

Regular Session

RS

Milwaukie City Council

COUNCIL REGULAR SESSION

REVISED AGENDA

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

APRIL 2, 2024
(Revised March 29, 2024)

Council will hold this meeting in-person and through video conference. The public may attend the meeting by coming to City Hall or joining the Zoom webinar, or watch the meeting on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. **For Zoom login** visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-369>.

To participate in this meeting by phone dial 1-253-215-8782 and enter Webinar ID 895 1701 8421 and Passcode: 657661. 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.

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

- 2. **ANNOUNCEMENTS** (6:01 p.m.) **2**
 - A. **Police Chief Luke Strait's Farewell** (6:05 p.m.)
Staff: Ann Ober, City Manager

- 3. **PROCLAMATIONS AND AWARDS**
 - A. **Child Abuse Prevention Month – Proclamation** (6:20 p.m.) **4**
Staff: Tony Cereghino, Police Captain
 - B. **National Library Week – Proclamation** (6:30 p.m.) **5**
Staff: Brent Husher, Library Director

- 4. **SPECIAL REPORTS**
 - A. **Drug Addiction Problem – Remarks** (6:35 p.m.)
Presenter: Jackson Hall, Community Member

- 5. **COMMUNITY COMMENTS** (6:45 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 (6:50 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:** **10**
 1. **March 5, 2024, work session, and**
 2. **March 5, 2024, regular session.**
 - B. **Authorization of a Contract for Procurement Software – Resolution** **18**
 - C. **An Oregon Liquor and Cannabis Commission (OLCC) Application for Naphthali’s Catering, 6221 SE Furnberg Street – Off-Premises Sales** **22**
7. **BUSINESS ITEMS**
 - A. **Climate Friendly Equitable Communities Code - Update (7:00 p.m.)** **24**
 Staff: Laura Weigel, Planning Manager, and Ryan Dyar, Assistant Planner
8. **PUBLIC HEARINGS**
 - A. **Water System Development Charge Changes – Resolution (7:40 p.m.)** **124**
 Staff: Peter Passarelli, Public Works Director
9. **COUNCIL REPORTS (8:10 p.m.)**
 - A. **ODOT Letter for Council Consideration (8:25 p.m.)** **145**
 Presenter: Lisa Batey, Mayor
 - B. **City Manager Ann Ober’s Farewell (8:30 p.m.)**
 Presenter: Lisa Batey, Mayor
10. **ADJOURNMENT (8:45 p.m.)**

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

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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

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Announcements



Mayor's Announcements – April 2, 2024



- **Transportation System Plan: 2023-25 Update – Submit Feedback Online**
 - Provide feedback about the city's ongoing plan for improving how community members get around.
 - Visit **Engage Milwaukie** to participate – engage.milwaukieoregon.gov
- **Minthorn Wetland Volunteer Event – Sat., Apr. 13 (9:30 AM – 12 PM)**
 - Join the Wetlands Conservancy and Milwaukie Parks Foundation at their second Saturday work party.
 - Sign up to volunteer at www.wetlandsconservancy.org/upcoming-events
- **Volunteer! Earth Day 2024 – Sat., Apr. 20 (9 AM – 12:30 PM)**
 - City is hosting a volunteer event at Willow Place Natural Area (4699 Pennywood Dr.)
 - Volunteers will focus on removing invasive plants and planting native plants.
 - Register to volunteer at www.milwaukieoregon.gov/sustainability/earthday.
- **Prescription Drug Drop-Off and Document Shredding Day – Sat., Apr. 27 (10 AM – 2 PM)**
 - Volunteers will collect unused or expired prescription drugs.
 - Bring your sensitive documents for shredding. Remove staples and any other metal objects.
 - Public Safety Building (3200 SE Harrison St.) - Enter from Railroad Ave. and exit onto Harrison St.
- **LEARN MORE AT WWW.MILWAUKIEOREGON.GOV OR CALL 503-786-7555**

Time of Transition

Ann and Luke venture onward

They will be so missed

- Mayor Batey

Share your Milwaukie Haiku!

Email yours to bateyl@milwaukieoregon.gov



RS Agenda Item

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Proclamations & Awards



PROCLAMATION

WHEREAS child abuse is a tragedy that impacts the well-being of all, and

WHEREAS child abuse prevention programs require strong community partnerships, and

WHEREAS child abuse prevention requires a public commitment to create safe and nurturing environments for parents and guardians to raise their children, and

WHEREAS this community recognizes that children are our most valuable and vulnerable resources and are key to our prosperity and quality of life, and

WHEREAS by providing a healthy environment for our children, free of violence, abuse and neglect, we can help ensure that Milwaukie's children will grow to their full potential.

NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **APRIL 2024** to be **CHILD ABUSE PREVENTION MONTH** in Milwaukie and call upon all residents of this community to work to prevent child abuse.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 2nd day of April 2024.

Lisa M. Batey, Mayor

ATTEST:

Scott S. Stauffer, City Recorder



PROCLAMATION

WHEREAS libraries have long served as trusted institutions, striving to ensure equitable access to information and services for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status, and

WHEREAS libraries adapt to the ever-changing needs of their communities, developing and expanding collections, programs, and services that are as diverse as the populations they serve, and

WHEREAS libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals, and

WHEREAS libraries are an essential public good and fundamental institutions in democratic societies, working to improve society, protect the right to education and literacy, and promote the free exchange of information and ideas for all, and

WHEREAS libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week.

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 **APRIL 7-13, 2024**, to be **NATIONAL LIBRARY WEEK** in Milwaukie.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this **2nd** day of **April 2024**. During this week, I encourage all residents to visit our library and celebrate the adventures and opportunities they unlock for us every day. Ready, Set, Library!

Lisa M. Batey, Mayor

ATTEST:

Scott S. Stauffer, City Recorder



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Special Reports



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Community Comments

Dear Mayor Batey, Council President Massey, Councilors Stavenjord, Khosroabadi, Abma; and City Manager Ober

April 2, Regular Session, City Council - Agenda 5, Community Comment

Re: City Budget, priorities, and constraints.

I don't have to tell you ... that the City has pressing needs for basic government services such as safer and higher quality roads.... but that at the same time the people of Milwaukie are being stressed by the heightened costs of essentials, such as food, insurance, medical, utilities, other.

This is why I have been railing against the City's Climate Goal since the year 2016. The City has employed staff and consultants in numerous climate studies at a cost, I gather, that probably exceeds one million dollars.

The Climate Goal is in large part something a City might do if budgets were flush and the City had accomplished such basics as a good quality, safe transportation network. And this is especially so when, as now, City residents are stressed by the cost of living.

My hope is that, with the upcoming City Budget, you will dial back the Climate goal so that there is less need for raising fees and asking for tax increases.

I know dialing back the Climate goal will not look good to those viewing Milwaukie from the outside, at least given the present environmental lens that dominates Oregon's governance. And this is why the City might retain certain lower cost items of the Climate Goal such as tree planting programs so as to retain some Climate profile.

If the City were to dial back its Climate goal and thus create some savings for its other pressing needs such as transportation, then some moderate increases in like the SAFE fee and natural gas and electric utility license fees might be the best compromise for residents of the City.

I will end by saying that former Mayor Gamba talked of the City's Climate Goal as being about Milwaukie doing its share to combat climate change. I take this as an admission that the Climate Goal is not so much about achieving a certain material change to the benefit of Milwaukie residents.

But at a time when residents are being materially impacted by poor road quality, a long list of transportation infrastructure improvements, and ever higher costs of living – it seems rather obvious that the far-reaching ambitions of the Climate Goal should be dialed back.

Sincerely,
Elvis Clark
resident of the City of Milwaukie



RS Agenda Item

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Consent Agenda



COUNCIL WORK SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

MARCH 5, 2024

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

Staff Present: Joseph Briglio, Community Development Director
Justin Gericke, City Attorney
Adam Moore, Parks Development Coordinator
Ann Ober, City Manager
Peter Passarelli, Public Works Director
Tim Salyers, Code Compliance Coordinator
Scott Stauffer, City Recorder
Courtney Wilson, Urban Forester

Mayor Batey called the meeting to order at 4:06 p.m.

1. Tree Code Update – Discussion

Mayor Batey shared that the city had received a letter from the Arbor Day Foundation congratulating the city on winning the 2023 Tree City USA and Growth Award.

Wilson provided an explanation of what the city's tree code covered and the types of permits that were issued.

Salyers explained how the proposed tree code changes were developed. **Mayor Batey** and **Salyers** clarified why the redlined version of the code provided with the staff report looked the way that it did.

Wilson covered some proposed changes to the tree code and explained the next steps.

Councilor Abma asked how the tree code was created and **Passarelli** explained that the city had contracted with a consultant who had developed the tree code for the City of Tigard. **Abma** asked how the Tree Board functioned and **Passarelli** advised that the Board operated in an advisory capacity and shared how they had helped to develop the tree code. The group discussed the language found in the code that described the Board's operations. **Abma** asked for clarification on the proposed changes around staff role definitions, **Salyers** explained the changes were for organization purposes only.

Councilor Massey and **Mayor Batey** commented on the amount of public input the tree code had generated.

The group discussed how dead or diseased trees were tracked on development lots against the lidar data the city used to track tree canopy.

The group discussed the proposed change to remove the requirement to replant when removing a dead tree and discussed how to address the removal of invasive trees. **Mayor Batey** expressed concern with changes and how they might affect the city meeting its tree canopy goals. **Councilor Massey**, **Passarelli**, and **Batey** discussed how trees were added to the invasive tree list.

2. Neighborhood Park Projects – Update

Moore reported that the Neighborhood Park Projects had obtained all the required tree permits and that no healthy trees would be removed.

Moore provided an update on the parks projects by sharing an invitation to celebrate the construction kick-off, noting that starting March 11 fences would be going up at all three parks, and that due to the terrain, construction at Balfour Park would move slower than construction at Scott Park or Bowman-Brae Park.

Moore shared that the projects were under budget and staff were working to ensure that use it or lose it funds would be fully utilized. **Councilor Abma** asked what the difference was between park enhancements and amenities. **Moore** provided a list of the enhancements that were planned for Scott Park.

Mayor Batey asked about the installation of water fountains at each park and **Moore** explained that the fountains had water bottle fill features and dog bowls.

Councilor Abma and **Moore** discussed how staff were meeting the city's code requirement for 1.5% of project funding to be used on public art.

Moore presented a summary of the October 2023 community engagement results. **Mayor Batey** shared that there was a new skate park at Errol Heights Park in Portland and wanted to draw community members' attention to future discussions with North Clackamas Park and Recreation (NCPRD).

Moore shared the community engagement demographics and presented some economic impacts of park development.

Councilor Abma asked what impact, if any, did the median income demographic have on park design or development. **Moore** explained that the demographics were used for tracking the equity of public engagement and to learn how to remove barriers from public engagement efforts and that because of the city's equity work in engagement, staff were able to obtain additional grant funding.

3. Adjourn

Mayor Batey announced that after the meeting Council would meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Mayor Batey adjourned the meeting at 5:15 p.m.

Respectfully submitted,

Nicole Madigan, Deputy City Recorder

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukeeoregon.gov)

MINUTES

MARCH 5, 2024

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

Staff Present: Brandon Boutros, Civil Engineer
Joseph Briglio, Community Development Director
Jennifer Garbely, City Engineer
Justin Gericke, City Attorney
Ann Ober, City Manager

Scott Stauffer, City Recorder
Jeff Tolentino, Assistant City Engineer
Jason Wachs, Community Engagement
Coordinator

Mayor Batey called the meeting to order at 6:02 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Batey announced upcoming activities, including a neighborhood parks construction kick-off event, Ledding Library events, a repair fair, a state transportation projects open house, and natural area clean-up events.

Ober announced that Police Chief Luke Strait would retire in early April, and Police Captain Ryan Burdick had been named the new chief.

Mayor Batey introduced a new part of regular session meetings, the reading of a Haiku poem, and invited the community to submit poems. **Batey** read a self-written Haiku.

3. PROCLAMATIONS AND AWARDS

A. ~~Women's History Month – Proclamation~~ (removed from the agenda)

Mayor Batey noted the proclamation had been rescheduled to the March 19 regular session.

4. SPECIAL REPORTS

A. 2023 Volunteer of the Year Award Selection

Wachs reviewed the award's history, nomination process and criteria, and noted how award recipients were recognized.

Council introduced the nominees and commended the nominees for their service. The nominees were Robby Bricker-Voyles, Christi Cawood, Pam Denham, Terri Geier-Bridell and Pam Denham, Heather Hobson, Charlotte Navarre, Stephanie Pino-Hess, Samantha Swindler, Dennis Ward, and Steven Watkins.

Council participated in an online ranked choice voting process. **Mayor Batey** announced that Samantha Swindler was the 2023 Volunteer of the Year award recipient and **Wachs** noted when Swindler would be recognized.

B. 29th Avenue Greenway – Report

Garbely provided an overview of the history of the 29th Avenue Greenway including a 2022 technical study conducted by Kittelson & Associates.

Boutros and **Garbely** discussed the city's use of the Manual of Uniform Traffic Control Devices (MUTCD) criteria for street projects like the 29th Avenue Greenway, noting staff's evaluation of 29th Avenue's need for stop signs and the number of crash incidents reported on all Milwaukie greenways. They remarked on existing conditions on 29th Avenue and what signage was called for based on the city's Transportation System Plan (TSP) street type designation. They reported that staff had concluded the 29th Avenue Greenway was functioning as it should, and no further signage was necessary. They reviewed other safety solutions such as revising the TSP to call for infrastructure on greenways or using the city's Spot program to fund enhancements on 29th Avenue.

Council President Massey asked if traffic speed had been measured on the streets that cross 29th Avenue. **Jamestaun Kraupp**, engineering consultant with Kittelson & Associates, reported that most traffic speeds taken for the study had been on 29th Avenue. **Massey** remarked that the side street traffic speed might be the issue.

Councilor Khosroabadi and **Garbely** remarked on whether the city could install stop signs on 29th Avenue regardless of what the MUTCD called for. **Garbely** stated that stop signs would require an engineering study to document the need for a sign.

Mayor Batey remarked on what a shared roadway versus a greenway designation meant for priority travel given to cyclists. **Garbely** and **Batey** commented on whether street designation supported the installation of stop signs. **Councilor Khosroabadi** and **Garbely** noted that a greenway designation did not require a stop sign being installed.

Mayor Batey announced that Council would take public comment.

Milwaukie residents **Ramona and Danielle Franding** and **Caroline Sherman** asked the city to install stop signs along the 29th Avenue Greenway to address safety concerns.

Jacob Sherman, Bike Milwaukie, remarked on the intent of cities designating greenways, noted infrastructure that could come with a greenway designation, and encouraged Council to direct staff to install stop signs along the 29th Avenue Greenway.

Milwaukie resident **Luke Johnson**, Ardenwald-Johnson Creek Neighborhood District Association (NDA) Chair **Chris Holle-Bailey**, and Milwaukie residents **Pam Denham**, **Elvis Clark**, **Will Anderson**, **Erik Yowshaw**, **Lisa Gunion-Rinker**, **Taylor Pasquariello**, **Beatrice MacLeod**, **Eric Fosgard**, **Ana Tijerina Esquino**, **Avarie Fitzgerald**, **JP Brock**, **Diana Gregg**, and **Maitri Dirmeyer**, remarked on cyclist and pedestrian safety concerns and traffic infrastructure requirements, and encouraged the city to install greenway markers, stop signs, and traffic calming devices along the 29th Avenue Greenway.

Councilor Abma left the meeting at 8:01 p.m. and returned at 8:03 p.m.

Mayor Batey recessed the meeting at 8:05 p.m. and reconvened at 8:16 p.m.

B. 29th Avenue Greenway – Report (continued)

Ober reviewed traffic safety projects the city had done, noted staff's personal commitment to making Milwaukie safer, and observed that Council could direct staff to prioritize projects.

Garbely agreed that infrastructure improvements could be done on the 29th Avenue Greenway, reiterated staff's concerns about installing stop signs, and suggested there were other traffic calming devices to employ before stop signs.

Councilor Abma, Garbely, and Kraupp commented on unintended consequences of installing stop signs and noted that installing a sign did not mean drivers would pay attention to it. **Abma** and **Kraupp** remarked on how the traffic study had analyzed the use of stop signs at two-way or four-way intersections. The group discussed whether the installation of stop signs would create a false sense of safety that would encourage drivers to speed between stop signs and accelerate unsafely. They remarked on the available data regarding greenway and side street vehicle traffic.

Councilor Khosroabadi and Garbely commented on the desirability of having a neighborhood street see 1,500 vehicles per day as suggested in the 29th Avenue traffic study and the MUTCD standards. **Ober** and **Khosroabadi** remarked on housing density decisions made by Council and the Planning Commission that would impact the number of vehicles traveling on greenways.

Councilor Khosroabadi asked if the city could decide to include stop signs in greenway standards. **Kraupp** reported that the MUTCD and other transportation guidance documents allowed cities to make local decisions. **Mayor Batey** asked if other guidance documents could help determine what to do on 29th Avenue Greenway and **Kraupp** suggested staff would need to look for those documents.

Councilor Khosroabadi asked about the city's legal liability if stop signs were installed on a greenway. **Gericke** observed that a stop sign installed without the concurrence of the city engineer could create an insurance and liability risk. **Garbely** noted that the TSP was a planning document that did not necessarily consider engineering analysis.

Councilor Stavenjord appreciated the community members who had commented and suggested that staff and the community wanted the same thing: traffic safety on greenways, although there were disagreements about what signage or infrastructure to install. **Stavenjord** suggested the city find solutions to the shared safety concerns.

Mayor Batey remarked on the MUTCD's use of "should" and "shall" in providing guidance for traffic infrastructure and observed that the city's existing street infrastructure improvement programs did not include all needed projects and that the city's risk of being sued after an incident happens on 29th Avenue had increased because of the present conversation. **Batey** agreed the TSP was a planning document and that Council may need to adopt an ordinance to affect traffic changes.

Councilor Abma agreed with Councilor Stavenjord's comments and remarked on whether stop signs should be installed on the 29th Avenue Greenway or if it would be appropriate to better mark the street as a greenway. **Abma** expressed uncertainty about using Spot program funding for 29th Avenue over other needed safety improvements.

Ober reported that staff had not yet defined the Spot program but would be working on it with the city's Public Safety Advisory Committee (PSAC). The group discussed how funding from the Spot program should be used and noted the status of safety improvements installed at the Harvey Street and 40th Avenue intersection.

Council President Massey believed the city should put stop signs on 29th Avenue with additional signage that indicates it was a greenway as a short-term pilot trial. **Mayor Batey** agreed with Massey but was concerned about going against the city engineer's professional opinion. **Massey** and **Councilor Abma** remarked on whether the city was

required to follow the MUTCD's standards. **Abma** and **Batey** were interested in a short-term stop sign trial and were concerned about going against the staff recommendation.

Councilor Stavenjord was concerned about signs being put up and taken down and expressed support for installing less technical signs that would inform a driver they were on a greenway. **Garbely** and **Ober** observed that stop signs alone wouldn't make 29th Avenue feel like a greenway and that once installed it was rare to take down a stop sign.

Councilor Khosroabadi supported installing greenway signs first to see if they have an impact and then revisit if stop signs were needed, and remarked on the purpose of the TSP and how the city should address greenway concerns in a way that builds community and staff trust.

Council President Massey acknowledged concerns about putting up stop signs and suggested the city start with greenway signs. **Garbely** and **Ober** agreed with putting greenway signs up and noted other infrastructure devices staff could look at installing.

Mayor Batey and **Ober** noted that Council would revisit the 29th Avenue Greenway and Spot program conversations. **Councilor Stavenjord** and **Ober** noted how the upcoming budget process and end of the current fiscal year would impact Spot program funding.

Councilor Abma encouraged staff to bring proposals for the Greenway that could be acted on quickly. **Garbely** suggested staff would bring options that could be done quickly.

5. COMMUNITY COMMENTS

Mayor Batey reviewed the comment procedures and noted that no audience member wished to speak to Council. **Stauffer** reported that written correspondence had been received from Milwaukie resident David Chitsazan regarding the Israeli-Palestinian conflict. **Ober** reported that Council members were drafting a resolution regarding the conflict that would likely be scheduled for a meeting in April.

6. CONSENT AGENDA

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

A. City Council Meeting Minutes:

1. February 6, 2024, work session,
2. February 6, 2024, regular session, and
3. February 8, 2024, special session.

B. Resolution 8-2024: A resolution of the City Council of the City of Milwaukie, Oregon, making an appointment to the Planning Commission.

C. Resolution 9-2024: A resolution of the City Council of the City of Milwaukie, Oregon, making an appointment to the Transportation System Plan Advisory Committee (TSPAC).

D. Resolution 10-2024: A resolution of the City Council of the City of Milwaukie, Oregon, granting an exemption from property taxes under ORS 307.540 to ORS 307.548 for a 28-unit low-income housing development owned and operated by Northwest Housing Alternatives, Inc.

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

7. BUSINESS ITEMS

A. Milwaukie Bay Park Parking – Discussion

Ober reported on a staff meeting with the Oregon State Marine Board (OSMB) about adjustments that could be made to improve available parking at the park, noting that OSMB was open to changing the stalls on the south end of the park near the Clackamas County Water Environment Services (WES) facility. **Ober** also reported that OSMB would allow the city to distribute parking passes to residents and charge non-residents for parking, and that OSMB was now funded by motorboat users and kayakers which would change what the city could do regarding parking.

Council President Massey supported the proposed ideas and commented on the feasibility of distributing a parking permit to residents. The group remarked on whether distributing passes would end up generating more interest in parking at the park.

Mayor Batey believed the city should charge everyone or no one until the parks district discussion was resolved. **Batey** and **Ober** commented on how the improved parking stalls would work and what a charging program would take to implement.

Councilor Khosroabadi supported letting residents have free parking at the park while charging non-residents. **Mayor Batey**, **Khosroabadi**, and **Ober** commented on the implementation and use of parking permits at the park.

Ober summarized that Council supported staff looking into the parking options that OSMB supported and how much revenue parking programs could generate. **Briglio** and **Ober** noted that OSMB had declined to let the city buy the state out of the intergovernmental agreement (IGA) that the city and OSMB had signed to complete the park in 2015.

8. PUBLIC HEARING

A. None Scheduled.

Stauffer noted the time and that the Milwaukie Municipal Code (MMC) required Council to vote to extend the regular session past 10:00 p.m. if necessary.

9. COUNCIL REPORTS

A. Clackamas Cities Association (CCA) Dinner – Discussion (continued)

Stauffer asked for Council feedback on what topic should be presented at the CCA dinner. The group discussed topics for the dinner presentation, including housing, childcare, the Clackamas County Sheriff's Office 23-hour stabilization center, and giving tours of the new city hall building. It was Council consensus that the CCA dinner in June, hosted by Milwaukie, would include a city staff led report on middle housing projects and development incentives.

B. Legislative and Regional Issues – Discussion

The group noted that the state legislature's 2024 session was on track to adjourn early.

Council Reports

Mayor Batey and **Councilor Abma** noted they would be absent from the April 16, 2024, meetings.

10. ADJOURNMENT

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

Mayor Batey adjourned the meeting at 9:57 p.m.

Respectfully submitted,

Scott Stauffer, City Recorder

COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, city manager

Reviewed: Michael Osborne, finance director

From: Kelli Tucker, accounting & contracts specialist

Subject: **Procurement Software Contract Authorization**

Date Written: Mar. 18, 2024

ACTION REQUESTED

Council is asked to authorize the city manager to execute a contract with Bonfire Interactive Ltd. to provide a software as a service solution for competitive public solicitations of goods and services.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

2011: The city contracted with a web designer (aHa! Consulting) to develop its current bid management system, which has since been acquired by other corporations twice and is currently hosted by CivicPlus.

February 2024: staff issued a formal, competitive solicitation for a cloud-based procurement software solution to replace the existing bid system.

ANALYSIS

The city is decentralized in its procurement of goods and services; therefore, each department manages their own solicitations, including the creation of solicitation documents, answering questions from prospective bidders, evaluating criteria, and posting related notices. Finance staff acts as a resource, guide and contract quality control check to all departments throughout the procurement process to ensure compliance, while also creating templates and resources that create efficiencies in repetitive processes.

The city's current bid system meets the minimum requirement of providing a public-facing platform to post solicitation documents and notices but offers few efficiencies to the administrative process and there are no enhancements forecasted by the current provider. As a result, staff must administer several manual processes with every solicitation, including receipt of bid submissions via email or paper format and creating evaluation forms to fit specific criteria. Also, prospective contractors receive auto-generated email notices for every solicitation step, even if a solicitation is outside of their scope of work – this is due to the bid system not being able to categorize work types when businesses register. An intuitive and well-designed software system is needed to streamline the city's procurement processes and create a better experience for prospective contractors.

In the formal solicitation issued in February, staff requested a software to help develop, administer, and manage online procurement processes, while offering an expansion of features not presently available in the current system. An internal team consisting of members from finance, community development, information technology (IT), city recorder, public works, and

the strategic engagement team made up the selection panel who developed the scope of services, evaluated proposals, and viewed software demonstrations.

Staff received four proposals with one proposal being non-responsive due to late submittal. The selection panel performed an initial review of the three responsive proposals and invited each to demonstrate capabilities of their software. Scores from each evaluator were combined for the criteria (qualifications, service approach, service timeframe, pricing, certification with the Oregon Certification Office for Business Inclusion and Diversity (COBID)) and software demonstrations. Bonfire software was the highest-ranked proposer and is intended for award. The proposed contract will be for an initial five-year term with an option to renew for two additional five-year terms.

With the Bonfire procurement software, staff and prospective contractors can expect enhanced features and functionality to support increased automation and administrative efficiencies, including but not limited to:

- Customized portal with city branding
- In-platform, electronic submission of bids/proposals
- Real-time status display with all actions date and time stamped
- Staff access to scope-of-work library and cooperative contracts
- Enhanced bidder registration form with customizable fields, including commodity codes and license/certification details
- Side-by-side bid tabulations and customizable evaluation forms (created in-platform)
- Ability to invite selected registered contractors for intermediate procurements
- Template document library
- Administrative reporting features

Implementation of the cloud-based procurement software will be completed in June with the city transitioning away from the current bid system by fiscal year end. Prospective contractors will be asked to register in the new system to help create a current list and to collect detailed business information, such as applicable COBID-certification, Construction Contractors Board license information, and categories of goods and services offered.

BUDGET IMPACT

The first year of software access and implementation services are budgeted within the IT department for the 2023-2024 biennium budget and will be \$3,800 under budget. IT will plan for future year expenses of this software in upcoming budgets, with the initial five-year term not exceeding \$78,000.

CLIMATE IMPACT

None.

EQUITY IMPACT

In selecting a new procurement software, one goal set was to identify accessibility gaps with the current bid system and find more opportunities to attract and solicit disadvantaged businesses. This goal was set based on the feedback received from businesses participating in a procurement workshop for the city's equity assessment completed in 2023 by Keen Independent Research (see page 9 of the [summary report](#)). Participating businesses were asked to give their impressions of diversity, equity, and inclusion in the city's procurement processes and comment on the current bid system. Some comments included:

- Ensuring the city was reaching out to COBID-certified businesses through the state’s directory and soliciting from businesses not previously contracted with the city;
- Making sure smaller businesses are given a chance to earn the city’s contracts; and
- Preference to not receive notifications for projects that are not relevant to the services provided by a business.

With Bonfire software, staff will be able to achieve this goal through customizing the contractor registration form to include information that is worthwhile and increase opportunities for city departments to contract with disadvantaged and smaller businesses. Businesses registering in the new system will be able to select applicable commodity codes, ensuring they receive automated notifications of any solicitation which pertains to their offered services. Also, businesses will be asked to indicate whether they are COBID-certified, thus creating our own internal listing of state-certified minority-owned, women-owned, veteran-owned, and emerging small business enterprises and providing yet another way for staff to easily locate and solicit goods and services from these businesses.

Additionally, the Bonfire software can be displayed in Spanish, Portuguese, French, English, and Russian, allowing users to view the software in up to five different language options.

WORKLOAD IMPACT

The accounting & contracts specialist will assume most of the workload impact for transition and implementation of the new software. Some workload will be required of staff to train on use of the software’s features and functionality.

