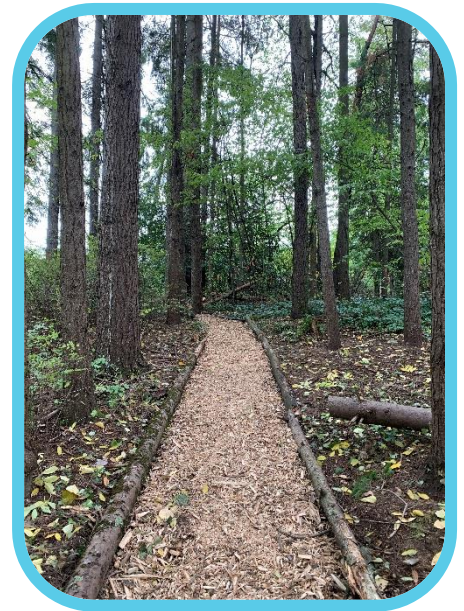
In the implementation of these actions, the city has focused primarily on the topics of construction and food waste reduction. The city contracts with Clackamas County Sustainability and Solid Waste to perform city-wide outreach and education on these topics, including recent Metro food waste collection requirements for food serving businesses and industries. The city also implements a variety of internal policies and procedures to use low-impact materials and development best practices. Key materials use, purchasing and recovery highlights include:

- Partnership with Clackamas County to share of food waste reduction outreach and educational materials, including information on upcoming food waste recovery requirements
- Promotion of composting systems by using mulch in city projects and transporting vegetative debris collected in city operations to composting facilities rather than landfills.
- Use of low impact materials like pavers and permeable concrete in city projects to showcase feasibility and study larger application.



NATURAL RESOURCES

After the adoption of the CAP, Milwaukie staff and the community Tree Board developed the Urban Forest Management plan outlining strategies to plant, protect and promote trees in Milwaukie. Milwaukie's urban forest program has since expanded to increase awareness and policies for the preservation and planting of trees. From updates and development of new tree code to increased engagement at Arbor Day events and collaboration with community partners and non-profits, Milwaukie has emphasized the importance of trees and watershed health in the city to maximize the multitude of benefits healthy and functional natural resources provide the community. Key natural resources highlights include:



- Awarded Oregon Tree City of the Year in 2020 for city urban forestry efforts
- Recurrent Tree City USA and Tree City Growth Awards for the continued implementation and development of urban forest programming in Milwaukie
- Updated the Public Tree code and adoption of a new private residential tree code for the protection and expansion of urban canopy in the city
- Created new online and printed tools and resources for Milwaukie urban forestry, including educational and tree code handouts, tree care information, and construction protection guides
- Developed a canopy analytics tool with local experts to assess socioeconomic data and canopy distribution (Branch Out Milwaukie tool)
- Aligned the natural resources staff in Milwaukie under Climate and Natural Resources Manager for optimized CAP action implementation and natural resources preservation
- Expanded stormwater programming and development requirements to meet state and local water quality and watershed health goals
- Completed the Water Supply Well Capture Zone Delineation report (2020) to ensure water quality monitoring at well sites in Milwaukie

PUBLIC HEALTH AND PREPAREDNESS

As the city sees increased impacts from climate change such as wildfire smoke, drought, heat waves, and extreme storms, the adaptation actions involved in the public health and preparedness topics become more relevant and important than ever. As the city coordinates with county and regional emergency agencies for community preparedness, city staff are assessing infrastructure for resiliency and planning for future natural hazards. More work is needed for this topic as the effects of climate change are increasingly felt in the Milwaukie region. Key public health and preparedness highlights include:



- Promotion of Ledding Library as a daytime heating and cooling shelter
- Updated the Natural Hazard Mitigation Plan in 2019 and currently developing a 2023/2024 update with climate change considerations
- Advocated for more efficient building codes which would include systems for more effective air purification
- Implementing tree canopy expansion efforts to provide public health benefits during extreme heat events and improve air quality

2020 GHG INVENTORY SUMMARY

In 2017, Milwaukie conducted a [GHG gas inventory](#) to inform its development of Milwaukie's first CAP in 2018 using community and regional data from 2016. The inventory noted that Milwaukie as a community generated 262,574 metric tons of carbon dioxide equivalent (MT CO₂e) of local, sector-based emissions. For scale, this quantity of emissions is equivalent to the carbon sequestered annually by 300,000 acres of average U.S. Forest – a land area about 200 times the size of the City of Milwaukie.

In early 2022, an update to Milwaukie GHG inventory was conducted using datasets from 2020. The 2022 GHG Inventory report suggested Milwaukie generated 264,870 MT CO₂e¹ of local emissions, about 12.9 MT CO₂e per person, a slight decrease from 2016.

Milwaukie's local emissions² match regional cities and statewide emissions with most emissions coming from transportation, including gasoline and diesel used by vehicles to transport people and goods, as well as building energy through combustion of natural gas and electricity use to power buildings. Relatively small sources of emissions come from refrigerant usage and waste disposal.

In the 2020 GHG Inventory Report, Milwaukie's building energy related emissions decreased by roughly 25% while transportation related emission increased in the city by about 20%. Moving forward, the city should continue its efforts to decrease building emissions and expand its efforts to address increasing transportation emissions in the community.

GHG INVENTORY REPORT HIGHLIGHTS

LOCAL COMMUNITY EMISSIONS DECREASED BY ~ 5%

Local community emissions:

2020: 264,870 MT CO₂e

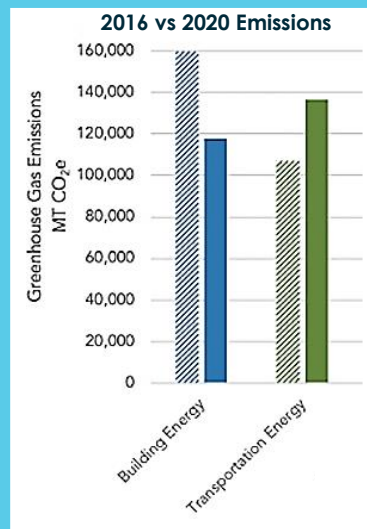
2016: 277,384 MT CO₂e*

* Updated 2016 GHG inventory value

THINGS TO CONSIDER:

- The city needs to address transportation emissions by prioritizing or increasing number of transportation climate actions
- GHG inventories are assumption-based estimates and should be used as additional guidance in emission reduction strategies
- Community behavior in response to the COVID-19 pandemic may influence results
- Updates to ODOT's data increased 2016 transportation emission estimates

TRANSPORTATION NOW CITY'S LARGEST EMISSION SECTOR



BUILDING ENERGY EMISSIONS DECREASED BY 25%

19% decrease in electricity use

38% decrease in natural gas use

Voluntary renewable products offset:

~15.3% of 2020 electricity emissions

~4% of 2020 natural gas emissions



TRANSPORTATION EMISSIONS INCREASED BY ~20%

52% of all local community emissions

92% of transportation CO₂e from gas

Local gas purchases increased in 2020

EV emissions included in Building Energy

2020 GHG Inventory available online at: milwaukieclimateaction.com

¹ Metric tons of carbon dioxide equivalent (MT CO₂e) is the conventional unit for reporting greenhouse gas emissions.

² Local emissions inventories (or sector-based inventories, in official terms) include emissions within the City's boundaries from energy use by homes, businesses, and vehicles as well as emissions from landfilling solid waste and wastewater treatment. It also includes emissions associated with energy consumed within the geographic boundary but not emissions from imported goods or services.

SECTOR BASED EMISSIONS IN MILWAUKIE

Transportation made up the largest category of local emissions in 2020, representing more than half of the local emissions. These emissions total roughly 137,000 MT CO₂e. Nearly half of all the fossil fuel emissions attributable to Milwaukee are from gasoline (126,000 MT CO₂e), almost exclusively for on road use. Diesel emissions (11,000 MT CO₂e) make up the rest of the transportation category.

Building energy emissions include electricity and natural gas and make up the second largest source of local emissions at nearly 118,000 MT CO₂e. Emissions from the generation of electricity (the coal and natural gas burned in power plants) make up the largest share at 85,000 MT CO₂e, and emissions from natural gas make up the remaining 33,000 MT CO₂e. These emissions also make up roughly half of all the fossil fuel emissions attributable to Milwaukee.

Community refrigerants are fluid chemical compounds used in the refrigeration cycles of air conditioning systems and heat pumps where in most cases they undergo a repeated phase transition from a liquid to a gas and back again. These chemicals can be potent greenhouse gases. Refrigerant use in Milwaukee makes up roughly 3% or 9,000 MT CO₂e. This category also includes industrial processes that emit greenhouse gases, but such industrial processes are negligible in Milwaukee. Waste, including wastewater processing and solid waste disposal is the smallest emission category with 1,500 MT CO₂e.

WHAT IS MEASURED IN A GREENHOUSE GAS INVENTORY?

GHG inventories use scientific data and community statistics to estimate and track emissions from local activities and processes over time.

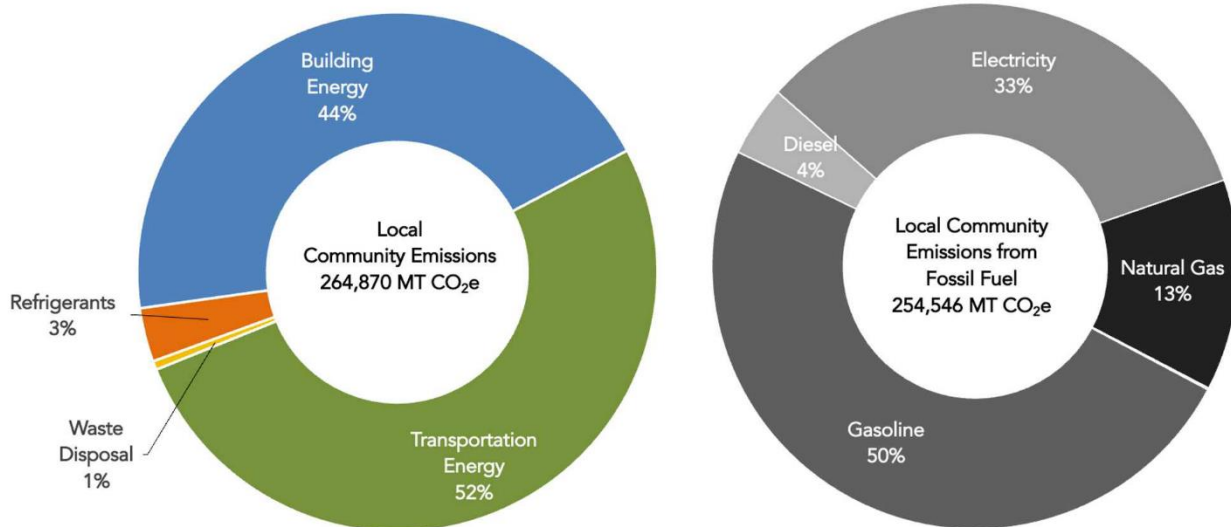
GHGs are gases that collect in the atmosphere and prevent heat energy from leaving.

GHG emissions are a measurement of the amount of a GHG released over time into the atmosphere. To make reporting and comparing emission sources easier, emissions are reported as CO₂ equivalents (CO₂e), meaning the amount of CO₂ with an equal climate impact.

Sector-based emissions measure GHGs from big community emission sources like transportation, building energy, landfills, and waste systems.

Community consumption emissions are GHGs from goods that are manufactured out of the community and are shipped in for consumption.

Below: 2020 GHG Inventory breakdown by sector (left) and fossil fuel (right). The electricity fossil fuel use is primarily from natural gas used to generate electricity in power plants.



CLIMATE CHANGE IMPACTS IN MILWAUKIE

The effects of climate change are impacting the Milwaukie community and testing the resiliency and adaptability of the community, infrastructure, and ecosystem. Recent community experiences have showcased the impacts Milwaukie will and are facing due to climate change.

Climate studies led by Oregon State's Oregon Climate Change Research Institute (OCCRI) and Oregon Health Authority can inform the community on changes to expect in the Milwaukie and Willamette Valley area. While the region may be less vulnerable some climate change-related impacts, Milwaukie and Oregon will still experience significant changes locally including increased heat, wildfire, and storm events. In addition, without strong action from all nations, many parts of the world could become uninhabitable due to sea level rise, flooding, unlivable temperatures, drought, or loss of drinking water supply and cascading effects to food production.

Heat




Summers are getting hotter and by 2100 temperatures could rise as much as 10-13 °F in the summer.

Impacts:

- Human health risk
- Physical activity and recreation
- Natural resources

Example: Increased temperatures and duration lead to greater rates of death in vulnerable populations and increased rates of violent crime

Flood, Drought & Winter Storms



Increased storm intensity leads to more flooding and landslide risk. Also precipitation will fall as rain rather than snow reducing water flows and supply.

Impacts:

- Landslide risk
- Ice storm frequency
- Drinking water supply
- Food insecurity
- Fish habitat
- Decreased hydro generation

Example: Greater variability in our weather patterns and more rain vs. snow will impact our everyday lives -- energy, economy, agriculture, and recreation

Wildfire



Wildfire is unlikely to be a direct threat to Milwaukie residents but fires in the region, similar to the summer fires in 2017 are anticipated to increase and impact residents.

Impacts:

- Air and water quality
- Property loss and displacement
- Occupational risk

Example: By 2080, median annual forest areas burned will be four times the median annual area of 1916-2007.

Sources: OCCRI, Oregon Health Authority and National Climate Assessment

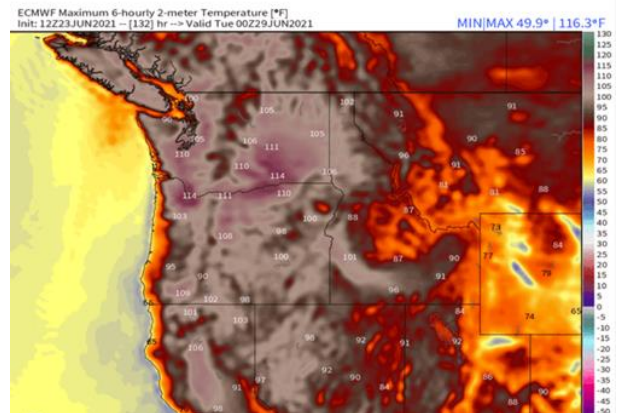
The resilient attributes of the Pacific Northwest area compared to other regions could lead to significant climate refugee influxes in Pacific Northwest communities, including Milwaukie.

HEAT IMPACTS

Summer temperatures are expected to rise through the century. Since the adoption of the CAP in 2018, The Pacific Northwest has experienced several summer events that may summers in the future. The most extreme of those events was the June 2021 heat dome.

Pacific Northwest Heat Dome of June 2021

The June 2021 heat wave which later was became identified as the heat dome stalled over the Pacific Northwest for several days in late June 2021, overwhelming the region with extreme temperatures that broke all-time records. During the last week of June 2021, an exceptional heat wave with no precedent in the modern observational record occurred across Oregon and the Pacific Northwest (Bercos-Hickey et al. 2022, Neal et al. 2022, Thompson et al. 2022, Vescio and Bair 2022, Philip et al. in press). The all-time high temperature records at multiple weather stations were



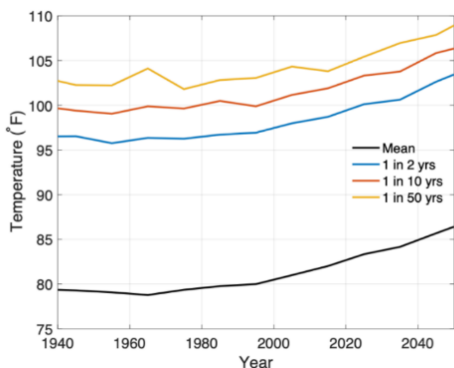
broken by several degrees. Portland's previous record of 107°F broke on 26 June (108°F), 27 June (112°F), and 28 June (116°F). Hundreds of people in the region died due to the extreme heat.

Nighttime temperatures were also extremely warm during this event, although records for warm nights were broken by smaller margins at most major weather stations (for example, 75°F at Portland, breaking the previous record of 74°F).

Research from the University of California at Los Angeles (UCLA) suggest that the heat dome event was a highly improbable 1-10,000-year event. Which begs the question, was the heat dome a result of climate change? A recent study estimated that this heat wave was about two degrees Fahrenheit warmer than it would have been without human influence on the climate (Bercos-Hickey et al. 2022), consistent with the increase in mean temperature. Thompson et al. (2022) estimated that a heat wave of similar magnitude will recur about once in six years by the end of the twenty-first century if concentrations of greenhouse gases do not decrease.