COORDINATION, CONCURRENCE, OR DISSENT

IT manager, community development director, city recorder, accounting technician, public works administrative specialist, and equity and inclusion coordinator concur with the recommendation.

STAFF RECOMMENDATION

Staff recommend that Council, acting as the Local Contract Review Board, authorize the city manager to sign a contract with Bonfire Interactive Ltd. for an initial five-year term of the Bonfire procurement software solution, including the option to renew for two additional five-year terms.

ALTERNATIVES

Council may reject the proposed contract award and direct staff to issue another formal solicitation for procurement software; or reject the proposed contract award and direct staff to retain the current bid system.

ATTACHMENTS

1. Resolution



COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, AUTHORIZING A CONTRACT WITH BONFIRE INTERACTIVE LTD. FOR SOFTWARE AS A SERVICE TO SUPPORT COMPETITIVE PUBLIC SOLICITATIONS OF GOODS AND SERVICES.

WHEREAS the city requires a software platform to publicly post formal competitive solicitations of goods and services, and

WHEREAS in 2011, the city contracted a web designer to develop its current bid system, which has since been acquired twice by other software providers, and

WHEREAS staff identified the need to increase administrative efficiencies and enhance functionality in the city’s solicitation processes, and

WHEREAS staff issued a formal competitive solicitation in compliance with the city’s Public Contracting Rule 30.000 to solicit a software that helps develop, administer, and manage online procurement, and

WHEREAS Bonfire Interactive Ltd. was selected as the software solution most qualified to meet the city’s requirements and to support increased automation and administrative efficiencies for competitive solicitations of goods and services.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, that the city manager or their designee is authorized to execute a software as a service contract, including up to two 5-year renewal terms and any subsequent documents, with Bonfire Interactive Ltd. for the Bonfire procurement software solution.

Introduced and adopted by the City Council on **April 2, 2024.**

This resolution is effective immediately.

Lisa M. Batey, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney



MILWAUKIE POLICE DEPARTMENT

Memorandum

To: Mayor Batey and Milwaukie City Council
From: Luke Strait, Police Chief *LS*
Through: Ann Ober, City Manager
Date: March 21, 2024
Re: OLCC Application – Naphtali’s – 6221 SE Furnburg St, Milwaukie

Action requested:

It is respectfully requested the council approve the OLCC application for Naphtali’s located at 6221 SE Furnberg St. 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. 14, 2024

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

From: Ryan Dyar, Assistant Planner

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

ACTION REQUESTED

Council is asked to provide feedback on the package of code amendments proposed to comply with recent changes to state administrative rules related to how jurisdictions regulate off-street parking.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

ANALYSIS

Recap of CFEC and Parking Regulation Requirements

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

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

Proposed Amendments

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

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

Attachments 1b and 1c contain a draft of the code amendments that would remove minimum automobile parking quantity requirements and references to required automobile parking from the zoning code. The proposed amendments also implement the provisions of [OAR 660-012-0405](#), which collectively aim to promote parking efficiency, ensure pedestrian safety, and mitigate the negative impacts of automobile parking infrastructure. Specifically, the rule requires that development codes ensure carpool/vanpool spaces have prioritized placement in new developments, that they encourage shared parking, and that they require that builders account for the drawbacks of large newly constructed or reconstructed surface parking lots (those over ½ acre in size) by providing shade trees or by investing in green energy. With regards to carpool/vanpool and shared parking requirements, the Milwaukie Municipal Code (MMC) already complies with the new rules.

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

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

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

Bicycle Parking Quantity and Development Requirements

The proposed amendments aim to update the city's bicycle parking requirements to align with new administrative rules—see requirements in [OAR 660-012-0630](#)—and to tackle longstanding challenges identified by staff within the existing code (see [staff report](#) from July 25, 2023 work session with Planning Commission for full details about the existing challenges and solutions).

The amendments establish new minimum bicycle parking quantity standards and land-use categories. The proposed standards utilize factors such as employee density, visitation rates, and desired bicycle trip mode split to calculate bicycle parking. Currently, the minimum number of bicycle parking spaces for new and redeveloping commercial, industrial, and community service uses is derived from the minimum number of required vehicle parking spaces. With the elimination of minimum vehicle parking requirements, the city requires a new approach to ensure an adequate quantity of bicycle parking spaces. New land-use categories are introduced to replace existing designations, which are outdated and overly complex.

Another key aspect of the proposed amendments is the clarification of short-term and long-term parking requirements. The proposed code includes a clear distinction between the two, with a mandate for a minimum of two short-term and two long-term spaces for all land use. Presently, long-term requirements apply only to multi-unit developments, when ten percent of vehicle parking is covered, or when ten or more bicycle spaces are required. This change ensures that all new developments provide sufficient bicycle parking options for both short-term visitors and long-term users.

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

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

Updating Language for Consistency and Minor Non-CFEC Code Corrections

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

Additionally, Attachment 1b and 1c include code corrections to MMC 19.607 to clarify the city's interpretation of certain off-street parking standards for single-detached units and plex development. Notably, these corrections include the allowance of a fourth off-street parking space for quadplexes, which can be situated in the required front yard. Single detached units, duplexes, and triplexes are limited to three spaces in the required front yard.

BUDGET IMPACT

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

CLIMATE IMPACT

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

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

EQUITY IMPACT

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

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

The cost of providing off-street parking is typically embedded in the overall cost of development and therefore hidden in the total cost of rents, mortgage payments, goods, and services. Everyone

ends up paying, regardless of whether they use the parking; this is especially harmful to lower-income households who are [less likely to own or have access to](#) an automobile.

WORKLOAD IMPACT

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

COORDINATION, CONCURRENCE, OR DISSENT

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

STAFF RECOMMENDATION

Staff requests feedback from Council in anticipation of the hearing scheduled on May 21, 2024.

ATTACHMENTS

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



COUNCIL ORDINANCE No.

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

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

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

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

WHEREAS on March 12, 2024, the Planning Commission conducted a public hearing as required by MMC 19.1008.5 and adopted a motion in support of the amendments, and

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

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

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

Section 2. Amendments. The MMC is amended as described in Exhibit B (underline/strikeout version), and Exhibit C (clean version).

Section 3. Effective Date. The amendments shall become effective 30 Days from the date of adoption.

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

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

Signed by the Mayor on _____.

Lisa Batey, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney

**Recommended Findings in Support of Approval
File #ZA-2022-005
Climate Friendly and Equitable Communities Parking Code Amendments**

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

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

- Section 19.603 Review Process and Submission Requirements
 - Section 19.604 General Parking Standards
 - Section 19.605 Vehicle Parking Quantity Requirements
 - Section 19.606 Parking Area Design and Landscaping
 - Section 19.607 Off-Street Parking Standards for Residential Areas
 - Section 19.608 Loading
 - Section 19.609 Bicycle Parking
 - Section 19.610 Carpool and Vanpool Parking
 - Section 19.611 Parking Structures
 - Chapter 19.900 LAND USE APPLICATIONS
 - Section 19.901 Introduction
 - Section 19.905 Conditional Uses
 - Section 19.910 Residential Dwellings
4. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
- MMC Section 19.902 Amendments to Maps and Ordinances
 - MMC Chapter 19.1000 Review Procedures
5. Sections of the MMC not addressed in these findings are found to be not applicable to the decision on this land use application.
6. The application has been processed and public notice provided in accordance with MMC Section 19.1008 Type V Review. Public hearings were held on March 12, 2024, and May 21, 2024, as required by law.
7. MMC Chapter 19.1000 establishes the initiation and review requirements for land use applications. The City Council finds that these requirements have been met as follows.
- a. MMC Subsection 19.1001.6 requires that Type V applications be initiated by the Milwaukie City Council, Planning Commission, Planning Manager, or any individual.
- The amendments were initiated by the Planning Manager on December 29, 2022.*
- b. MMC Section 19.1008 establishes requirements for Type V review. The procedures for Type V Review have been met as follows:
- (1) Subsection 19.1008.3.A.1 requires opportunity for public comment.
- As detailed below, multiple opportunities for public comment and review have been provided. The draft amendments were first posted to the city's website on January 13, 2023. Planning staff notified all NDA chairs and Land Use Committee members about the proposed code amendments via email on January 17, 2023. The Planning Commission held a work session on January 10, 2023, to discuss the proposed amendments. A public hearing was held on February 14, 2023, where the Planning Commission adopted a motion recommending that the City Council approve the draft*

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

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

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

A notice of Planning Commission's February 14, 2023, hearing was posted as required on January 13, 2023. A notice of Planning Commission's March 12, 2024, hearing was posted on February 8, 2024. A notice of City Council's May 21, 2024, hearing was posted on April 21, 2024.

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

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

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

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

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

Notice of the proposed amendments was sent to Metro on January 10, 2023. A revised notice was sent to Metro on February 6, 2024.

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

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

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

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

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

8. MMC 19.902 Amendments to Maps and Ordinances

MMC 19.902.5 establishes requirements for amendments to the text of the zoning ordinance. The City Council finds that these requirements have been met as follows.

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

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

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

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

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

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

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

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

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

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

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

SECTION 6: Climate Change & Energy Goals and Policies

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

GOAL 6.1 - BUILT ENVIRONMENT

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

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

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

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

SECTION 7: HOUSING GOALS AND POLICIES

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

GOAL 7.3 Sustainability

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

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

SECTION 8: URBAN DESIGN & LAND USE GOALS & POLICIES

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

GOAL 8.2 – Livability

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

POLICY 8.2.2 Parking design policies:

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

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

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

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

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

The proposed amendments implement OAR 660-012-0400 – OAR 660-012-0450, which relate to how local jurisdictions regulate off-street automobile parking. The amendments to the Transportation Planning Rule are intended to reduce

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

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

The proposed amendments were sent to Metro for comment. Metro did not identify any inconsistencies with the Metro Urban Growth Management Functional Plan or relevant regional policies. The proposed code amendments comply with Metro's Functional Growth Management Plan.

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

Oregon Statewide Planning Goal 12: Transportation

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

The proposed amendments were sent to the Department of Land Conservation and Development (DLCD) for comment. DLCD did not identify any inconsistencies with relevant State statutes or administrative rules.

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

Relevant federal regulations are those that address land use, the environment, or development in the context of local government planning. Typically, regulations such as those set forth under the following acts may be relevant to a local government land use process: the Americans with Disabilities Act, the Clean Air Act, the Clean Water Act, the Endangered Species Act, the Fair Housing Act, the National Environmental Policy Act, the Religious Land Use and Institutionalized Persons Act, and the Resource Conservation and Recovery Act. None of these acts include regulations that impact the subject proposal or that cannot be met through normal permitting procedures. Therefore, the proposal is found to be consistent with federal regulations that are relevant to local government planning.

Underline/Strikeout Amendments

TITLE 19 ZONING

CHAPTER 19.200 DEFINITIONS AND MEASUREMENTS

19.201 DEFINITIONS

As used in this title:

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

CHAPTER 19.300 BASE ZONES

19.303 COMMERCIAL MIXED-USE ZONES

19.303.3 Development Standards

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

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

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

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

1. Residential edge treatments apply to properties as shown in Figure 19.303.5.
2. Commercial edge treatments apply to properties as shown in Figure 19.303.4.C.2.b.

19.303.6 Additional Provisions

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

B. Section 19.600 Off-Street Parking and Loading

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

19.304 DOWNTOWN ZONES

MMC 19.304.4 Development Standards

Table 19.304.4 CONTINUED Downtown Zones—Summary of Development Standards			
Standard	DMU	OS	Standards/ Additional Provisions
B. Development Standards CONTINUED			
3. Street setbacks (ft) 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
4. Off-street parking <u>standards</u> <u>required</u>	Yes, where applicable	Yes, where applicable	Subsection 19.304.5.D Off-Street Parking Chapter 19.600 Off-Street Parking and Loading

MMC 19.304.5 Detailed Development Standards

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

D. Off-Street Parking

1. Intent

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

2. Standards

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

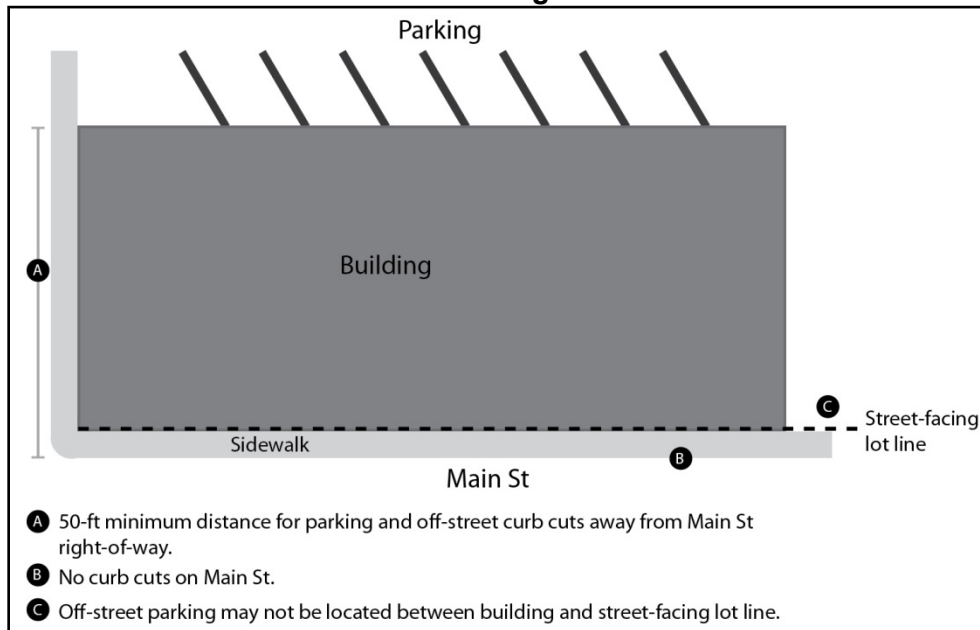
~~ab. No off-street parking is required for nonresidential uses. If off-street parking is provided for residential or nonresidential uses, the parking maximums in Table 19.605.1 will apply. All other applicable standards of Chapter 19.600 will also apply.~~

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

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

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

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



19.310 BUSINESS INDUSTRIAL ZONE BI

19.310.5 Conditional Uses

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

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

19.310.6 Standards

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

H. Landscaping

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

19.312 NORTH MILWAUKIE INNOVATION AREA

19.312.5 Development Standards

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

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

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

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.504 SITE DESIGN STANDARDS

19.504.7 On-Site Walkways and Circulation

A. Requirement

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

19.505 BUILDING DESIGN STANDARDS

19.505.3 Multi-Unit Housing

D. Design Guidelines and Standards

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

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

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

19.505.4 Cottage Cluster Housing

C. Development Standards

The standards listed below in Table 19.505.4.C.1 are the applicable development and design standards for cottage cluster housing. Additional design standards are provided in Subsection 19.505.1.

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

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

E. Site Design and Other Standards

4. Off-Street Parking

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

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

CHAPTER 19.600 Off-Street Parking and Loading

19.601 PURPOSE

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

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

19.602 APPLICABILITY

19.602.1 General Applicability

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

19.602.3 Applicability for Development and Change in Use Activity

The provisions of Chapter 19.600 apply to development and changes of use as described in Subsection 19.602.3.

A. Development of a vacant site shall have off-street parking and off-street loading areas that conform to the requirements of Chapter 19.600. Development of a site that results in an increase of 100% or more of the existing floor area and/or structure footprint on a site shall also conform to the requirements of Chapter 19.600. The construction of new off-street parking spaces may be subject to the electric vehicle charging requirements of Subsection 19.605.5. The floor area and/or footprint of structures demolished prior to development or redevelopment on the site shall not be considered when calculating the increase in floor area and/or structural footprints.

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

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

19.602.4 Applicability Not Associated With Development or Change in Use

A. Any parking or loading area developed to serve an existing use(s) that is not associated with development activity or a change in use described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611, as well as to the electric vehicle (EV) charging requirements of Subsection 19.605.45 as applicable. The total number of spaces in the existing parking area and new parking area shall not exceed the maximum allowed quantity of parking as established in Section 19.605. Any parking area that is ¼-acre or larger or becomes a ¼-acre or larger through added parking must comply with Subsection 19.606.4 when 50% or more of the existing asphalt or pavement is excavated for parking improvements.

B. Any parking or loading area that is not developed to serve an existing use and is not associated with development activity or a change in use as described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611. The requirements of Section 19.605 do not apply to parking areas described under Subsection 19.602.4.B. Any parking area that is ¼-acre or larger or becomes a ¼-acre or larger through added parking must comply with Subsection 19.606.4 when 50% or more of the existing asphalt or pavement is excavated for parking improvements.

19.602.5 Improvements to Existing Off-Street Parking and Loading Areas

A. Purpose

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

B. Limitations on Required Improvements

The cost of materials for any required improvements shall not exceed 10% of the development permit value of the associated development, redevelopment, and/or tenant improvements associated with a change in use. The cost of capital equipment such as manufacturing or operational equipment is exempt from the building permit value for

purposes of this regulation. This exemption does not include building infrastructure such as electrical, plumbing, heating, venting, or air conditioning equipment.

C. Areas of Required Improvement

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

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

19.603 REVIEW PROCESS AND SUBMITTAL REQUIREMENTS

19.603.1 Review Process

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

19.603.2 Submittal Requirements

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

- A. Delineation of individual spaces and wheel stops.
- B. Drive aisles necessary to serve spaces.
- C. Accessways, including driveways and driveway approaches, to streets, alleys, and properties to be served.
- D. Pedestrian pathways and circulation.
- E. Bicycle parking areas and rack specifications.
- F. Fencing.
- G. Abutting land uses.
- H. Grading, drainage, surfacing, and subgrading details.
- I. Location and design of lighting fixtures and levels of illumination.

- J. Delineation of existing and proposed structures.
- K. Parking and loading area signage.
- L. Landscaping, including the following information.
 - 1. The location and area of existing and proposed trees, vegetation, and plant materials, including details about the number, size, and species of such items.
 - 2. Notation of the trees, plants, and vegetation to be removed, and protection measures for existing trees and plants to be preserved.

(Ord. 2025 § 2, 2011)

19.604 GENERAL PARKING STANDARDS

19.604.1 Parking Provided with Development Activity

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

19.604.2 Parking Area Location

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

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

19.604.3 Use of Parking Areas ~~Converting Off-Street Parking Areas~~

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

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

~~19.604.4 Storage Prohibited~~

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

19.605 VEHICLE PARKING QUANTITY REQUIREMENTS

The purpose of Section 19.605 is to ensure that development provides adequate, but not excessive, does not provide excessive vehicle parking based on their estimated parking demand. Subsection 19.605.1 establishes parking ratios for common land uses, and Subsection 19.605.3 allows certain exemptions and reductions to these ratios based on location or on-site amenities. Subsection 19.605.45 details requirements for installing electric vehicle (EV) charging infrastructure in new multi-unit, mixed-use, commercial, and industrial developments. Modifications to the established parking ratios and determinations of parking requirements for unique land uses are allowed with discretionary review per Subsection 19.605.2.

19.605.1 ~~Minimum and Maximum Requirements~~ Parking Maximums

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

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

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

Table 19.605.1 CONTINUED		
Minimum To Maximum Off-Street Parking Standards Requirements		
Use	Minimum Required	Maximum Allowed
B. Community Service and Other Public Uses		
1. Religious institutions.	1 space per 4 seats.	1 space per 2 seats.
2. Day-care center (“family day-care” as defined in Section 19.201 has no parking requirements).	2 spaces per 1,000 sq ft of floor area.	3.5 spaces per 1,000 sq ft of floor area.
3. School—elementary or junior high.	1 space per classroom.	2 spaces per classroom.
4. School—senior high.	0.25 spaces per student, plus 1 space per staff.	0.33 spaces per student, plus 1 space per staff.
5. Meeting room, club, lodge, or association.	5 spaces per 1,000 sq ft of floor area, or 1 space per 4 seats if seats are permanently installed.	16.66 spaces per 1,000 sq ft of floor area, or 1 space per 3 seats if seats are permanently installed.
6. Library, museum, art gallery.	1 space per 1,000 sq ft of floor area.	1.2 spaces per 1,000 sq ft of floor area.
7. Nursing, convalescent, and extended-care facilities.	1 space per 4 beds.	1 space per 3 beds.
C. Lodging Places		
1. Motel, hotel, boarding house.	1 space per lodging unit.	1.5 spaces per lodging unit.
2. Bed and breakfast establishments.	1 space per lodging unit, plus 1 space for the permanent residence.	1.5 spaces per lodging unit, plus 2 spaces for the permanent residence.
D. Commercial Uses—Recreational		

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

2. Storage, warehouse, wholesale establishment less than 150,000 sq ft.	0.5 spaces per 1,000 sq ft of floor area.	1 space per 1,000 sq ft of floor area.
3. Storage, warehouse, wholesale establishment 150,000 sq ft or greater.	0.3 spaces per 1,000 sq ft of floor area.	0.4 spaces per 1,000 sq ft of floor area.
4. Mini-warehouse; self-service storage.	1 space per 45 storage units, plus 1 space per employee of the largest shift.	1 space per 20 storage units, plus 1 space per employee of the largest shift.

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

19.605.2 Maximum Quantity Modifications and Required Parking Determinations

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

A. Applicability

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

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

B. Application

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

1. Describe the proposed uses of the site, including information about the size and types of the uses on site, and information about site users (employees, customers, residents, etc.).
2. Identify factors specific to the proposed use and/or site, such as the proximity of transit, parking demand management programs, availability of shared parking, and/or special characteristics of the customer, client, employee or resident population that affect parking demand.
3. Provide data and analysis specified in Subsection 19.605.2.B.3 to support the determination request. The Planning Manager may waive requirements of Subsection 19.605.2.B.3 if the information is not readily available or relevant, so long as sufficient documentation is provided to support the determination request.
 - a. Analyze parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from the Institute of Transportation Engineers, American Planning Association, Urban Land Institute, or other similar organizations.

- b. Review parking standards for the proposed use or similar uses found in parking regulations from other jurisdictions.
 - c. Present parking quantity and parking use data from existing developments that are similar to the proposed development. The information about the existing development and its parking demand shall include enough detail to evaluate similarities and differences between the existing development and the proposed development.
 - d. For middle housing, provide occupancy and use data quantifying conditions of the on-street parking system within one block of the middle housing development.
 - ~~e. Identify factors specific to the site, such as the preservation of a priority tree or trees, or planting of new trees to achieve 40% canopy, as identified in Chapter 16.32.~~
4. Propose a ~~minimum and maximum~~ parking ratio. For phased projects, and for projects where the tenant mix is unknown or subject to change, the applicant may propose a maximum range (low and high number of parking spaces) for each development phase ~~and both a minimum and maximum number of parking spaces to be provided at buildout of the project.~~
 5. Address the approval criteria in Subsection 19.605.2.C.

C. Approval Criteria

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

1. All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use in other locations; parking quantity ~~allowances requirements~~ for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.
- ~~2. In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to decrease the amount of minimum required parking shall meet the following criteria:~~
 - ~~a. The use, frequency, and proximity of transit, parking demand management programs, and/or special characteristics of the site users will reduce expected vehicle use and parking space demand for the proposed use or development, as compared with the standards in Table 19.605.1.~~
 - ~~b. The reduction of off-street parking will not adversely affect available on-street parking.~~
 - ~~c. The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site, or is otherwise consistent with city or comprehensive plan policy.~~
- ~~23.~~ In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to increase the amount of maximum allowed parking shall meet the following criteria:
 - a. The proposed development has unique or unusual characteristics that create a higher-than-typical parking demand.

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

19.605.3 Exemptions and By-Right Reductions to Quantity Allowances Requirements

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

A. Exemptions to Maximum Quantity Allowance

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

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

~~**B. Reductions to Minimum Parking Requirements**~~

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

~~1. Reductions for Neighborhood Commercial Areas~~

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

- ~~a. Properties zoned Commercial Limited (C-L).~~
- ~~b. Properties zoned Commercial Neighborhood (C-N).~~
- ~~c. Properties in the Neighborhood Mixed-Use (NMU) Zone in the area bounded by 40th Ave, King Rd, 44th Ave, and Jackson St.~~

~~2. Proximity to Public Transit~~

- ~~a. Parking for commercial and industrial uses may be reduced by up to 10% if the development is within 500 ft walking distance, as defined in Subsection 19.605.3.B.2.d, of a transit stop with a peak hour service frequency of 30 minutes or less.~~

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

~~3. Multitenant Commercial Sites~~

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

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

~~4. Carpool/Vanpool~~

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

~~5. Bicycle Parking~~

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

~~6. Car Sharing~~

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

~~7. Provision of Transit Facility Improvements~~

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

~~8.—Affordable Housing~~

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

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

~~19.605.4 Shared Parking~~

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

~~A.—Review~~

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

~~B.—Standards~~

- ~~1.— The applicant must demonstrate that the shared parking area has a sufficient quantity of spaces for the uses that will share the parking area. The Planning Director may require the applicant to provide data substantiating the claim that the proposed parking is sufficient for multiple uses during peak hours of demand for each use.~~
- ~~2.— The nearest parking spaces shall be no further than 1,000 ft from the principal structure(s) or use(s). The measurement shall be along a route that is adequately illuminated; has vertical or horizontal separation from travel lanes within the right-of-way; uses legal crosswalks for right-of-way crossing; and has an asphalt, concrete, or similar surface material. The applicant may propose to construct new facilities or modify existing facilities to comply with Subsection 19.605.4.B.2.~~
- ~~3.— Legal documentation between the property owners that guarantees access to the shared parking shall be recorded with the County. The documentation shall be reviewed and approved by the Planning Director prior to being recorded. The agreement shall run with the land and not be tied to property ownership. The agreement shall not be terminated without City approval. The request for terminating the agreement must demonstrate that the properties in the agreement and their uses will comply with the quantity requirements of Section 19.605 after dissolution of the agreement. A copy of the recorded documentation shall be provided to the City prior to obtaining a building permit. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2186 § 2, 2019; Ord. 2161 § 2, 2018; Ord. 2112 § 2 (Exh. B), 2015; Ord. 2106 § 2 (Exh. F), 2015; Ord. 2051 § 2, 2012; Ord. 2025 § 2, 2011)~~

~~19.605.54 Electric Vehicle (EV) Charging Requirements~~

Required EV charging spaces. All new buildings that are commercial, industrial, multi-unit with 5 or more dwelling units, or mixed-use with 5 or more dwelling units and that provide new off-street parking must include sufficient space for electrical service capacity to support at least a Level 2 EV charger at required EV charging spaces as outlined below. For terms not defined elsewhere in Title 19, see applicable sections of the state building code and/or OAR 918-460-0200.

A. Commercial and Industrial Buildings.

For new commercial and industrial buildings where new off-street parking spaces are constructed, choose one of the following:

1. At least 50% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger; or
2. At least 20% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 5% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 20% minimum requirement.

B. Multi-Unit and Mixed-Use Residential Buildings.

For new multi-unit and mixed-use buildings with 5 or more dwelling units, where new off-street parking spaces are constructed, choose one of the following:

1. All (100%) of the newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger; or
2. At least 40% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 10% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 40% minimum requirement.

C. Structured Parking Facilities.

For new structured parking facilities, where new off-street parking spaces are constructed, choose one of the following:

1. At least 50% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger; or
2. At least 20% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 5% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 20% minimum requirement.

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

19.606 PARKING AREA DESIGN AND LANDSCAPING

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

19.606.1 Parking Space and Aisle Dimensions

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

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

19.606.2 Landscaping

C. Perimeter Landscaping

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

1. Dimensions

The minimum width of perimeter landscape areas are shown in Table 19.606.2.C.1. Where a curb provides the border for a perimeter landscape area, the dimension shall be measured from the inside of the curb(s). The Planning ~~Director~~ Manager may reduce the required minimum width of a perimeter landscaping area where existing development or site constraints make it infeasible to provide drive aisles, parking spaces, and the perimeter landscaping buffer width listed in Table 19.606.2.C.1.

19.606.3 Additional Design Standards

A. Paving and Striping

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

D. Pedestrian Access and Circulation

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

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

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

E. Internal Circulation

1. General Circulation

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

2. Connections to Adjacent Parking Areas

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

3. Drive-Through Uses and Queuing Areas

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

- a. The drive-up/drive-through facility shall be along a building face that is oriented to an alley, driveway, or interior parking area, and shall not be on a building face oriented toward a street.
- b. None of the drive-up, drive-in, or drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) are located within 20 ft of the right-of-way.
- c. Queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way. Applicants may be required to submit additional information regarding the expected frequency and length of queues for a proposed use.

F. Lighting

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

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

19.606.4 Surface Parking Areas Over ¼-Acre

A. Purpose and Applicability

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

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

B. Measurement

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

C. General Requirements

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

1. Development standards.
 - a. The standards of 19.606.4.C.1 apply in addition to the applicable pedestrian access and circulation standards in Subsections 19.606.3.D, 19.504.7, and Section 19.505. Where there is a conflict with those standards, the standards in Subsection 19.606.4 take precedence.
 - b. Walkway crossings at intersections with drive aisles and driveways must be provided. Crossing facilities must be demarcated by either a raised surface or by utilizing a separate surface material. Demarcation with the use of paint alone is not permitted.
 - c. Development must provide trees along driveways or a minimum of 40% tree canopy coverage over new parking areas. Tree plantings must be consistent with the planting requirements in 19.606.4.D.
2. Climate Mitigation Actions. Developments not required to comply with OAR 330-135-0010 must provide one of the following:
 - a. Installation of solar panels with a generation capacity of at least 0.5 kilowatts per parking space on the property. Panels may be located anywhere on the property so

long as their placement complies with other development standards in the Milwaukie Municipal Code.

- b. Tree canopy covering at least 50% of the parking lot at maturity but no more than 15 years after planting, as measured per Subsection 19.606.4.D.

D. Tree Canopy Coverage Standards

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

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

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

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

2. Calculating Tree Canopy Coverage

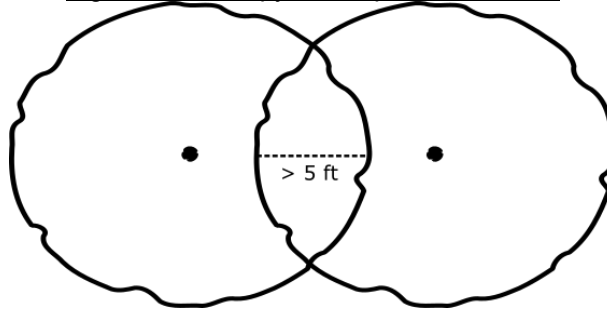
When calculating tree canopy coverage to comply with this Subsection, the following rules must be followed:

- a. The expected diameter of the tree crown at 15 years must be used to calculate tree canopy coverage, regardless of if the tree is mature at that time.
- b. The area under the expected canopy at 15 years that is either paved surface, including parking stalls and maneuvering areas, loading areas, walkways that are interior to the parking area, and interior and perimeter parking area landscaping will count towards meeting the required canopy coverage standard.
- c. The existing canopy of trees preserved on-site and providing coverage of the subject parking area can be counted towards the canopy coverage standard. The current diameter of a preserved tree's crown must be used to calculate tree canopy coverage. Or, if the tree was newly planted, the expected diameter of the tree crown area at 15 years can be used. Preserved trees used to meet this standard must be at least 2 in diameter at breast height if deciduous and at least 5 ft tall if coniferous.
- d. Trees located off-site, including those in the public right-of-way, do not count towards the canopy coverage standard.
- e. Newly planted trees that are isolated in disconnected individual planters are permitted but do not count towards the canopy coverage standard. The canopy of preserved trees that are isolated and at least 12 in diameter at breast height can count toward the canopy coverage standard.
- f. Canopy that covers structures does not count towards the canopy coverage standard unless covering a roofed but unenclosed structure that is used for protecting an automobile, bicycle, garbage/recycling area, or similar area from the elements.
- g. Canopy area of significant overlap does not count towards the canopy coverage standard. Significant overlap is defined as any overlap greater than 5 ft. The overlap

measurement is the length of a line segment within the overlap area of a line between tree canopy trucks/centers. See Figure 19.606.4 for an example of this measurement.

Figure 19.606.4

Significant Canopy Overlap Measurement



3. Tree Plan Submittal Requirements

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

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

4. General Tree Planting and Maintenance Requirements

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

- a. Trees must be planted in continuous trenches in perimeter and interior landscaping areas and spaced to maintain a continuous canopy 15 years after planting. Canopy spacing will be measured based on the expected diameter of the tree crown 15 years after planting. Sections of the canopy are considered continuous when there is no space greater than 3 ft between two or more projected crown areas. Gaps in the canopy are permitted to accommodate other features of the parking area, such as drive aisles.
- b. Applicants must submit a soil volume and protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.G Soil Volume Standards.
- c. Applicants must submit a tree protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.F Tree Protection Standards.
- d. Trees must be maintained to ensure their survival and long-term health. Inspection of tree health will occur at the time of site development and, to ensure tree survival, three to five years after planting.

19.607 OFF-STREET PARKING STANDARDS FOR RESIDENTIAL AREAS

19.607.1 Residential Driveways and Vehicle Parking Areas

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

A. Dimensions

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

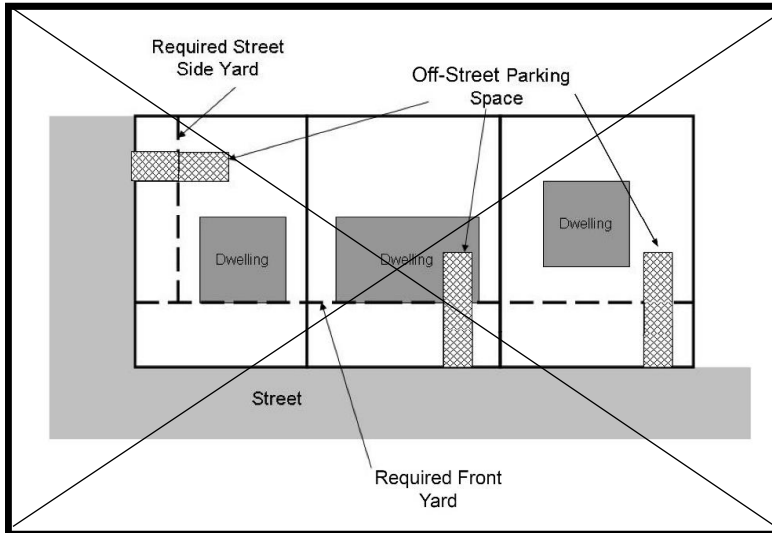
B. Location

~~1. Off street vehicle parking shall be located on the same lot as the associated dwelling, unless shared parking is approved per Subsection 19.605.4. Tandem (end-to-end) parking is allowed for individual units.~~

~~12.~~ No portion of an off-street parking space ~~the required parking space~~ is allowed within the following areas. See Figure 19.607.1.B.2. These standards do not apply to off-street parking for cottage clusters, which are subject to the standards in Subsection 19.505.4.

- a. Within an adjacent public street right-of-way or access easement.
- b. Over a public sidewalk.

Figure 19.607.1.B.2
Parking Space Location



C. Parking Surface Materials

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

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

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

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

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

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

D. Parking Area Limitations

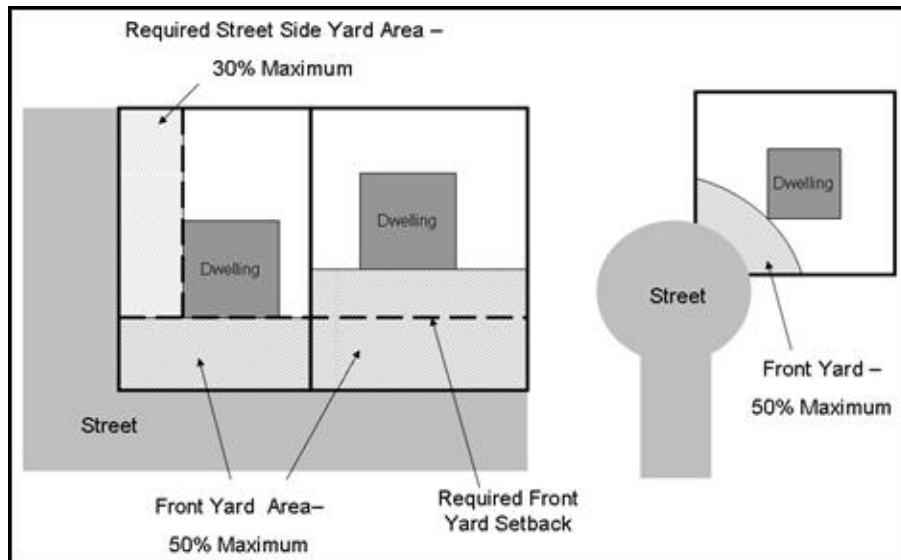
Uncovered parking spaces and maneuvering areas for vehicles, and for recreational vehicles and pleasure craft as described in Subsection 19.607.2.B, have the following area limitations. See Figure 19.607.1.D. The pole portion of a flag lot is not included in these area limitations.

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

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

Figure 19.607.1.D

Front and Street Side Yard Parking Area Limits



19.607.2 Commercial Vehicle, Pleasure Craft, and Recreational Vehicle Parking

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

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

19.608 LOADING

19.608.2. Number of Loading Spaces

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

- A. Residential Buildings
 - Buildings where all of the floor area is in residential use should meet the following standards:
 - 1. Fewer than 50 dwelling units on a site that abuts a local street: no loading spaces required.
 - 2. All other buildings: 1 loading space.
- B. Nonresidential and Mixed-Use Buildings
 - Buildings where any floor area is in nonresidential uses should meet the following standards:
 - 1. Less than 20,000 sq ft of total floor area: no loading spaces required.
 - 2. 20,000 to 50,000 sq ft of total floor area: 1 loading space.
 - 3. More than 50,000 sq ft of total floor area: 2 loading spaces.

19.609 BICYCLE PARKING

19.609.1 Applicability

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

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

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

19.609.2 Quantity of Spaces

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

- ~~1.— Unless otherwise specified, the number of bicycle parking spaces shall be at least 10% of the minimum required vehicle parking for the use.~~
- ~~2.— The number of bicycle parking spaces at transit centers shall be provided at the ratio of at least 1 space per 100 daily boardings.~~
- ~~3.— Multi-unit residential and middle housing development with 4 or more units must provide one space per unit. Parking for cottage cluster developments is specified in Table 19.505.4.C.1.~~

~~B.— Covered or enclosed bicycle parking. A minimum of 50% of the bicycle spaces shall be covered and/or enclosed (in lockers or a secure room) in any of the following situations:~~

- ~~1.— When 10% or more of vehicle parking is covered.~~
- ~~2.— If more than 10 bicycle parking spaces are required.~~
- ~~3.— Multifamily residential development with 4 or more units.~~

A. Development must provide the number of bicycle parking spaces as listed in Table 19.609.2. In no case shall less than 2 short-term and 2 long-term spaces be provided, unless specifically stated otherwise. Modifications to the standards in Table 19.609.2 may be made as per Section 19.609.3.

B. When a specific use has not been proposed or identified at the time of permit review, the Planning Manager may elect to assign a use category from Table 19.609.2 to determine the bicycle parking required. Future tenants or property owners are responsible for compliance with Chapter 19.600 per the applicability provisions of Section 19.602.

- C. If a proposed use is not listed in Table 19.609.2, the Planning Manager has the discretion to apply the quantity requirements of a similar use listed in the table upon finding that the listed use and unlisted use have similar parking demands.
- D. Where the calculation of minimum bicycle parking spaces does not result in a whole number, the result shall be rounded up to the next whole number.

Table 19.609.2: Minimum Required Bicycle Spaces		
<u>Use</u>	<u>Long-term Spaces</u>	<u>Short-term Spaces</u>
A. Residential Uses		
<u>Multi-Unit Residential Development (5 or more units on site)</u>	<u>1.0 per unit</u>	<u>2 or one per 20 units</u>
<u>Cottage Cluster Development</u>	<u>1.5 per unit</u>	<u>0.5 per unit</u>
B. Commercial Uses		
<u>Retail Sales and Services</u>	<u>0.20 per 1000 sq ft of floor area</u>	<u>0.23 per 1000 sq ft of floor area</u>
<u>Retail Restaurants and Bars</u>	<u>0.27 per 1000 sq ft of floor area</u>	<u>0.63 per 1000 sq ft of floor area</u>
<u>Temporary Lodging</u>	<u>0.10 per 1000 sq ft of floor area</u>	<u>0.01 per 1000 sq ft of floor area</u>
<u>Office</u>	<u>0.43 per 1000 sq ft of floor area</u>	<u>0.03 per 1000 sq ft of floor area</u>
<u>Major Event Entertainment</u>	<u>0.07 per 1000 sq ft of floor area</u>	<u>0.20 per 1000 sq ft of floor area</u>
<u>Medical Office (non-hospital)</u>	<u>0.28 per 1000 sq ft of floor area</u>	<u>0.29 per 1000 sq ft of floor area</u>
C. Industrial Uses		
<u>Manufacturing and Production</u>	<u>0.16 per 1000 sq ft of floor area</u>	<u>0.01 per 1,000 sq ft of floor area</u>
<u>Warehouse and Freight Movement</u>	<u>0.08 per 1000 sq ft of floor area</u>	<u>0.003 per 1000 sq ft of floor area</u>
<u>Self-storage or Mini Warehouse</u>	<u>0.005 per 1000 sq ft of floor area</u>	<u>0.018 per 1000 sq ft of floor area</u>
D. Institutional Uses		
<u>Religious Institution</u>	<u>0.07 per 1000 sq ft of floor area</u>	<u>0.44 per 1,000 sq ft of floor area</u>
<u>Daycare</u>	<u>0.26 per 1000 sq ft of floor area</u>	<u>0.03 per 1,000 sq ft of floor area</u>
<u>Elementary or Middle School</u>	<u>2 per classroom</u>	<u>1 per 100,000 sq ft of floor area</u>
<u>High School</u>	<u>4 per classroom</u>	<u>1 per 100,000 sq ft of floor area</u>
<u>College (excluding dormitories)</u>	<u>0.07 per 1000 sq ft of floor area</u>	<u>0.06 per 1000 sq ft of floor area</u>
<u>Library, Museum, Community Center, Performance Theater</u>	<u>0.25 per 1000 sq ft of floor area</u>	<u>0.10 per 1,000 sq ft of floor area</u>
<u>Medical Center or Hospital</u>	<u>0.27 per 1000 sq ft of floor area</u>	<u>0.01 per 1000 sq ft of floor area</u>
<u>Parks and Open Area</u>	<u>None</u>	<u>Neighborhood Parks: 4 per park</u> <u>Community Parks or Natural Areas: 8 per park/area</u>

High-Capacity Transit Facility	<u>12</u>	<u>4</u>
Park and Ride Facilities	<u>12</u>	<u>4</u>
Transit Centers	<u>30</u>	<u>12</u>

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

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

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

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

A. Applicability

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

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

B. Application

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

1. Describe the proposed uses of the site, including information about the size and types of the uses on-site, and information about site users (employees, customers, residents, etc.).
2. Identify factors specific to the proposed use and/or site, such as the proximity of bicycle infrastructure, availability of shared bicycle parking, and/or special characteristics of the customer, client, employee, or resident population that affect bicycle parking demand.
3. Provide data and analysis specified in Subsection 19.609.3.B.3 to support the determination or modification request. The Planning Manager may waive requirements of Subsection 19.609.2.B.3 if the information is not readily available or relevant.
 - a. Analyze bicycle parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from cycling organizations, transportation planning associations, or other relevant sources.
 - b. Present bicycle parking quantity and utilization data from existing developments that are similar to the proposed development. The information about the existing development and its bicycle parking demand must include enough detail to evaluate similarities and differences between the existing development and the proposed development.

- c. Identify factors specific to the site, such as the availability of secure bicycle parking facilities or the integration of bicycle infrastructure in the vicinity.
4. Propose a minimum bicycle parking ratio. For phased projects or projects where the tenant mix is unknown or subject to change, the applicant may propose a range (low and high number of bicycle parking spaces) for each development phase and a minimum number of bicycle parking spaces to be provided at the completion of the project.
5. Address the approval criteria in Subsection 19.609.3.C.

C. Approval Criteria

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

1. All modifications and determinations must demonstrate that the proposed bicycle parking quantities are reasonable based on existing bicycle parking demand for similar uses in other locations, bicycle parking requirements for the use in other Portland metropolitan area jurisdictions, and professional literature about the bicycle parking demands of the proposed use.
2. The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site or is otherwise consistent with City or Comprehensive Plan policy.
3. In addition to the criteria in Subsection 19.609.2.C.1 and Subsection 19.609.2.C.2, requests for modifications to decrease the amount of minimum required bicycle parking must meet one or more of the following criteria:
 - a. Alternative and Climate-Friendly Transportation Amenities: The development includes other amenities that promote alternative transportation methods, such as secure bicycle sharing programs, on-site electric vehicle charging stations, or carpooling initiatives.
 - b. Specific Demographic Considerations: The targeted demographic for the development has inherent characteristics that make them unlikely to cycle or start cycling. For example, if the development is primarily frequented by or developed for older residents or individuals with disabilities, who may have limited mobility options, the need for extensive bicycle parking could be reduced.
 - c. Comprehensive Bicycle Infrastructure Plan: The applicant can propose a comprehensive bicycle infrastructure plan that outlines future measures to enhance bicycle accessibility and promote cycling within the development or the surrounding area. This plan could include commitments to improve signage, create bike-sharing programs, or establish connections to existing cycling networks. By demonstrating a long-term commitment to bicycle infrastructure, the applicant may be granted a reduction in current parking requirements.
 - d. Availability of Future Expansion Space: If the applicant can demonstrate that there is available space within the development that can be easily converted to additional bicycle parking in the future, they could be allowed a reduction in the current requirement.

- e. Proximity to Existing Bicycle Infrastructure: The development is located in close proximity to well-established bicycle parking, such as ample existing short-term bicycle parking, or previously established shared long-term parking in a multi-tenant space/development. This assumes that users of the new facility can easily access existing parking and may not need additional on-site parking.

19.609.4 Location Bicycle Parking Development Standards

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

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

A. General Development Standards for Bicycle Parking

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

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

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

<u>Horizontal Diagonal (45-60 degrees)</u>	<u>6 ft</u>	<u>1 ft 6 in</u>	<u>3 ft 4 in</u>	<u>5 ft</u>	<u>3 ft</u>
<u>Vertical Spaces [1]</u>	<u>3 ft 4 in</u>	<u>1 ft 5 in</u>	<u>6 ft</u>	<u>5 ft</u>	<u>-</u>
<u>Stacked Spaces [2]</u>	<u>-</u>	<u>1 ft 5 in</u>	<u>-</u>	<u>8 ft</u>	<u>-</u>
<u>Larger Bicycle Space</u>	<u>8 ft</u>	<u>3 ft</u>	<u>3 ft 4 in</u>	<u>5 ft</u>	<u>3 ft</u>

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

Figure 19.609.4.A.3.a
Standard Bicycle Parking

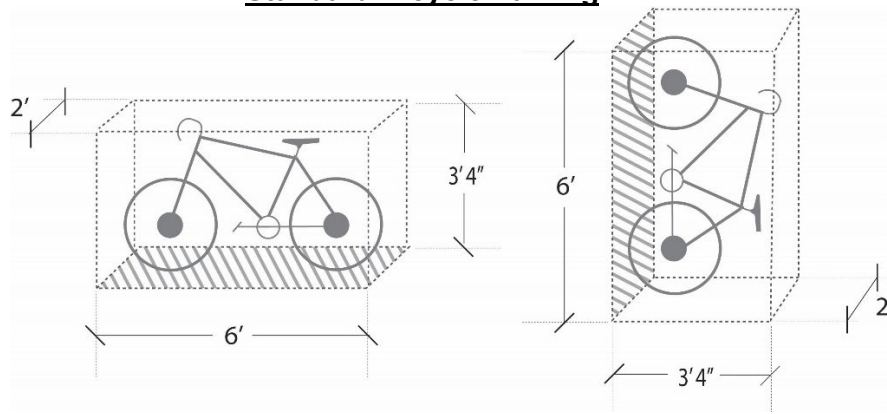


Figure 19.609.4.A.3.b
Horizontal Side-by-Side Bicycle Parking

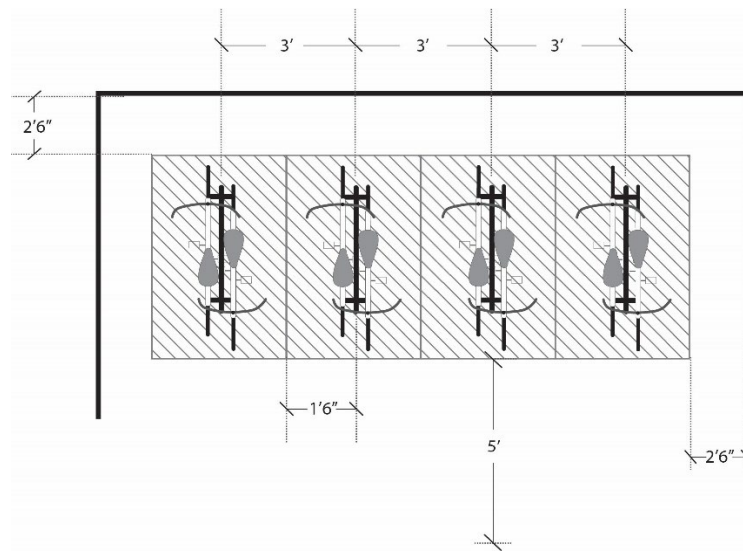


Figure 19.609.4.A.3.c
Horizontal Wall Attached Bicycle Parking

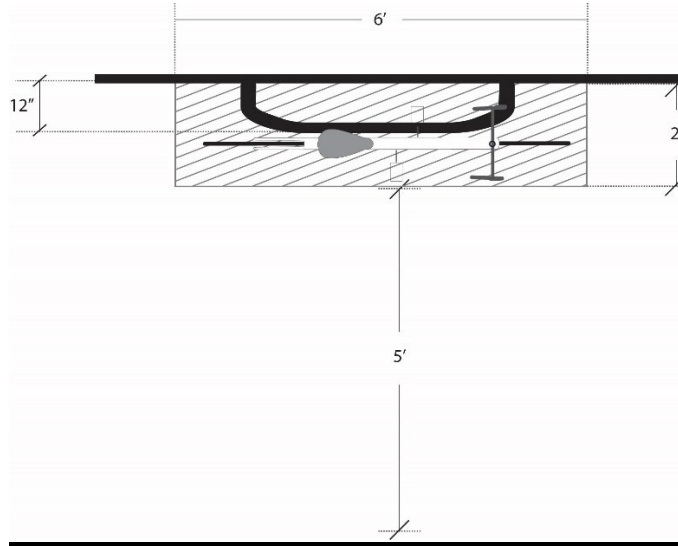


Figure 19.609.4.A.3.d
Horizontal Diagonal (45-60 degree) Bicycle Parking

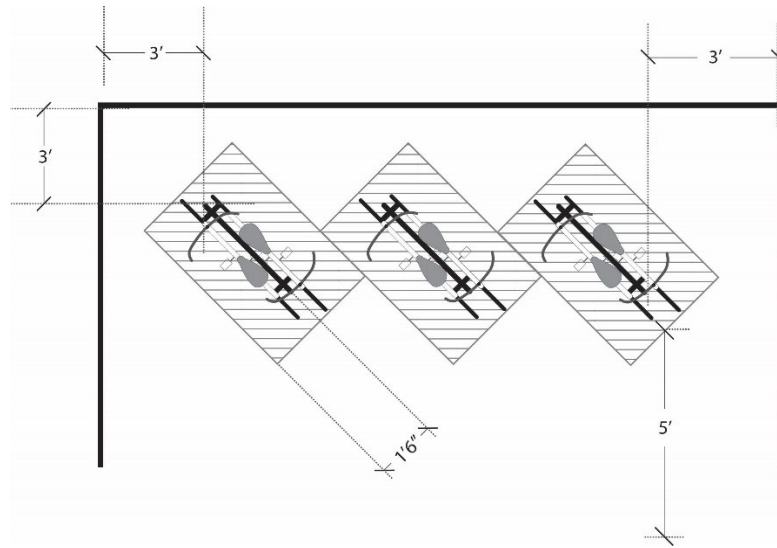


Figure 19.609.4.A.3.e
Vertical Bicycle Parking

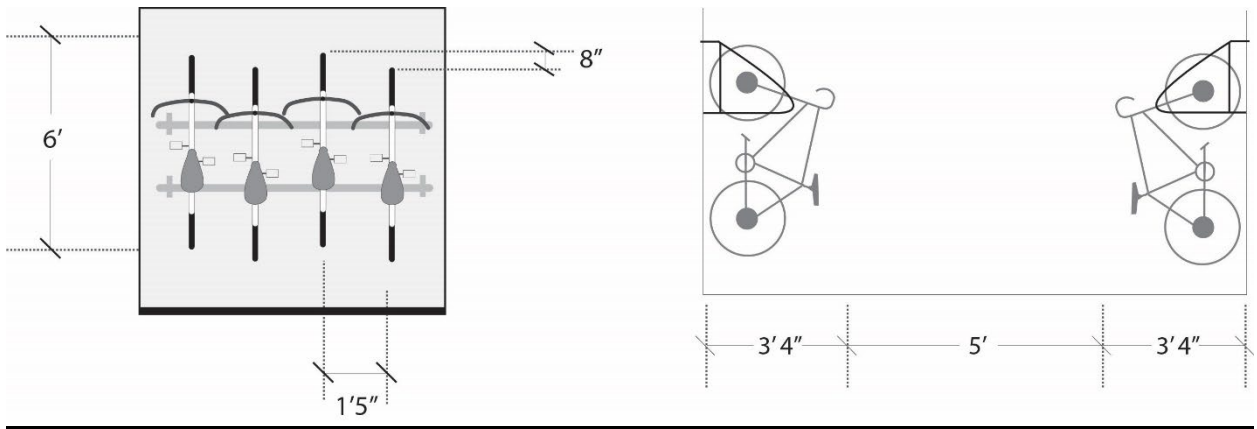


Figure 19.609.4.A.3.f
Stacked Bicycle Parking

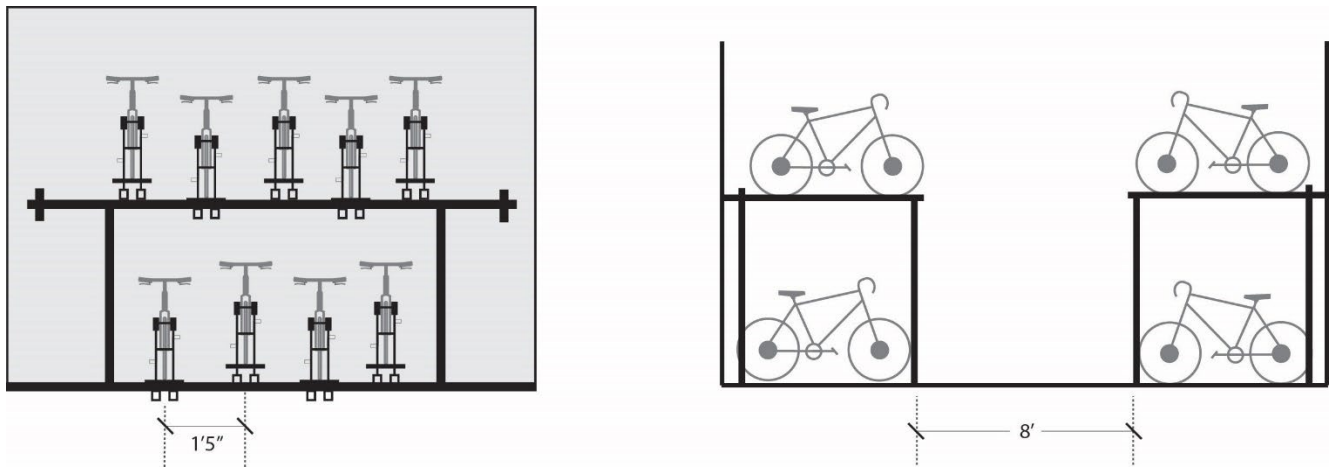
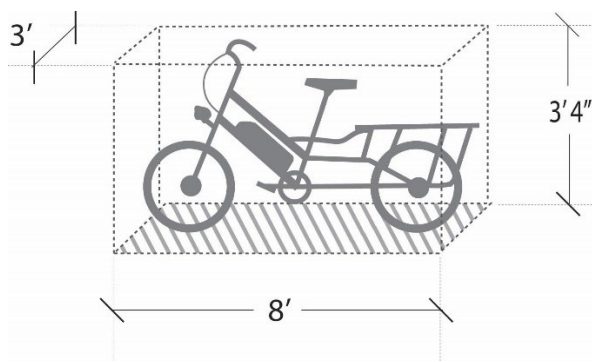


Figure 19.609.4.A.3.g
Large Bicycle Parking Space



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

B. Standards for Long-Term Bicycle Parking

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

1. Locational Standards. Long-term bicycle parking must be provided in one or more of the following locations:
 - a. Within a building, including on individual building floors.
 - b. On-site, including in parking areas and structured parking.
 - c. Within a residential dwelling unit. Up to 50% of long-term bicycle parking spaces may be provided within a residential dwelling unit if they meet the following requirements:
 - (1) Parking space must include a rack that meets the dimensional requirements for a standard bicycle rack per Table 19.609.4.
 - (2) For multifamily and mixed-use developments without an elevator, in-unit long-term bicycle parking can only be located on the ground floor.