Long Term Trend – Hotter Summers

In Portland during the twentieth century, 100°F temperatures occurred about once every 10 years. By 2025, they are likely to occur about once every two years. Most recently temperatures exceeded 100°F 5 times in 2022, five times in 2021 and two times in 2020. The increasing temperatures are problematic because Oregonians are less likely than residents of most other states to have air conditioners in their homes, leaving residents more vulnerable to high heat. The warmer temperatures have also resulted in the Oregon Occupational Safety and Health Administration (OSHA) adopting new regulations on workplace heat exposure in May 2022.



Left: Daily maximum temperature during July and August in Portland, Oregon, as simulated by the CESM1 Large Ensemble (a 35-member set of global climate models) from 1940–2050, assuming a relatively high emissions scenario (RCP 8.5). Black line, mean high temperature; colored lines, temperatures that occur once every 2 (blue), 10 (red), and 50 years (yellow). Values are based on simulated temperatures over 10 years. A bias correction was applied to yield a mean 1990–2020 high temperature that matched observations (81°F).

Source: Sixth Oregon Climate Impact Assessment, Oregon Climate Change Research Institute

Vegetation Impacts of the Heat Dome Event

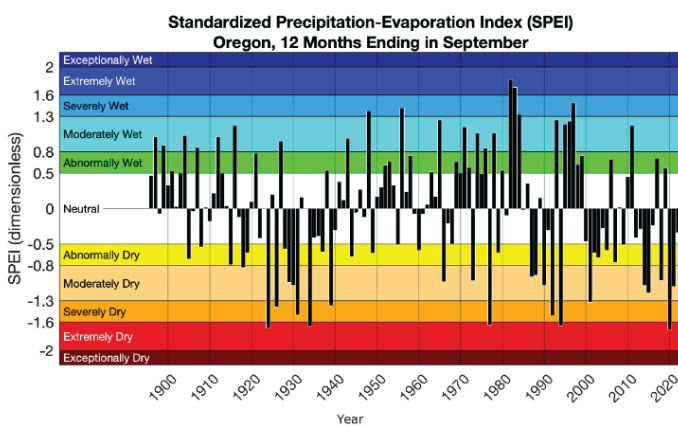
Immediately after the heat dome event there were numerous reports of widespread foliage scorch and leaf drop in multiple tree species in forests on the west side of the Oregon Coast Range and Cascade Range following the event. Western hemlock (*Tsuga heterophylla*) and western red cedar (*Thuja plicata*) seem to have been affected most strongly, but Douglas-fir (*Pseudotsuga menziesii*) and various alder (*Alnus*) and maple (*Acer*) were also impacted, and recent analyses have suggested the Douglas Fir population has undergone a mass mortality event in Oregon and Washington due to a combination of drought and extreme heat.

PRECIPITATION AND DROUGHT

One of the most significant changes we are already experiencing is a change in historical precipitation patterns. Milwaukie has seen predominantly rain during winters, but the winter snow in the Cascades serves as storage for our rivers, streams, and groundwater. The reduction in snowfall means that in the summer months, our rivers and streams will not have the same quantities of flowing water from the

melting snow. This lower volume of water means pressures on our drinking water supply, agricultural irrigation, habitat for fish species like salmon and trout, water supply to power hydroelectric electricity, and some favorite water recreations such as boating, fishing, and rafting.

Since 2000, Oregon's precipitation has been below the 100-year average 14 times. Most of Oregon has been in a multiple-year drought, with 2020 being the most severe drought in Oregon history. Years with average or above average precipitation still showed impacts of climate change, with warming temperatures reducing the amount of precipitation falling as snow and stored in snowpack. Lower volumes of snowpack can have significant impacts on drinking water in the region, as many communities rely on slowly melting snow to keep surface drinking water sources cool and consistent. As the impacts of Oregon's droughts becomes more severe each year, vegetation and ecosystems, surface water supplies, water quality, and groundwater recharge rates are impacted, influencing the livability and ecosystem functionality of Oregon communities.

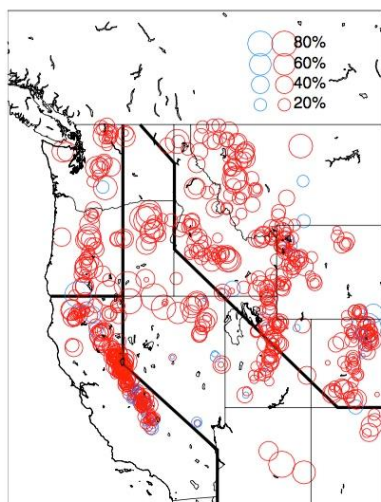


Left: Measure of Oregon Drought Intensity over Time.

Time series of the Standardized Precipitation-Evapotranspiration Index (SPEI) for each water year since 1896 for the state of Oregon. SPEI is a measure of drought intensity and is calculated using data on how much precipitation fell (rain, snow, etc.) as well as how fast water would evaporate from surfaces and waterbodies, considering the average temperature and wind. During water year 2020, the 12-month SPEI in Oregon was at its lowest value since 1896, making the 2020 drought more severe than any other drought in Oregon's recorded history, including the dustbowl events in the 1930's (white arrow).

Source: Data from the PRISM Climate Group accessed via the West Wide Drought Tracker, wrcc.dri.edu/wwdt/time, with the following selections: Oregon, SPEI, 1895–2022, September 12-month; accessed 5 December 2022. Sixth Oregon Climate Impact Assessment, Oregon Climate Change Research Institute.

Below: Western State Snowpack Declines from 1955 to 2016 (CIRC)



This figure shows the average snow declines across the American West, calculated by the Climate Impact Research Consortium (CIRC). Each circle represents a U.S. Department of Agriculture or California Department of Water Resources site with at least 40 years of snowpack measurements. What's being measured is snow water equivalent (SWE), or the amount of water you would get if you melted a given amount of snow. Red circles represent decreases in SWE. Blue circles represent increases. The size of any given circle denotes by how much SWE has either decreased or increased. Over 90% of snow monitoring sites with long records in the American West show declines (Mote et al. 2018).

Source: <https://pnwcirc.org/science/hydrology>. This Image is licensed under Creative Commons Attribution 4.0 International (CC BY 4.0).

REGIONAL WILDFIRE RISK

The Portland metro region is fairly safe from direct burning due to wildfires, although the urban wildland interface (cities close to the boundaries of agricultural and natural resources land) is susceptible. In the past few years, however, we have experienced more wildfire in the Pacific Northwest, a condition that will increase over the next few decades.

The September 2020 Wildfires

Fresh in the region's memory are the September 2020 Wildfires. The wildfires that started on September 7th, eventually burned almost 1,500 mi²), mostly forested, including more than 11 percent of the Oregon Cascade Range.



The area burned in the western Cascade Range in 2020 equaled or surpassed that in any other year for which records are reliable (Abatzoglou et al. 2021c, Reilly et al. 2022). One of the strongest and driest easterly winds recorded since 1948, combined with vegetation that desiccated over the unusually hot and dry preceding weeks, drove the rapid growth of the fires (Abatzoglou et al. 2021c, Mass et al. 2021, Evers et al. 2022). The fire weather, as measured by a combination of heat, aridity, and wind that is consistent with expansion of wildfire, was more extreme over large areas of western Oregon than recorded since 1979 (Hawkins et al. 2022).

The main wildlife risk to Milwaukie residents will primarily be air quality impacts as surrounding regions burn during the summer months. The adjacent figure provides a comparison of the Air Quality Index records set in 2017 and 2020 because of the fires. In the summer of 2017, the metro area suffered when winds brought smoke from more than 100 fires in British Columbia along with multiple Oregon and Washington fires, including the Eagle Creek Fire in the Columbia Gorge National Scenic Area.

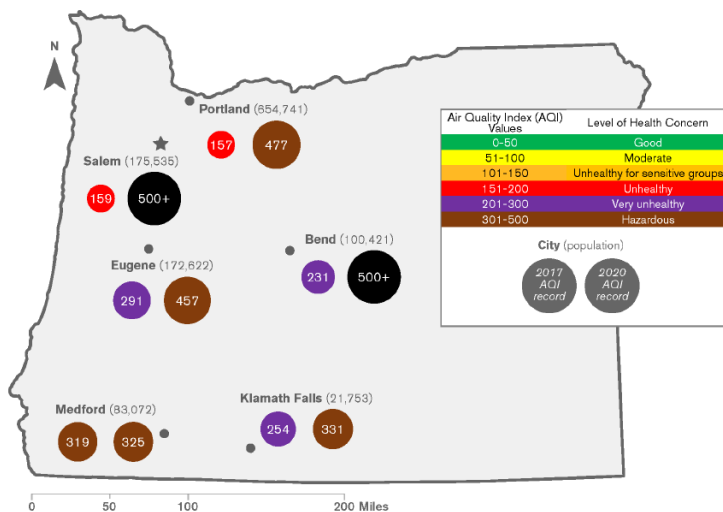


Figure 1. Air Quality Index (daily PM_{2.5} and other health-related pollutants) records set in 2017 (left circle) and 2020 (right circle) in Oregon's six largest population centers.

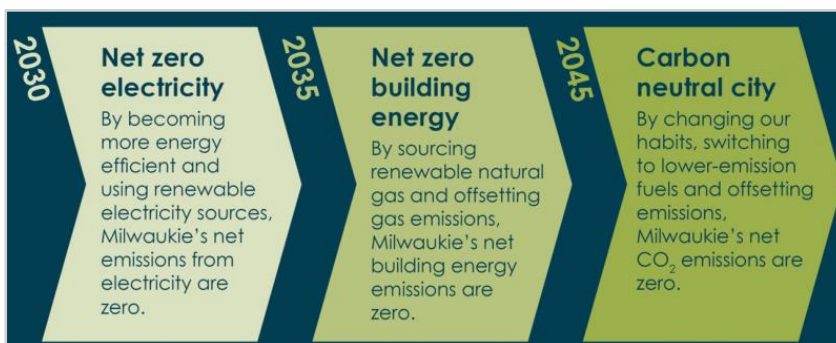
COMMITTING TO CITY-LED CLIMATE ACTION

MILWAUKIE TAKES ON CLIMATE CHANGE

Facing the threat of climate change, the Milwaukie community and city leadership formalized the city's commitment to climate action through the creation of the CAP, the city's first climate strategy document, and new city climate programming.

In 2017, community members and council engaged in the development of the **Milwaukie Community Vision and Action Plan** which included specific goals and actions focused on the planet, environment, and sustainability. In 2017 Milwaukie City Council also adopted 'climate change action' as a council goal, calling for the creation of a strategy document to direct city-led climate action efforts.

The **2018 CAP** was created shortly after through a **community engagement process** and unanimous adoption by city council. For the last four years, City Council has made climate action a city goal, directing council goal funding and staff resources towards reaching the climate goals outlined in the CAP.



ACCELERATING ACTION

Researchers across scientific and economic sectors continue to report on the increasing threat of climate change and the need for more aggressive carbon reduction targets to minimize the worst effects. In January 2020, City Council adopted a **resolution to declare a climate emergency**. This emergency declaration restated the city's commitment to climate action and accelerated the adopted climate goals by five years (shown above).

For the last four years, Milwaukie has implemented the CAP city-led climate actions to educate and inspire climate-friendly behaviors, institutionalize city climate policy, mitigate the Milwaukie community's contributions to climate change and ensure future resiliency through adaptation strategies and infrastructure.

Above: Milwaukie's current accelerated climate goals

Below: Participants and local leadership at the Milwaukie Climate Action Summit (2018)



CLIMATE ACTION IN CITY PLANNING

Since the adoption of the Climate Action Plan, Milwaukie has been institutionalizing climate action in city operations and incorporating the adopted climate goals or strategies into city code, city programs, policies, and procedures.

A key element of this work is ensuring core city strategy documents address climate change and local climate goals in their analysis and recommendations. Since adoption of the CAP, the following plans and changes to City Code have included considerations to local climate action:

- Urban Forest Management Plan (2019)
- Natural Hazard Mitigation Plan (2019)
- Comprehensive Plan (2020)
- Water Utility Master Plan (2022)
- Wastewater Utility Master Plan (2022)
- Biennial City Budgets
- Transportation System Plan (starting 2023)
- Stormwater Master Plan (starting 2023)
- Land use and development code updates

Additional areas of climate institutionalization into city policy making and processes include:

- Climate legislation updates to City Council
- Climate impact statements required on staff reports to City Council
- Quarterly City Council updates and study sessions on climate goal related topics such as electrical grid regulation and renewable energy credits
- Discussions with departments and staff on city climate goals and project incorporation
- Consideration of low impact development and practices in city improvement projects
- Consideration of consumption emissions in city purchases and sourcing

6 CLIMATE CHANGE & ENERGY GOALS & POLICIES

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

GOAL 6.1 - BUILT ENVIRONMENT
Create a built environment that prioritizes energy efficiency and climate resiliency and seamlessly integrates the natural environment.

POLICY 6.1.1 Encourage the use of innovative design and building materials that increase energy efficiency and natural resource conservation, and minimize negative environmental impacts of building development and operation.

POLICY 6.1.2 Provide flexibility in development standards and permitted uses for projects that address climate change and energy conservation through strategies identified in the Climate Action Plan and/or best available science.

POLICY 6.1.3 Advocate at the local, state, and federal level for building codes that increase energy conservation and facilitate emission reductions, and be a model for implementing these higher standards.

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

The role of tree canopy in combating climate change
Tree canopy is the layer of leaves, branches, and stems of trees that cover the ground when a tree is viewed from above. Milwaukie's goal for its urban forest is to achieve 40% canopy coverage citywide by 2040. Expanding the city's urban forest can help capture CO2 in our atmosphere, conserve energy, provide shade, capture stormwater runoff, and curb the impacts of flooding.

COMMUNITY ENGAGEMENT

In Milwaukie's climate programming, staff have attempted a variety of engagement tactics to increase program awareness, receive feedback, and engage the community. There are still gaps in community familiarity of city climate and urban forest programs and goals. There are also limited translated resources for climate and urban forest outreach. Ideally, the city could explore more frequent climate engagement efforts as well as focused audience engagement, but staff capacity limits these options until programs can be reprioritized to accommodate the work.

OUTREACH AND EDUCATION MATERIALS

- City newsletter articles
- CAP executive summary and household/business strategies (Spanish translation available)
- CAP posters and brochures
- Tree care informational handouts
- Tree code informational handouts
- Brochures for vegetation codes
- Yard signs with project information
- Car magnets for city vehicles
- Program-specific handouts
- Climate action postcards
- Urban forest t-shirts
- Direct mailings
- Banners

LOCAL AND COMMUNITY LEADERSHIP

- Regular city council presentations and study sessions
- Staff facilitation and participation in Parks and Recreation Board and Tree Board monthly meetings
- Program presentations at neighborhood district association (NDA) meetings
- Networking with local business owners

YOUTH ENGAGEMENT

- Presentations for Clackamas School District clubs and classes
- Presentations for local colleges
- Kids arts and learning activities at city events
- Climate reading challenge for kids





City-hosted sustainability tour for local non-profit in downtown Milwaukie, featuring urban forest, stormwater and climate topics



Earth Day 2022 event at Willow Place Natural Area



Pumpkin painting with tree giveaway at 2022 Arbor Day

PGE and the city of Milwaukie: Combating climate change

City and PGE staff featured in a video interview with KGW Hello Rose City on city's climate and urban forest efforts



SPONSORED BY: PORTLAND GENERAL ELECTRIC

COMBATING CLIMATE CHANGE

hello!
ROSE CITY



Mayor Gamba presenting at Clackamas Climate Coalition with

PRESENTATIONS AND EVENTS

- Earth Day restoration events
- Arbor Day Celebrations
- Milwaukie Farmers Market Tabling
- Greenspace restoration events
- Tabling at other City events
- Hosted community forums and program informational events
- Sustainability walks and tours
- Presentations at regional conferences
- Home Energy Score expert panels and community forum
- Two Electric Tool Exchange events

ONLINE AND MEDIA ENGAGEMENT EFFORTS

- City social media posts
- Climate Action Week Facebook event
- Virtual community presentations
- Website development for climate action and urban forest resources
- Climate GIS storymap
- Educational videos for city YouTube channel
- Interviews for local newspapers
- Interviews with TV news stations
- Coordination of news channel PSAs for water quality coalitions
- Podcast interviews
- Email blasts to residents
- Online surveys
- Engage Milwaukie project pages

REGIONAL COLLABORATION

- Participation in multi-organizational and government workgroups
- Informational presentations for regional jurisdictions and community groups
- Networking with regional climate, urban forest, and environmental justice nonprofits
- Coordinated multi-jurisdictional outreach materials and

FUNDING MILWAUKIE'S CLIMATE WORK

EXISTING FUNDING STRUCTURE

Since adoption of climate as a goal in 2017, climate action has been renewed annually as a Council and city priority. In 2018, Council directed the city to allocate funds towards the creation of the CAP and the implementation of its programs. After adoption of the CAP in 2018, the public works department hired the city's first dedicated climate staff person to implement the strategies and actions in the CAP.