- d. Exceptions. Sites containing residential development with 12 or fewer dwelling units may provide up to 100% of required long-term bicycle parking spaces in dwelling units. All other applicable standards in MMC Subsection 19.609.4.B must still be met, including the prohibition of in-unit bicycle parking on upper floors unless the building has an elevator.
- e. For schools, all long-term bicycle parking must be placed within the building on the ground floor, within 100 ft of a main entrance, or some combination of the two.
- f. For sites with multiple primary uses, long-term bicycle parking must be provided in an area that can be accessed from each use. If bicycle parking is provided in a common area on the site, the area must be accessible to all tenants.
- g. All long-term bicycle parking must be covered. Where covered bicycle parking is not within a building or locker, the cover must be permanent, impervious to precipitation, and project a minimum of 2 ft beyond the bicycle parking spaces on the portion of the structure that is not enclosed by a wall.

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

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

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

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

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

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

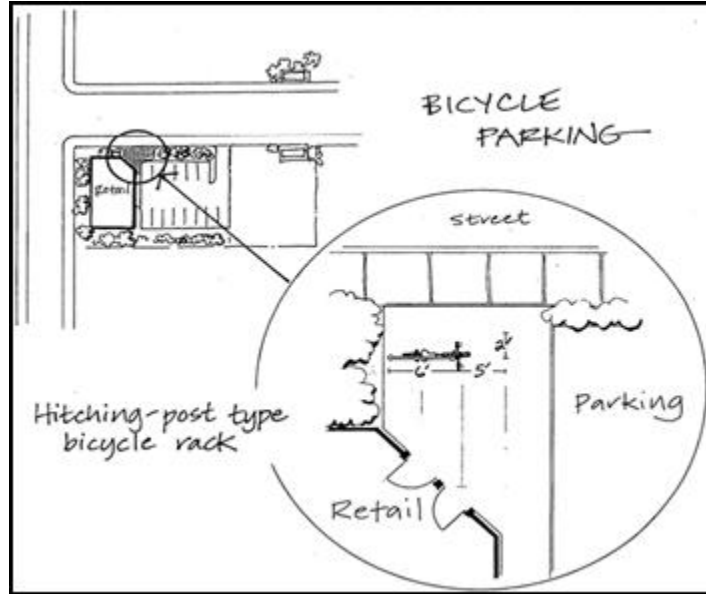
- a. Minimum number of horizontal bicycle parking spaces. At least 30% of spaces must be in a horizontal rack, or on the lower level of a stacked bicycle parking rack. For elementary and middle schools (K-8), all spaces located outside of the building must be in a horizontal rack.
- b. Parking for larger bicycles. At least 5% of spaces must accommodate a larger bicycle space, placed in a horizontal rack. These spaces may be included to meet the minimum percentage requirements for Subparagraph B.3.a. See Figure 19.609.4.A.7.
- c. Electrical outlet requirement. At least 5% of spaces must be located within 10 ft of an electrical socket. Each electrical socket must be accessible to horizontal bicycle parking spaces.

C. Standards for Short-Term Bicycle Parking

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

1. Short-term bicycle parking must meet the following locational requirements:
 - a. Be located on-site, outside of a building.
 - b. Must be at the same grade as the sidewalk or at a location that can be reached by an accessible route.
 - c. Be located within 50 ft of the main entrance, or for buildings with multiple main entrances, must be dispersed and located within 50 ft of the main entrance on each façade. For sites with multiple primary buildings, short-term parking must be dispersed and located within 50 ft of the main entrance for each primary building.
 - d. Must be visible to building occupants.
 - e. Must be designed not to impede pedestrians along sidewalks or public rights-of-way.
 - f. If located adjacent to automobile parking, must be separated from vehicle parking areas by curbing or other similar physical barriers.
- ~~B-~~ 2. The public right-of-way may be utilized for bicycle parking when parking cannot be reasonably accommodated on the site and the location is convenient to the building's front entrance. The bicycle parking area in the right-of-way must leave a clear, unobstructed width of sidewalk that meets the Engineering Department's Public Works Standards for sidewalk passage. See Figure 19.609 for illustration of space and locational standards. A right-of-way permit is required.

Figure 19.609.4.C.2
Bicycle Parking in the Public Right-of-Way



19.610 CARPOOL AND VANPOOL PARKING

19.610.2 Number of Spaces

The number of carpool/vanpool parking spaces shall be at least 10% of the minimum amount of required parking spaces provided. ~~The minimum amount of required parking spaces shall take into account the reduction allowed by Subsection 19.605.3.B.4.~~

19.611 PARKING STRUCTURES

The purpose of Section 19.611 is to regulate the design and location of structured parking, and to provide appropriate incentives for the provision of structured parking. Structured parking is allowed to accommodate parking ~~that is required~~ for a specific use, or as a parking facility that is a use by itself.

19.611.1 Permitted Zones and Review Procedures

- A. Parking structures, including underground parking, are allowed in all zoning districts except the ~~moderate density~~ Moderate Density Residential and Open Space Zones. A parking structure can be permitted through approval of a Community Service Use application in all zones except the Open Space Zone. A parking structure to be used for commercial parking in the Downtown Mixed Use Zone must be permitted through approval of a conditional use application.

19.611.2 Compliance with Other Sections of Chapter 19.600

- A. ~~Spaces in parking structures can be used to satisfy the minimum quantity requirements of Section 19.605.~~ Spaces in parking structures are exempt from counting against maximum parking allowances if the spaces are utilized for types of parking listed in Subsection 19.605.3.A.

CHAPTER 19.900 LAND USE APPLICATIONS

19.901 INTRODUCTION

Uses or development that are regulated by Titles 14, 17, and 19 of the Milwaukie Municipal Code shall submit and obtain approval for all required land use applications prior to establishment or construction. Table 19.901 below contains a complete list of the City’s land use applications and the location of the provisions that govern their submittal, review, and approval. It also identifies the review type(s) associated with each application type. The review type determines who is given notice about land use and development proposals, when the City has to make a decision on a land use application, and who makes the final decision. Descriptions of the different review types and the procedures associated with them are located in Chapter 19.1000. Decision makers for each review type are listed in Table 19.1001.5.

Table 19.901 Land Use Applications		
Application Type	Municipal Code Location	Review Types
Parking:	Chapter 19.600	
Quantity Determination	Subsection 19.605.2	II
Quantity Modification	Subsection 19.605.2	II
Shared Parking	Subsection 19.605.4	†
Structured Parking	Section 19.611	II, III

19.905 CONDITIONAL USES

19.905.5 Conditions of Approval

The Planning Commission, or Planning ~~Manager~~ Director in the case of minor modifications, may impose conditions of approval that are suitable and necessary to assure compatibility of the proposed use with other uses in the area and minimize and mitigate potential adverse impacts caused by the proposed use.

Conditions of approval may include, but are not limited to, the following aspects of the proposed use:

- A. Limiting the hours, days, place, and manner of operation.
- B. Requiring structure and site design features that minimize environmental impacts such as those caused by noise, vibration, air pollution, glare, odor, carbon emissions, and dust.
- C. Requiring additional front, rear, or side yard width.
- D. Limiting building height, size, or location or limiting lot coverage.
- E. Limiting or otherwise designating the size, number, or location of vehicle access points from the street.
- F. Requiring additional landscaping or screening of off-street parking and loading areas.
- G. Limiting or otherwise designating the location, intensity, and shielding of outdoor lighting.
- H. Requiring screening or landscaping for the protection of surrounding properties.
- I. Requiring and designating the size, height, location, and materials for fences.

- J. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.
- K. Requiring adequate public transportation facilities and public utilities prior to occupancy.
- ~~L. Requiring off-street parking.~~

19.910 RESIDENTIAL DWELLINGS

19.910.3 Manufactured Dwelling Parks

D. Development Requirements

All manufactured dwelling parks shall meet the following minimum requirements:

- 7. ~~When provided, off-street parking and recreational vehicle parking shall be developed provided as per Chapter 19.600. If 24-ft wide streets are constructed, an additional off-street parking space per each 2 manufactured dwelling spaces shall be provided as visitor spaces. These parking spaces shall be within 100 ft of the manufactured dwellings they serve.~~

Code Amendments – Clean Version

TITLE 19 ZONING

CHAPTER 19.200 DEFINITIONS AND MEASUREMENTS

19.201 DEFINITIONS

As used in this title:

“Carport” means a stationary structure consisting of a roof, its supports, and not more than 1 wall (or storage cabinets substituting for a wall) used to shelter motor vehicles, recreational vehicles, or boats.

CHAPTER 19.300 BASE ZONES

19.303 COMMERCIAL MIXED-USE ZONES

19.303.3 Development Standards

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

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

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

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

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

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

19.303.6 Additional Provisions

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

B. Section 19.600 Off-Street Parking and Loading

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

19.304 DOWNTOWN ZONES

MMC 19.304.4 Development Standards

Table 19.304.4 CONTINUED Downtown Zones—Summary of Development Standards			
Standard	DMU	OS	Standards/ Additional Provisions
B. Development Standards CONTINUED			
3. Street setbacks (ft) 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
4. Off-street parking standards	Yes, where applicable	Yes, where applicable	Subsection 19.304.5.D Off-Street Parking Chapter 19.600 Off-Street Parking and Loading

MMC 19.304.5 Detailed Development Standards

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

D. Off-Street Parking

1. Intent

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

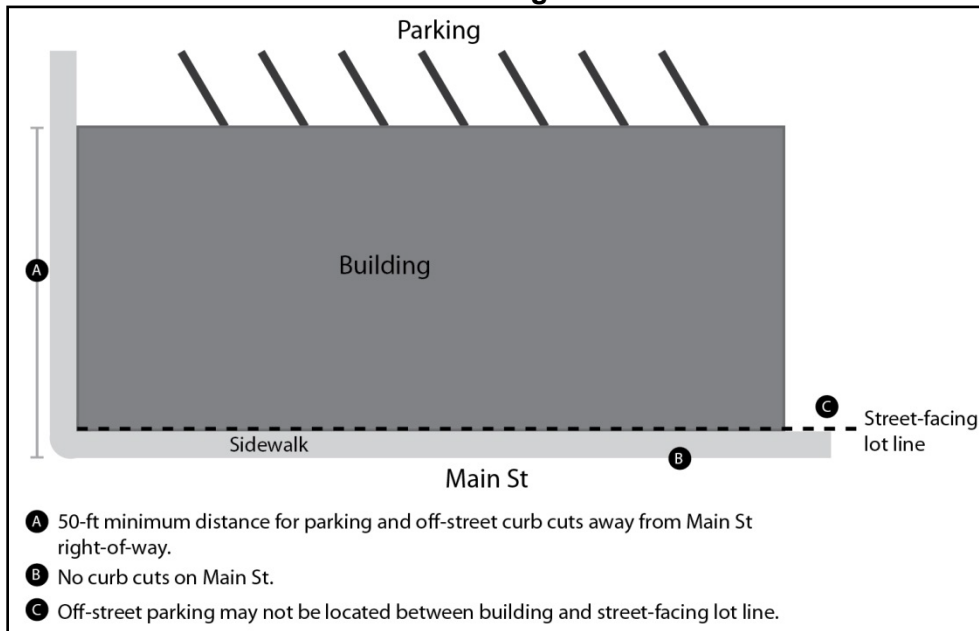
2. Standards

- a. If off-street parking is provided for residential or nonresidential uses, the parking maximums in Table 19.605.1 will apply. All other applicable standards of Chapter 19.600 will also apply.
- b. Off-street surface parking lots (including curb cuts) must not be located within 50 ft of the Main Street right-of-way. Off-street surface parking lots approved prior to October 31, 2015, the effective date of Ordinance #2106, are exempt from this prohibition. This exemption applies only to the property owner on file with the Clackamas County Assessor as of October 31, 2015, the effective date of Ordinance #2106, and is dissolved upon transfer of ownership.

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

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

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



19.310 BUSINESS INDUSTRIAL ZONE BI

19.310.5 Conditional Uses

- A. Conditional uses may be established in a business industrial district subject to review and action on the specific proposal, pursuant to Section 19.905 Conditional Uses. Approval shall not be granted unless the proposal satisfies the criteria in Section 19.905; and, in addition, the proposed use:
1. Will have minimal adverse impact on the appropriate development of uses permitted outright on abutting properties and the surrounding area considering location, size, design, and operating characteristics of the use;
 2. Is compatible with the character and scale of uses allowed within the district and on a site no larger than necessary for the use and operational requirements of the use;

3. Will provide vehicular and pedestrian access, circulation, and loading areas which are compatible with uses on the same site or adjacent sites; and
4. Is a needed service/product in the district, considering the mix of potential clientele and the need to maintain high-quality development in a highly visible area.

19.310.6 Standards

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

H. Landscaping

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

19.312 NORTH MILWAUKIE INNOVATION AREA

19.312.5 Development Standards

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

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

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

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.504 SITE DESIGN STANDARDS

19.504.7 On-Site Walkways and Circulation

A. Requirement

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

19.505 BUILDING DESIGN STANDARDS

19.505.3 Multi-Unit Housing

D. Design Guidelines and Standards

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

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

Table 19.505.3.D CONTINUED		
Multi-Unit Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
		e. On-site walkways shall be lighted to an average 5/10-footcandle level. Stairs or ramps shall be provided where necessary to provide a direct route.
4. Vehicle and Bicycle Parking	Vehicle parking should be integrated into the site in a manner that does not detract from the design of the building, the street frontage, or the site. Bicycle parking should be secure, sheltered, and conveniently located.	Parking for the development shall comply with the following: <ul style="list-style-type: none"> a. On-site surface parking areas, garages, and vehicle maneuvering areas shall not be located directly between the façade of a primary building(s) and an abutting street right-of-way. b. Parking located to the side of a dwelling structure shall be limited to 50% of the linear frontage of that side. Drive aisles without adjacent parking spaces do not count as parking areas for purposes of this standard. c. All garages that are part of the same structure that contains dwelling units shall be located at least 4 ft behind the front building façade. d. See Section 19.609 for bicycle parking requirements.

19.505.4 Cottage Cluster Housing

C. Development Standards

The standards listed below in Table 19.505.4.C.1 are the applicable development and design standards for cottage cluster housing. Additional design standards are provided in Subsection 19.505.1.

Table 19.505.4.C.1		
Cottage Cluster Development Standards		
Standards	R-MD	R-HD, GMU, NMU
A. Home Types		
1. Building types allowed, minimum and maximum number per cluster	Detached cottages 3 minimum 12 maximum dwelling units	Detached and Attached 3 minimum 12 maximum dwelling units
B. Home Size		
1. Max building footprint per home	900 sf	

2. Max average floor area per dwelling unit	1,400 sf	
C. Height		
1. Max height	25 ft or 2 stories, whichever is greater	
2. Max structure height between 5 & 10 ft of rear lot line	15 ft	
3. Max height to eaves facing common green	1.618 times the narrowest average width between two closest buildings	
D. Setbacks, Separations, and Encroachments		
1. Separation between structures (minimum)	6 ft	
2. Side and rear site setbacks	5 ft	
3. Front site setback (minimum)	10 ft	
Table 19.505.4.C.1 CONTINUED Cottage Cluster Development Standards		
Standards	R-MD	R-HD, GMU, NMU
4. Front site setback (maximum)	20 ft	
5. Separation between clusters (minimum)	10 ft	
E. Impervious Area, Vegetated Area		
1. Impervious area (maximum)	60%	65%
2. Vegetated site area (minimum)	35%	35%
F. Community and Common Space		
1. Community building footprint (maximum) ¹	1,000 sf	1,000 sf
2. Common Space	19.505.4.E.2	19.505.4.E.2
G. Parking (see also 19.505.4.E.4)		
1. Automobile parking spaces per dwelling unit (maximum)	See MMC Section 19.605	
2. Bicycle Parking spaces per dwelling unit (minimum)	See MMC Section 19.609	

E. Site Design and Other Standards

4. Off-Street Parking

- a. When off-street parking is provided, parking spaces must be located together with parking spaces for other cottages in a common area, and not located on the same lot as an individual cottage unit.
- b. A cottage cluster parking area must be set back from the street. The distance of the setback is dependent on the orientation of the structure or lot. If the axis of the

longest dimension of the parking area has an angle of 45 degrees or more to the lot line, the narrow dimension may be within 5 ft of the street. If the angle is less than 45 degrees, the parking area must be at least 20 ft from the street.

- c. If there are more than 8 units in a cottage cluster and off-street parking is provided, there must be at least 2 separate parking areas with a minimum of 4 parking spaces in each area. A drive aisle connecting the 2 areas is permitted if a separate driveway access for each area is not permitted per Chapter 12.16 Access Management.
- d. Parking spaces may be located within a garage or a carport. Garages or carports in a cottage cluster may not contain more than 4 parking spaces, must be at least 10 ft from any cottage dwelling; and must match the materials, trim, and roof pitch of the cottages. The interior height of a garage or carport shall not exceed 8 ft high, unless a modification is requested for cases that would use space saving parking technology (e.g., interior car stacking) that might require additional interior height. This modification would be requested per Section 19.911 Variances.
- e. Parking spaces that are not in a garage or carport must be screened from common open space, public streets, and adjacent residential uses by landscaping and/or screen, such as a fence. Chain-link fencing with slats is not allowed as a screen.
- f. Off-street parking may be arranged in clusters, subject to the following standards:
 - (1) Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.
 - (2) Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.
 - (3) Parking clusters must be separated from all other areas by at least 4 ft of landscaping.
 - (4) Clustered parking areas may be covered.
- g. Off-street parking spaces and vehicle maneuvering areas must not be located:
 - (1) Within 20 ft of any street property line, except alley property lines;
 - (2) Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys;
 - (3) Off-street parking spaces must not be located within 10 ft of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 ft of other property lines.
- h. Landscaping, fencing, or walls at least 3 ft tall must separate clustered parking areas and parking structures from common courtyards and public streets.
- i. Garages and carports (whether shared or individual) must not abut common courtyards.
- j. Individual detached garages must not exceed 400 sq ft in floor area and are exempted from the calculation of maximum building footprint for cottages.
- k. Garage doors for attached and detached individual garages must not exceed 20 ft in width.

CHAPTER 19.600 Off-Street Parking and Loading

19.601 PURPOSE

Chapter 19.600 regulates off-street parking and loading areas on private property outside the public right-of-way. The purpose of Chapter 19.600 is to: support efficient streets; avoid unnecessary conflicts between vehicles, bicycles, and pedestrians; encourage bicycling, transit, and carpooling; minimize parking impacts to adjacent properties; improve the appearance of parking areas; and minimize environmental impacts of parking areas.

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

19.602 APPLICABILITY

19.602.1 General Applicability

The regulations of Chapter 19.600 apply to all off-street parking areas and off-street loading areas. Activity that is not described by Subsections 19.602.3 or 4 is exempt from compliance with the provisions of Chapter 19.600. Changes to nonconforming off-street parking and loading are addressed through Chapter 19.600 and not through the provisions of Chapter 19.800.

19.602.3 Applicability for Development and Change in Use Activity

The provisions of Chapter 19.600 apply to development and changes of use as described in Subsection 19.602.3.

A. Development of a vacant site shall have off-street parking and off-street loading areas that conform to the requirements of Chapter 19.600. Development of a site that results in an increase of 100% or more of the existing floor area and/or structure footprint on a site shall also conform to the requirements of Chapter 19.600. The construction of new off-street parking spaces may be subject to the electric vehicle charging requirements of Subsection 19.605.5. The floor area and/or footprint of structures demolished prior to development or redevelopment on the site shall not be considered when calculating the increase in floor area and/or structural footprints.

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

1. Development that results in an increase of less than 100% of the existing floor area and/or structure footprint.
2. Changes of use, as defined in Section 19.201.
3. Existing off-street parking areas $\frac{1}{4}$ -acre or larger or made a $\frac{1}{4}$ -acre or larger through added parking. Where 50% or more of the existing asphalt or pavement is excavated for parking improvements, the entire off-street parking area must conform with Subsection 19.606.4.

19.602.4 Applicability Not Associated With Development or Change in Use

- A. Any parking or loading area developed to serve an existing use(s) that is not associated with development activity or a change in use described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611, as well as to the electric vehicle (EV) charging requirements of Subsection 19.605.4 as applicable. The total number of spaces in the existing parking area and new parking area shall not exceed the maximum allowed quantity of parking as established in Section 19.605. Any parking area that is ¼-acre or larger or becomes a ¼-acre or larger through added parking must comply with Subsection 19.606.4 when 50% or more of the existing asphalt or pavement is excavated for parking improvements.
- B. Any parking or loading area that is not developed to serve an existing use and is not associated with development activity or a change in use as described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611. The requirements of Section 19.605 do not apply to parking areas described under Subsection 19.602.4.B. Any parking area that is ¼-acre or larger or becomes a ¼-acre or larger through added parking must comply with Subsection 19.606.4 when 50% or more of the existing asphalt or pavement is excavated for parking improvements.

19.602.5 Improvements to Existing Off-Street Parking and Loading Areas

A. Purpose

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

B. Limitations on Required Improvements

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

C. Areas of Required Improvement

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

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

19.603 REVIEW PROCESS AND SUBMITTAL REQUIREMENTS

19.603.1 Review Process

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

19.603.2 Submittal Requirements

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

- A. Delineation of individual spaces and wheel stops.
- B. Drive aisles necessary to serve spaces.
- C. Accessways, including driveways and driveway approaches, to streets, alleys, and properties to be served.
- D. Pedestrian pathways and circulation.
- E. Bicycle parking areas and rack specifications.
- F. Fencing.
- G. Abutting land uses.
- H. Grading, drainage, surfacing, and subgrading details.
- I. Location and design of lighting fixtures and levels of illumination.
- J. Delineation of existing and proposed structures.
- K. Parking and loading area signage.
- L. Landscaping, including the following information.
 - 1. The location and area of existing and proposed trees, vegetation, and plant materials, including details about the number, size, and species of such items.
 - 2. Notation of the trees, plants, and vegetation to be removed, and protection measures for existing trees and plants to be preserved.

(Ord. 2025 § 2, 2011)

19.604 GENERAL PARKING STANDARDS

19.604.1 Parking Provided with Development Activity

All off-street parking areas shall be provided in conformance with the standards of Chapter 19.600 prior to issuance of a certificate of occupancy, or final development permit approval, or as otherwise specified in any applicable land use decision.

19.604.2 Parking Area Location

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

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

19.604.3 Converting Off-Street Parking Areas

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

19.605 VEHICLE PARKING QUANTITY REQUIREMENTS

The purpose of Section 19.605 is to ensure that development does not provide excessive vehicle parking based on their estimated parking demand. Subsection 19.605.1 establishes parking ratios for common land uses, and Subsection 19.605.3 allows certain exemptions and reductions to these ratios based on location or on-site amenities. Subsection 19.605.4 details requirements for installing electric vehicle (EV) charging infrastructure in new multi-unit, mixed-use, commercial, and industrial developments. Modifications to the established parking ratios and determinations of parking requirements for unique land uses are allowed with discretionary review per Subsection 19.605.2.

19.605.1 Parking Maximums

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

#2015, shall be considered nonconforming with respect to the quantity requirements. Such uses shall not be considered parking facilities as defined in Section 19.201.

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

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

1. Motel, hotel, boarding house.	1.5 spaces per lodging unit.
2. Bed and breakfast establishments.	1.5 spaces per lodging unit, plus 2 spaces for the permanent residence.
D. Commercial Uses—Recreational	
1. Indoor recreation, such as a health club, gym, bowling alley, arcade, etc.	5.5 spaces per 1,000 sq ft of floor area.
2. Theater, auditorium, or stadium.	1 space per 3 seats.
E. Commercial Uses—Retail Goods	
1. Eating and drinking establishments.	15 spaces per 1,000 sq ft of floor area.
2. General retail—grocery stores, convenience stores, specialty retail and shops.	5 spaces per 1,000 sq ft of floor area.
3. Bulk retail—furniture and home furnishings, appliances, vehicles, building materials, and similar large items.	3 spaces per 1,000 sq ft of floor area.
4. Gas stations.	1.25 spaces per 4 pumps.
F. Commercial Uses—Services	
1. General office, including banks.	3.4 spaces per 1,000 sq ft of floor area.
2. Medical/dental office (non-hospital), veterinary clinic.	4.9 spaces per 1,000 sq ft of floor area.
Table 19.605.1 CONTINUED	
Maximum Off-Street Parking Standards	
Use	Maximum Allowed
F. Commercial Uses—Services CONTINUED	
3. Personal services, such as a barbershop, beauty parlor, etc.	5.4 spaces per 1,000 sq ft of floor area.
4. Commercial services, such as dry cleaners and repair shops (does not include vehicle repair).	5.1 spaces per 1,000 sq ft of floor area.
5. Vehicle repair.	2.5 spaces per 1,000 sq ft of floor area.
6. Quick vehicle repair and servicing, such as oil change and tire shops.	3 spaces per service bay.
7. Mortuary/funeral home.	1 space per 3 chapel or parlor seats.

8. Car wash.	2 spaces per wash bay for self-service washes, or 2 spaces per 1,000 sq ft of floor area for full-service washes.
G. Industrial Uses	
1. Manufacturing.	2 spaces per 1,000 sq ft of floor area.
2. Storage, warehouse, wholesale establishment less than 150,000 sq ft.	1 space per 1,000 sq ft of floor area.
3. Storage, warehouse, wholesale establishment 150,000 sq ft or greater.	0.4 spaces per 1,000 sq ft of floor area.
4. Mini-warehouse; self-service storage.	1 space per 20 storage units, plus 1 space per employee of the largest shift.

19.605.2 Maximum Quantity Modifications and Parking Determinations

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

A. Applicability

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

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

B. Application

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

1. Describe the proposed uses of the site, including information about the size and types of the uses on site, and information about site users (employees, customers, residents, etc.).
2. Identify factors specific to the proposed use and/or site, such as the proximity of transit, parking demand management programs, availability of shared parking, and/or special characteristics of the customer, client, employee or resident population that affect parking demand.
3. Provide data and analysis specified in Subsection 19.605.2.B.3 to support the determination request. The Planning Manager may waive requirements of Subsection 19.605.2.B.3 if the information is not readily available or relevant, so long as sufficient documentation is provided to support the determination request.
 - a. Analyze parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from

the Institute of Transportation Engineers, American Planning Association, Urban Land Institute, or other similar organizations.

- b. Review parking standards for the proposed use or similar uses found in parking regulations from other jurisdictions.
 - c. Present parking quantity and parking use data from existing developments that are similar to the proposed development. The information about the existing development and its parking demand shall include enough detail to evaluate similarities and differences between the existing development and the proposed development.
 - d. For middle housing, provide occupancy and use data quantifying conditions of the on-street parking system within one block of the middle housing development.
4. Propose a maximum parking ratio. For phased projects, and for projects where the tenant mix is unknown or subject to change, the applicant may propose a maximum for each development phase.
 5. Address the approval criteria in Subsection 19.605.2.C.

C. Approval Criteria

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

1. All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use in other locations; parking quantity allowances for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.
2. In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to increase the amount of maximum allowed parking shall meet the following criteria:
 - a. The proposed development has unique or unusual characteristics that create a higher-than-typical parking demand.
 - b. The parking demand cannot be accommodated by shared or joint parking arrangements or by increasing the supply of spaces that are exempt from the maximum amount of parking allowed under Subsection 19.605.3.A.
 - c. The requested increase is the smallest increase needed based on the specific circumstances of the use and/or site.

19.605.3 Exemptions to Quantity Allowances

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

A. Exemptions to Maximum Quantity Allowance

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

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

19.605.4 Electric Vehicle (EV) Charging Requirements

Required EV charging spaces. All new buildings that are commercial, industrial, multi-unit with 5 or more dwelling units, or mixed-use with 5 or more dwelling units and that provide new off-street parking must include sufficient space for electrical service capacity to support at least a Level 2 EV charger at required EV charging spaces as outlined below. For terms not defined elsewhere in Title 19, see applicable sections of the state building code and/or OAR 918-460-0200.

A. Commercial and Industrial Buildings.

For new commercial and industrial buildings where new off-street parking spaces are constructed, choose one of the following:

1. At least 50% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger; or
2. At least 20% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 5% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 20% minimum requirement.

B. Multi-Unit and Mixed-Use Residential Buildings.

For new multi-unit and mixed-use buildings with 5 or more dwelling units, where new off-street parking spaces are constructed, choose one of the following:

1. All (100%) of the newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger; or
2. At least 40% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 10% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 40% minimum requirement.

C. Structured Parking Facilities.

For new structured parking facilities, where new off-street parking spaces are constructed, choose one of the following:

1. At least 50% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger; or

- 2. At least 20% of the total number of newly constructed parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 EV charger. At least 5% of newly constructed parking spaces must include an installed Level 2 or Level 3 EV charger. Parking spaces with installed chargers count toward the 20% minimum requirement.

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

19.606 PARKING AREA DESIGN AND LANDSCAPING

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

19.606.1 Parking Space and Aisle Dimensions

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

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

19.606.2 Landscaping

- C. Perimeter Landscaping

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

- 1. Dimensions

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

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

19.606.3 Additional Design Standards

A. Paving and Striping

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

D. Pedestrian Access and Circulation

Subsection 19.504.7 establishes standards that are applicable to an entire property for on-site walkways and circulation. The purpose of Subsection 19.606.3.D is to provide safe and convenient pedestrian access routes specifically through off-street parking areas. Walkways required by Subsection 19.606.3.D are considered part of the on-site walkway and circulation system required by Subsection 19.504.7.

1. Pedestrian access shall be provided for off-street parking areas so that no parking space is further than 100 ft away, measured along vehicle drive aisles, from a building entrance, or a walkway that meets the standards of Subsection 19.606.3.D.2.
2. Walkways through off-street parking areas must be continuous, must lead to a building entrance, and meet the design standards of Subsection 19.504.7.E.

E. Internal Circulation

1. General Circulation

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

2. Connections to Adjacent Parking Areas

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

3. Drive-Through Uses and Queuing Areas

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

F. Lighting

Lighting is required for parking areas with more than 10 vehicle spaces and must be provided for all bicycle parking areas regardless of the number of required spaces. The Planning Manager may require lighting for vehicle parking areas of less than 10 spaces if the parking area would not be safe due to the lack of lighting. Lighting shall be designed to

enhance safe access for vehicles, bicyclists, and pedestrians on the site, and shall meet the following standards:

19.606.4 Surface Parking Areas Over ¼-Acre

A. Purpose and Applicability

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

For existing parking lots 1/2-acre or greater in size, Subsection 19.606.4 is applicable when 50% or more of the existing asphalt or pavement is excavated. Required improvements for parking lots subject to the provisions of Subsection 19.606.4 are not limited by Subsection 19.602.5.

B. Measurement

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

C. General Requirements

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

1. Development standards.

- a. The standards of 19.606.4.C.1 apply in addition to the applicable pedestrian access and circulation standards in Subsections 19.606.3.D, 19.504.7, and Section 19.505. Where there is a conflict with those standards, the standards in Subsection 19.606.4 take precedence.
- b. Walkway crossings at intersections with drive aisles and driveways must be provided. Crossing facilities must be demarcated by either a raised surface or by utilizing a separate surface material. Demarcation with the use of paint alone is not permitted.
- c. Development must provide trees along driveways or a minimum of 40% tree canopy coverage over new parking areas. Tree plantings must be consistent with the planting requirements in 19.606.4.D.

2. Climate Mitigation Actions. Developments not required to comply with OAR 330-135-0010 must provide one of the following:

- a. Installation of solar panels with a generation capacity of at least 0.5 kilowatts per parking space on the property. Panels may be located anywhere on the property so long as their placement complies with other development standards in the Milwaukie Municipal Code.
- b. Tree canopy covering at least 50% of the parking lot at maturity but no more than 15 years after planting, as measured per Subsection 19.606.4.D.

D. Tree Canopy Coverage Standards

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

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

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

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

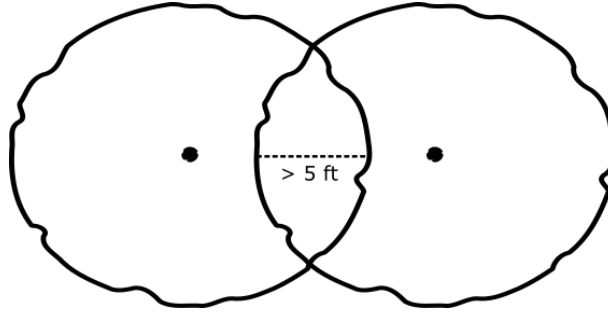
2. Calculating Tree Canopy Coverage

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

- a. The expected diameter of the tree crown at 15 years must be used to calculate tree canopy coverage, regardless of if the tree is mature at that time.
- b. The area under the expected canopy at 15 years that is either paved surface, including parking stalls and maneuvering areas, loading areas, walkways that are interior to the parking area, and interior and perimeter parking area landscaping will count towards meeting the required canopy coverage standard.
- c. The existing canopy of trees preserved on-site and providing coverage of the subject parking area can be counted towards the canopy coverage standard. The current diameter of a preserved tree's crown must be used to calculate tree canopy coverage. Or, if the tree was newly planted, the expected diameter of the tree crown area at 15 years can be used. Preserved trees used to meet this standard must be at least 2 in diameter at breast height if deciduous and at least 5 ft tall if coniferous.
- d. Trees located off-site, including those in the public right-of-way, do not count towards the canopy coverage standard.
- e. Newly planted trees that are isolated in disconnected individual planters are permitted but do not count towards the canopy coverage standard. The canopy of preserved trees that are isolated and at least 12 in diameter at breast height can count toward the canopy coverage standard.
- f. Canopy that covers structures does not count towards the canopy coverage standard unless covering a roofed but unenclosed structure that is used for protecting an automobile, bicycle, garbage/recycling area, or similar area from the elements.
- g. Canopy area of significant overlap does not count towards the canopy coverage standard. Significant overlap is defined as any overlap greater than 5 ft. The overlap measurement is the length of a line segment within the overlap area of a line between tree canopy trucks/centers. See Figure 19.606.4 for an example of this measurement.

Figure 19.606.4

Significant Canopy Overlap Measurement



3. Tree Plan Submittal Requirements

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

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

4. General Tree Planting and Maintenance Requirements

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

- a. Trees must be planted in continuous trenches in perimeter and interior landscaping areas and spaced to maintain a continuous canopy 15 years after planting. Canopy spacing will be measured based on the expected diameter of the tree crown 15 years after planting. Sections of the canopy are considered continuous when there is no space greater than 3 ft between two or more projected crown areas. Gaps in the canopy are permitted to accommodate other features of the parking area, such as drive aisles.
- b. Applicants must submit a soil volume and protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.G Soil Volume Standards.
- c. Applicants must submit a tree protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.F Tree Protection Standards.
- d. Trees must be maintained to ensure their survival and long-term health. Inspection of tree health will occur at the time of site development and, to ensure tree survival, three to five years after planting.

19.607 OFF-STREET PARKING STANDARDS FOR RESIDENTIAL AREAS

19.607.1 Residential Driveways and Vehicle Parking Areas

Subsection 19.607.1 is intended to preserve residential neighborhood character by establishing off-street parking standards. The provisions of Subsection 19.607.1 apply to passenger vehicles and off-street parking areas for single detached dwellings, duplexes, triplexes, quadplexes,

townhouses, cottage clusters, and residential homes in all zones, unless specifically stated otherwise.

A. Dimensions

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

B. Location

1. No portion of an off-street parking space is allowed within the following areas. These standards do not apply to off-street parking for cottage clusters, which are subject to the standards in Subsection 19.505.4.
 - a. Within an adjacent public street right-of-way or access easement.
 - b. Over a public sidewalk.

C. Parking Surface Materials

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

1. The following areas are required to have a durable and dust-free hard surface, and shall be maintained for all-weather use. The use of pervious concrete, pervious paving, driveway strips, or an in-ground grid or lattice surface is encouraged to reduce stormwater runoff.
 - a. All vehicle parking spaces and maneuvering areas located within a required front, street-side, or side yard. Areas for boat or RV parking are exempt from this requirement and may be graveled.
 - b. All off-street parking and maneuvering areas for an adult foster/care home.
2. Maneuvering areas and parking areas that are outside of a required front, street-side, or side yard are allowed to have a gravel surface.

D. Parking Area Limitations

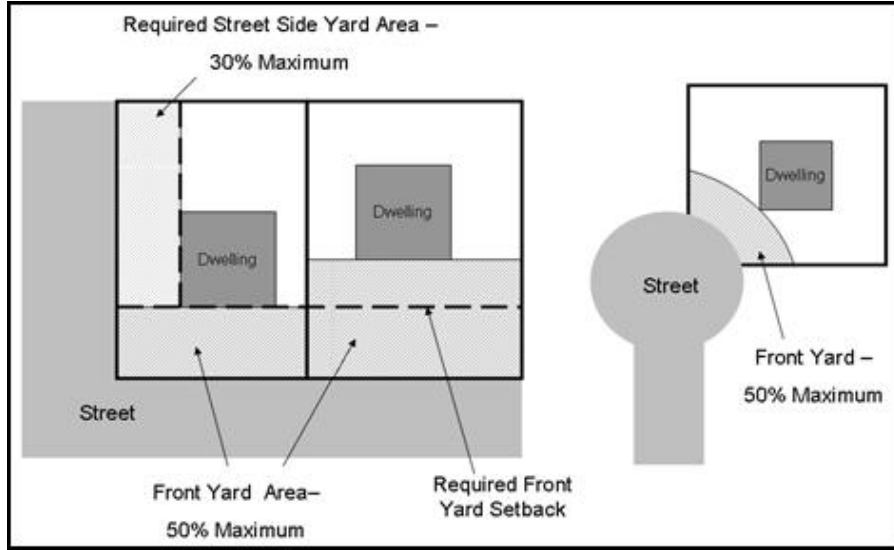
Uncovered parking spaces and maneuvering areas for vehicles, and for recreational vehicles and pleasure craft as described in Subsection 19.607.2.B, have the following area limitations. See Figure 19.607.1.D. The pole portion of a flag lot is not included in these area limitations.

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

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

Figure 19.607.1.D

Front and Street Side Yard Parking Area Limits



19.607.2 Commercial Vehicle, Pleasure Craft, and Recreational Vehicle Parking

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

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

19.608 LOADING

19.608.2. Number of Loading Spaces

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

A. Residential Buildings

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

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

B. Nonresidential and Mixed-Use Buildings

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

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

19.609 BICYCLE PARKING

19.609.1 Applicability

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

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

19.609.2 Quantity of Spaces

- A. Development must provide the number of bicycle parking spaces as listed in Table 19.609.2. In no case shall less than 2 short-term and 2 long-term spaces be provided, unless specifically stated otherwise. Modifications to the standards in Table 19.609.2 may be made as per Section 19.609.3.
- B. When a specific use has not been proposed or identified at the time of permit review, the Planning Manager may elect to assign a use category from Table 19.609.2 to determine the bicycle parking required. Future tenants or property owners are responsible for compliance with Chapter 19.600 per the applicability provisions of Section 19.602.
- C. If a proposed use is not listed in Table 19.609.2, the Planning Manager has the discretion to apply the quantity requirements of a similar use listed in the table upon finding that the listed use and unlisted use have similar parking demands.
- D. Where the calculation of minimum bicycle parking spaces does not result in a whole number, the result shall be rounded up to the next whole number.

Table 19.609.2: Minimum Required Bicycle Spaces

Use	Long-term Spaces	Short-term Spaces
A. Residential Uses		
Multi-Unit Residential Development (5 or more units on site)	1.0 per unit	2 or one per 20 units
Cottage Cluster Development	1.5 per unit	0.5 per unit
B. Commercial Uses		
Retail Sales and Services	0.20 per 1000 sq ft of floor area	0.23 per 1000 sq ft of floor area
Retail Restaurants and Bars	0.27 per 1000 sq ft of floor area	0.63 per 1000 sq ft of floor area
Temporary Lodging	0.10 per 1000 sq ft of floor area	0.01 per 1000 sq ft of floor area
Office	0.43 per 1000 sq ft of floor area	0.03 per 1000 sq ft of floor area
Major Event Entertainment	0.07 per 1000 sq ft of floor area	0.20 per 1000 sq ft of floor area
Medical Office (non-hospital)	0.28 per 1000 sq ft of floor area	0.29 per 1000 sq ft of floor area
C. Industrial Uses		
Manufacturing and Production	0.16 per 1000 sq ft of floor area	0.01 per 1,000 sq ft of floor area
Warehouse and Freight Movement	0.08 per 1000 sq ft of floor area	0.003 per 1000 sq ft of floor area
Self-storage or Mini Warehouse	0.005 per 1000 sq ft of floor area	0.018 per 1000 sq ft of floor area
D. Institutional Uses		
Religious Institution	0.07 per 1000 sq ft of floor area	0.44 per 1,000 sq ft of floor area
Daycare	0.26 per 1000 sq ft of floor area	0.03 per 1,000 sq ft of floor area
Elementary or Middle School	2 per classroom	1 per 100,000 sq ft of floor area
High School	4 per classroom	1 per 100,000 sq ft of floor area
College (excluding dormitories)	0.07 per 1000 sq ft of floor area	0.06 per 1000 sq ft of floor area
Library, Museum, Community Center, Performance Theater	0.25 per 1000 sq ft of floor area	0.10 per 1,000 sq ft of floor area
Medical Center or Hospital	0.27 per 1000 sq ft of floor area	0.01 per 1000 sq ft of floor area
Parks and Open Area	None	Neighborhood Parks: 4 per park Community Parks or Natural Areas: 8 per park/area
High-Capacity Transit Facility	12	4
Park and Ride Facilities	12	4
Transit Centers	30	12

19.609.3 Bicycle Parking Quantity Modification and Required Parking Determinations

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

A. Applicability

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

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

B. Application

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

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

C. Approval Criteria

The Planning Manager will consider the following criteria in deciding whether to approve the determination or modification. The Planning Manager, based on the applicant's materials and other data the Planning Manager deems relevant, will set the minimum bicycle parking

requirement. Conditions of approval may be placed on the decision to ensure compliance with the bicycle parking determination.

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

19.609.4 Bicycle Parking Development Standards

A. General Development Standards for Bicycle Parking

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

1. The area devoted to bicycle parking must be hard-surfaced.

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

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

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

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

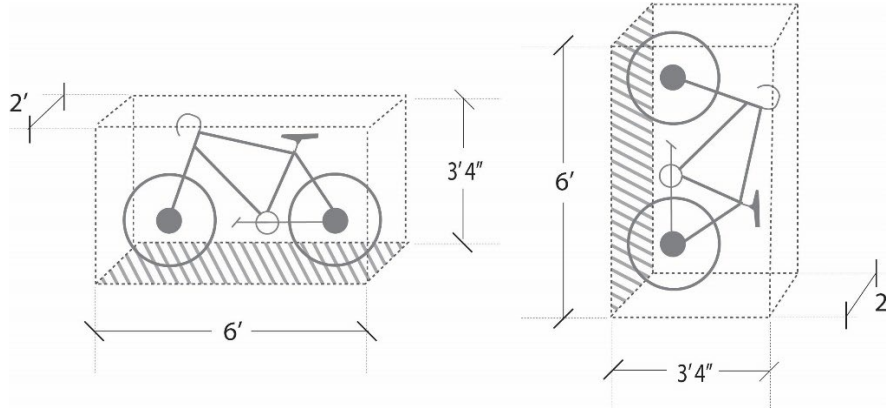


Figure 19.609.4.A.3.b
Horizontal Side-by-Side Bicycle Parking

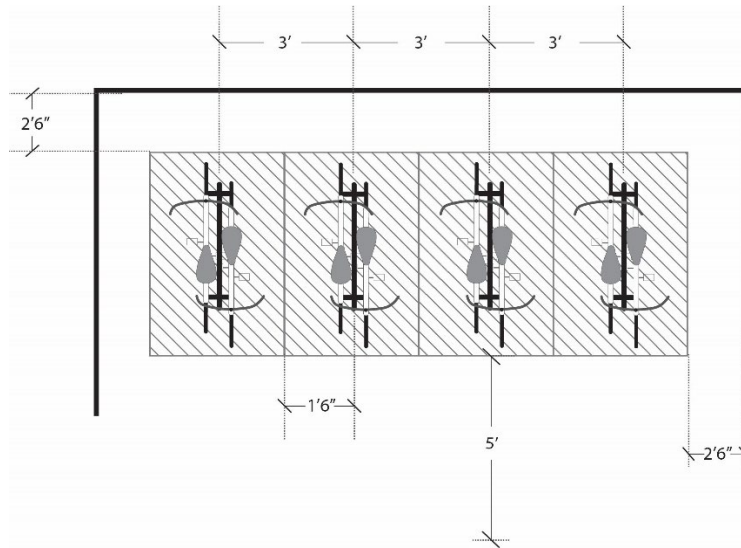


Figure 19.609.4.A.3.c
Horizontal Wall Attached Bicycle Parking

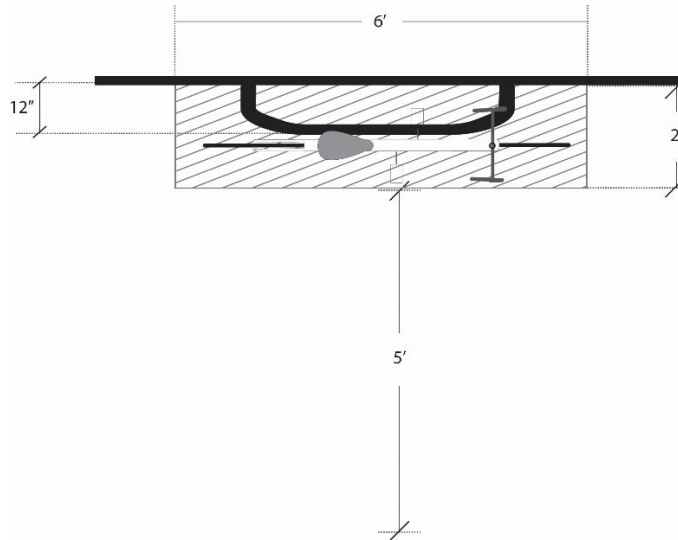


Figure 19.609.4.A.3.d
Horizontal Diagonal (45-60 degree) Bicycle Parking

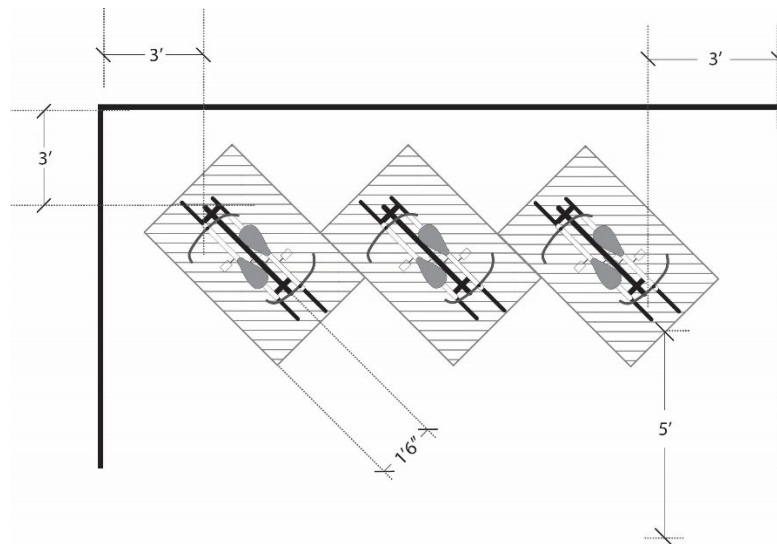


Figure 19.609.4.A.3.e
Vertical Bicycle Parking

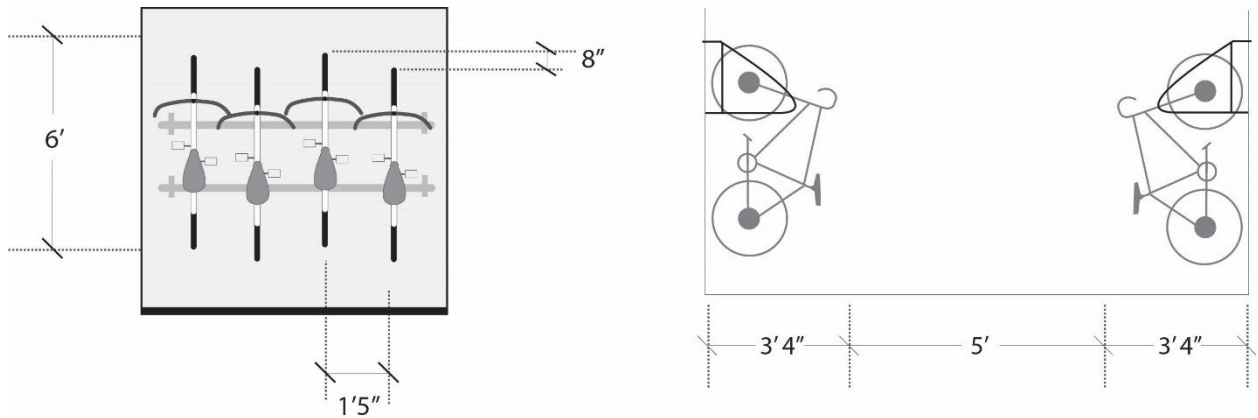


Figure 19.609.4.A.3.f
Stacked Bicycle Parking

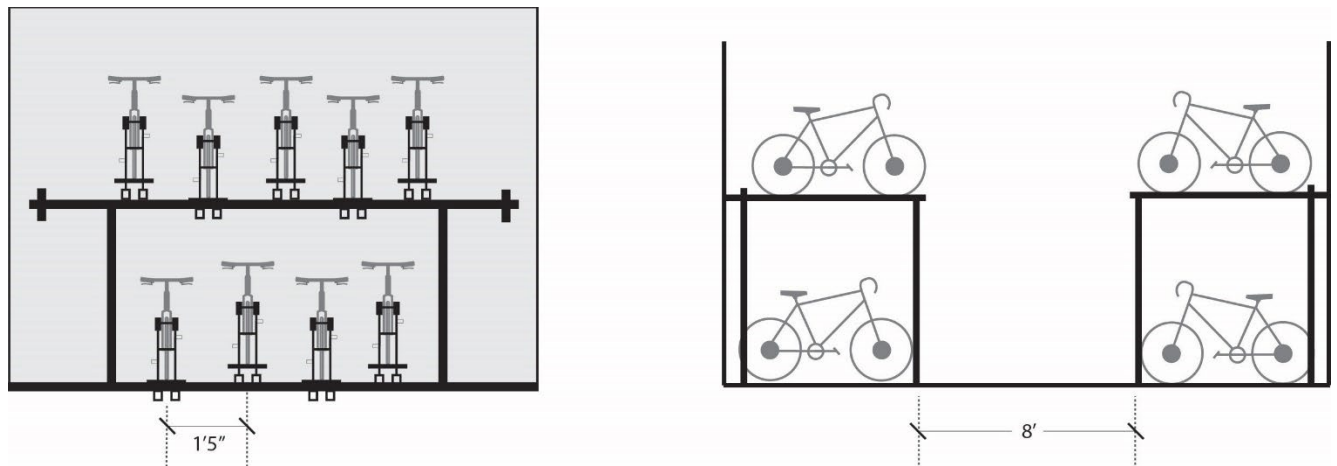
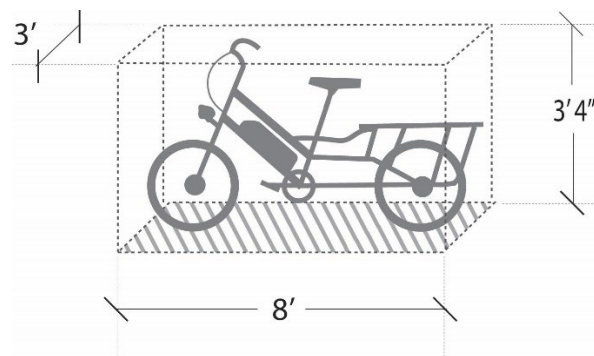


Figure 19.609.4.A.3.g
Large Bicycle Parking Space



4. Bicycle lockers are fully enclosed and secure bicycle parking spaces that meet the following standards:

- a. The locker must be securely anchored to the ground.

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

B. Standards for Long-Term Bicycle Parking

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

- 1. Locational Standards. Long-term bicycle parking must be provided in one or more of the following locations:
 - a. Within a building, including on individual building floors.
 - b. On-site, including in parking areas and structured parking.
 - c. Within a residential dwelling unit. Up to 50% of long-term bicycle parking spaces may be provided within a residential dwelling unit if they meet the following requirements:
 - (1) Parking space must include a rack that meets the dimensional requirements for a standard bicycle rack per Table 19.609.4.
 - (2) For multifamily and mixed-use developments without an elevator, in-unit long-term bicycle parking can only be located on the ground floor.
 - d. Exceptions. Sites containing residential development with 12 or fewer dwelling units may provide up to 100% of required long-term bicycle parking spaces in dwelling units. All other applicable standards in MMC Subsection 19.609.4.B must still be met, including the prohibition of in-unit bicycle parking on upper floors unless the building has an elevator.
 - e. For schools, all long-term bicycle parking must be placed within the building on the ground floor, within 100 ft of a main entrance, or some combination of the two.
 - f. For sites with multiple primary uses, long-term bicycle parking must be provided in an area that can be accessed from each use. If bicycle parking is provided in a common area on the site, the area must be accessible to all tenants.
 - g. All long-term bicycle parking must be covered. Where covered bicycle parking is not within a building or locker, the cover must be permanent, impervious to precipitation, and project a minimum of 2 ft beyond the bicycle parking spaces on the portion of the structure that is not enclosed by a wall.
- 2. Security Standards. Long-term bicycle parking must meet the following security standards:
 - a. Long-term bicycle parking for residential uses must be provided within one of the following:

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

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

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

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

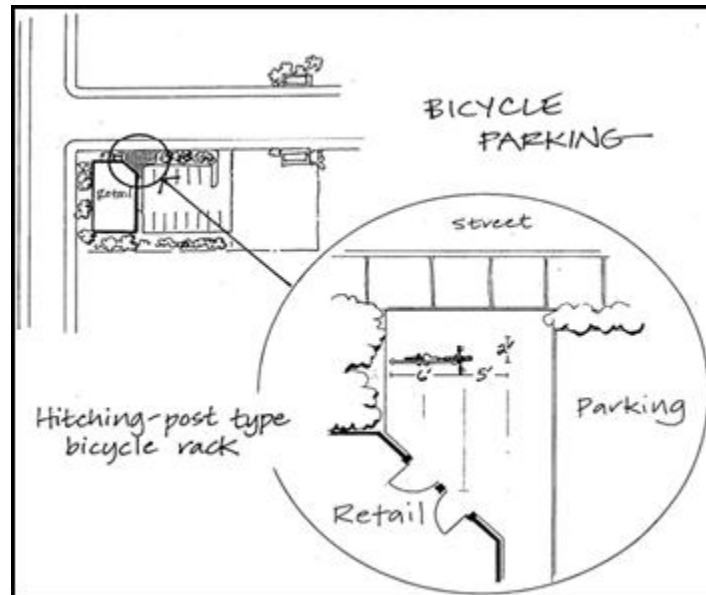
- a. Minimum number of horizontal bicycle parking spaces. At least 30% of spaces must be in a horizontal rack, or on the lower level of a stacked bicycle parking rack. For elementary and middle schools (K-8), all spaces located outside of the building must be in a horizontal rack.
- b. Parking for larger bicycles. At least 5% of spaces must accommodate a larger bicycle space, placed in a horizontal rack. These spaces may be included to meet the minimum percentage requirements for Subparagraph B.3.a. See Figure 19.609.4.A.7.
- c. Electrical outlet requirement. At least 5% of spaces must be located within 10 ft of an electrical socket. Each electrical socket must be accessible to horizontal bicycle parking spaces.