Identifying program overlap and potential opportunities to better implement the natural resource CAP goals, the city expanded the original climate position to include management of the city's natural resources team and related green infrastructure and watershed health programming. The climate and natural resources manager will continue to work under the public works director to develop and manage the city's climate and natural resource programming and initiatives.

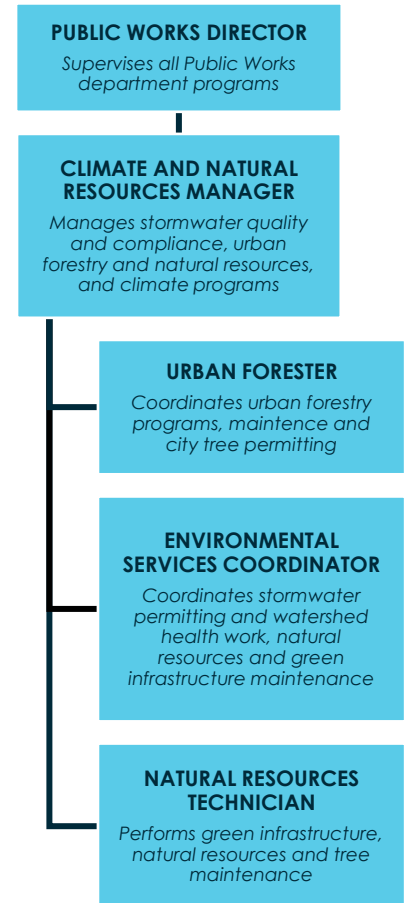
Milwaukie's combined two-year budget for both climate and natural resources work is approximately \$1.2 million dollars. Of that budget, \$420,000 per biennium (\$210,000 per year) is directly focused on the City's Climate programs and is funded through a combination of general funds (60%) and utility funds (40%). This budget provides for personnel expenses for the Climate and Natural Resources Manager and Urban Forester (\$160,000 per year), as well as program costs for outreach and education (\$50k per year). These program costs have primarily been used for contracting consultants to perform community analysis (including GHG inventories, carbon calculators, and climate fund structure options).

The remaining budget is broken down with approximately \$406,000 towards stormwater quality and compliance and \$377,000 towards urban forestry work focusing on public tree programs and education, and tree permit administration.

CURRENT PROGRAM RESOURCE CONSTRAINTS

As seen by the variety and number of actions in the CAP, it is no small lift to offer the breadth of programs and incentives required to reach community carbon neutrality. For each action, staff has had to build an entire program or partnership. In some cases, the city has not had the time or capacity to initiate that work.

With over 53 actions listed in the plan to implement, city staff have reached a threshold where starting work on additional actions in the CAP or expanding community outreach and education initiatives is beyond current capacity. Any additional work would require procurement of additional resources or the elimination of ongoing actions to free up capacity. Since staff have already prioritized CAP actions with the greatest emission reduction benefits or community co-benefits, eliminating existing programs and projects may lead to greater gaps in reaching Milwaukie's adopted climate goals.



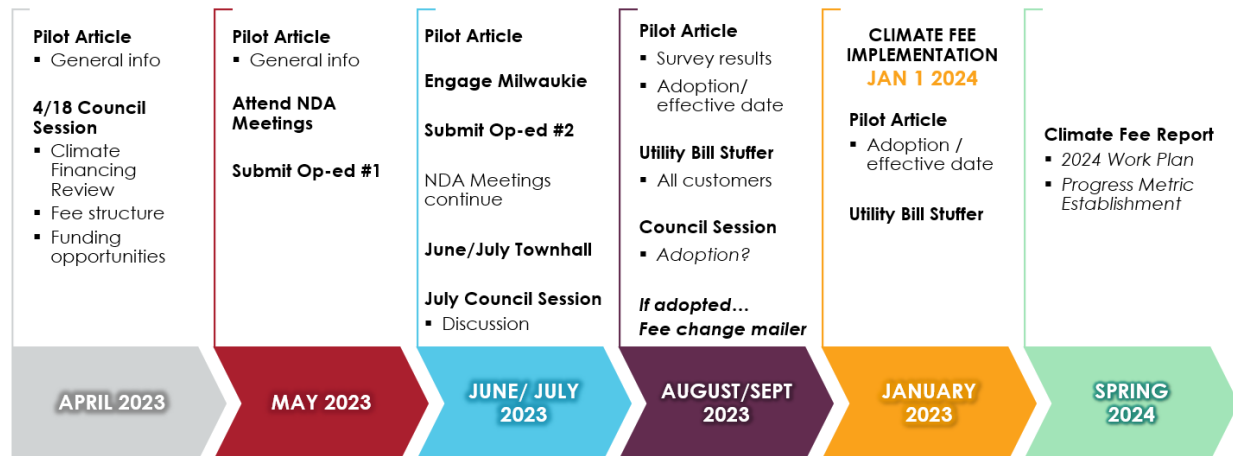
EXPLORING LONG-TERM CLIMATE FUNDING

When City Council adopted climate as a goal in 2022, they directed staff to explore potential options for funding Milwaukie's future climate programming. Working with consultants, staff facilitated a City Council discussion exploring a variety of funding mechanisms that could help address resource gaps and continue Milwaukie's climate programming. City Council directed staff to proceed in developing a funding framework that considered land use and associated greenhouse gas (GHG) emissions to reflect a property's relative contribution to community emissions from energy and transportation perspectives. After several discussions with City Council, it was decided to defer further discussion of climate funding until the newly elected members are in office.

In 2023, staff will present City Council with a funding structure for Milwaukie's climate programming and provide a recommended timeline for additional engagement, depending on City Council's interest.



CLIMATE FUND ACTION TIMELINE



CAP ACTION-LEVEL UPDATES 2018-2022

Milwaukie's Climate Action Plan contains 53 city-led actions to reach the adopted carbon goals. A detailed [overview of each action](#) was created in the CAP development process and available online for review. Overall, Milwaukie has been extremely successful in its implementation of the CAP and institutionalization of climate actions into city processes and operations. Of the 53 city-led actions outlined in the CAP, **40 actions are in a stage of implementation, and seven actions have been completed or completed with ongoing management** (some actions split for status updates, see action status summary table).

Part of the success in implementation is due to:

- Establishing a network of regional small government staff and leadership to share ideas and feedback on right-sizing programs
- Leveraging existing utility, state, and non-profit programs for community member incentives
- Identifying incentives for customers or community partners that leverage administrative processes or staff time
- Prioritizing high emission reduction actions, even if they're less visible to the community
- Allowing flexibility in program design and implementation

CITY OF MILWAUKIE CLIMATE ACTION PLAN
 53 CITY-LED ACTIONS TO ACHIEVE
 NET-ZERO CARBON EMISSIONS FROM ELECTRICITY BY 2030 NET-ZERO CARBON EMISSIONS FROM BUILDING FUELS BY 2035
 A CARBON-NEUTRAL COMMUNITY BY 2045

BUILDING ENERGY AND EFFICIENCY	VEHICLES AND FUELS	LAND USE AND TRANSPORTATION	PUBLIC HEALTH AND PREPAREDNESS	NATURAL RESOURCES	MATERIALS USE, PURCHASING AND RECOVERY
<p>MITIGATION ACTIONS</p> <ul style="list-style-type: none"> Work with Portland General Electric (PGE) to become "net zero" from electricity by 2030 Engage NW Natural to develop strategy for becoming "net zero" from natural gas by 2035 Adopt a commercial and residential building energy score program based on the City of Portland's program Develop micro-grids and energy storage systems in conjunction with purchasing carbon-free power Work with PGE to implement demand-response programs Advocate for more energy efficient state building codes Incentivize property owners to encourage multifamily housing energy efficiency upgrades Develop a community solar project <p>ADAPTATION ACTIONS</p> <ul style="list-style-type: none"> Implement solar, battery storage, and micro-grids for resilience in weather events 	<p>MITIGATION ACTIONS</p> <ul style="list-style-type: none"> Incentivize workplace electric vehicle charging stations in parking lots Support outreach efforts to encourage shift to electric vehicles Create a program to install electric vehicle charging infrastructure at multi-family housing complexes Convert diesel-powered heavy fleet vehicles to low-carbon fuels Optimize the city's light duty fleet and replace the least efficient vehicles with more efficient vehicles Work with Clatsop County, Tillamook and Multnomah to develop micro-transit from park-and-ride or light rail station to local destinations <p>ADAPTATION ACTIONS</p> <ul style="list-style-type: none"> Review the location of the fleet yard and fuel storage to examine flood vulnerability. Look at fuel movement during flood conditions and diversify fuel sources to prepare for climate event-related import challenges Implement intergovernmental agreements or MOUs with other agencies for fleet support in emergencies (e.g. large-scale debris removal) 	<p>MITIGATION ACTIONS</p> <ul style="list-style-type: none"> Implement the Safe Access for Everyone street and sidewalk improvement program to expand bike and pedestrian access Partner with Metro and TriMet to increase transit service, particularly to underserved employment areas Implement a Transportation Management Agency (TMA) with area partners Implement "electric vehicle ready" zoning regulations for commercial buildings and multifamily housing Incentivize employees to encourage active transportation and transit Continue to promote the purchase of sidewalk credits in areas outside of pedestrian centers and redirect funds to areas needing this infrastructure Promote "neighborhood hubs" through Comprehensive Plan policies Implement parking pricing in downtown Implement variable system development charges to encourage accessory dwelling unit development Lower parking ratios near high capacity corridors 	<p>ADAPTATION ACTIONS</p> <ul style="list-style-type: none"> Work with the Federal Emergency Management Agency (FEMA) to update flood plain maps Work with partners to support community outreach about how to reduce fire and flood risk Plan for cooling and air quality relief centers Promote more sophisticated home air filtration systems Develop public-facing flood and fire risk zone maps and implement signage on streets to raise awareness <p>LAND USE AND TRANSPORTATION</p> <p>ADAPTATION ACTIONS</p> <ul style="list-style-type: none"> Update flood plain maps with local group coordination and funding Provide incentives to increase flood storage capacity Reclaim riparian areas for flood storage for safety and property protection Plan for future employment land considering flood risk and natural resources 	<p>ADAPTATION ACTIONS</p> <ul style="list-style-type: none"> Work with the Tree Board to develop a tree planting program focused on shielding low income neighborhoods from heat Review intergovernmental water agreements for supply security Identify sewer and waterways vulnerable to flooding Adopt code to require on-site stormwater storage and water filtration before release that meets future conditions Update stormwater masterplan De-pave areas where possible to encourage stormwater filtration Introduce more monitoring stations to protect drinking water wells Develop a potable/drinkable water re-use plan <p>SEQUESTRATION ACTIONS</p> <ul style="list-style-type: none"> Increase tree canopy coverage to 40% by 2040 	<p>MITIGATION ACTIONS</p> <ul style="list-style-type: none"> Require deconstruction of existing properties or delayed demolition periods Promote the repair of equipment and materials and buy used and durable before purchasing new Provide education and outreach to avoid edible food waste Use less impactful pavement alternatives when paving streets and sidewalks Promote existing food waste composting services Use mulch and compost in landscaping Showcase materials management practices with a demonstration project <p>BRINGING CLIMATE ACTION TO MILWAUKIE</p> <p>OUTREACH AND EDUCATION ADVOCACY POLICY</p> <p>INDIVIDUAL + ORGANIZATIONAL + INSTITUTIONAL</p>

ACTION STATUS LISTING:

The following action-level updates are presented by strategy area (building energy, natural resources, etc.) and will include a brief topic overview and review of significant regional updates if applicable that may affect the actions within that section. The action status of each action are listed as:

NOT STARTED: No work directly on or related to this action has been performed to date.

IMPLEMENTING: City is investing resources and attention to the action, including monitoring, engaging in regional conversations, promoting existing resources, planning, or managing active projects or programs.

COMPLETED: The main deliverable of this action has been accomplished. No more city work is expected.

COMPLETED - ONGOING: The main deliverable of this action has been accomplished but requires continued maintenance or program management.

ACTION STATUS SUMMARY TABLE

CAP ACTION TOPIC	TOTAL TOPIC ACTIONS	NOT STARTED	IMPLEMENTING	COMPLETED	COMPLETED + ONGOING
BUILDING ENERGY AND EFFICIENCY	10	-	9	-	1*
VEHICLES AND FUELS	9	1	7	1	-
LAND USE AND TRANSPORTATION	14	1	10	2	1
MATERIALS USE, PURCHASING AND RECOVERY	7	2	4	-	1
NATURAL RESOURCES	9	2	6	-	1
PUBLIC HEALTH AND EMERGENCY PREPAREDNESS	5	1	4	-	-

* Building Energy and Efficiency action related to energy scoring and disclosure has been reported as separate action statuses for residential (completed ongoing) and commercial (implementing) due to difference in programming requirements.

BUILDING ENERGY AND EFFICIENCY

Building energy is one the largest sectors of emissions in Milwaukie, comprising 44% of Milwaukie's 2020 local emissions. This is a decline from the 2016 GHG inventory due to progression in decarbonization efforts at the utility and state scale along with city initiatives like the actions listed below. The building energy sector encompasses the emissions from the use of fuels and energy sources to operate equipment, run lights and technology, and power heating and cooling systems. The building energy CAP actions address the carbon intensity of the energy source (electricity, methane, and other fuels) as well as the energy efficiency of the building and assets used and are a staff priority due to the significance of the emission reduction potential.



REGIONAL UPDATES

EXECUTIVE ORDER 20-04 / CLIMATE PROTECTION PROGRAM

In 2020, Governor Brown signed [Executive Order 20-04](#), an administrative order with a wide scope to reduce GHG emissions in Oregon by at least 80 percent below 1990 levels by 2050. To address these emission targets, Oregon departments including the Department of Environmental Quality (DEQ) were tasked with implementing initiatives in their authorities. In 2021, Oregon DEQ presented the state's new [Climate Protection Program](#). This program establishes emission caps for large emitters in the state and lowers the caps over time until emission targets are met. NW Natural and other gas utilities will be subject to these requirements.

HB 2021, HB 2475 AND HB 2842 CLEAN ENERGY AND EFFICIENCY RELATED LEGISLATION

In 2021, Milwaukie staff and other stakeholders contributed to the drafting and adoption of Oregon [HB 2021](#). This clean energy legislation established new mandates for electricity providers to decarbonize their grid mix in Oregon to 80% by 2030, 90% in 2035 and 100% by 2040. It included additional requirements for environmental justice in utility processes, resiliency investment opportunities, and outlined structural foundations for new community renewable products (see Action BE1). Additional legislative packages passed in 2021 with impacts on energy and buildings included a bill to address low income rate protection ([HB 2475](#)) and a bill dedicating funding to home weatherization programs ([HB 2842](#))

KEY PROJECT HIGHLIGHTS

GREEN FUTURE IMPACT

In 2019, Milwaukie advocated for the development of a new PGE renewable power product called Green Future Impact (GFI). The product offered customers with larger energy use to sign a 10- or 15-year contract with PGE to purchase renewable power from a new development to be sited in Oregon. Milwaukie was eager to participate for its operational electricity use as its existing renewable product purchase through PGE used an offset-like mechanism that didn't meet Milwaukie's goal for 100% of its energy supply to be carbon-free. After the tariff passed in 2019, the GFI product was designed and advertised a new renewable facility to be built in Oregon and connected to PGE's grid. This would satisfy the cities adopted goals with estimated lower subscription rates.

The day of the subscription release, Milwaukie and other large customers across PGE's territory sent in their requests for participation. The product maxed out its available subscriptions within minutes, and Milwaukie succeeded in getting a spot for its operational load. In 2020, Council signed a 15-year contract to subscribe to 100% of Milwaukie's operational power through GFI. In 2023, after some regulatory delays, the new solar development named 'Pachwáywit Fields' will go online.

The new GFI product was offered at a rate almost a quarter of the cost of previous PGE renewable offerings. Milwaukie will save over \$700 per month through program participation, or roughly \$8,500 a year compared to its previous renewable subscription. The city will see savings of 1,377 metric tons of CO₂ and will now be powering its facilities, streetlights, and electric vehicles with 100% carbon-free power.

Next steps: Milwaukie has already executed the contract with PGE for GFI. Staff will need to monitor the city's operational power use to ensure the city purchases enough to balance its use.

COMMUNITY GREEN TARIFF

Starting in 2019, Milwaukie explored a potential new renewable energy product for investor-owned utilities like Portland General Electric (PGE) to offer the community a more climate friendly option.

The product would require customers to choose to opt-out instead of opting in to participate, avoiding the extensive outreach program required for opt-in products and incorporating community goals into PGE's customer processes. This new community renewable product would allow cities to influence where the energy comes from, incorporate new technology and community programs into the product, access cheaper energy sources through economies of scale and reduced risk for investors, and still allow for personal choice by the customer. An initial PGE survey of 380 Milwaukie customers indicated customer support for the overall concept of community-specific renewable products (full survey and PGE presentation [available online](#)).

RENEWABLE ENERGY:

Energy or fuel types that are created with 'renewable' resources. This can include solar and wind energy, but also biomass energy from burning wood which produces carbon emissions. Large hydropower is not considered renewable.

CARBON-FREE ENERGY:

Energy or fuel types that are created with no carbon emissions and consumed with no carbon emissions. This can include large hydropower but excludes biomass and biofuels due to their emissions when burned.

City staff has prioritized this project because it uses our existing utility relationships and has the potential to close the gap in reaching Milwaukie’s 2030 emission reduction goal. The city and PGE made progress on product design and cost modeling in 2019 and 2020, but the potential for Oregon Public Utility Commission (PUC) delay and uncertainty around program structure led to a pause in the product design in 2020 to wait for guiding legislation in the 2021 session. Milwaukie rallied other communities to advocate for the legislation, which was ultimately passed by the Oregon Legislature.

Next steps: Milwaukie is now working with regional cities, PGE, and the PUC to clarify the development and approval process and review draft language submitted by PGE at the end of 2022. In the coming years, staff will need to review and revise the proposals and develop a plan to engage the community on the potential product design and supported cost. As timelines are constantly shifting for this project, staff will create a plan for action once the product development and adoption process is clarified with the PUC.

RESOLUTION TO ELECTRIFY CITY-OWNED BUILDINGS

Through 2022, City Council held discussions regarding the climate impacts of natural gas as an energy source. A Council-led discussion, staff did not become involved until late 2022 when Council discussed the possibility of transitioning from fossil fuel infrastructure and the electrification of buildings in the community to meet the CAP’s 2035 net-zero building energy goal. City Council directed staff to develop requirements for replacing aging or failing natural gas infrastructure in city-owned buildings with electric options and requiring building electrification when significant city-owned building investments occur.



In December 2022, staff presented City Council with a proposed resolution to accomplish these efforts and City Council voted to adopt the resolution to advance the decarbonization of city buildings. The resolution establishes electrification requirements and retrofits for city-owned or city-financed buildings. The resolution requires that a feasibility study for Milwaukie’s buildings be performed and made replacement of inoperable fossil fuel systems with electric options effective immediately. The requirement for existing and operable fossil fuel system replacement with large city building investments or renovations would begin on July 1, 2024. The resolution also outlines exemption opportunities and flexibility to account for project and financial feasibility and consideration of alternatives to maximize emission reduction.

Next steps: Staff will prepare the feasibility study required by the resolution based on the timeline below.

CITY-OWNED BUILDING DECARBONIZATION TIMELINE



RESOLUTION TO DECARBONIZE RESIDENTIAL NEW-CONSTRUCTION

The use of and continued reliance on natural gas and other fossil fuels contributes to community emissions. As technology advances, building electrification becomes more efficient and cost effective, and when electrified buildings are powered with carbon-free electricity, the building sector is decarbonized. This will be essential to reach Milwaukie’s net-zero building emission by 2035 goal. Regional conversations about phasing out emission-intensive fossil fuels and the public health impacts of natural gas on indoor air quality have also intensified. With Oregon’s state-mandated building code effectively preempting local jurisdictions from modifying building code standards based on community interests, Oregon cities have historically had limited ability to influence the fuel use from buildings through building design including electrification requirements.

Cities have also been discussing the option of preventing new connections to natural gas infrastructure rather than influencing the design of the building, with the City of Eugene being the first in Oregon to develop resolutions attempting to implement this approach and adopting local code banning new connections to fossil fuel infrastructure in low-rise residential development in 2023.

In December 2022, the City Council adopted its own resolution requiring the decarbonization of residential new construction. The resolution impacts new developments of residential housing. The resolution directs city staff to develop code language to implement the ban on new connections to fossil fuel infrastructure for new residential housing and begin community conversations to explore future options to reduce fossil fuel use in commercial and industrial buildings.

Next steps: Should the City Council continue this goal and prioritize this over other policy items, or should it pass a climate fee, city staff will begin this work in 2023, starting with outreach and engagement and draft code development. This will require third-party outreach assistance and Council outreach efforts. Potential legal challenges to the code will mean further resource investment into this project.

NATURAL GAS RESOLUTIONS – NEW RESIDENTIAL CODE TIMELINE



BUILDING ENERGY AND EFFICIENCY ACTIONS

WORK WITH PGE TO BECOME “NET ZERO” FROM ELECTRICITY BY 2030

ACTION STATUS: IMPLEMENTING

Milwaukie staff work extensively with PGE and energy stakeholders to reduce electricity emissions and promote electrification. Current legislation and renewable energy products and programs bring Milwaukie closer to the 2030 goal but do not meet the city's more aggressive climate timelines. More PGE and City collaboration is needed to increase renewable energy options and address customer-side infrastructure and behavior changes required to reach the 2030 carbon free electricity goal.

IMPLEMENTATION SUMMARY:

From 2018 to 2022, Milwaukie has been building its relationship with PGE staff and coordinating on efforts to move the city towards its adopted 2030 goal. Formalized through an adopted Memorandum of Understanding in 2020, City staff and PGE coordinate on strategic outreach, like the Climate Collaborative campaign, a multi-stakeholder effort to increase awareness of the city's climate goal through online climate pledges and coordinated events and volunteerism, as well as specific events and programs to expand renewable energy and electrification.

Milwaukie is often piloting new programs with PGE due to this relationship: the Climate Collaborative, Electric Tool Exchange (gas power equipment swap), Smart Grid Test Bed (Demand response programming), Electric Avenue chargers, and utility on-pole charging have all been piloted in Milwaukie before other communities. This brings previously unavailable opportunities and incentives to the Milwaukie community and reduces barriers for PGE program research and learnings.



The city has coordinated discussions with council and stakeholders to clarify Milwaukie's carbon goals and further define the carbon-free energy requirements needed to reach them. Milwaukie continues to lead PGE and regional stakeholders to accomplish more carbon-reduction efforts that align with this city goals.



IMPLEMENTATION HIGHLIGHTS:

Ongoing city implementation:

- Coordination of ongoing joint PGE/Milwaukie outreach events and tabling efforts at city events and farmers markets
- Participation in the Energy Trust of Oregon Strategic Energy Management Program for city facility energy efficiency
- Development of new community green tariff for Milwaukie-customized renewable energy product
- Implementation of the adopted a resolution to electrify city-owned buildings and development of a feasibility assessment
- Implementation of the adopted resolution to decarbonize residential new development including extensive intensive community engagement around code development for residential development and feasibility analysis of commercial and industrial development
- Exploration of including electrification and renewable program incentives in Home Energy Score reportcards
- Participation in upcoming reviews of PGE's Clean Energy Plan in response to state decarbonization mandates
- Continuation of PGE/City monthly meetings to coordinate projects and initiatives
- Updating of the created city climate website with program resources, plans to update with local, state, and federal electrification incentives



Completed work:

- Contracted for 100% carbon free electricity for city operations through Green Future Impact with cost and carbon emission savings
- Held a recurring a regional workgroup for government staff focused on upcoming energy policies
- Hosted the PGE Smart Grid Test Bed, including a Milwaukie-specific community engagement coordinator located at city facilities
- Promoted solar energy in Milwaukie, with the community reaching the adopted 2.2 MW by 2021 solar goals through numerous residential and commercial installations
- Updated downtown streetlights to LED adaptive lighting units

- Completed construction of Ledding Library with solar array and participation in Energy Trust of Oregon's Path to Net Zero program
- Installation of Electric Avenue PGE EV chargers
- Assisted in the development and advocacy for the successful passage of significant climate and energy legislation, including the HB 2021 100% Clean Energy for All Act
- Coordinated with PGE on the design of the [Community Climate Collaborative](#) outreach campaign and implemented in separate campaigns in 2021 and 2022.
- Held two PGE Electric Tool Exchange events with significant community participation and tool turn in
- Created carbon accounting calculator to determine 'gap' in clean electricity to reach 2030 goal
- Included energy decarbonization policies in the 2020 Comprehensive Plan
- Hosted PGE's all-electric tiny home to demonstrate electrification technology

ENGAGE NW NATURAL TO DEVELOP STRATEGY FOR BECOMING "NET ZERO" FROM NATURAL GAS BY 2035

ACTION STATUS: IMPLEMENTING

CONCERNS AROUND NATURAL GAS AND ALTERNATIVE FUELS:

Methane gas, marketed as 'natural gas' is a primary contributor to community emissions through natural gas electricity generation, gas powered buildings and operations, and gas emitted from waste processing. When burned, natural gas produces several air pollutants impacting respiratory health. The [harmful indoor air quality impacts](#) of leaking or burned natural gas has led to numerous public health concerns around natural gas infrastructure in homes and businesses, particularly for vulnerable communities.

To lower net carbon emissions from gas use, governments and utilities are looking at investing in biofuel alternatives to fracked and drilled gas. Methane gas captured from agricultural, solid waste and wastewater utility systems can be reinjected into the pipeline and marketed as renewable natural gas (RNG) due to the 'renewable' nature of the feed stock. While RNG can have valuable uses and is viewed as having less net-emissions due to the utilization of existing waste streams, RNG has equivalent emissions when burned as fracked or drilled methane gas products. Offset programs offered by gas utilities (like NW Natural Gas' Smart Energy program) typically fund the construction of anaerobic digesters on farms and wastewater processing plants to create RNG. The high cost of RNG projects combined with the low production output reduces the feasibility for use of RNG to replace current community gas consumption. As another fuel alternative option, industries have been exploring thermal gasification processes that create methane synthetic fuels through conversion of biomass like wood pulp and solid waste, as well as power-to-gas options for the creation of hydrogen through electricity and water.

In ODOE's [2018 Biogas and Renewable Natural Gas Inventory](#), ODOE identifies the gross potential for RNG production in Oregon when using anaerobic digestion technology is enough to meet about 4.6 percent of Oregon's total yearly use of natural gas. Using thermal gasification technology could increase this to about 17.5 percent of Oregon's total yearly use of natural gas.

WHY TRANSITION AWAY FROM NATURAL GAS?

Natural gas is methane gas, which emits carbon emissions and harmful pollutants when combusted for heat and energy. The use of natural gas inside increases public health risks for vulnerable communities and continues community reliance on carbon-intensive fuel sources. As electric utilities transition to 100% carbon-free electricity by 2040, reducing natural gas use and electrifying buildings and technology where possible will lead to large reductions in community emissions and positive community health benefits.

To date, only [one thermal gasification plant](#) in Nevada has successfully produced synthetic crude oil from waste and is currently in the process of expanding operations to commercial scale for aviation fuels. While new locations for additional facilities are being identified across the nation, the industry [faces pushback](#) from environmental justice and community advocates due to air quality concerns. A thermal gasification plant being constructed in Oregon for the conversion of reclaimed woody debris may be [facing foreclosure](#) before operations have started. To address the feasibility challenges highlighted in recent [U.S. DOE workshops](#) on thermal gasification, US DOE has directed [significant funding](#) to research and project assistance for the biofuel industry.

IMPLEMENTATION SUMMARY:

Since the adoption of the CAP, the city and NW Natural Gas have discussed the programs and strategies that NW Natural currently or intends to offer customers to reduce the emissions they generate from burning methane gas. As Milwaukie and other climate-forward communities identify emissions sources with existing opportunities for reduction, electrification of the building sector with carbon-free electricity is repeatedly highlighted as low hanging fruit with significant emission savings. While staff City staff primarily focus program attentions on furthering electrification and carbon-free energy, outreach materials and community resources contain information on NW Natural's offset programs.

In the coming years, the city will focus more climate program resources on addressing natural gas through implementation of the two recently adopted resolutions addressing city building electrification and natural gas in new residential development. In this work, the city will have the opportunity to hold focused conversations with NW Natural and the community to discuss the challenges of building electrification for commercial and industrial buildings and identify areas of potential collaboration that meet Milwaukie's climate goals.

IMPLEMENTATION HIGHLIGHTS:

- Held multiple council presentations and public discussions on natural gas infrastructure and community carbon, resiliency, and public health impacts
- Adoption of resolution to ban new connections to fossil fuel infrastructure for residential development
- Adoption of resolution to require the systematic electrification of city-owned buildings
- Shared NW Natural's carbon offset programs in outreach materials and resident resources
- Participation in the Energy Trust of Oregon Strategic Energy Management Program for city facility energy efficiency
- Upcoming implementation of the adopted resolution to decarbonize residential new development including extensive intensive community engagement around code development for residential development and feasibility analysis of commercial and industrial development
- Included energy infrastructure language in the 2020 Comprehensive Plan which would support green hydrogen opportunities in the city

ADOPT A COMMERCIAL AND RESIDENTIAL BUILDING ENERGY SCORE PROGRAM BASED OFF OF CITY OF PORTLAND'S PROGRAM

ACTION STATUS:

RESIDENTIAL - COMPLETED/ONGOING
COMMERCIAL - IMPLEMENTING

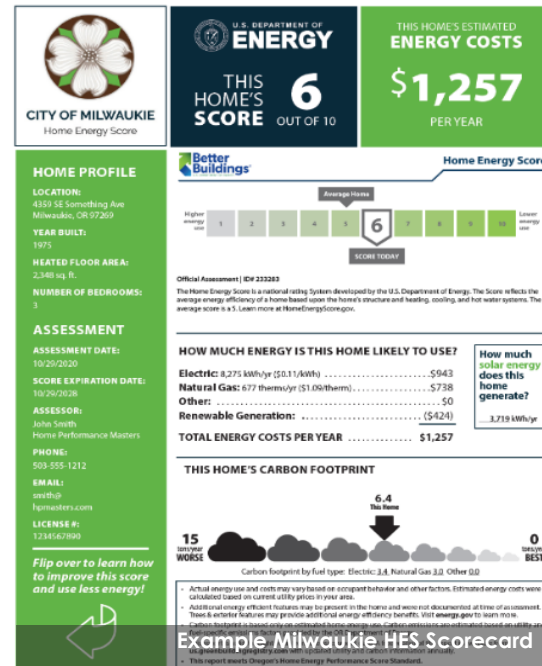
Residential Program Development:

In 2019, the city began development a residential building energy scoring and disclosure program through US Department of Energy's Home Energy Score methodology and modeled after Portland's existing program. In this program, home assets and structures are scored from 1 (higher energy use) to 10 (lower energy use) and efficiency recommendations are provided with the best return on investment. Milwaukie partnered with Oregon Department of Energy (ODOE) and Earth Advantage for program development assistance and access to resources like Earth Advantage's [US Green Building Registry](#).

Staff informed the community through stakeholder conversations and community learning opportunities including a community forum and online webinar. In January 2020, city council passed an ordinance to adopt [Residential Energy Performance Rating and Disclosure](#) language into city code (MMC 16.40) with program implementation beginning October 2020. Milwaukie partnered with Community Energy Project, a local environmental justice non-profit with building energy programming and assistance, to perform no cost HES assessments for qualified milwaukie residents.

After adoption, Milwaukie created a [Home Energy Score resource portal](#) on the city website. Milwaukie climate staff performed monitoring and initial enforcement of the program as well as post-adoption outreach and education with real estate industry stakeholders and assessors. Monitoring and enforcement of the program reduced in late 2021 and 2022 due to unexpected home sale timelines outpacing monitoring capacity and eventual prioritization of other CAP programs. Staff are revisiting the monitoring process for 2023 enforcement.