C. Standards for Short-Term Bicycle Parking

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

- 1. Short-term bicycle parking must meet the following locational requirements:
 - a. Be located on-site, outside of a building.
 - b. Must be at the same grade as the sidewalk or at a location that can be reached by an accessible route.
 - c. Be located within 50 ft of the main entrance, or for buildings with multiple main entrances, must be dispersed and located within 50 ft of the main entrance on each façade. For sites with multiple primary buildings, short-term parking must be dispersed and located within 50 ft of the main entrance for each primary building.
 - d. Must be visible to building occupants.
 - e. Must be designed not to impede pedestrians along sidewalks or public rights-of-way.
 - f. If located adjacent to automobile parking, must be separated from vehicle parking areas by curbing or other similar physical barriers.
- 2. The public right-of-way may be utilized for bicycle parking when parking cannot be reasonably accommodated on the site and the location is convenient to the building's front entrance. The bicycle parking area in the right-of-way must leave a clear, unobstructed width of sidewalk that meets the Engineering Department's Public Works Standards for sidewalk passage. See Figure 19.609 for illustration of space and locational standards. A right-of-way permit is required.

Figure 19.609.4.C.2
Bicycle Parking in the Public Right-of-Way



19.610 CARPOOL AND VANPOOL PARKING

19.610.2 Number of Spaces

The number of carpool/vanpool parking spaces shall be at least 10% of the minimum amount of parking spaces provided.

19.611 PARKING STRUCTURES

The purpose of Section 19.611 is to regulate the design and location of structured parking, and to provide appropriate incentives for the provision of structured parking. Structured parking is allowed to accommodate parking for a specific use, or as a parking facility that is a use by itself.

19.611.1 Permitted Zones and Review Procedures

- A. Parking structures, including underground parking, are allowed in all zoning districts except the Moderate Density Residential and Open Space Zones. A parking structure can be permitted through approval of a Community Service Use application in all zones except the Open Space Zone. A parking structure to be used for commercial parking in the Downtown Mixed Use Zone must be permitted through approval of a conditional use application.

19.611.2 Compliance with Other Sections of Chapter 19.600

- A. Spaces in parking structures are exempt from counting against maximum parking allowances if the spaces are utilized for types of parking listed in Subsection 19.605.3.A.

CHAPTER 19.900 LAND USE APPLICATIONS

19.901 INTRODUCTION

Uses or development that are regulated by Titles 14, 17, and 19 of the Milwaukie Municipal Code shall submit and obtain approval for all required land use applications prior to establishment or construction. Table 19.901 below contains a complete list of the City’s land use applications and the location of the provisions that govern their submittal, review, and approval. It also identifies the review type(s) associated with each application type. The review type determines who is given notice about land use and development proposals, when the City has to make a decision on a land use application, and who makes the final decision. Descriptions of the different review types and the procedures associated with them are located in Chapter 19.1000. Decision makers for each review type are listed in Table 19.1001.5.

Table 19.901 Land Use Applications		
Application Type	Municipal Code Location	Review Types
Parking:	Chapter 19.600	
Quantity Determination	Subsection 19.605.2	II
Quantity Modification	Subsection 19.605.2	II
Structured Parking	Section 19.611	II, III

19.905 CONDITIONAL USES

19.905.5 Conditions of Approval

The Planning Commission, or Planning Manager in the case of minor modifications, may impose conditions of approval that are suitable and necessary to assure compatibility of the proposed use with other uses in the area and minimize and mitigate potential adverse impacts caused by the proposed use.

Conditions of approval may include, but are not limited to, the following aspects of the proposed use:

- A. Limiting the hours, days, place, and manner of operation.
- B. Requiring structure and site design features that minimize environmental impacts such as those caused by noise, vibration, air pollution, glare, odor, carbon emissions, and dust.
- C. Requiring additional front, rear, or side yard width.
- D. Limiting building height, size, or location or limiting lot coverage.
- E. Limiting or otherwise designating the size, number, or location of vehicle access points from the street.
- F. Requiring additional landscaping or screening of off-street parking and loading areas.
- G. Limiting or otherwise designating the location, intensity, and shielding of outdoor lighting.
- H. Requiring screening or landscaping for the protection of surrounding properties.
- I. Requiring and designating the size, height, location, and materials for fences.

- J. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.
- K. Requiring adequate public transportation facilities and public utilities prior to occupancy.

19.910 RESIDENTIAL DWELLINGS

19.910.3 Manufactured Dwelling Parks

D. Development Requirements

All manufactured dwelling parks shall meet the following minimum requirements:

- 7. When provided, off-street parking and recreational vehicle parking shall be developed as per Chapter 19.600.

**RS 7. A. 4/2/24
Presentation**



ZA-2022-005
Climate Friendly Equitable
Communities (CFEC)
Parking Amendments

City Council Discussion
April 2, 2024

Staff Presentation by Ryan Dyar, Assistant Planner

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

PRIOR CITY ACTIONS ON CFEC

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

PROPOSED AMENDMENTS

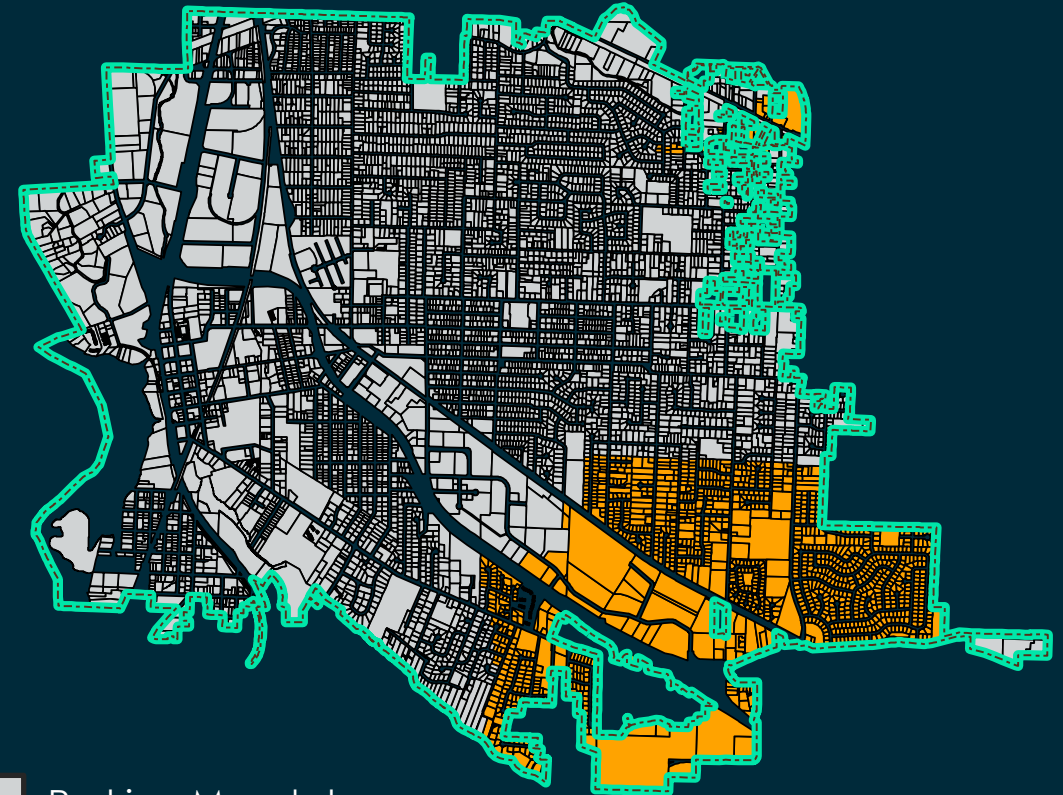
Major Code Changes:

- Remove Vehicle Parking Quantity Requirements
- New Large Parking Lot Requirements (OAR 660-012-405 – NEW LANGUAGE ADDED UNDER 19.606.4)
- Update Bicycle Parking (OVERHAUL OF 19.609 – NEW QUANTITY STANDARDS, MODIFICATION PROCESS, DEVELOPMENT STANDARDS)

PARKING REFORM

Remove parking mandates citywide. And adopt:

- 0405: Adopt parking regulation improvements
- 0410: EV conduit



■ Parking Mandates cannot apply

■ Some parking mandates may apply

NEW LARGE PARKING LOT STANDARDS

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

- Minimum Canopy Coverage. Rule requires 30%. PC recommends 40%.
- Climate Mitigation Action (Onsite solar or increased tree canopy coverage) Rule requires 40% canopy coverage. PC recommends 50%.
- Safe, well connected, pedestrian facilities.

BICYCLE PARKING CODE UPDATE

1. Quantity Standards

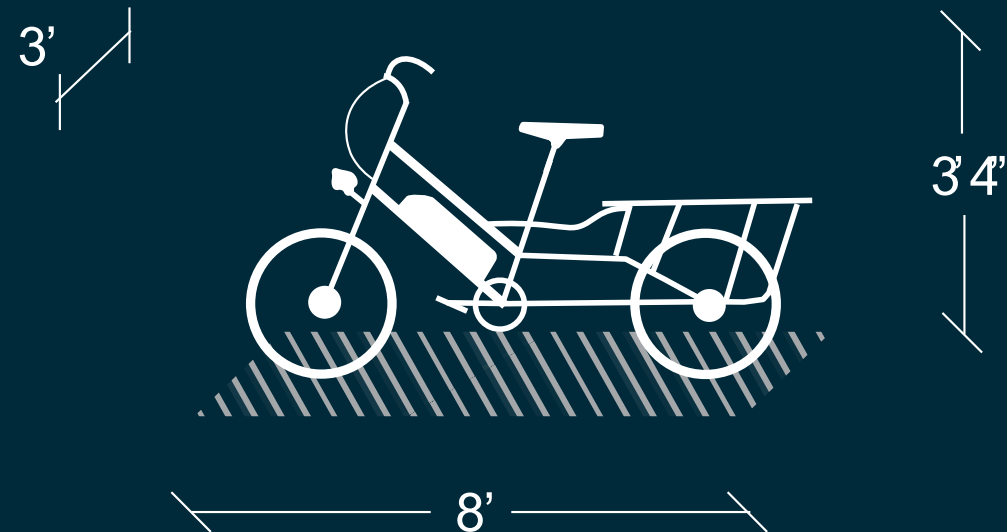
- Previous standards tied to off-street vehicle parking standards. No changes to residential quantities.

2. Modification Process

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

3. Development Standards

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



Questions?

Ryan Dyar
Assistant Planner
Dyarr@milwaukieoregon.gov



PRIOR RELATED CITY ACTIONS

4. Topic-specific strategies and actions

Closing the gap: Household and organizational actions

The following pages provide ideas for ways households, businesses and organizations can take action and help us close the gap and reach our goals.

HOUSEHOLD STRATEGIES

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

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

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

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

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

6 CLIMATE CHANGE & ENERGY BACKGROUND SUMMARY

CONTEXT

The world is in the middle of a climate crisis, and the effects are being felt. There is a growing consensus that we need to take action now to reduce our greenhouse gas emissions and limit global warming to 1.5 degrees Celsius above pre-industrial levels. This is a global challenge that requires a coordinated effort from all countries and sectors of society.

Key Issues:

- Global warming is accelerating, leading to more frequent and severe weather events, rising sea levels, and loss of biodiversity.
- Human activities, particularly the burning of fossil fuels, are the primary drivers of climate change.
- There is a growing consensus that we need to take action now to reduce our greenhouse gas emissions and limit global warming to 1.5 degrees Celsius above pre-industrial levels.

7 HOUSING BACKGROUND SUMMARY

CONTEXT

Housing is a fundamental human need and a key component of economic and social well-being. It is also a major source of greenhouse gas emissions and a significant barrier to social mobility. The housing market is facing a crisis, with many people unable to afford decent, safe, and affordable housing.

Key Issues:

- Housing is a fundamental human need and a key component of economic and social well-being.
- The housing market is facing a crisis, with many people unable to afford decent, safe, and affordable housing.
- There is a growing consensus that we need to take action now to address the housing crisis and ensure that everyone has access to decent, safe, and affordable housing.

8 URBAN DESIGN & LAND USE GOALS & POLICIES

POLICY 8.2.2

Encourage the use of compact, walkable, and transit-oriented development (TOD) in urban areas to reduce greenhouse gas emissions and improve air quality.

Key Issues:

- Urban design and land use policies play a critical role in reducing greenhouse gas emissions and improving air quality.
- Encouraging compact, walkable, and transit-oriented development (TOD) in urban areas can help reduce the need for long-distance travel and the associated greenhouse gas emissions.

Climate Action Plan (2017)

- Personal transportation strategies to close the gap

Comprehensive Plan (2020)

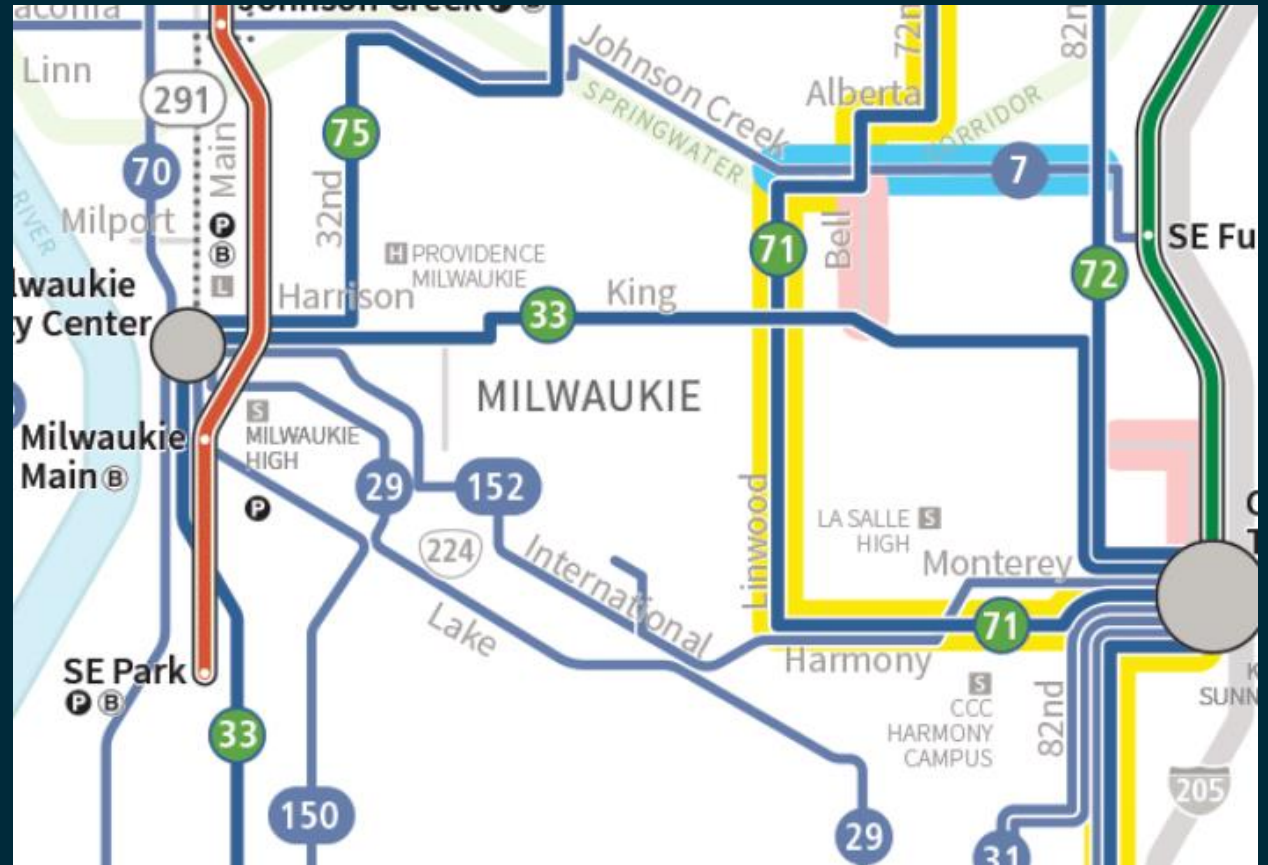
- Section 6: Climate Change and Energy
- Section 7: Housing
- Section 8: Urban Design and Land Use

NEW FREQUENT SERVICE PROPOSED

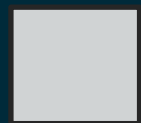
TriMet Forward Together: Revised Service Concept Plan

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

Takes Effect **September 2023**



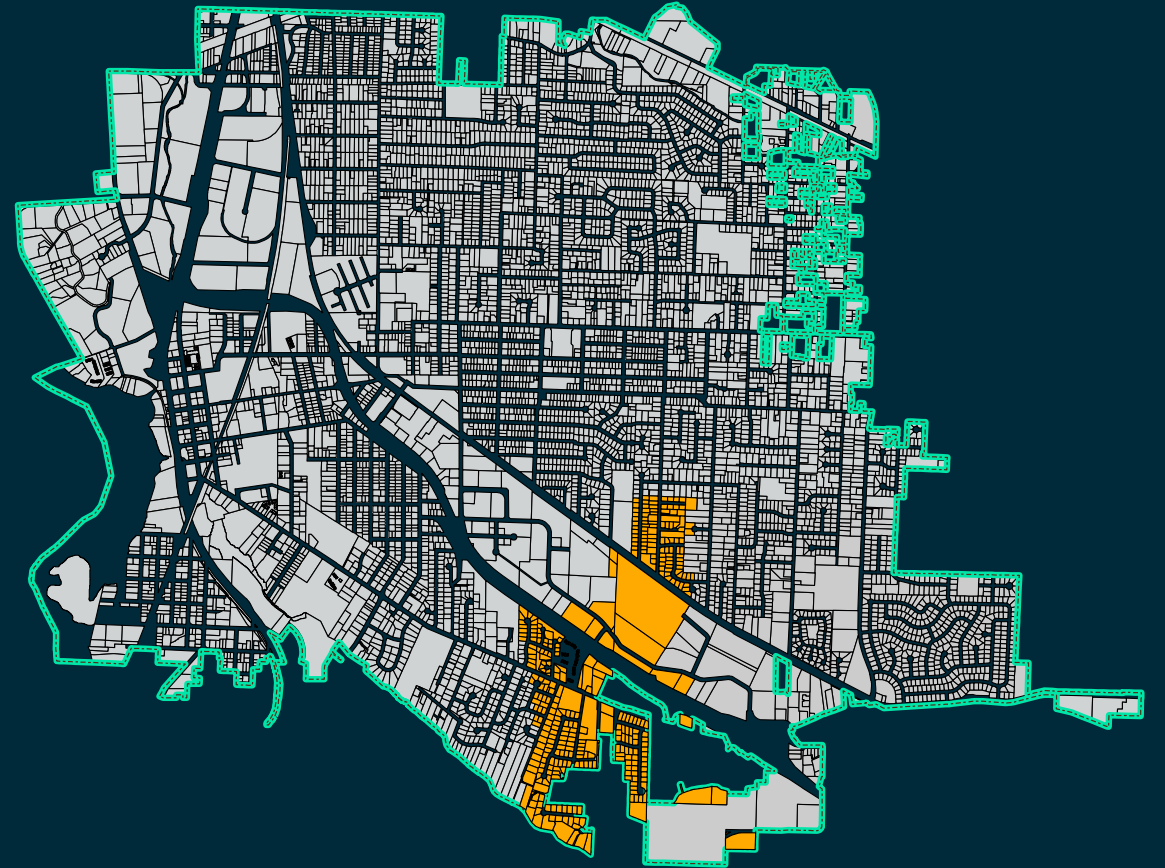
FREQUENT TRANSIT ANALYSIS REVISED



Parking Mandates
cannot apply



Some parking
mandates may apply
(~ 5%)



PARKING REFORM = OPTION A

Option A

Remove parking mandates citywide.

And adopt:

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

Option B

Retain some parking mandates. And adopt:

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



RS Agenda Item

8

Public Hearings

COUNCIL STAFF REPORT

To: Mayor and City Council
Ann Ober, City Manager

Reviewed: Jherica Zink (as to form), Administrative Specialist II

From: Peter Passarelli, Public Works Director

Subject: **Water System Development Charges (SDCs)**

Date Written: Mar. 20, 2024

ACTION REQUESTED

Council is asked to adopt the proposed SDC methodology and SDC rate structure recommendations for the city's water utility.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

March 2, 2021: Council received a presentation on SDCs and provided guidance to staff and the city's consultant team concerning the desire to develop a tiered wastewater SDC for residential properties based on dwelling unit size.

[January 4, 2022](#): Council received a presentation on the proposed wastewater SDC methodology and SDC rate structure recommendations for the city's wastewater utility.

[May 17, 2022](#): Council adopted the proposed SDC methodology and SDC rate structure recommendations for the city's wastewater utility.

[August 15, 2023](#): Council received a presentation on the proposed water SDC methodology and SDC rate structure recommendations for the city's water utility.

ANALYSIS

SDCs are one-time charges assessed on new development, additions, and changes of use to pay for the costs of expanding public facilities. As growth creates new infrastructure demand, SDCs provide a mechanism for new growth to pay for new demand on the water, sewer, storm, transportation, and parks systems. Milwaukie currently charges SDCs for development and redevelopment for water, sewer, parks, and street systems. SDCs are the city's principal source of revenue for planning and infrastructure costs related to growth.

Generally, the charges are broken down into two components: 1) a reimbursement charge to recover existing capacity available for growth and 2) an improvement charge to cover planned capacity for growth. In some circumstances, the fee may include an administrative fee/compliance fee to cover the costs of complying with Oregon's SDC laws.

Not all SDCs collected by Milwaukie are set by the city. The city collects charges set and managed by the North Clackamas Parks and Recreation District (NCPRD) as well as sewer connection fees set by Clackamas County Water Environment Services (WES) and the City of Portland.

Proposed SDC

Staff and the consultant team have developed preliminary rate structures from the water SDC study and are presenting the findings and recommendations for review and feedback. The tables

below show the current water SDC, proposed SDC, a proposed tiered schedule for single family residential that aligns with the city's wastewater SDC structure and a water SDC comparison within the region.

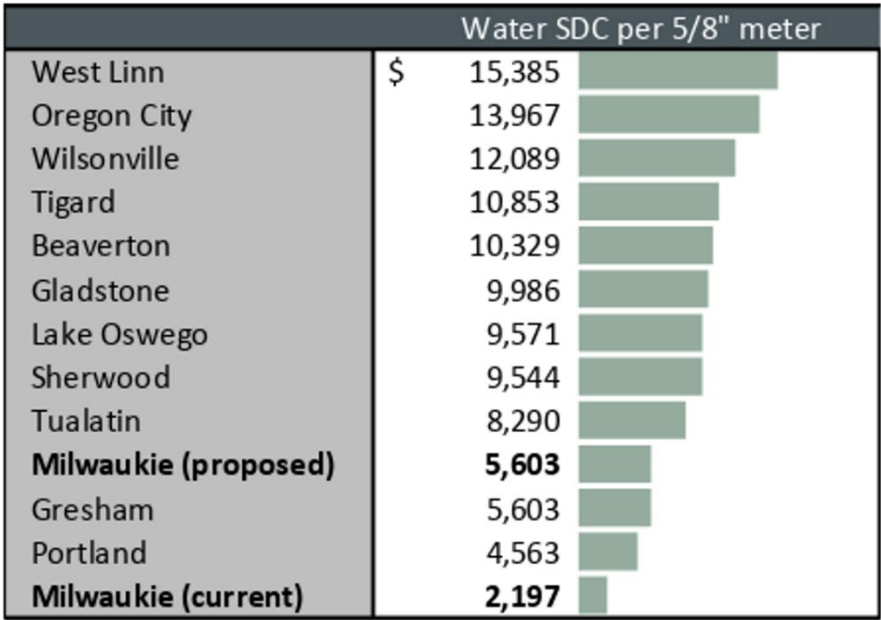
Current and Proposed SDC Rate by Meter Size

Meter Size	Current SDC	Proposed Calculated Full SDC
5/8"x3/4"	\$2,297	\$5,603
1"	\$3,836	\$9,339
1.5"	\$7,666	\$18,678
2"	\$12,268	\$29,885
3"	\$24,528	\$59,769
4"	\$38,326	\$93,389
6"	\$76,326	\$186,779
8"	\$122,654	\$298,846
10"	\$176,313	\$429,591
12"	\$3,444,964	\$945,567

Tiered Structure

	EDUs	Max. Water SDC
Single-Family Residential		
< 500 sqft (use ADU rate)	0.60 \$	3,362
500-800 sqft	0.70	3,922
800-1,799 sqft	0.90	5,043
1,800-2,999 sqft	1.00	5,603
3,000-3,799 sqft	1.10	6,164
≥ 3,800 sqft	1.20	6,724
Accessory dwelling unit (ADU)	0.60	3,362

Water SDC Comparison



Source: FCS GROUP Survey (7/12/23)

Assumes 5/8" meter

Public Notice

The city issued a public notice, pursuant to Oregon Revised Statute (ORS) 223.304 of its intent to consider changes in its system development charges on January 4, 2024, and of the public hearing to take comments from interested stakeholders regarding the proposed system development charges scheduled for Tuesday, April 2, 2024, at city hall. The public notice was advertised in The Oregonian and the Clackamas Review newspapers. The technical report addressing the methodology and calculation of the proposed charges was made available for review on the city’s website and at city hall in February 2024.

EQUITY IMPACTS

Council has generally reflected the view that growth should pay for growth, but the current SDC structure is regressive as a percentage of house value, it overestimates the impact of smaller dwelling units, and could be a future barrier to affordable housing.

CLIMATE IMPACTS

Not applicable.

BUDGET IMPACTS

The updated methodology includes capital projects that are necessary to support future growth within in Milwaukie. Updated SDC fees will provide a source of necessary revenues to construct the infrastructure necessary to support future growth.

WORKLOAD IMPACTS

Not applicable.

COORDINATION, CONCURRENCE, OR DISSENT

Staff have not received any feedback from interested stakeholders concerning the proposed methodology or the proposed rates.

STAFF RECOMMENDATION

Staff recommends that Council adopt the proposed SDC methodology and SDC rate structure recommendations for the city's wastewater utility.

ALTERNATIVES

Council could decide to:

1. Revise the proposed SDC methodology and SDC rate structure recommendations for the city's water utility and then adopt, or
2. Not adopt the methodology and rate structure recommendations.

ATTACHMENTS

1. Water SDC Update Report
2. Resolution



WATER SYSTEM DEVELOPMENT CHARGE UPDATE

DRAFT REPORT
September 2023

www.fcsgroup.com

This entire report is made of readily recyclable materials, including the bronze wire binding and the front and back cover, which are made from post-consumer recycled plastic bottles.



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Appendix A – Improvement Fee Cost Basis

Section I. INTRODUCTION

This section describes the project scope and policy context upon which the body of this report is based.

I.A. PROJECT

The City of Milwaukie (City) imposes a system development charge (SDC) to recover eligible infrastructure costs and provide partial funding for the capital needs of its water system. Water SDCs are charged to all new development within the City’s boundaries, both residential and commercial. For a typical single-family dwelling unit, the current water SDC is \$2,297.

In 2021, the City contracted with FCS GROUP to update the City’s water SDC based on the Water System Master Plan completed by Tetra Tech. This plan identified a total of \$50.0 million in capital projects to be completed by the City between 2023 and 2042.

I.B. POLICY

SDCs are enabled by state statute, authorized by local ordinance, and constrained by the United States Constitution.