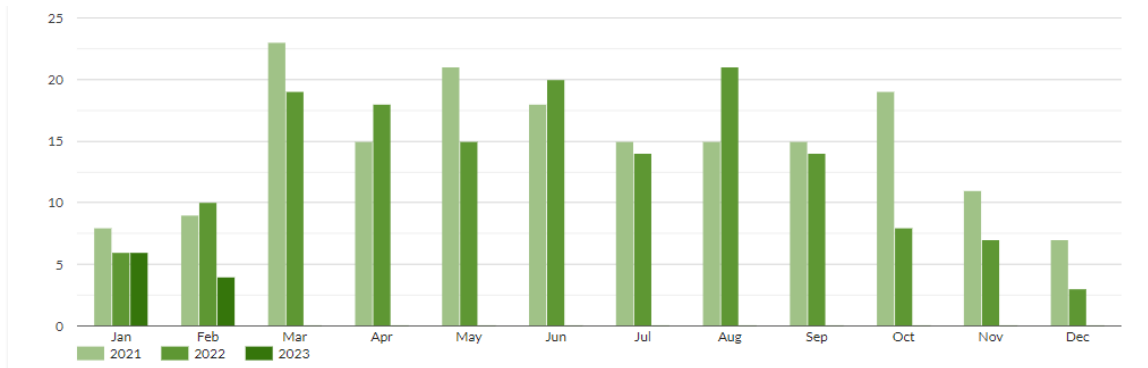
Since adoption, the U.S. Green Building Registry has recorded 379 Milwaukie HES Scores. The average existing home energy score is 4.3 out of 10, but if HES scorecard recommended efficiency improvements are made, this could increase to an average score of 7.1. If all scored homes made the recommended improvements there would be an average of \$336 annual energy cost savings, or \$500 for homes scored HES 4 or below.



Milwaukie HES Scorecard (example)

Milwaukie Home Energy Scores by Year (2021 – 2023)

Source: US Green Building Registry



Commercial Program Development:

Staff have engaged with Portland commercial building staff on program structure and learnings. Staff participate in regional workgroups to explore local commercial disclosure programs and stay up to date on existing program models. As Milwaukie's large commercial building inventory is low and few provide state-mandated reporting data, staff have not identified an existing working model for Milwaukie or committed resources to designing a program from scratch.

IMPLEMENTATION HIGHLIGHTS:

Ongoing:

- Outreach, monitoring and enforcement of HES program
- Evaluation of program workflow to reduce administrative resources for ongoing program management

Completed:

- Developed and adopted Residential Energy Performance Rating and Disclosure Code program framework, administrative procedures, and low income assistance program
- Held HES Community Forum with guest speakers from Oregon Department of Energy, City of Portland, and Earth Advantage to educate residents and provide opportunity for community to provide feedback and hosted two informational webinars about the Milwaukie Home Energy Score program

Left: Displaying a Home Energy Score on an online home listing advertisement

DEVELOP MICRO-GRIDS AND ENERGY STORAGE SYSTEMS IN CONJUNCTION WITH PURCHASING RENEWABLE POWER

IMPLEMENT SOLAR, BATTERY STORAGE, AND MICROGRIDS FOR RESILIENCE IN WEATHER EVENTS

ACTION STATUS: IMPLEMENTING

Addressing both microgrid and resilience related actions, the city has explored microgrid, resilience hubs and grid infrastructure improvement projects with PGE and advocated for deployment in Milwaukie. During legislative processes, staff ensure inclusion of city projects into advocacy of potential utility and state initiatives.

IMPLEMENTATION HIGHLIGHTS:

- Inclusion of resilience and storage projects into HB 2021 community green tariff program areas
- Identification of upcoming federal block grants for city facility energy resilience improvements
- Discussions with PGE on utility-specific grant opportunities

WORK WITH PGE TO IMPLEMENT DEMAND RESPONSE PROGRAMS

ACTION STATUS: IMPLEMENTING

PGE offers a wide array of demand response programs. These programs assist with balancing spikes in electricity demand at common times by incentivizing behaviors and technology that shifts energy use. PGE's Peak Time Rebate program alerts customers of expected high demand days, while Smart Thermostat and Smart Water heater programs allow the utility to slightly adjust temperatures or pre-heat or cool homes and water heaters distribute the demand over more hours.

In 2019, Milwaukie became a testbed city for PGE's Smart Grid Test Bed (SGTB) program. This pilot project selected substations in Milwaukie, Hillsboro, and Portland with diverse customer types to test demand response programs and technologies in and perform enhanced community outreach. Milwaukie hosted a PGE employed a Milwaukie-specific SGTB outreach staff person who worked out of the Johnson Creek Facility during program implementation. City staff coordinated outreach and events with the SGTB team and participated on SGTB community discussions, including PGE-led technical design and equity-focused workgroups.

The city and PGE continue to cross-promote information about demand response programs in the ongoing climate collaborative outreach campaigns and on the city's climate webpages.

IMPLEMENTATION HIGHLIGHTS:

- One of three pilot cities in PGE Smart Grid Test Bed program
- Hosted PGE community-focused staff at city facility and assisted in design and feedback of demand response programs offered to the community
- Continued coordination on outreach and education of demand response incentive programs in city outreach and community engagement



ACTION: ADVOCATE FOR MORE ENERGY EFFICIENT STATE BUILDING CODES

ACTION STATUS: IMPLEMENTING

As Oregon preempts local governments from setting their own building code requirements, staff have participated in Building Codes Division (BCD) workgroups as made updates to the [Oregon Reach Code](#), a statewide option energy construction standard approved by BCD. Both the Residential and Commercial Reach Codes outline construction requirements that are more energy efficient than the state code while following state requirements of remaining fuel neutral in its requirements. Typically, the Reach Code is used as the next version of the base building code and forecasts coming changes in design requirements.

Recently, BCD has been working with building energy advocates, local governments and building sector stakeholders to develop the next version of the code and to address the emission reduction targets directed by EO 20-04. Milwaukie has participated in some technical discussions and supports building energy advocacy groups in their work to push for greater efficiency standards in the Reach Code.

In 2021, City staff and City leadership were significant advocates and conveners for the [HB 2398](#) Reach Code bill, which would allow local governments to adopt the Reach Code as the baseline building code for their jurisdiction. Milwaukie and other jurisdictions supported this bill for its building sector emission reduction benefits and continuation of regional consistency of code language. Unfortunately, the bill did not pass that legislative session.

IMPLEMENTATION HIGHLIGHTS:

- Continued participation in Zero Energy Ready Oregon coalition for building decarbonization advocacy and policy making
- Submitted testimony for the HB 2398 Reach Code and advocated for support among regional city staff and policy makers

INCENTIVIZE PROPERTY OWNERS TO ENCOURAGE MULTIFAMILY HOUSING ENERGY EFFICIENCY UPGRADES

ACTION STATUS: IMPLEMENTING

Through Milwaukie's climate program implementation, the city has formed partnerships with a variety of energy and environmental justice organizations that offer incentives for multifamily housing energy efficiency improvements. PGE, Community Energy Project, Electrify Now, and Energy Trust of Oregon all have local incentives the city promotes in community outreach. While the city does not have its own incentive program yet, city staff have advocated for funding source inclusion in energy legislation and are monitoring upcoming federal grants for program funding opportunities.

IMPLEMENTATION HIGHLIGHTS:

- Collaborated with non-profits and energy stakeholders to promote existing incentives for multifamily housing and explore potential partnerships pending future funding

DEVELOP A COMMUNITY SOLAR PROJECT

ACTION STATUS: IMPLEMENTING

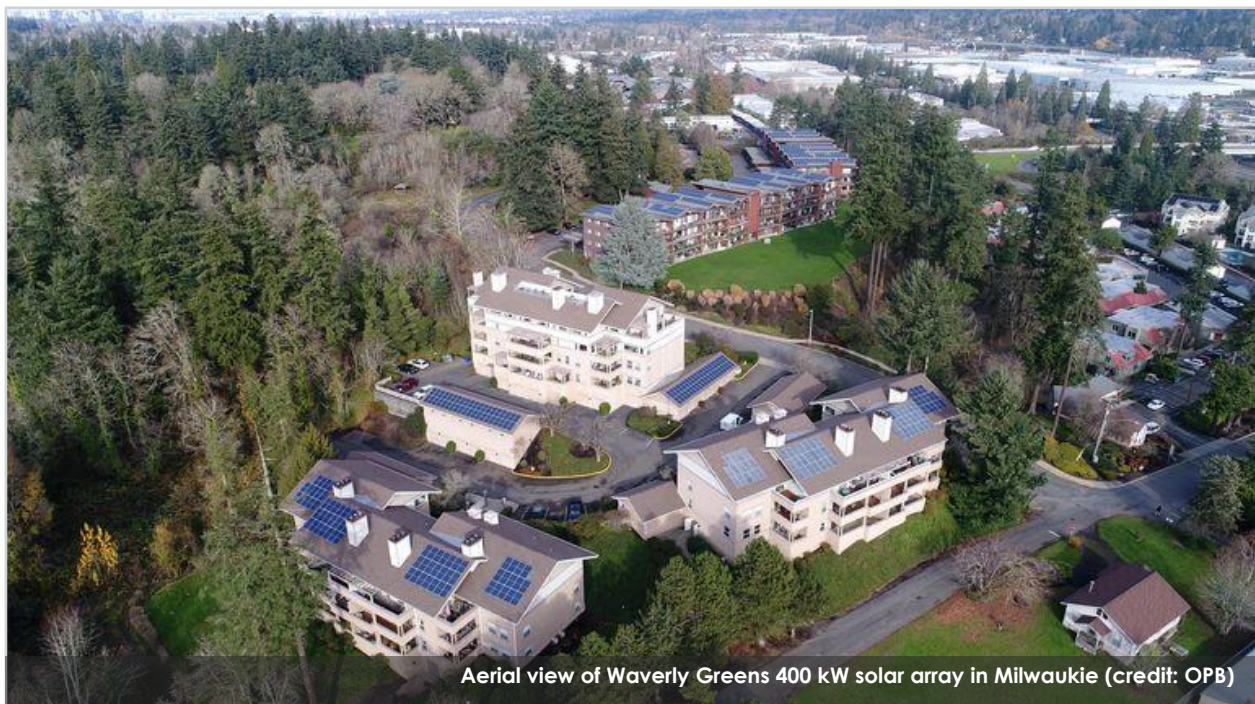
To explore community solar project feasibility, staff worked with the Bonneville Environmental Foundation (BEF) to perform an assessment of city facilities to see if hosting a solar facility could be done. BEF concluded that city roof space was not adequate for a community solar installation. The city is exploring additional ways to develop community solar for Milwaukie, including promoting regional community solar projects and programs through partnerships with Solarize Oregon, Energy Trust of Oregon, and regional solar developers. The city is also implementing utility-scale solar initiatives for the community through the community green tariff work with PGE and advocating for grid-wide decarbonization.

To reduce barriers to solar installation, staff prioritize processing of solar electrical permits in the queue. In 2017, Milwaukie held a well-received community bulk-buy solar program called Solarize Milwaukie. In 2019, staff worked with Energy Trust of Oregon and Solar Oregon to offer another year of a similar program, but unfortunately this work was cancelled in 2020 due to the pandemic. Milwaukie staff have performed outreach with local stakeholders to promote solar, including past presentations at Milwaukie-based solar walking tours.

As of 2022, Milwaukie has 2.3 MW of solar, and met the community goal of 2.2 MW by 2021. Local businesses like Bob's Red Mill, residential rooftop solar arrays, and multifamily arrays like Waverly Green Apartment's 400kw array ([the largest residential array in PGE territory when installed](#)) contributed to these values.

IMPLEMENTATION HIGHLIGHTS:

- Performed assessment of city facilities for potential community solar projects
- Advocacy and development of utility-scale solar generation products, including work on HB 2021 and the developing community green tariff



Aerial view of Waverly Greens 400 kW solar array in Milwaukie (credit: OPB)

VEHICLES AND FUELS

The transportation emission sector is currently the largest emission sector in Milwaukie and Oregon. Climate actions related to vehicles attempt to influence the market for greater adoption of zero emission vehicles (ZEV), primarily electric vehicles (EVs) and plug-in hybrid vehicles (PHEV). The vehicles and fuels section addresses vehicle choice, charging infrastructure and fuels selection and resiliency.



REGIONAL LEGISLATION

EO 20-04 TRANSPORTATION IMPACTS

Executive Order No. 20-04 called for Oregon to reduce its GHG emissions to 45% of 1990 emissions by 2035 and at least 80% below 1990 levels by 2050. Its adoption led to the DEQ development of the Climate Protection Program (CPP) which increasingly caps emissions each year through private sector emission caps, resulting in a 90% decrease of emission levels by 2050. To address transportation emissions, EO 20-04 directed state agencies to:

- Strengthen Clean Fuels Program to reduce carbon intensity of transportation fuels by 25% by 2035 (DEQ)
- Implement statewide transportation electrification strategy (ODOT, ODOE)
- Enable electric utilities to increase investment in electrification (PUC)
- Prioritize transportation projects that reduce GHG (ODOT)
- State fleets transitioning to EVs, charging in public buildings (DAS)

SB 1044 OREGON ZERO EMISSION VEHICLE TARGETS

In 2019, Governor Brown signed [SB 1044](#) into law, aligning state zero-emission vehicle goals with EO 20-04's statewide emission reduction targets and establishing ZEV targets for Oregon:

- At least 50,000 registered ZEVs on Oregon roads by the end of 2020
- At least 250,000 registered ZEVs on Oregon roads by 2025
- At least 25 percent of all registered vehicles and at least 50 percent of new vehicle sales will be ZEV by 2030
- ZEVs will represent 90 percent of annual new vehicle sales by 2035

SB 1547 TRANSPORTATION ELECTRIFICATION PROGRAMS

While adopted in 2016 before the CAP development, SB 1547 continues to influence transportation electrification by formalizing the state's commitment to EVs and broadening Public Utility Commission (PUC) abilities to allow electric utilities to develop qualified EV charging infrastructure and EV related programming using rate payer dollars.

HB 2007 AND CLEAN TRUCK RULES

In 2019 Oregon passed HB 2007 to phase out old diesel engines in qualified counties, and investment of environmental mitigation funds to support that transition. In 2021, DEQ built on this requirement with new administrative Clean Trucks Rules which adopts California's medium- and heavy-duty diesel engine standards for Oregon, including a one-time large fleet reporting requirement, a phased mandate for increasing zero emission vehicle sales (starting 2024 model year), and the Heavy Duty Low NOx Omnibus rules which require heavy duty vehicle manufacturers to comply with tougher Nitrous Oxide (NOx) emission standards, overhaul engine testing procedures and further extend engine warranties to ensure NOx emissions are reduced.

EO 17-20 AND EO 17-21 EV ADOPTION STRATEGIES

In November 2017, Governor Kate Brown signed Executive Orders 17-20 and 17-21 with specific directives to state agencies to improve energy efficiency, boost electric vehicle adoption, and support actions to reduce greenhouse gas emissions in the state. While EO 17-20 includes EV strategies like EV Ready building code, the EO 17-21 focuses on accelerating adoption of zero-emission vehicles through regulation, charging infrastructure, fleet conversion, outreach, incentives, and private sector partnerships.

According to ODOE's 2021 Biennial Zero Emission Vehicle report, the state did not meet the EO 17-21 goal of 50,000 vehicles by 2020 (there were 38,482 registered ZEVs in 2020) and the state needs additional incentives, policies, and programs to meet the next targets

KEY PROJECT HIGHLIGHTS

ELECTRIC AVENUE

PGE's Electric Avenue charging stations provide accessible charging locations with both level 2 and level 3 charging capabilities to the public. The Milwaukie Electric Avenue was the second Electric Avenue charging infrastructure installation project performed by PGE, and showcased city and utility partnership on transportation electrification. The chargers are located on city property, but they are operated and maintained by PGE.

Milwaukie and PGE coordinated on a grand opening event to celebrate the completion of the project and increase EV awareness. The event was held at the charging station and featured food carts, speeches from City and PGE leadership, and a Forth Ride and Drive event where members of the community could test drive EVs around downtown Milwaukie.



VEHICLES AND FUELS ACTIONS

SUPPORT OUTREACH EFFORTS TO ENCOURAGE SHIFT TO ELECTRIC VEHICLES

ACTION STATUS: IMPLEMENTING

Milwaukie has been promoting EV adoption in the community through community outreach, policy, and regional advocacy. The city has partnered on and compiled information from transportation electrification advocates like Forth Mobility, Electrify Now and PGE for community events, presentations, outreach materials, and other strategies to increase both awareness and interest in the transition to electric vehicles. Events like the Electric Avenue grand opening showcased EV technology to city residents, and attendees were able to test drive EVs through Forth Mobility's Ride and Drive activity and experience EV technology themselves.

The city also performs outreach for EV technology by being an early adopter of EV and EV technology for city operations and by partnering on high visibility charging stations like Electric Avenue and recent PGE installation of on-pole charging stations in the right of way.

IMPLEMENTATION HIGHLIGHTS:

- Supported the installation of Electric Avenue in downtown Milwaukie including an Electric Avenue Grand Opening Event featuring Forth Mobility Ride and Drive Event
- Currently coordinating with PGE for the installation of new on-pole charging stations across the city to increase charger accessibility
- Promotion of regional transportation electrification incentives and organizations on EV and electrified transportation organization resources on city outreach materials



CREATE A PROGRAM TO INSTALL ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AT MULTI-FAMILY HOUSING COMPLEXES

INCENTIVIZE WORKPLACE ELECTRIC VEHICLE CHARGING STATIONS IN PARKING LOTS

ACTION STATUS: IMPLEMENTING

In late 2022, PGE and the city coordinated on an on-pole charging project to introduce utility pole chargers in neighborhoods around Milwaukie with high levels of multifamily charging and lower access to charging infrastructure. The city also made code updates to require EV Ready design for multifamily and commercial developments including a design incentive for developers for the installation of EV charging stations in parking lots. The Transportation System Plan update in 2023 will help guide future incentive programs and will help determine the best opportunities for EV charger installations.

IMPLEMENTATION HIGHLIGHTS:

- Coordination with PGE on on-pole chargers in neighborhoods with high multifamily housing
- Adoption of EV Ready code requirements with incentives for charger installations

CONVERT DIESEL-POWERED HEAVY FLEET VEHICLES TO LOW-CARBON FUELS

ACTION STATUS: IMPLEMENTING

The city switched its diesel fuel procurement to renewable diesel fuel. Renewable diesel (also referred to as "R99", reflecting the blend rate: 99% renewable with 1% fossil fuel diesel) is a drop-in fuel, meaning no vehicle modifications are required. R-99 is 99% less emitting than fossil diesel when measured at the tailpipe of a vehicle, and 50-75% less emitting than fossil diesel considering lifecycle GHG from production. The city is also in the process of electrifying medium to heavy duty fleet vehicles as available technology emerges. Currently the city has invested in electric asphalt warmer and is exploring electric street sweepers for city operations.

IMPLEMENTATION HIGHLIGHTS:

- Transitioned to renewable diesel products instead of higher emission fossil diesel fuel
- Installed electric asphalt warmer for streets division

OPTIMIZE THE CITY'S LIGHT DUTY FLEET AND REPLACE THE LEAST EFFICIENT VEHICLES WITH MORE EFFICIENT VEHICLES

ACTION STATUS: IMPLEMENTING

The city currently has a fleet of 88 vehicles including light duty vehicles for administrative use, medium-duty vehicles with unique power, weight or tow specifications (including utility trucks and police pursuit vehicles) and heavy-duty vehicles for construction or utility operations. The city has purchased 12 EVs and plug-in hybrid vehicles (PHEV) for light and medium duty vehicle uses, including:

- 5 Nissan Leafs for administrative use across departments
- 2 Ford Lightnings and 1 Chrysler Pacifica PHEV for Public Works
- 1 Chrysler Pacifica PHEV for City Hall
- 1 Ford Mustang Mach-e, 1 Nissan Leaf, 1 Chrysler Pacifica PHEV and 1 Tesla Model 3 for the Police Department

The city has installed Level 2 EV chargers at city facilities for fleet charging and is currently working on a project to install three public EV chargers at city buildings. The new charger installation project was sponsored by Milwaukee Business Dave's Killer Bread with a \$110,000 donation. The chargers will be installed summer of 2023. In addition, a new LV2 charger will be installed at the new city hall building for operational use.

IMPLEMENTATION HIGHLIGHTS:

- Purchase of 12 EVs or PHEVs for city vehicles
- Installation of 4 city level 2 chargers, 4 additional in 2023



WORK WITH CLACKAMAS COUNTY, TRIMET AND METRO TO DEVELOP MICRO-TRANSIT FROM PARK-AND-RIDE OR LIGHT RAIL STATION TO LOCAL DESTINATIONS

ACTION STATUS: NOT STARTED

Upcoming updates to the Transportation System Master plan will allow the city to coordinate with transportation management agencies and authorities on improvements to micro-transit and public transportation in the community.

REVIEW THE LOCATION OF THE FLEET YARD AND FUEL STORAGE TO EXAMINE FLOOD VULNERABILITY. LOOK AT FUEL MOVEMENT DURING FLOOD CONDITIONS AND DIVERSIFY FUEL SOURCES TO PREPARE FOR CLIMATE EVENT-RELATED IMPORT CHALLENGES

ACTION STATUS: IMPLEMENTING

The city's transition of fleet vehicles to EV vehicles led to the installation of a variety of EV chargers at city facilities, diversifying fuel options and fueling locations. Backup generators at key city facilities provides additional resiliency to fleet operations.

To address fuel e city decommissioned its underground fuel tank at the Johnson Creek campus in 2023 and switched to an above ground renewable diesel tank while utilizing local gas stations for gasoline fuel needs. The project will reduce risk of groundwater contamination during natural hazard events.

IMPLEMENTATION HIGHLIGHTS:

- Decommissioned underground fuel tank at the Johnson Creek facility in 2023 and installed new above ground tank for renewable diesel fuels
- Continue to electrify fleet and install EV chargers at city facilities to diversify fueling capabilities and locations



Underground fuel tank excavation at JCB



Old underground tank removed



New above ground tank installed

IMPLEMENT INTERGOVERNMENTAL AGREEMENTS OR MOU'S WITH OTHER AGENCIES FOR FLEET SUPPORT IN EMERGENCIES

ACTION STATUS: COMPLETED

In 2018, the city signed the Managing Oregon Resources Efficiently Intergovernmental Agreement for use of resources between public agencies, and 2019, the city signed a Memorandum of Understanding (MOU) with the Oregon Water and Wastewater Response Network for a mutual aid agreement and support services.

WORK WITH THE SCHOOL DISTRICT AND WASTE HAULERS ON FLEET TRANSITIONS

ACTION STATUS: IMPLEMENTING

The city advocated for transportation electrification bills like SB 1044 which changes state administrative rules to allow Oregon schools to use public purpose charge funds for fleet audits and the purchase or lease of zero-emission vehicles and electric vehicle infrastructure. PGE grant programs promoted by the city including their [Drive Change Fund](#) support projects to electrify private and public transportation vehicles, including TriMet and school district buses. Staff have not held conversations with the school district to assist in project development.

IMPLEMENTATION HIGHLIGHTS:

- Advocated for legislation which opens school district funding potential for fleet electrification.
- Promote existing PGE Drive Change grant funding programs

LAND USE AND TRANSPORTATION

Actions in the land use and transportation topic address the emission impacts from landscape design and policy, particularly high intensity land uses like transportation networks, urban areas and agriculture. By establishing policy and code outlining the rules and regulations for the community, the city can influence property use, building design, and community features and site layout. This control is essential in protecting sensitive environmental resources and habitats for continued community ecosystem services.



REGIONAL UPDATES

Climate Friendly Equitable Communities Administrative Rulemaking

Milwaukie is in the process of incorporating new code requirements from Oregon Department of Land Conservation and Development (DLCD) that were developed in response to Governor Brown's Executive Order 20-04 to curb state emissions. To meet statewide emission reduction targets from the largest emission sectors, DLCD convened a Climate-Friendly and Equitable Communities workgroup to create new land use and development requirements for regions with populations over 50,000 people, including the Portland-Metro area. The rules were adopted by DLCD in July 2022 with deadlines for implementation in 2023 and 2024. Some examples of required changes to local code including:

- Removal of parking minimums for new developments in high-transit corridors.
- EV-Ready requirements for multi-family and multi-use development
- Expansion or creation of city tree code to meet connected tree canopy requirements for qualified developments constructing parking lots over one-quarter acre in size in all land use zones

KEY PROJECT HIGHLIGHTS

2020 COMPREHENSIVE PLAN UPDATE

In 2020, Milwaukie engaged the community to update the city's **Comprehensive Plan**, a 20-year strategy document outlining goals and policies for the Milwaukie community. The Comprehensive Plan included numerous policies related to sustainable buildings, housing, and development design. Incorporated in the comprehensive plan was a new Climate and Energy policy section and reference to climate action and adaption strategies across policy topics.



2020 COMPREHENSIVE PLAN UPDATE (cont.)

Paired with environmental policies and goals addressing community resiliency, natural resource mitigation and protections, the update was a major step in Milwaukie's work to become a more sustainable city and align city code with the [2017 Milwaukie Community Vision and Action Plan](#) and adopted climate goals and strategies.

COMPREHENSIVE PLAN IMPLEMENTATION

In 2021, planning staff began working on the first phase of code updates initiated by the 2020 Comprehensive Plan. The first phase focused on housing, parking, and tree code. Working with the Comprehensive Plan Implementation Committee, the city engaged community in a process to translate housing and parking policies in the Comprehensive Plan to code modifications. The project included mandated requirements from the new statewide housing bill [HB 2001](#), adopted in 2019. The changes implemented in the phase 1 code update process expanded opportunities for denser housing and more housing types to address housing demand and affordability.

To balance community concerns about the loss of trees caused by expanded infill developments, the project included development of Milwaukie's first private tree code for private residential properties and development. The new tree code established robust standards for preserving, planting, and protecting trees during development.

Upcoming phases of Comprehensive Plan Implementation process include code reviews of the city's commercial zoning standards, natural resources and neighborhood hubs related codes. Updating the city's Transportation System Plan begins in 2023. Combined with a separate effort to evaluate Milwaukie's stormwater utility code and public works standards in 2023-2024, Milwaukie's upcoming code updates will improve climate impacts through sustainable design of neighborhoods and infrastructure.



LAND USE AND TRANSPORTATION ACTIONS

IMPLEMENT THE SAFE ACCESS FOR EVERYONE (SAFE) STREET AND SIDEWALK IMPROVEMENT PROGRAM TO EXPAND BIKE AND PEDESTRIAN ACCESS

ACTION STATUS: IMPLEMENTING

Milwaukie is currently implementing the SAFE projects to expand bike and pedestrian access and infrastructure in the community. Through the SAFE program, Milwaukie's goal is to build 27.9 miles of sidewalk and 900 ADA ramps in the community. For more information on SAFE projects, including project numbers and timelines, visit the project website at milwaukieoregon.gov/engineering/safe.

IMPLEMENTATION HIGHLIGHTS:

- Between 2019 and 2022, completed construction of pedestrian/bike infrastructure at:
 - Sellwood Street
 - Ardenwald Elementary School
 - 22nd Avenue & River Road
 - Kronberg Park Multi-Use Trail
 - 42nd Avenue/43rd Avenue
 - Linwood Avenue
 - Lake Road



IMPLEMENT "ELECTRIC VEHICLE READY" ZONING REGULATIONS FOR COMMERCIAL BUILDINGS AND MULTIFAMILY HOUSING

ACTION STATUS: COMPLETED

To comply with the mandated code changes from the Climate Friendly and Equitable Communities rulemaking, Milwaukie incorporated [EV Ready requirements for commercial and multifamily developments](#) into city code in November 2022, going above state mandates to incentivize installation of chargers. For commercial and industrial uses that provide off-street parking, at least 50% of the total number of parking spaces be EV Ready or at least 20% be EV ready with 5% of those parking spaces including an installed Level 2 or Level 3 EV charger. Multi-Unit and Mixed-Use Residential uses with five or more dwelling units where off-street parking spaces are provided, all (100%) of the parking spaces provided must be EV Ready or 40% of parking spaces provided must be EV ready and 10% of those parking spaces must include an installed Level 2 or Level 3 EV charger.

IMPLEMENTATION HIGHLIGHTS:

- Adopted Ordinance 2221 Establishing EV Charging Infrastructure Requirements in November 2022 requiring EV Ready parking spaces and allowing incentives for installation of EV charging infrastructure

PARTNER WITH METRO AND TRIMET TO INCREASE TRANSIT SERVICE, PARTICULARLY TO UNDERSERVED EMPLOYMENT AREAS

IMPLEMENT A TRANSPORTATION MANAGEMENT AGENCY (TMA) WITH AREA PARTNERS

ACTION STATUS: IMPLEMENTING

In 2023 - 2024, Milwaukie will update its Transportation System Plan which will include collaboration and with local and regional transportation planning stakeholders. The above actions will be addressed in that work along with a variety of other system-level strategies to reduce transportation emissions through urban design. In 2022, staff engaged council and community to convene a TSP Advisory Committee for the project.

IMPLEMENTATION HIGHLIGHTS:

- Initiation of the TSP update and committee formation by planning staff in 2022

IMPLEMENT PARKING PRICING IN DOWNTOWN

ACTION STATUS: IMPLEMENTING

The city acted to tie city-controlled parking pass rates to TriMet bus pass rates to encourage public transportation for commuters in the downtown corridor. In the upcoming Transportation System Plan (TSP) update process, Milwaukie will build on the 2018 adopted [Downtown Parking Management Strategy](#) and align 2020 Comprehensive Plan goals by exploring changes to parking pricing in the downtown corridor and make recommendations based on findings.

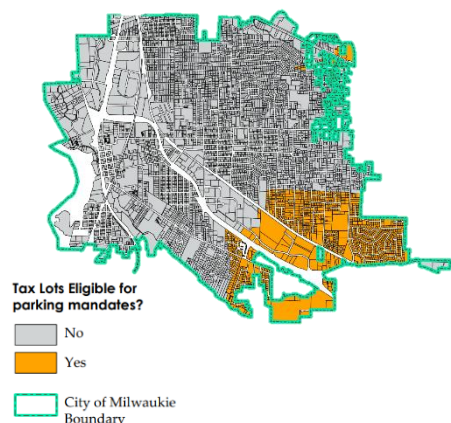
ACTION: LOWER PARKING RATIOS NEAR HIGH-CAPACITY CORRIDORS

ACTION STATUS: IMPLEMENTING

For Milwaukie, the implementation of the Climate Friendly Equitable Community rulemaking required the city to choose between removing parking mandates citywide or removing parking mandates only near transit corridors. In Milwaukie, 80% of the city's tax lots are in a transit corridor and eligible for the parking mandates. A majority of council supported removing the mandates city wide. Completion of the code amendments for this work and adoption of the code are to be completed before July 2023.

IMPLEMENTATION HIGHLIGHTS:

- Planning staff presented code options to Council for code amendments to remove parking mandates for most or all the city to comply with CFEC rulemaking requirements.



CONTINUE TO PROMOTE THE PURCHASE OF SIDEWALK CREDITS IN AREAS OUTSIDE OF PEDESTRIAN CORRIDORS AND DREDIRECT FUNDS TO AREAS NEEDING THIS INFRASTRUCTURE

ACTION STATUS: IMPLEMENTING

City staff continue to discuss sidewalk credit opportunities with developers during land use pre-application and pre-construction meetings with planning and engineering staff.

ACTION: INCENTIVIZE EMPLOYERS TO ENCOURAGE ACTIVE TRANSPORTATION AND TRANSIT

ACTION STATUS: NOT STARTED

City staff have not started working on potential incentives for employers.

IMPLEMENT VARIABLE SYSTEM DEVELOPMENT CHARGES TO ENCOURAGE ACCESSORY DWELLING UNIT DEVELOPMENT

ACTION STATUS: COMPLETED

To further advance city goals of increasing housing supply in Milwaukie, Milwaukie initiated a temporary pilot program open to eligible applicants who were interested in offsetting the costs for building an accessory dwelling unit (ADU). On June 16, 2020, City Council approved a limited time waiver of all city-controlled system development charges (SDCs) up to a total \$23, 440 and a waiver of frontage improvements for up to ten ADUs, for a period of one year. In January 2021, the program funding had been fully allocated and no new applications have been accepted.

Additionally, the city adopted scaled wastewater system development charges (SDCs) based on residential structure footprints and is in the process for similar updates to the water utility SDCs.

IMPLEMENTATION HIGHLIGHTS:

- In 2020, City Council adopted an ADU SDC waiver program managed by Milwaukie Community Development staff. All program funding was distributed, and the program concluded in 2021.
- Adopted scaled wastewater SDCs tied to residential structure footprint

UPDATE FLOOD PLAIN MAPS WITH LOCAL GROUP COORDINATION AND FUNDING

PLAN FOR FUTURE EMPLOYMENT LAND CONSIDERING FLOOD RISK AND NATURAL RESOURCES

ACTION STATUS: IMPLEMENTING

In 2019, Clackamas County facilitated a conjoined jurisdictional effort to update FEMA-directed Natural Hazard Mitigation Plans which address risks of hazards like flooding, wildfire, air quality, and earthquakes. This work did not change the existing 2006 FEMA floodplain maps, but built

FLOODPLAIN AND FLOODRISK ACTION (cont.).

local awareness around needed changes to reflect recent flooding events and precipitation models that account for climate change. The NHMP development allows the city to access FEMA fund dollars following natural hazard events.