I.B.1. State Statute

Oregon Revised Statutes (ORS) 223.297 to 223.316 enable local governments to establish SDCs, which are one-time fees on development that are paid at the time of development or redevelopment that creates additional demand for the water system. SDCs are intended to recover a fair share of the cost of existing and planned facilities that provide capacity to serve future users (i.e., growth).

ORS 223.299 defines two types of SDC:

- A reimbursement fee that is designed to recover “costs associated with capital improvements already constructed, or under construction when the fee is established, for which the local government determines that capacity exists”
- An improvement fee that is designed to recover “costs associated with capital improvements to be constructed”

ORS 223.304(1) states, in part, that a reimbursement fee must be based on “the value of unused capacity available to future system users or the cost of existing facilities” and must account for prior contributions by existing users and any gifted or grant-funded facilities. The calculation must “promote the objective of future system users contributing no more than an equitable share to the cost of existing facilities.” A reimbursement fee may be spent on any capital improvement related to the system for which it is being charged (whether cash-financed or debt-financed).

ORS 223.304(2) states, in part, that an improvement fee must be calculated to include only the cost of projected capital improvements needed to increase system capacity for future users. In other words, the cost of planned projects that correct existing deficiencies or that do not otherwise increase capacity for future users may not be included in the improvement fee calculation. An improvement

fee may be spent only on capital improvements (or portions thereof) that increase the capacity of the system for which it is being charged (whether cash-financed or debt-financed).

In addition to the reimbursement and improvement fees, ORS 223.307(5) states, in part, that “system development charge revenues may be expended on the costs of complying” with state statutes concerning SDCs, including “the costs of developing system development charge methodologies and providing an annual accounting of system development charge expenditures.”

I.B.2. Local Ordinance

The City’s code authorizes and governs the imposition and expenditure of SDCs in the City found in Section 13.28 of the Code of the City of Milwaukie.

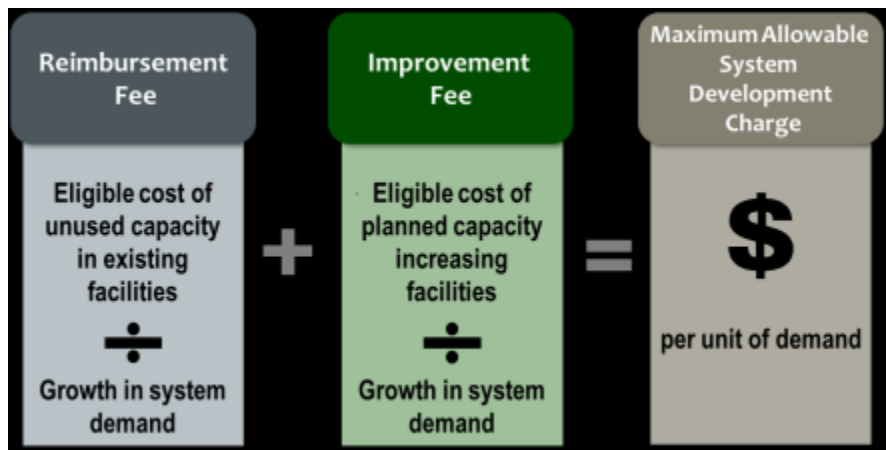
I.B.3. United States Constitution

The United States Supreme Court has determined that SDCs, impact fees, or other exactions that comply with state and/or local law may still violate the United States Constitution if they are not proportionate to the impact of the development. The SDCs calculated in this report are designed to meet all constitutional and statutory requirements.

I.C. SDC BACKGROUND

In general, SDCs are calculated by adding a reimbursement fee component (if applicable) and an improvement fee component—both with potential adjustments. Each component is calculated by dividing the eligible cost by growth in units of demand. The unit of demand becomes the basis of the charge. Below is an illustration of this calculation:

Exhibit 1: SDC Methodology



Section II. SDC CALCULATION

This section provides the detailed calculations of the maximum allowable water SDC.

II.A. GROWTH

The calculation of projected growth begins with defining the units by which current and future demand will be measured. Then, using the best available data, the current level of demand is quantified, and the future level of demand is estimated. The difference between the current level and the future level is the growth in demand that will serve as the denominator in the SDC calculations.

II.A.1. Unit of Measurement

A good unit of measurement allows an agency to quantify the incremental demand of development or redevelopment that creates additional demand for system facilities. A more precise unit of measurement allows an agency to distinguish different levels of demand added by different kinds of development or redevelopment.

For water SDCs, demand is often measured in terms of meter capacity equivalents (MCEs), where one MCE is equal to the maximum flow in gallons per minute provided by the smallest water meter the City installs. To calculate the demand incurred by other development types, MCEs can be assigned based on the differential flow rates of different meter sizes.

Currently, the City charges its water SDC using the MCE method using the flow rates of a 3/4” meter as its base. This report continues this practice.

II.A.2. Growth in Demand

In 2019, the City had a total maximum day water demand (MDD) of 4.13 million gallons per day (MGD). The Water System Master Plan estimates that MDD will grow to 5.64 MGD per day by 2040. Interpolating the City's estimates, the MDD in 2023 is approximately 4.38 MGD.

According to the City’s estimates, there were 8,664 MCEs in 2023. If MCEs grow at the same rate as MDD, there will be 11,149 MCEs in 2040. So, the growth in MCEs over the planning period is 2,485 and the growth share, or the percentage of MCEs in 2040 that will arrive between 2023 and 2040, is 22.29 percent.

These calculations are summarized in **Exhibit 2** below. The growth of 2,485 will be the denominator for the SDC calculation.

Exhibit 2: Growth in MCEs

	2019	2023	2040	Growth (2023-2040)	Growth Share
Peak Season Maximum Day Demand (MGD)	4.13	4.38	5.64	1.26	22.29%
Total MCEs		8,664	11,149	2,485	22.29%

Source: 2021 Water System Master Plan, Table 3-7 (maximum day demand projections); previous tables (total MCEs)

II.B. IMPROVEMENT FEE

An improvement fee is the eligible cost of planned projects per unit of growth that such projects will serve. The growth component (denominator) was calculated above and the following section will focus on the improvement fee cost basis (numerator).

II.B.1. Eligibility

A project's eligible cost is the product of its total cost and its eligibility percentage. The eligibility percentage represents the portion of the project that creates capacity for future users. Where possible, specific details about a project can provide an eligibility percentage. Details about pumping capacities for pump replacement projects allowed for specific eligibility calculations for those projects. Specific capacity calculations were also made for storage reservoir projects.

When specific details are not available or necessary, projects can be sorted into three broad categories. The first category is for projects that do not provide capacity for future users. Such projects may be purely replacement projects, or they may be solving a deficiency in the water system. Projects in this category are 0 percent eligible. The second category is for projects that are purely for future users, such as when new pipe is laid to provide for a new development. These projects are 100 percent eligible. Finally, projects that provide capacity that will be proportionately shared between current and future users are eligible at the growth share percentage discussed in the previous section, 22.29 percent.

II.B.2. Improvement Fee Cost Basis

Projects in the improvement fee cost basis were taken from the City's Water System Master Plan. Each project was assigned an eligibility percentage based on the discussion above. One project (Stanley Reservoir) will be entirely funded by outside sources and thus will not be included in the cost basis.

Appendix A displays all the projects in the water system improvement fee cost basis. The total cost for the project list is \$50.0 million. The eligibility for each project is shown in the SDC Eligibility column, and the SDC Eligible Costs column shows that the full amount of the improvement fee cost basis is \$11.6 million.

II.C. REIMBURSEMENT FEE COST BASIS

A reimbursement fee is the eligible cost of the water facilities available for future users per unit of growth that such facilities will serve. The denominator of this equation is calculated as the growth in demand. The following discussion focuses on calculating the numerator of the equation to determine the eligible cost of the water facilities available for future users. That is, it focuses on the cost of reimbursable water facilities.

II.C.1. Storage Capacity for Growth

According to the 2021 Water System Master Plan, the current storage system has 6.00 million gallons (MG) of capacity. Based on Table 7-4 of the Water System Master Plan and the projected required capacity between 2019 and 2040, the current required capacity is estimated to be 3.87 MG. By 2040,

that demand will rise to 6.40 MG. Thus, the difference between existing required capacity and existing capacity – or 2.13 MG – is available for growth that will arrive by 2040. That is, 35.5 percent of the storage capacity is available for growth.

The estimated total original cost of storage assets in the City is \$1.4 million. There was no outside funding, and the water utility has no outstanding debt, so no adjustments to the cost basis are necessary. Therefore, the reimbursable cost of the storage facilities is \$1.4 million multiplied by the capacity available for growth of 35.5 percent, for a total of \$514,000.

These calculations are summarized in **Exhibit 3** below.

Exhibit 3: Reimbursable Cost of Storage Facilities

Storage	
Existing Capacity (MG)	6.00
2023 Required Capacity (MG)	3.87
2040 Required Capacity (MG)	6.40
Capacity Available for Growth (MG)	2.13
Capacity Available for Growth (%)	35.5%
Original Cost	\$ 1,447,865
Outside Funding	-
Total Reimbursable Cost:	\$ 514,174

Source: 2021 Water System Master Plan, Table 7-4 (capacity and demand); City staff (original cost of storage assets)

II.C.2. Supply Capacity for Growth

Based on Table 5-3 of the Water System Master Plan and the projected MDD between 2019 and 2040, the current MDD is estimated to be 3,372 gallons per minute (gpm). By 2040, that demand will rise to 4,304 gpm. Further, with capacity of 5,094 gpm, the City has more than sufficient supply to accommodate growth. Thus, the difference between existing MDD and future MDD – or 932 gpm – is available as capacity for growth that will arrive by 2040. That is, 18.3 percent of the supply capacity is available for growth.

The estimated total original cost of supply assets in the City is \$4.3 million. There was no outside funding, and the water utility has no outstanding debt, so no adjustments to the cost basis are necessary. Therefore, the reimbursable cost of the supply facilities is simply \$4.3 million multiplied by the capacity available for growth of 18.3 percent, for a total of \$788,000.

These calculations are summarized in **Exhibit 4** below.

Exhibit 4: Reimbursable Cost of Supply Facilities

Supply	
Existing Supply Capacity (gpm)	5,094
Existing MDD (gpm)	3,372
2040 MDD (gpm)	4,304
Capacity Available for Growth (gpm)	932
Capacity Available for Growth (%)	18.3%
Original Cost	\$ 4,307,901
Outside Funding	-
Total Reimbursable Cost:	\$ 788,052

Source: 2021 Water System Master Plan, Table 5-3 (demand); City staff (original cost of supply assets)

II.C.3. Pumping Capacity for Growth

Pumping capacity in the City is broken down by zones into Zones 1, 2, 3, and 4. Analysis of each zone was performed separately. The only zone with surplus capacity was Zone 4, whose pumping capacity estimates are listed below.

According to the 2021 Water System Master Plan, Zone 4’s current pumping system has 2,350 gpm of “firm” capacity (capacity with its largest pump out of service). Based on Table 7-6 of the Water System Master Plan and the projected MDD plus fire flow between 2019 and 2040, Zone 4’s current MDD plus fire flow is estimated to be 1,526 gpm. By 2040, that demand will rise to 1,539 gpm. Thus, the difference between current demand and future demand – or 13 gpm – is available for growth that will arrive by 2040. That is, 0.6 percent of the pumping capacity is available for growth.

The estimated total original cost of pumping assets in Zone 4 is \$278,000. There was no outside funding, and the water utility has no outstanding debt, so no adjustments to the cost basis are necessary. Therefore, the reimbursable cost of the supply facilities is simply \$278,000 multiplied by the capacity available for growth of 0.6 percent, for a total of \$1,538.

These calculations are summarized in **Exhibit 5** below.

Exhibit 5: Reimbursable Cost of Pumping Facilities

Pumping (Zone 4)	
Existing Firm Capacity (gpm)	2,350
2023 MDD plus Fire Flow (gpm)	1,526
2040 MDD plus Fire Flow (gpm)	1,539
Capacity Available for Growth (gpm)	13
Capacity Available for Growth (%)	0.6%
Original Cost	\$ 278,071
Outside Funding	-
Total Reimbursable Cost:	\$ 1,538

Source: 2021 Water System Master Plan, Table 7-6 (demand); City staff (original cost of pumping assets)

II.C.4. Total Reimbursable Cost

Due to fire flow deficiencies, the transmission and distribution (T&D) system has no capacity for growth. Therefore, the total from the storage, pumping, and supply systems of \$1.3 million will be the reimbursement fee cost basis.

Exhibit 6: Total System Reimbursable Costs

	Estimated Capacity for Growth	Original Cost	Reimbursable Cost
Supply	18.29%	\$ 4,307,901	\$ 788,052
Storage	35.51%	1,447,865	514,174
Pumping	0.22%	687,747	1,534
Transmission & Distribution	0.00%	15,009,614	-
Total:		\$ 21,453,127	\$ 1,303,760

II.D. CALCULATED SDC

This section combines the eligible costs from the improvement fee cost basis and the reimbursement fee cost basis and applies some adjustments. The result is a total SDC per MCE.

II.D.1. Adjustments

The City must reduce its improvement fee cost basis by \$79,779 to account for any remaining improvement fee fund balance in its current SDC fund. This is done to avoid double-charging for projects that the City has already collected improvement fees for. This adjustment is shown in **Exhibit 7** below.

Exhibit 7: Adjustments to the Improvement Fee Cost Basis

Adjustments to SDC Cost Basis	
Unadjusted Improvement Fee Cost Basis	\$ 11,635,069
Improvement Fee Fund Balance	(79,779)
Total Improvement Fee Cost Basis:	\$ 11,555,291

To account for the cost of complying with SDC law, the City may add \$1.0 million to the full SDC cost basis. This is based on the City’s current practice of adding 7.66 percent to the total improvement and reimbursement fees to account for administration of the SDC program.

II.D.2. Calculated SDC

Exhibit 8 below summarizes the full calculation of the SDC. As shown, the full SDC is \$5,603 per MCE.

Exhibit 8: Calculated SDC

Calculated SDC	
Improvement Fee Cost Basis	\$ 11,555,291
Reimbursement Fee Cost Basis	1,303,760
Compliance Costs	985,098
Total:	\$ 13,844,149
Growth in MCEs	2,485
Improvement Fee per MCE	\$ 4,682
Reimbursement Fee per MCE	525
Compliance Fee per MCE	396
Total SDC per MCE:	\$ 5,603

Exhibit 9 below shows the full water SDC schedule.

Exhibit 9: Water SDC Schedule

Meter Size	MCE Ratio	Improvement Fee	Reimbursement Fee	Compliance Fee	Calculated Full SDC
3/4"	1.00	\$ 4,682	\$ 525	\$ 396	\$ 5,603
1"	1.67	7,804	874	661	9,339
1.5"	3.33	15,608	1,749	1,321	18,678
2"	5.33	24,972	2,798	2,114	29,885
3"	10.67	49,944	5,596	4,229	59,769
4"	16.67	78,038	8,744	6,607	93,389
6"	33.33	156,075	17,489	13,214	186,779
8"	53.33	249,721	27,982	21,143	298,846
10"	76.67	358,973	40,225	30,393	429,591
12"	168.75	790,132	88,538	66,898	945,567

The City’s wastewater utility assesses wastewater SDCs in a scaled rate schedule segmented by house size. This approach is based on – and designed to be consistent with – the approach proposed by Clackamas County Water Environment Services (WES). To be consistent between the wastewater and water utility, scaled water SDCs have been calculated as well. In **Exhibit 10**, equivalent dwelling units (EDUs) are applied to the calculated SDC based on house square footage. These would apply only to homes with 3/4” water meters.

Exhibit 10: Scalable SDC by House Size

	EDUs	Max.	
		Water	SDC
Single-Family Residential			
< 500 sqft (use ADU rate)	0.60	\$	3,362
500-800 sqft	0.70		3,922
800-1,799 sqft	0.90		5,043
1,800-2,999 sqft	1.00		5,603
3,000-3,799 sqft	1.10		6,164
≥ 3,800 sqft	1.20		6,724
Accessory dwelling unit (ADU)	0.60		3,362

Source: 2021 Water Environment Services Rules and Regulation

Section III. IMPLEMENTATION

This section addresses practical aspects of implementing SDCs and provides a comparison with relevant jurisdictions.

III.A. INDEXING

ORS 223.304 allows for the periodic indexing of SDCs for inflation, as long as the index used is:

- (A) A relevant measurement of the average change in prices or costs over an identified time period for materials, labor, real property or a combination of the three;
- (B) Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the system development charge methodology; and
- (C) Incorporated as part of the established methodology or identified and adopted in a separate ordinance, resolution or order.

In accordance with Oregon statutes, it is recommended that the City use the *Engineering News-Record* (ENR) Construction Cost Index (CCI) – Seattle as the basis for adjusting SDCs annually. ENR does not have a comparable Oregon-specific index.

III.B. COMPARISONS

This section provides comparisons for the City’s current and proposed water SDCs against those of comparable jurisdictions. As shown in **Exhibit 11**, the current charge puts the City at the very bottom of comparable jurisdictions. If the water SDC is implemented as proposed, the City will move above a few jurisdictions.

Exhibit 11: Water SDC Comparisons

Water SDC per 5/8" meter	
West Linn	\$ 15,385
Oregon City	13,967
Wilsonville	12,089
Tigard	10,853
Beaverton	10,329
Gladstone	9,986
Lake Oswego	9,571
Sherwood	9,544
Tualatin	8,290
Milwaukie (proposed)	5,603
Gresham	5,603
Portland	4,563
Milwaukie (current)	2,197

*Source: FCS Group Survey (7/12/23)
 Assumes 5/8" meter*

APPENDIX A – IMPROVEMENT FEE COST BASIS

Exhibit 12: Improvement Fee Cost Basis

#	Description	Timeline	2023 Project Cost	SDC Eligibility	Outside Funding	SDC-Eligible Cost
1	Unspecified miscellaneous equipment replacement and upgrades as needed	2023-2032	\$ 325,368	0.00%	\$ -	\$ -
2	Intertie Development	2025-2032	325,368	22.29%	-	72,522
3	Re-establish the production of Well 8 to maximize supply	2024	271,140	22.29%	-	60,435
4	HVAC upgrades all wellhouses	2023-2027	325,368	0.00%	-	-
5	Well electrical upgrades	2024-2032	406,710	22.29%	-	90,652
6	Well #4 Reconditioning	2023	65,074	0.00%	-	-
7	Well #7 Reconditioning	2023	65,074	0.00%	-	-
8	Well #3 Reconditioning	2024	65,074	0.00%	-	-
9	Well #5 Reconditioning	2026	65,074	0.00%	-	-
10	Well #6 Reconditioning	2028	65,074	0.00%	-	-
11	Well #2 Building Improvements	2026	108,456	0.00%	-	-
12	CRW / Oak Lodge Intertie	2024	132,316	22.29%	-	29,492
13	WTP 235 generation replacement/ relocation and automatic transfer switch/	2026	1,735,295	22.29%	-	386,782
14	WTP 47 generation replacement/ relocation and automatic transfer switch/ b	2027	1,735,295	22.29%	-	386,782
15	Stanley Reservoir: 3.0 MG tank recoating. Modernize mixing system	2023-2024	2,895,774	22.29%	2,895,774	-
16	Construct additional 3MG storage reservoir to address storage deficiency in 2	2029-2030	7,049,637	73.33%	-	5,169,734
17	Concrete Tank liner replacement (per Potable Divers Inc. Report July 2020) ar	2023	650,736	0.00%	-	-
18	Address deferred maintenance	2023-2032	325,368	0.00%	-	-
19	Replace W2 PS with two 3,000 gpm pumps.	2025	1,626,839	0.00%	-	-
20	Replace the 3rd Zone PS with two 2,000 gpm pumps	2027	1,301,471	40.43%	-	526,120
21	Replace the W6 PS with two 2,000 gpm pumps.	2032	1,301,471	55.25%	-	719,063
22	Lava Pump Station backup generator	2025	105,202	22.29%	-	23,449
23	Replace 10-inch pipe with 650 feet of 12-inch pipe on Main St. Replace 6,10-in	2026	1,129,948	22.29%	-	251,856
24	Install 1470 feet of 12-inch pipe on Firwood St.	2027	554,264	22.29%	-	123,541
25	Install 800 feet of 12-inch pipe on Flavel Dr.	2027	303,677	22.29%	-	67,687
26	Replace 4-inch pipe with 500 feet of 8-inch pipe on Winworth Ct.	2028	136,112	0.00%	-	-
27	Install 750 feet of 12-inch pipe on 23rd Ave. Replace 6-inch pipe with 600 fee	2027	759,354	22.29%	-	169,254
28	Replace 4-inch pipe with 240 feet of 8-inch pipe on Elk St. Install 380 feet of 8	2025	273,309	0.00%	-	-
29	Replace 4-inch pipe with 260 feet of 8-inch pipe on 44th Ave. Replace 4-inch	2027	260,077	0.00%	-	-
30	Replace 6-inch pipe with 360 feet of 8-inch pipe on Drake St. Replace 4, 6-inc	2031	310,943	0.00%	-	-
31	Replace 16-inch transmission main from the Concrete Reservoir to Zone 2 wi	2028	1,937,023	22.29%	-	431,746
32	Replace 6-inch pipe with 1550 feet of 8-inch pipe on Adams St. Replace 6-inc	2028	1,077,239	0.00%	-	-
33	Replace 6-inch pipe with 800 feet of 16-inch pipe on Oak St. Replace 6-inch p	2027	1,868,642	22.29%	-	416,504
34	Replace 10-inch pipe with 300 feet of 16-inch pipe on Sparrow St. Replace 10-	2029	1,263,674	22.29%	-	281,662
35	Install 450 feet of 8-inch pipe between Roswell St and Boyd St.	2024	123,369	0.00%	-	-
36	Replace 4-inch pipe with 220 feet of 12-inch pipe on 54th Ave. Install 340 fee	2039-2042	640,432	22.29%	-	142,747
37	Replace 4-inch pipe with 180 feet of 8-inch pipe on 30th Ave.	2032	47,612	0.00%	-	-
38	Replace 4-inch pipe with 180 feet of 8-inch pipe on 31st Ave.	2032	47,612	0.00%	-	-
39	Replace 4-inch pipe with 300 feet of 8-inch pipe on 55th Ave.	2032	82,969	0.00%	-	-
40	Replace 6-inch pipe with 470 feet of 8-inch pipe on 41st Ct.	2032	128,900	0.00%	-	-
41	Install 580 feet of 16-inch pipe on Minthorn Springs. Replace 10, 12-inch pipe	2028	2,366,780	22.29%	-	527,535
42	Replace 6-inch pipe with 250 feet of 8-inch pipe on 47th Ave. Replace 4, 6-inc	2029	848,776	0.00%	-	-
43	Install 440 feet of 8-inch pipe on Ulewellyn St.	2033-2038	118,434	0.00%	-	-
44	Replace 6, 8-inch pipe with 1660 feet of 12-inch pipe on King Rd. Replace 8-in	2031	1,473,374	22.29%	-	328,402
45	Replace 6-inch pipe with 710 feet of 8-inch pipe on 30th Ave. Replace 6-inch	2031	554,427	0.00%	-	-
...

(Improvement Fee Cost Basis – Continued)

#	Description	Timeline	2023 Project Cost	SDC Eligibility	Outside Funding	SDC-Eligible Cost
46	Reconnect King Rd Hydrants to 10-inch line.	2031	21,040	0.00%	-	-
47	Replace 8-inch pipe with 420 feet of 12-inch pipe on Grogran St. Replace 4, 6-	2039-2042	640,432	22.29%	-	142,747
48	Replace 4-inch pipe with 330 feet of 8-inch pipe on 36th Ave.	2033-2038	90,181	0.00%	-	-
49	Replace 4-inch pipe with 700 feet of 8-inch pipe on Balfour St.	2033-2038	190,340	0.00%	-	-
50	Install 240 feet of 8-inch pipe between 63rd and 64th Ave.	2033-2038	65,290	0.00%	-	-
51	Replace 6-inch pipe with 430 feet of 8-inch pipe on Northridge Dr. Replace 6-	2039-2042	287,734	0.00%	-	-
52	Replace 6-inch pipe with 340 feet of 8-inch pipe on Hunter St.	2033-2038	91,862	0.00%	-	-
53	Install 380 feet of 8-inch pipe between 41st Ave and 42nd Ave at Meadowcre	2033-2038	104,009	0.00%	-	-
54	Replace 6-inch pipe with 360 feet of 12-inch pipe on 32nd Ave.	2033-2038	136,004	22.29%	-	30,314
55	Install 410 feet of 12-inch pipe between Wichita Ct and Woodhaven St.	2033-2038	155,255	22.29%	-	34,605
56	Replace 10-inch pipe with 600 feet of 12-inch pipe on 26th Ave.	2039-2042	226,673	22.29%	-	50,523
57	Install 390 feet of 12-inch pipe from the industrial area to Railroad Ave.	2033-2038	148,422	22.29%	-	33,082
58	Replace 6-inch pipe with 630 feet of 8-inch pipe on 30th Ave. Replace 6-inch	2039-2042	363,490	0.00%	-	-
59	Replace 6-inch pipe with 550 feet of 8-inch pipe on 29th Ave. Replace 6-inch	2039-2042	240,284	0.00%	-	-
60	Install 352 feet of 8-inch pipe at Quail Ridge Apartments.	2033-2038	96,049	0.00%	-	-
61	Replace 12-inch pipe with 1280 feet of 12-inch pipe on Hanna Harvester Dr.	2039-2042	482,846	22.29%	-	107,622
62	Replace 4-inch pipe with 240 feet of 8-inch pipe on Waymire St.	2039-2042	65,290	0.00%	-	-
63	Replace 6-inch pipe with 350 feet of 8-inch pipe on Oxford Ln.	2039-2042	95,712	0.00%	-	-
64	Install 310 feet of 8-inch pipe between Brookside Apartments and Brookside	2039-2042	84,650	0.00%	-	-
65	Install 500 feet of 8-inch pipe on Se Furnberg St.	2039-2042	136,112	0.00%	-	-
66	Replace 8-inch pipe with 90 feet of 12-inch pipe on McLoughlin Blvd. Replace	2039-2042	48,751	22.29%	-	10,866
67	Replace 6-inch pipe with 410 feet of 8-inch pipe on 41st Ave.	2039-2042	111,222	0.00%	-	-
68	Replace 6-inch pipe with 350 feet of 8-inch pipe on 29th Ave.	2033-2038	95,712	0.00%	-	-
69	Install 800 feet of 12-inch pipe on Stanley Place.	2033-2038	303,677	22.29%	-	67,687
70	Install 850 feet of 12-inch pipe between Riverway Ln and 17th Ave.	2039-2042	320,758	22.29%	-	71,494
71	Install 960 feet of 12-inch pipe on Monroe St.	2039-2042	363,761	22.29%	-	81,079
72	Replace 6-inch pipe with 460 feet of 8-inch pipe on White Lake Rd.	2039-2042	125,050	0.00%	-	-
73	Install 570 feet of 12-inch pipe on Clackamas Hwy.	2039-2042	215,339	22.29%	-	47,997
74	Replace 8-inch pipe with 550 feet of 12-inch pipe on Frontage Ave. Replace 8	2039-2042	286,758	22.29%	-	63,916
75	Replace 8-inch pipe with 255 feet of 12-inch pipe on 23rd Ave. Replace 6-inc	2039-2042	293,834	22.29%	-	65,493
76	Install 380 feet of 8-inch pipe on 21st Ave to Main St.	2039-2042	104,009	0.00%	-	-
77	Install 340 feet of 8-inch pipe on 56th Ave to Beckman Ave.	2039-2042	91,862	0.00%	-	-
78	Install 330 feet of 12-inch pipe on Deering Ct to Linwood Ave.	2039-2042	124,670	22.29%	-	27,788
79	Install 450 feet of 12-inch pipe on 60th Ave to Linwood Ave.	2039-2042	170,005	22.29%	-	37,893
80	Logus Road & 40th improvements	2023	284,155	0.00%	-	-
81	Milwaukee/El Puente SRTS improvements	2023	314,522	0.00%	-	-
82	Ardenwald South improvements	2024	902,353	0.00%	-	-
83	Waverley South improvements	2023	124,724	0.00%	-	-
84	International Way improvements	2024	300,423	0.00%	-	-
85	Monroe Street extension	2024	348,144	0.00%	-	-
86	Stanley Street extension	2024	95,441	0.00%	-	-
87	SAFE & SSMP FY 2025 improvements	2025	1,223,383	0.00%	-	-
88	Oatfield Rd & Shell Lane improvements	2026	108,456	0.00%	-	-
89	SCADA Implementation and Support	2024-2042	488,052	22.29%	-	108,783
90	Ongoing automation and control upgrades	2023-2042	1,084,559	22.29%	-	241,739
91	Update existing Water System Plan.	2029	271,140	22.29%	-	60,435
92	Long-term Climate Change Vulnerabilities and Alternatives Study. Develop α	2026	216,912	22.29%	-	48,348
93	Perform system wide seismic evaluation.	2029	325,368	22.29%	-	72,522
94	Planning and securing of additional water rights	2025-2028	108,456	22.29%	-	24,174
95	Revised Lead and Copper Rule Compliance Study	2023	135,570	0.00%	-	-
Total:			\$ 49,962,874		\$ 2,895,774	\$ 11,635,069

Source: 2021 Water System Master Plan, City staff



COUNCIL RESOLUTION No.