An update to the 2019 NHMP is underway with planned adoption in 2023. In addition to this work, the Comprehensive Plan implementation process will include future phases of work to assess Milwaukie's natural resources and riparian areas.

IMPLEMENTATION HIGHLIGHTS:

- Adopted 2019 Natural Hazard Mitigation Plan, with pending 2022 update.

RECLAIM RIPARIAN AREAS FOR FLOOD STORAGE FOR SAFETY AND PROPERTY PROTECTION

ACTION STATUS: IMPLEMENTING

The city has budgeted \$50,000 of stormwater utility funds for FEMA flood mitigation grant matching. The North Clackamas Watershed Council recently published a [Watershed Action Plan](#) which could assist in future strategies to perform these projects at the city level.

IMPLEMENTATION HIGHLIGHTS:

- Budgeted \$50,000 for on-site flood retention projects for stormwater benefits

PROVIDE INCENTIVES TO INCREASE FLOOD STORAGE CAPACITY

ACTION STATUS: IMPLEMENTING

Stormwater systems include built infrastructure as well as constructed green infrastructure and natural waterways that collect and hold surface water. Some incentives are available for surface water retention through stormwater infrastructure credits in development processes. The city has started assessing local stormwater code for program implementation opportunities and updating the city's Stormwater System Plan which will explore strategies like incentives for acute and chronic surface water impacts and city-wide stormwater management. In 2022, the city completed its [Stormwater Management Plan](#) update reflecting on the surface water projects and actions taken in the city so far.

In 2022, the city adopted revisions to the existing stormwater code to clarify use of funds for nature-based infrastructure including natural flood retention and storage.

IMPLEMENTATION HIGHLIGHTS:

- Submission of the 2022 Stormwater Management Plan by Public Works to DEQ outlining existing and future stormwater program needs
- Adoption of nature-based infrastructure code in stormwater utility municipal code

PROMOTE “NEIGHBORHOOD HUBS” THROUGH COMPREHENSIVE PLAN POLICIES

ACTION STATUS: COMPLETE - ONGOING

With the adoption of the 2020 Comprehensive Plan, the city included numerous policies related to the development and promotion of neighborhood hubs. In spring 2023, Milwaukie's Community Development department will begin a larger project to explore city code updates and develop new economic development programs with goals of increasing commercial businesses in identified neighborhood hub locations that are walkable. This upcoming work will include conversations with the general community as well as commercial and residential property owners on topics related to neighborhood hubs and programming.

IMPLEMENTATION HIGHLIGHTS:

- Inclusion of neighborhood hubs policies into the adopted 2020 Comprehensive Plan
- Initiation of strategic planning efforts in 2023 to explore neighborhood hub creation and economic development programs for walkable commercial businesses

Below: Excerpt from 2020 Comprehensive Plan outlining major neighborhood hub policies

8 URBAN DESIGN & LAND USE GOALS & POLICIES

- **POLICY 8.1.4** Neighborhood Hubs (outside of NMU areas) Policies
 - a) Provide opportunities for the development of neighborhood commercial services and the provision of amenities and gathering places for residents of the surrounding area.
 - b) Ensure that new development is compatible with the height, massing and building form allowed by zoning on adjacent residential properties. A hub development need not be identical to the height, massing or form of buildings allowed by nearby zoning for a finding of compatibility.
 - c) Ensure new development contributes to a pedestrian friendly environment along the property frontage.
 - d) Encourage development of multi-season outdoor seating areas and pedestrian plazas.
 - e) Provide for a high level of flexibility in design and incentives to accommodate a variety of start-ups, temporary uses and incremental expansions and explore innovative techniques for waiving or deferring full site development and parking requirements.
 - f) Provide a process to allow start-up and temporary uses that take advantage of incentives and deferral programs to make a smooth transition to status as a permanent use.

What are Neighborhood Hubs?

Neighborhood Hubs are intended to provide neighborhood gathering places and locations where residents have relatively easy access to a variety of services or goods near their homes. Hubs are envisioned to vary in size and intensity.

MATERIALS USE, PURCHASING AND RECOVERY

Actions in this topic address the strategies and actions for reducing emissions related to the things community buys and uses, such as goods, food, and the major materials of regular life. These emissions are consumption driven, and strategies are focused on reducing, reusing, and recycling.



REGIONAL UPDATES

Metro Food Scraps Separation Policy

Implementation of a [regional food scraps separation requirement](#) begins March 2022 for many businesses within the Metro boundary. [Businesses generating more than one 60-gallon roll cart of food scraps per week and all food service businesses](#) will be required to separate their food scraps and keep them out of the landfill by composting, donation, or upstream prevention practices. Businesses are already required to recycle paper and plastic, metal, and glass containers. Businesses are separated into tiers of implementation with most large and medium sized businesses needing to comply by March or September 2023.

MATERIALS USE, PURCHASING AND RECOVERY ACTIONS

PROVIDE EDUCATION AND OUTREACH TO AVOID EDIBLE FOOD WASTE

PROMOTE EXISTING FOOD WASTE COMPOSTING SERVICES

ACTION STATUS: IMPLEMENTING

Milwaukie partners with Clackamas County to perform food waste, recycling and solid waste outreach and education. City resources and outreach include information about Metro County programs like the Master Recycler program. The city and county remind the community about the ability to collect food scraps in yard debris through their local haulers. With the Upcoming Metro Food Scraps Separation Policy, extensive county outreach has been performed to ensure business are able to reach compliance by the set deadlines.



IMPLEMENTATION HIGHLIGHTS:

- Partnership with Clackamas County on solid waste outreach, including information about existing composting services and food waste reduction shared on city outreach platforms
- County outreach and implementation of the regional Metro food scraps separation policy for businesses going into effect in 2023

USE LESS IMPACTFUL PAVEMENT ALTERNATIVES WHEN PAVING STREETS AND SIDEWALKS

ACTION STATUS: IMPLEMENTING

Pervious pavement helps capture surface water and improve soils where precipitation lands, rather than moving it to other stormwater systems.

In constructing the downtown plaza in 2020, Milwaukie used surfaces on the pedestrian walkways that would allow infiltration of water between the stones.

For the first time in the city, Milwaukie installed pervious pavement as part of the Lake Road improvement project, completed in 2022. This demonstration project highlighted the feasibility of use of the design feature and will allow the city to monitor its functionality over time.

The Public Works construction standards now allow pervious concrete with approval in multiuse paths, and future updates will evaluate expansion of use for other construction types.



Permeable surface at downtown Milwaukie Adam's Street Connector

IMPLEMENTATION HIGHLIGHTS:

- Inclusion of pervious pavement in PW standards for multiuse paths
- Construction of Milwaukie Downtown Plaza in 2020 featuring surfaces that allow for infiltration
- First installation of pervious pavement in Lake Road improvement project in 2022

PROMOTE THE REPAIR OF EQUIPMENT AND MATERIALS AND BUY USED AND DURABLE BEFORE PURCHASING NEW

ACTION STATUS: IMPLEMENTING

The city partners with Clackamas County of offering events and outreach related to wastestream reduction. Community organizations like Milwaukie Environmental Stewards Group promote and advertise additional solid waste outreach events, including a September 2022 Sustainability Fair in Milwaukie featuring repair activities.

In addition, the city engages in regional materials GHG reduction discussions with DEQ and employs best practices with facility and vehicle equipment to purchase used where possible. Examples include the purchase of used Nissan Leafs for city fleet vehicles and a 2022 purchase of a used woodchipper from Oregon City. The city is also reutilizing office furniture from the Advantis building purchase for the new City Hall.

IMPLEMENTATION HIGHLIGHTS:

- Promotion of fix-it fairs and reuse events held in Milwaukie (2019, 2022)
- Purchase of used vehicles and equipment for city operations

REQUIRE DECONSTRUCTION OF EXISTING PROPERTIES OR DELAYED DEMOLITION PERIODS

SHOWCASE MATERIALS MANAGEMENT PRACTICES WITH A DEMONSTRATION PROJECT

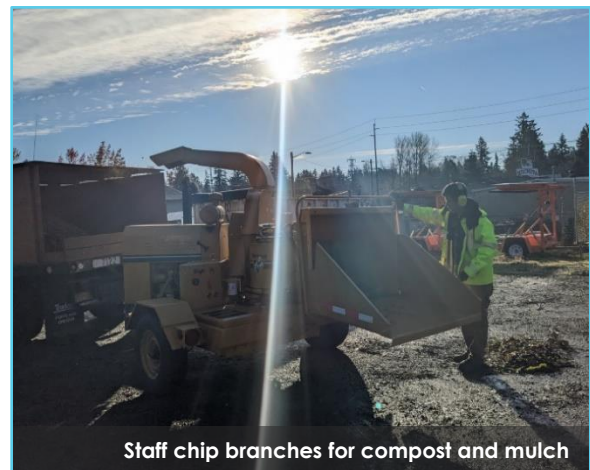
ACTION STATUS: NOT STARTED

City staff have not started exploring deconstruction requirements or demonstration of materials management. Recent adoption of deconstruction policies in Lake Oswego could be an opportunity for future city implementation.

USE MULCH AND COMPOST IN LANDSCAPING

ACTION STATUS: COMPLETE / ONGOING

City urban forest projects and updated PW Standards include the required use of mulch for tree planting and other vegetated landscapes where applicable. The city's landscaping services use much for city facilities. The city's purchase of a used woodchipper will allow staff to reuse downed or removed trees for mulch and compost in landscaping on city facilities.



Staff chip branches for compost and mulch

NATURAL RESOURCES

Actions in this topic address the strategies and actions for monitoring and utilizing the ecosystem benefits of natural areas and ecosystems. Actions in this section are primarily adaptation actions due to the many benefits that natural systems will provide in a changing climate, including:

- Capturing carbon emissions in trees and other vegetation to balance community emissions
- Slowing precipitation and helping with groundwater infiltration as the city experiences stronger storms
- Providing habitat and refuge for local wildlife
- Creating recreation spaces for community members
- Improving air quality and blocking pollutants from roadways and urbanization
- Cooling neighborhoods and the public by shading streets, sidewalks, and buildings
- Increasing flood retention and preventing erosion from increased storms with climate change



As cities increasingly add new concrete and asphalt through buildings, roads and community infrastructure, the *Urban Heat Island Effect* increases in intensity. The Urban Heat Island Effect is the disproportionate heating of urban areas compared to the greener lands around them. Dark surfaces like streets and roofs hold in heat and release it over the day and night, making the community hotter. Increasing vegetation and trees in the community is a community's main defense against the urban heat island effect, which if left unaddressed, can have deadly consequences. In the 2020 heat dome event, some areas of Northeast Portland with little to no canopy and high asphalt cover reached up to [180°F in temperature](#).

PROJECT HIGHLIGHTS

Residential Tree Code

In 2022, the city adopted its first private tree code to support canopy expansion in Milwaukie under the direction of the CAP and Urban Forest Management Plan 40% canopy by 2040 goal.

Following a public tree code update in 2020 and with the Comprehensive Plan Implementation process starting in 2021, the city started on the creation of a residential tree code that would protect trees during residential development and establish a permitting process for the protection of individual trees on residential private properties. The Milwaukie Tree Board and Public Works, including the climate and natural resources staff, led the initial development of code language to create standards for removal that were both flexible and clear and objective when needed.

Milwaukie's new residential tree code is effective May 19, 2022

Beginning May 19, trees on private property that are larger than 6" in diameter (or 18" in circumference) require a permit before removal. Permits are free for removal of unsafe, dead/dying or hazard trees. The city has hardship assistance available to help those residents unable to afford the required permits.

Illegal tree removal will result in significant fines. For example, cutting down a 36" diameter tree without a permit would result in a \$14,000 fine.

El nuevo código de árboles residenciales de Milwaukie toma efecto el 19 de mayo de 2022

A partir del 19 de mayo, los árboles en propiedad privada que miden más de 6 pulgadas de diámetro (o 18 pulgadas de circunferencia) requieren un permiso antes de ser removidos. Los permisos son gratuitos para remover árboles inseguros, muertos/moribundos o peligrosos. La ciudad tiene ayuda financiera disponible para ayudar a los residentes que no puedan pagar los permisos requeridos.

Remover árboles ilegalmente resultará en multas significativas. Por ejemplo, cortar un árbol de 36 pulgadas de diámetro sin un permiso resultará en una multa de \$14,000.

Visit milwaukieoregon.gov/trees for more information.
Visita milwaukieoregon.gov/trees para obtener más información.

MILWAUKIE URBAN FOREST
Creating the Growing Community

The code set up a structure for individual tree removals through Type 1 permits for qualified necessary tree removals (no cost) and Type 2 healthy tree removal permits where mitigation was possible (fee based on tree size). The code also outlined development standards and mitigation when subdividing land or constructing additional housing units. The residential development code focuses on preserving trees, planting trees, ensuring soil volume is appropriate for new plantings, and protecting trees during construction.

With these standards, preservation mitigation fees will be required if a developer removes trees past 30% canopy cover, and planting mitigation fees will be required if the developer chooses not to plant back to 40% canopy cover.

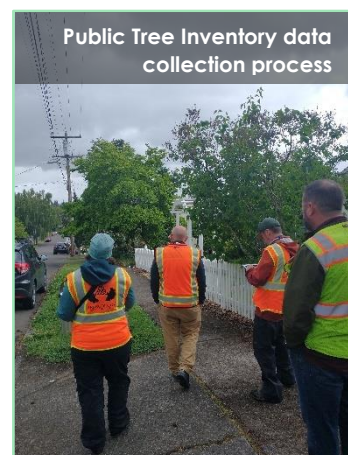
The code was adopted and went into effect in May 2022. City staff spent extensive time on outreach to the community to raise awareness and reduce illegal tree removals which now came at a hefty penalty. Since implementation, most permits submitted for removals have been Type 1 permits for necessary removals, with Type 2 permits primarily being for optional site construction where the tree could not be saved. While there has only been one development application completed so far, more applications are in the queue for upcoming review once the applicant collects the required tree information.

As part of the private tree code development, the city invested in the creation of outreach materials for its urban forest programming and the new tree code requirement. Materials included postcards, handouts, and other resources to help the community understand the new code. The city's Urban Forester processes permits and answers community questions, using the new materials to help community understand the code and city goals around urban canopy and tree protection.

Public Tree Inventory Pilot

Contracting with Treecology, Milwaukie performed a Pilot Street Tree Inventory in 2021 to begin assessing the status of public street trees in the city. An inventory is the first step in understanding the composition, condition, and structure of Milwaukie's street trees. This pilot project inventoried areas of each neighborhood to collect inventory data for 1,325 trees and 691 vacant frontages that can accommodate around 1,270 trees. Sixty-four (64) unique genera were found, the most common was maple (Acer). The most prevalent condition was good (58%) followed by fair (37%). The trunk diameter distribution indicated a mature tree population with an adequate proportion of young and establishing trees.

City staff are now using this data to inform current and future planting projects as well as informing decisions on urban forest threats like invasive pests.



NATURAL RESOURCES ACTIONS

INCREASE TREE CANOPY COVERAGE TO 40% BY 2040

ACTION STATUS: IMPLEMENTING

In the CAP, Milwaukie created a goal to increase the cities canopy, the area of treetops and branches, from the 2014 coverage of 26% to an average of 40% by 2040. American Forests, an urban forest research and advocacy think tank, released recommendations that all cities aim for 40% canopy cover to maximize the benefits of trees. Their new recommendations show that cities like Milwaukie located in historical temperate forests should aim for even higher canopy values.

Recent LiDAR Data which is collected by a plane flying overhead to collect landscape information below, shows that Milwaukie has not seen significant change in the canopy since 2014, with 2019 values showing about 26-27% canopy cover. That said, in the last few years the city has ramped up plantings which may not be appearing using aerial data collection rather than more accurate on the ground inventory assessments. Since 2019, the city has expanded its public tree code (2020) and adopted a new private tree code (2022) which will better protect existing trees and require the planting of new trees. These efforts, along with expanded outreach and collaboration, will hopefully influence an upward trend in canopy coverage on the next LiDAR data collection effort.

Over the last four years, the urban forest program has created and used new tree canopy analysis tools and site inspections to increase public plantings around the city. They've added efforts to integrate tree protection into city processes (like tree removal and investment accounting for city engineering projects) and institutionalize trees as valuable public infrastructure.

After the adoption of Milwaukie's climate program, the city's urban forest work started to include more outreach and education to the community to reach the city goal. Milwaukie holds an annual Arbor Day Celebration with community tree planting and tabling, bringing dozens of volunteers and hundreds of new trees to the community.

Staff are looking at potential partnerships with community groups to offer more tree pruning and care programs in the community to lessen the barriers and concerns that come with tree ownership. As the city explores ways to generate funds for climate programming, the inclusion private tree care assistance and planting programs should be considered to maximize the climate benefits of trees and help reach the 40% canopy goal.



Friends of Trees planting yard sign at 2022 Arbor Day event



Tree code outreach at Milwaukie Farmers Market



Honorary tree planting at Willow Place Natural Area

IMPLEMENTATION HIGHLIGHTS:

- Awarded Oregon Tree City of the Year in 2020
- Achieved Tree City USA status 2017- 2022, with two Growth Awards for urban forest program expansion
- Creation of [Branch Out Milwaukie](#) for strategic tree planting
- Completion of a Public Tree Inventory Pilot
- Creation of Urban Forester position with specialized arborist training, and Natural Resources Technician position
- Creation of Urban Forest website and a suite of new informational materials, graphics and handouts for tree code awareness and urban forest outreach
- Creation and adoption of Urban Forest Management Plan (2019)
- Hosting of annual Arbor Day events and Earth Day events for planting and restoration in the community
- Creation of updated tree species list for PW Standards to promote climate adapted trees
- Development of new public tree code, emphasizing preservation of trees and developing programmatic permits and replanting requirements
- Development of private tree code for residential development and private tree removals
- Participation in regional workgroups including Connecting Canopy workgroup and Regional Habitat Connectivity Workgroups
- Collaboration with local watershed councils and non-profits for restoration projects and outreach alignment

WORK WITH THE TREE BOARD TO DEVELOP A PLANTING PROGRAM FOCUED ON SHIELDING LOW INCOME NEIGHBORHOODS FROM HEAT

ACTION STATUS: IMPLEMENTING

After adoption of the CAP, the city adopted the Urban Forest Management Plan which included strategies to plant, protect, and promote trees in Milwaukie. With the help of Tree Board, the UFMP addressed some of the ways for the city to make a positive impact on the most vulnerable communities and neighborhoods greatly impacted by climate change. The city has been coordinating planting events and including trees in street improvement projects to expand urban canopy and increase availability of low-cost planting options, but more work is needed to address the barriers of tree ownership.

In 2019, the city worked with Dr. Shandas from Portland State University to develop the [Branch Out Milwaukie](#) tool, a canopy analytics webtool that maps socioeconomic data and canopy data to show gaps in canopy coverage for vulnerable communities. The Public Tree Inventory Pilot also identified site-specific locations that would be ideal planting spots in the city. Before plantings occur, community engagement is required first so the city doesn't accidentally place burdens on low-income community members by street trees in front of their homes with the expectation of maintenance.



Friends of Trees at 2021 Arbor Day event

Staff are now coordinating with local environmental justice groups and urban forest advocacy groups like Blueprint Foundation, Friends of Trees, and 350PDX to explore potential policies and programs for future city implementation. Information about this work is brought back to monthly tree board meetings for follow up discussions.

IMPLEMENTATION HIGHLIGHTS:

- Creation of [Branch Out Milwaukie](#) for strategic tree planting using socioeconomic data to explore gaps in canopy equity
- Collaboration with local environmental justice groups to explore green jobs opportunities and community canopy incentives
- Hosting of tree planting events with low-cost trees and planting assistance

REVIEW INTERGOVERNMENTAL WATER AGREEMENTS FOR SUPPLY SECURITY

ACTION STATUS: COMPLETED - ONGOING

In 2019 the city signed an MOU with the Oregon Water and Wastewater Response Network addressing utility resiliency. In 2022, Milwaukie completed an update of the Water System Master Plan to address utility resiliency and supply security agreements. Milwaukie has agreements with Portland and Clackamas River Water and is working with Oak Lodge Water Services to evaluate options for a new intertie between both systems.

ADJUST CODE TO REQUIRE ON-SITE STORAGE AND WATER FILTRATION BEFORE RELEASE THAT MEETS FUTURE CONDITIONS

ACTION STATUS: IMPLEMENTING

In 2022, the city completed a stormwater management plan update which identified gaps in programming to meet new requirements of the city NPDES MS4 stormwater permit. In 2023 and 2024, the city will review stormwater code to align city design standards with these requirements and explore potential updates to the PW Standards to require additional stormwater storage on site.

The city has started the process of updates to the Stormwater System Plan which will highlight gaps in infrastructure to meet the increasing stormwater management needs of the community. This update will include collaboration with local environmental organizations including the watershed councils to include their analysis of watershed-level strategies for flood plain and riparian area management and watershed health.

IMPLEMENTATION HIGHLIGHTS:

- Completion of the Stormwater Management Plan update (2022) highlighting code updates for stormwater management to be implemented by 2024
- Initiation of Stormwater System Plan update (2023-2024)
- Partnership with local watershed councils on watershed level analysis and strategies for surface water and floodplain health

UPDATE STORMWATER SYSTEM PLAN

IDENTIFY SEWER AND WATERWAYS VULNERABLE TO FLOODING

ACTION STATUS: IMPLEMENTING

The city has completed the 2022 Wastewater Master Plan and started the process of updating the Stormwater System Plan which will identify existing infrastructure capacity for surface water management and potential infrastructure standards and investments for increased stormwater retention and flood management. Staff are working on developing the RFQ for the plan update and the identification and convening of regional stakeholders for participation in the update process.

IMPLEMENTATION HIGHLIGHTS:

- Initiation of Stormwater System Plan update (2023-2024)
- Identified wastewater infrastructure vulnerable to flooding in adopted Wastewater Master Plan (2022)

DE-PAVE AREAS WHERE POSSIBLE TO ENCOURAGE STORMWATER INFILTRATION

ACTION STATUS: NOT STARTED

The city has not implemented any projects to de-pave areas for stormwater infiltration. The updated Stormwater System Plan and NCWC Watershed Action Plan will help highlight potential project areas for future work.

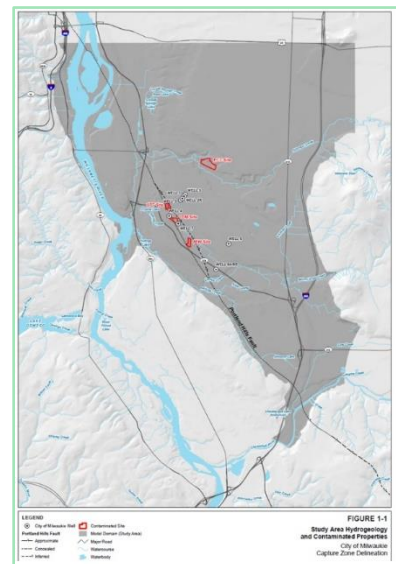
INTRODUCE MORE MONITORING STATIONS TO PROTECT DRINKING WATER WELLS

ACTION STATUS: IMPLEMENTING

In 2019, the city conducted an evaluation of whether contaminated groundwater at three industrial sites could potentially reach the City's water supply wells. The Water Supply Well Capture Zone Delineations report consisted of two steps. First, summarize existing information about the nature and extent of groundwater contamination at each site. Second, delineate a capture zone for each City well, which is the three-dimensional volumetric portion of the aquifer that provides groundwater to the wells. By comparing the capture zones to the extent of groundwater an assessment could be made of the likelihood of contaminants reaching the City's water supply wells.

IMPLEMENTATION HIGHLIGHTS:

- Completion of the Water Supply Well Capture Zone Delineation report (published 2020)

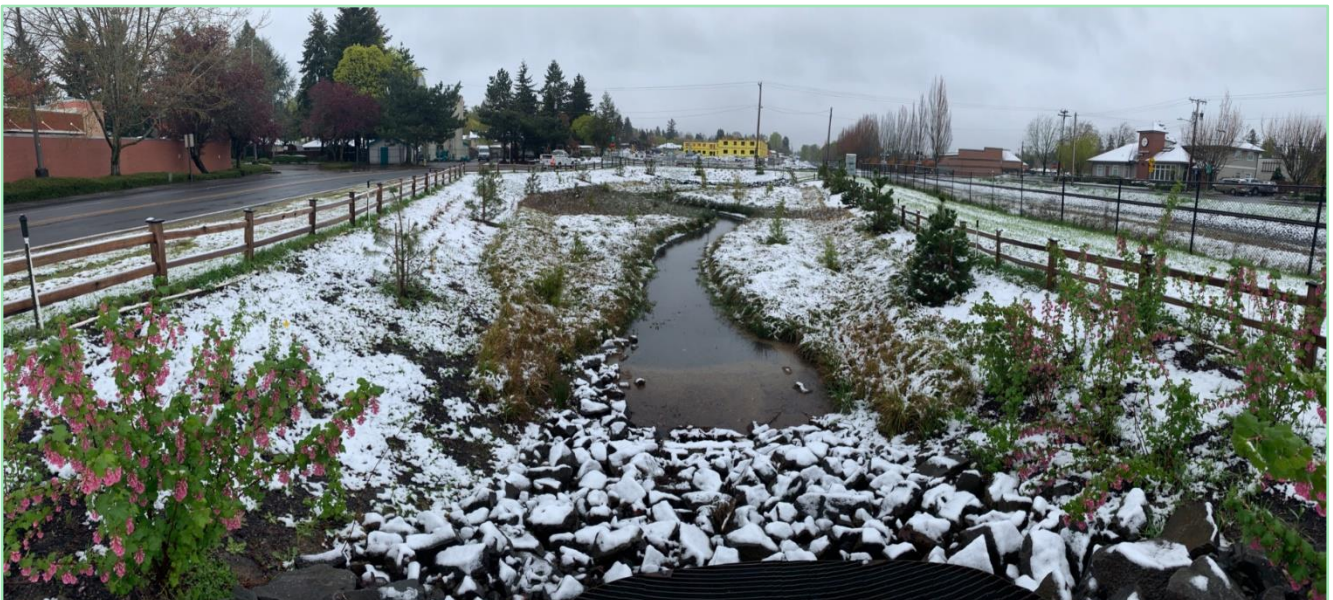


DEVELOP A POTABLE/DRINKABLE WATER RE-USE PLAN

ACTION STATUS: NOT STARTED

The city has not explored the development of a water re-use plan.

Below: Stormwater facilities in Milwaukie used to capture, treat, and store street and surface water runoff



Acute climate events resulting from climate change include heat waves, increase wildfires in our region, decreased air quality, flooding risk and more. By 2050, almost all of Oregon will experience high-risk levels of particulate air pollution from wildfires in the warmer months. Recent natural hazard events like the extreme heat event and wildfires in the region have increased awareness and need for preparedness. These acute events must be addressed through a planned, coordinated response—being proactive and setting processes in place now will help us adapt and respond quickly when the time comes.



PROJECT HIGHLIGHTS

Natural Hazards Mitigation Plan Update

Milwaukie and other jurisdictions in Clackamas County partnered on the 2019 Multi-jurisdictional Natural Hazards Mitigation Plan - a strategy document to address the risks of natural disasters and plan for ways to mitigate the greatest impacts and create a more resilient community. The plan identifies potential hazards for the region and priorities based on severity of impact, likeliness of occurrence, and regional preparedness. Having a plan created is a requirement for jurisdictions to receive funds from the Federal Emergency Management Agency (FEMA) after a natural disaster occurs. The funding can also help with a variety of projects to mitigate risks through infrastructure improvements.

The city is now working with the County to create the 2023 NHMP. In this version of the plan, the city is advocating for greater focus on urban impacts of hazards and climate change, including flooding impacts from utility system overflows, air quality and wildlife smoke, and extreme heat.

PUBLIC HEALTH AND EMERGENCY PREPAREDNESS ACTIONS

WORK WITH PARTNERS TO SUPPORT COMMUNITY OUTREACH ABOUT HOW TO REDUCE FIRE AND FLOOD RISK

ACTION STATUS: IMPLEMENTING

Through the NHMP update, regional agencies will strategize on ways to increase community awareness and preparedness from natural hazards events, including wildfires and flood. The city has also discussed wildfire preparedness with the local parks district to address wildfire threats and safety buffers for densely vegetated areas.

WORK WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO UPDATE FLOOD PLAIN MAPS

ACTION STATUS: NOT STARTED

FEMA has not started a process to re-evaluate flood plain maps for the Milwaukie area.

DEVELOP PUBLIC FACING FLOOD AND FIRE RISK ZONE MAPS AND IMPLEMENT SIGNAGE ON STREETS TO RAISE AWARENESS

ACTION STATUS: IMPLEMENTING

Milwaukie GIS staff created an online resource map to show current FEMA floodplains and the flood levels of the 1996 Willamette River flooding. Clackamas County Maps (CMap) also contains information on risk zones for properties in their jurisdiction.

PLAN FOR COOLING AND AIR QUALITY RELIEF CENTERS

ACTION STATUS: IMPLEMENTING

In recent years and through regional extreme storm and heat events, the need for safe refuge from excessive heat and cold has increased in priority for the community. Milwaukie and other Clackamas County jurisdictions shared information about local heat and cooling centers in their area, with Milwaukie holding a daytime cooling and warming center in the new Ledding Library during these events. As more extreme weather events occur, the city will need to strategize with community partners on the deployment of more 24/7 relief centers near key community centers and neighborhood hubs.



IMPLEMENTATION HIGHLIGHTS:

- Use and advertisement of Ledding Library as a daytime cooling/warming center for community relief in extreme weather events

PROMOTE MORE SOPHISTICATED HOME AIR FILTRATION SYSTEMS

ACTION STATUS: IMPLEMENTING

Through Milwaukie's advocacy for more energy efficient buildings and local influence over building codes, staff have also advocated for building technologies that consider protection of indoor air quality from pollution, heat, and smoke. As buildings become more air sealed and efficient, filtration systems need to also improve to protect occupants from indoor air quality concerns.

Milwaukie also considered threats to indoor air quality from natural gas systems. In 2022, Council hosted public conversations on the public health impacts of gas combustion from stoves and gas-powered assets, leading to a resolution to ban new residential development connections to gas infrastructure for health and climate protection.



IMPLEMENTATION HIGHLIGHTS:

- Advocacy for energy efficient technology in building codes, including filtration systems
- Adoption of resolution banning new gas connections for residential development

This letter accompanies Council resolution number _____

Dear Milwaukie residents,

As your City Council, we remain committed to addressing the most pressing issues impacting our community. We establish Council goals that guide our work and dedicate resources and capacity towards those priorities.

Recently, we met to discuss the many issues that impact Milwaukie residents and our immediate future. We examined past Council goals that have informed the work of the city, and considered potential areas that reflect the deep needs of our residents and unique opportunities for Milwaukie.

While we are proud to have identified three important goals in our Council resolution – **continued work on Climate, Equity and Parks** -- we understand that other critical areas were not selected as goals. However, we want to assure you that the Council will continue to advocate for issues that were not selected and work with you and community groups to make Milwaukie a thriving, equitable, and sustainable place to live, work, and play.

As we've met to finalize Council goals, we also considered several possible topics including Economic Development, Community Affordability, and the Removal of the Kellogg Creek Dam, which are all important to our community.

Real progress is being made with the removal of the dam in the administration of a \$15million grant for that purpose. That work has a staff person from the City of Milwaukie who is engaged in the project and works closely with partners to move toward the goal of dam removal and restoration of that area of our community. We are excited about this work and will continue to advocate individually around this long-term project.

In addition, we recognize that economic development and creating living-wage jobs are crucial to the success and vibrancy of our community. By attracting new businesses and supporting existing ones, we can help create job opportunities that provide a living wage and benefits for our residents. We are committed to working with our partners in the private sector to create a thriving and diverse economy that benefits all members of our community.

As a small city, we have a unique opportunity to work together to find solutions that work for everyone. Whether it's exploring new partnerships with local businesses, or advocating for policies that prioritize affordability, we are committed to doing everything we can to make our community a more affordable place to live. We know that affordability is not just about dollars and cents; it's also about quality of life. When people feel that they can afford the basics, they are able to focus on other important things like family, education, and community involvement. By working together, we can create a more affordable and prosperous future for our community.

We understand that affordability, particularly in housing, is a top concern for many members of our community. We believe that everyone should have access to safe and affordable housing, and we are committed to finding ways to help make that a reality. Ongoing work on housing affordability **is already included in the staff' workplan and** will continue for **several** years, including the preparation of a new Housing Capacity Analysis and Housing Production Strategy. That work contains several recommendations which **will** guide the city as we address housing availability, affordability, and quality.

We know that housing affordability is critical to the overall health of our community. When people can find affordable housing, they are better able to make ends meet, and they are more likely to stay in our community over the long term. This benefits us all.

We believe that by working together, we can create a more equitable, affordable, and prosperous future for our community. We thank you for your ongoing support and engagement in our identified Council goals and all these important issues.

Sincerely,

Your Milwaukie City Council