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

WHEREAS Milwaukie Municipal Code (MMC) Chapter 13.28 authorizes the city to establish system development charges (SDCs) for capital improvements, and Section 13.28.030.A defines "capital improvements" to mean facilities or assets used for transportation, and

WHEREAS MMC Section 13.28.040.B requires that SDCs be established by a resolution that sets the amount of the charge, the type of the permit to which the charge applies, and the methodology used to set the amount of the charge, and

WHEREAS MMC 13.28.080 requires the city to adopt a project plan for the SDCs listing capital improvements that may be funded by the SDCs and the estimated costs and time of construction for each improvement, and

WHEREAS the city has previously adopted and has in place a water SDC, and

WHEREAS an update the water system master plan makes it advisable to update the water SDC methodology, and

WHEREAS no person has requested notice of changes in the city's SDCs or SDC methodology, and

WHEREAS the methodology was available to the public on February 2, 2024, at least 60 days prior to the public hearing, and

WHEREAS the City Council held a public hearing on the proposed SDCs and methodology on April 2, 2024, after publishing a notice of the hearing in The Oregonian newspaper on January 6th, 2024, and

WHEREAS FCS Group has prepared a Water SDC Update Report intended to satisfy the code requirements for establishing system development charges and attached as Exhibit 1 to this resolution, and

WHEREAS the final report includes the required capital improvement project plan as required by MMC 13.28.080, the amount of the charge as required by MMC 13.28.040.B, and the methodology used to set the amount of the charge as required by MMC 13.28.040.B and 13.28.050.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, that:

Section 1: The city adopts the Water System Development Charge by FCS Group, dated September 2023 (Exhibit 1), for the purpose of establishing SDCs for water improvement projects. In particular, the city is adopting, the amount of the charges, and

the methodology used to set the amount of the charges, included in Table 7 of Exhibit 1, as required by the provisions of MMC 13.28.

Section 2: Water SDCs will be payable upon the issuance of a building permit or the issuance of a development permit for development not requiring the issuance of a building permit.

Section 3: The resolution takes effect upon adoption.

Introduced and adopted by the City Council on **April 2, 2024**.

This resolution is effective immediately

Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney



City of Milwaukie Water SDC

**RS 8. A. 4/2/24
Presentation**



John Ghilarducci, Principal
Zech Hazel, Project
Consultant
April 2024

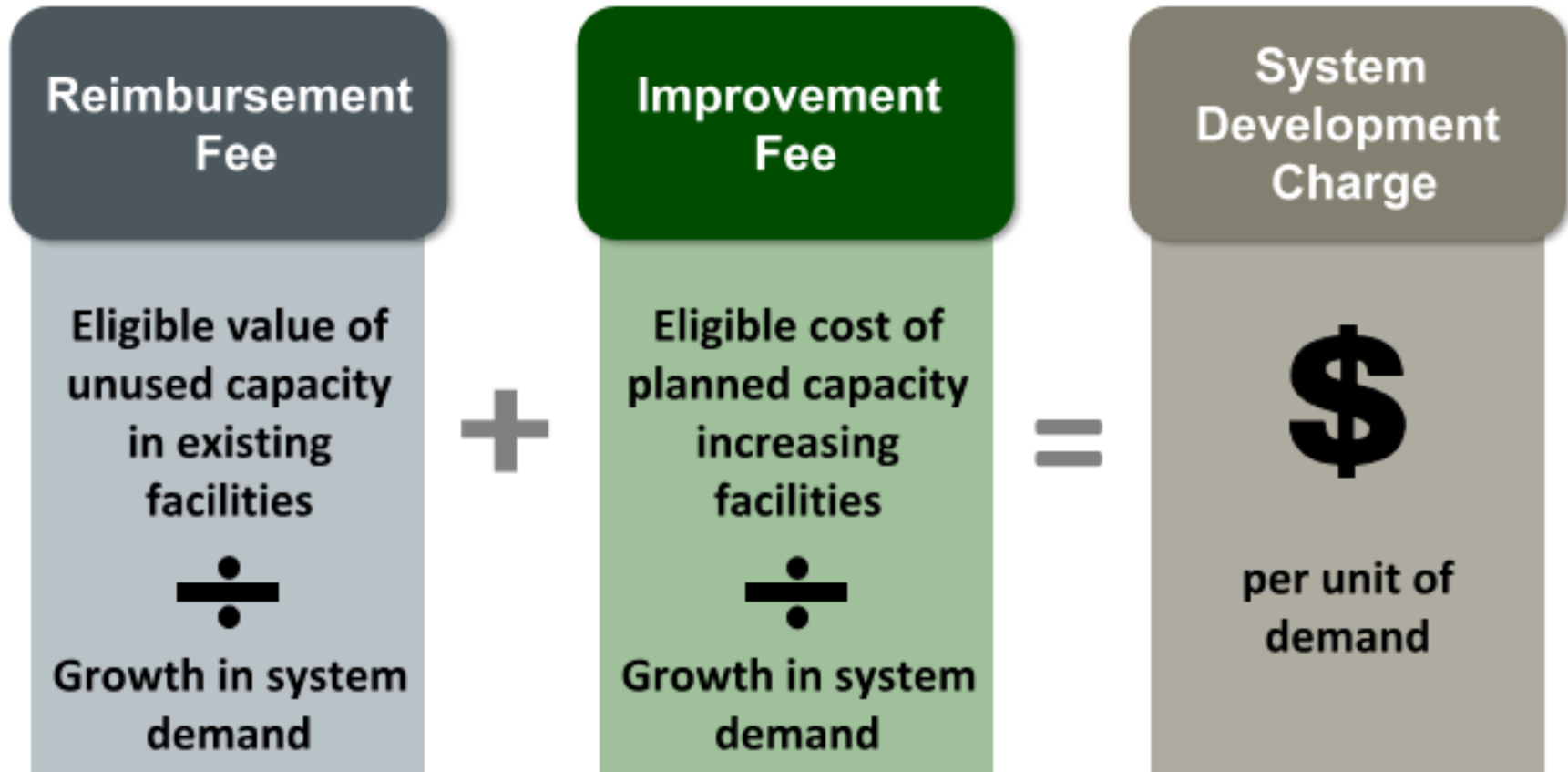


Key Characteristics of SDCs

- SDCs are one-time charges, not ongoing rates. Paid at the time of development.
- SDCs are available for water, wastewater, stormwater, transportation, and parks.
- SDCs are for capital only, in both their calculation and in their use.
- SDCs include both existing and future (planned) infrastructure cost components.
- SDCs are for “system” facilities, not “local” facilities.



The SDC Calculation





Current SDCs – FY 2024

Meter Size	MCE Ratio	Current SDC
3/4"	1.00	\$ 2,297
1"	1.67	3,836
1.5"	3.33	7,666
2"	5.33	12,268
3"	10.67	24,528
4"	16.67	38,326
6"	33.33	76,658
8"	53.33	122,654
10"	76.67	176,313
12"	168.75	344,964

System Development Charge

- The maximum allowable SDC per Meter Customer Equivalent (MCE) is \$5,603

Calculated SDC	
Improvement Fee Cost Basis	\$ 11,555,291
Reimbursement Fee Cost Basis	1,303,760
Compliance Costs	985,098
Total:	\$ 13,844,149
Growth in MCEs	2,485
Improvement Fee per MCE	\$ 4,682
Reimbursement Fee per MCE	525
Compliance Fee per MCE	396
Total SDC per MCE:	\$ 5,603



Growth

- **Expected growth of 2,485 MCEs**

	2019	2023	2040 (2023-2040)	Growth	Growth Share
Peak Season Maximum Day Demand (MGD)	4.13	4.38	5.64	1.26	22.29%
Total MCEs		8,664	11,149	2,485	22.29%

Source: 2021 Water System Master Plan, Table 3-7 (maximum day demand projections); previous tables (total MCEs)



Project List (abbreviated)

- **\$11.6M SDC-eligible project costs**
- **Large projects include:**
 - » **\$22.7M** – *Sum of the costs from the installation and replacement of various pipeline projects*
 - » **\$7.0M** – *Additional 3 MG storage reservoir to address storage deficiency in Zone 2*
 - » **\$2.9M** – *3 MG tank recoating and modernization of mixing system in Stanley Reservoir*
 - » **\$1.6M** – *Replacement of 147 DC with two 3,000 gpm pumps*

#	Description	Timeline	2023 Project Cost	SDC Eligibility	Outside Funding	SDC-Eligible Cost
1	Unspecified miscellaneous equipment replacement and upgrades as needed.	2023-2032	\$ 325,368	0.00%	\$ -	\$ -
2	Intertie Development	2025-2032	325,368	22.29%	-	72,522
3	Re-establish the production of Well 8 to maximize supply	2024	271,140	22.29%	-	60,435
...
93	Perform system wide seismic evaluation.	2029	325,368	22.29%	-	72,522
94	Planning and securing of additional water rights	2025-2028	108,456	22.29%	-	24,174
95	Revised Lead and Copper Rule Compliance Study	2023	135,570	0.00%	-	-
Total:			\$49,962,874		\$ 2,895,774	\$11,635,069

Source: 2021 Water System Master Plan, City staff



Reimbursement Fee Summary

	Estimated Capacity for Growth	Original Cost	Reimbursable Cost
Supply	18.29%	\$ 4,307,901	\$ 788,052
Storage	35.51%	1,447,865	514,174
Pumping	0.22%	687,747	1,534
Transmission & Distribution	0.00%	15,009,614	-
Total:		\$ 21,453,127	\$ 1,303,760



Calculated SDCs

Meter Size	MCE Ratio	Improvement Fee	Reimbursement Fee	Compliance Fee	Calculated Full SDC
3/4"	1.00	\$ 4,682	\$ 525	\$ 396	\$ 5,603
1"	1.67	7,804	874	661	9,339
1.5"	3.33	15,608	1,749	1,321	18,678
2"	5.33	24,972	2,798	2,114	29,885
3"	10.67	49,944	5,596	4,229	59,769
4"	16.67	78,038	8,744	6,607	93,389
6"	33.33	156,075	17,489	13,214	186,779
8"	53.33	249,721	27,982	21,143	298,846
10"	76.67	358,973	40,225	30,393	429,591
12"	168.75	790,132	88,538	66,898	945,567
















Scalable SDCs by House Size

	EDUs	Max. Water SDC
Single-Family Residential		
< 500 sqft (use ADU rate)	0.60	\$ 3,362
500-800 sqft	0.70	3,922
800-1,799 sqft	0.90	5,043
1,800-2,999 sqft	1.00	5,603
3,000-3,799 sqft	1.10	6,164
≥ 3,800 sqft	1.20	6,724
Accessory dwelling unit (ADU)	0.60	3,362

Source: 2021 Water Environment Services Rules and Regulations



SDC Comparison

	Water SDC per 5/8" meter	
West Linn	\$ 15,385	
Oregon City	13,967	
Wilsonville	12,089	
Tigard	10,853	
Beaverton	10,329	
Gladstone	9,986	
Lake Oswego	9,571	
Sherwood	9,544	
Tualatin	8,290	
Milwaukie (proposed)	5,603	
Gresham	5,603	
Portland	4,563	
Milwaukie (current)	2,197	

Source: FCS GROUP Survey (7/12/23)

Assumes 5/8" meter



Project Examples

	Example 1	Example 2	Example 3
Existing Number of Meters	1	0	3
Existing Meter Size	3/4"	0	1.5"
Existing MCEs	1.00	0.00	10.00
Proposed Number of Meters	1	2	3
Proposed Meter Size	1.5"	3"	3"
Proposed MCEs	3.33	21.33	32.00
Differential MCEs	2.33	21.33	22.00
SDC at Current Rate	\$5,359.67	\$49,002.67	\$50,534.00
SDC at Maximum Rate	\$13,074.51	\$119,538.34	\$123,273.92
Number of Dwelling Units	13	32	275
SDC per Dwelling Unit (Maximum Rate)	\$1,005.73	\$3,735.57	\$448.27



Project List

#	Description	Time line	2023 Project Cost	SDC Eligibility	Outside Funding	SDC-Eligible Cost
1	Unspecified miscellaneous equipment replacement and upgrades as needed.	2023-2032	\$ 325,368	0.00%	\$ -	\$ -
2	Intertie Development	2025-2032	325,368	22.29%	-	72,522
3	Re-establish the production of Well 8 to maximize supply	2024	271,140	22.29%	-	60,435
4	HVAC upgrades all wellhouses	2023-2027	325,368	0.00%	-	-
5	Well electrical upgrades	2024-2032	406,710	22.29%	-	90,652
6	Well #4 Reconditioning	2023	65,074	0.00%	-	-
7	Well #7 Reconditioning	2023	65,074	0.00%	-	-
8	Well #3 Reconditioning	2024	65,074	0.00%	-	-
9	Well #5 Reconditioning	2026	65,074	0.00%	-	-
10	Well #6 Reconditioning	2028	65,074	0.00%	-	-
11	Well #2 Building improvements	2026	108,456	0.00%	-	-
12	CRW / Oak Lodge Intertie	2024	132,316	22.29%	-	29,492
13	WTP 235 generation replacement/ relocation and automatic transfer switch/ blow	2026	1,735,295	22.29%	-	386,782
14	WTP 47 generation replacement/ relocation and automatic transfer switch/ blow	2027	1,735,295	22.29%	-	386,782
15	Stanley Reservoir: 3.0 MG tank recoating. Modernize mixing system	2023-2024	2,895,774	22.29%	2,895,774	-
16	Construct additional 3M G storage reservoir to address storage deficiency in Zone	2029-2030	7,049,637	73.33%	-	5,169,734
17	Concrete Tank liner replacement (per Potable Divers Inc. Report July 2020) and ex	2023	650,736	0.00%	-	-
18	Address deferred maintenance	2023-2032	325,368	0.00%	-	-
19	Replace W2 PS with two 3,000 gpm pumps.	2025	1,626,839	0.00%	-	-
20	Replace the 3rd Zone PS with two 2,000 gpm pumps	2027	1,301,471	40.43%	-	526,120
21	Replace the W6 PS with two 2,000 gpm pumps.	2032	1,301,471	55.25%	-	719,063
22	Lava Pump Station backup generator	2025	105,202	22.29%	-	23,449
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25	Install 800 feet of 12-inch pipe on Flavel Dr.	2027	303,677	22.29%	-	67,687
26	Replace 4-inch pipe with 500 feet of 8-inch pipe on Winworth Ct.	2028	136,112	0.00%	-	-
27	Install 750 feet of 12-inch pipe on 23rd Ave. Replace 6-inch pipe with 600 feet of 12	2027	759,354	22.29%	-	169,254
28	Replace 4-inch pipe with 240 feet of 8-inch pipe on Elk St. Install 380 feet of 8-inch	2025	273,309	0.00%	-	-
29	Replace 4-inch pipe with 260 feet of 8-inch pipe on 44th Ave. Replace 4-inch pipe	2027	260,077	0.00%	-	-
30	Replace 6-inch pipe with 360 feet of 8-inch pipe on Drake St. Replace 4, 6-inch pip	2031	310,943	0.00%	-	-
31	Replace 16-inch transmission main from the Concrete Reservoir to Zone 2 with 38	2028	1,937,023	22.29%	-	431,746
32	Replace 6-inch pipe with 1550 feet of 8-inch pipe on Adams St. Replace 6-inch pip	2028	1,077,239	0.00%	-	-
33	Replace 6-inch pipe with 800 feet of 16-inch pipe on Oak St. Replace 6-inch pipe w	2027	1,868,642	22.29%	-	416,504
34	Replace 10-inch pipe with 300 feet of 16-inch pipe on Sparrow St. Replace 10-inch	2029	1,263,674	22.29%	-	281,662



Project List (continued)

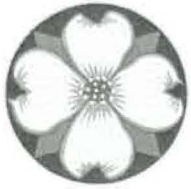
#	Description	Timeline	2023 Project Cost	SDC Eligibility	Outside Funding	SDC-Eligible Cost
35	Install 450 feet of 8-inch pipe between Roswell St and Boyd St.	2024	123,369	0.00%	-	-
36	Replace 4-inch pipe with 220 feet of 12-inch pipe on 34th Ave. Install 340 feet of 12-inch pipe on 34th Ave.	2039-2042	640,432	22.29%	-	142,747
37	Replace 4-inch pipe with 180 feet of 8-inch pipe on 30th Ave.	2032	47,612	0.00%	-	-
38	Replace 4-inch pipe with 180 feet of 8-inch pipe on 31st Ave.	2032	47,612	0.00%	-	-
39	Replace 4-inch pipe with 300 feet of 8-inch pipe on 33rd Ave.	2032	82,969	0.00%	-	-
40	Replace 6-inch pipe with 470 feet of 8-inch pipe on 41st Ct.	2032	128,900	0.00%	-	-
41	Install 380 feet of 16-inch pipe on Minthorn Springs. Replace 10, 12-inch pipe with 2028	2028	2,366,780	22.29%	-	527,535
42	Replace 6-inch pipe with 250 feet of 8-inch pipe on 47th Ave. Replace 4, 6-inch pipe	2029	848,776	0.00%	-	-
43	Install 440 feet of 8-inch pipe on Llewellyn St.	2033-2038	118,434	0.00%	-	-
44	Replace 6, 8-inch pipe with 1660 feet of 12-inch pipe on King Rd. Replace 8-inch pipe	2031	1,473,374	22.29%	-	328,402
45	Replace 6-inch pipe with 710 feet of 8-inch pipe on 30th Ave. Replace 6-inch pipe	2031	554,427	0.00%	-	-
46	Reconnect King Rd Hydrants to 10-inch line.	2031	21,040	0.00%	-	-
47	Replace 8-inch pipe with 420 feet of 12-inch pipe on Grogran St. Replace 4, 6-inch	2039-2042	640,432	22.29%	-	142,747
48	Replace 4-inch pipe with 330 feet of 8-inch pipe on 36th Ave.	2033-2038	90,181	0.00%	-	-
49	Replace 4-inch pipe with 700 feet of 8-inch pipe on Balfour St.	2033-2038	190,340	0.00%	-	-
50	Install 240 feet of 8-inch pipe between 63rd and 64th Ave.	2033-2038	65,290	0.00%	-	-
51	Replace 6-inch pipe with 430 feet of 8-inch pipe on Northridge Dr. Replace 6-inch	2039-2042	287,734	0.00%	-	-
52	Replace 6-inch pipe with 340 feet of 8-inch pipe on Hunter St.	2033-2038	91,862	0.00%	-	-
53	Install 380 feet of 8-inch pipe between 41st Ave and 42nd Ave at Meadowcrest Ct	2033-2038	104,009	0.00%	-	-
54	Replace 6-inch pipe with 360 feet of 12-inch pipe on 32nd Ave.	2033-2038	136,004	22.29%	-	30,314
55	Install 410 feet of 12-inch pipe between Wichita Ct and Woodhaven St.	2033-2038	155,255	22.29%	-	34,605
56	Replace 10-inch pipe with 600 feet of 12-inch pipe on 26th Ave.	2039-2042	226,673	22.29%	-	50,523
57	Install 390 feet of 12-inch pipe from the industrial area to Railroad Ave.	2033-2038	148,422	22.29%	-	33,082
58	Replace 6-inch pipe with 630 feet of 8-inch pipe on 30th Ave. Replace 6-inch pipe	2039-2042	363,490	0.00%	-	-
59	Replace 6-inch pipe with 550 feet of 8-inch pipe on 29th Ave. Replace 6-inch pipe	2039-2042	240,284	0.00%	-	-
60	Install 352 feet of 8-inch pipe at Quail Ridge Apartments.	2033-2038	96,049	0.00%	-	-
61	Replace 12-inch pipe with 1280 feet of 12-inch pipe on Hanna Harvester Dr.	2039-2042	482,846	22.29%	-	107,622
62	Replace 4-inch pipe with 240 feet of 8-inch pipe on Waymire St.	2039-2042	65,290	0.00%	-	-
63	Replace 6-inch pipe with 350 feet of 8-inch pipe on Oxford Ln.	2039-2042	95,712	0.00%	-	-
64	Install 310 feet of 8-inch pipe between Brookside Apartments and Brookside Dr.	2039-2042	84,650	0.00%	-	-
65	Install 300 feet of 8-inch pipe on Se Furnberg St.	2039-2042	136,112	0.00%	-	-
66	Replace 8-inch pipe with 90 feet of 12-inch pipe on McLoughlin Blvd. Replace 8-inch	2039-2042	48,751	22.29%	-	10,866
67	Replace 6-inch pipe with 410 feet of 8-inch pipe on 41st Ave.	2039-2042	111,222	0.00%	-	-
68	Replace 6-inch pipe with 350 feet of 8-inch pipe on 29th Ave.	2033-2038	95,712	0.00%	-	-



Project List (continued)

#	Description	Timeline	2023 Project Cost	SDC Eligibility	Outside Funding	SDC-Eligible Cost
69	Install 800 feet of 12-inch pipe on Stanley Place.	2033-2038	303,677	22.29%	-	67,687
70	Install 850 feet of 12-inch pipe between Riverway Ln and 17th Ave.	2039-2042	320,758	22.29%	-	71,494
71	Install 960 feet of 12-inch pipe on Monroe St.	2039-2042	363,761	22.29%	-	81,079
72	Replace 6-inch pipe with 460 feet of 8-inch pipe on White Lake Rd.	2039-2042	125,050	0.00%	-	-
73	Install 370 feet of 12-inch pipe on Clackamas Hwy.	2039-2042	215,339	22.29%	-	47,997
74	Replace 8-inch pipe with 350 feet of 12-inch pipe on Frontage Ave. Replace 8-inch	2039-2042	286,758	22.29%	-	63,916
75	Replace 8-inch pipe with 255 feet of 12-inch pipe on 23rd Ave. Replace 6-inch pipe	2039-2042	293,834	22.29%	-	65,493
76	Install 380 feet of 8-inch pipe on 21st Ave to Main St.	2039-2042	104,009	0.00%	-	-
77	Install 340 feet of 8-inch pipe on 36th Ave to Beckman Ave.	2039-2042	91,862	0.00%	-	-
78	Install 330 feet of 12-inch pipe on Deering Ct to Linwood Ave.	2039-2042	124,670	22.29%	-	27,788
79	Install 450 feet of 12-inch pipe on 60th Ave to Linwood Ave.	2039-2042	170,005	22.29%	-	37,893
80	Logus Road & 40th improvements	2023	284,155	0.00%	-	-
81	Milwaukie/El Puente SRTS improvements	2023	314,522	0.00%	-	-
82	Ardenwald South improvements	2024	902,353	0.00%	-	-
83	Waverley South improvements	2023	124,724	0.00%	-	-
84	International Way improvements	2024	300,423	0.00%	-	-
85	Monroe Street extension	2024	348,144	0.00%	-	-
86	Stanley Street extension	2024	95,441	0.00%	-	-
87	SAFE & SSMP FY 2025 improvements	2025	1,223,383	0.00%	-	-
88	Oatfield Rd & Shell Lane improvements	2026	108,456	0.00%	-	-
89	SCADA Implementation and Support	2024-2042	488,052	22.29%	-	108,783
90	Ongoing automation and control upgrades	2023-2042	1,084,559	22.29%	-	241,739
91	Update existing Water System Plan.	2029	271,140	22.29%	-	60,435
92	Long-term Climate Change Vulnerabilities and Alternatives Study. Develop compr	2026	216,912	22.29%	-	48,348
93	Perform system wide seismic evaluation.	2029	325,368	22.29%	-	72,522
94	Planning and securing of additional water rights	2025-2028	108,456	22.29%	-	24,174
95	Revised Lead and Copper Rule Compliance Study	2023	135,570	0.00%	-	-
Total			\$ 49,962,874		\$ 2,895,774	\$ 11,635,069

Source: 2021 Water System Master Plan, City staff



PUBLIC HEARING ATTENDANCE SIGN-UP SHEET

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

4/2/2024

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

Land Use File No. (none)

NAME	ADDRESS	PHONE	EMAIL



RS Agenda Item

9

Council Reports



Ellen Waters, Community Affairs Coordinator
Oregon Department of Transportation
[address]

The City of Milwaukie appreciates the partnership and support of the Oregon Department of Transportation (ODOT) in our Monroe Greenway project and in the planned repaving of Highway 224 through Milwaukie.

We recently have received letters from two residents, however, that make us wonder whether a few modifications to the Highway 224 project might result in a project that helps advance public safety in Milwaukie. As shown on the attached 2020-2022 Accident Heat Maps, the signalized intersections along Highway 224 are frequent accident sites in Milwaukie, and the intersection with Harrison Street is particularly problematic. We also note that with the recent opening of New Seasons Market and other new businesses in the Milwaukie Marketplace, it can be anticipated that traffic, and accidents, will increase at the intersection with Oak Street.

We recognize that the project is, at core, a repaving project, but your website points out that the project includes replacing curb ramps, new crosswalk signalization, guardrails and signs. In that spirit, we ask that you please take a closer look at the project over the coming months and consider whether any of the following make sense: (1) speed reductions, (2) minor curb extensions at select intersections, and (3) adding concrete guardrails along the residential area on the south side of Highway 224 between McLoughlin Boulevard and Harrison Street.

As pointed out by Dr. Mark Johansen, it seems imprudent that the posted speed limit coming off of Highway 99E and until the Harrison intersection is 50mph before reducing to 40mph. The traffic that remains on 99E is expected to reduce speed to 30mph shortly after south/eastbound traffic splits off onto Highway 224, so it would be consistent to similarly reduce the speed going around the curve heading toward the Harrison intersection. This is both a site of accidents, as supported on the attached Heat Maps, as well as a noise imposition on nearby neighbors, as noted by both Dr. Johansen and Mr. Eisenbeis. Reducing the speed limit and narrowing the travel lanes could reduce both problems at no additional cost to ODOT. We also think Mr. Eisenbeis' suggested further speed reductions through the Edison Street intersection is worthy of consideration, particularly as growth in Milwaukie will lead to more users on the roads (the number of housing units in Milwaukie will grow between 2016 and 2026 by approximately 20%).

Highway 224 is a huge gash splitting Milwaukie into two halves. Crossing Highway 224 on foot or by bicycle is a daunting prospect. While the project will bring improvements to the Monroe Street intersection, we ask that ODOT consider Mr. Eisenbeis' suggestion of modest curb extensions and lane narrowing at the Harrison and Oak Street intersections.



Finally, if Mr. Eisenbeis is correct about the noise-dampening attributes of concrete guardrails, we ask that ODOT please consider that addition as well for the stretch between Highway 99E and Harrison.

Thank you for your consideration of these requests. We look forward to hearing your thoughts on these proposals later this year.

[signature block – all councilors]

Attachments:

1. Milwaukie Accident Site “Heat Maps” 2020-2022
2. E-mail of Daniel Eisenbeis to Ellen Waters of ODOT
3. E-mail of Mark Johansen to Ellen Waters of ODOT

Cc:

Senator Kathleen Taylor

Representative Mark Gamba

Shelli Romero, ODOT Area Manager - Central

Kelly Ball, ODOT Community Affairs Manager

Accident Heat Maps:

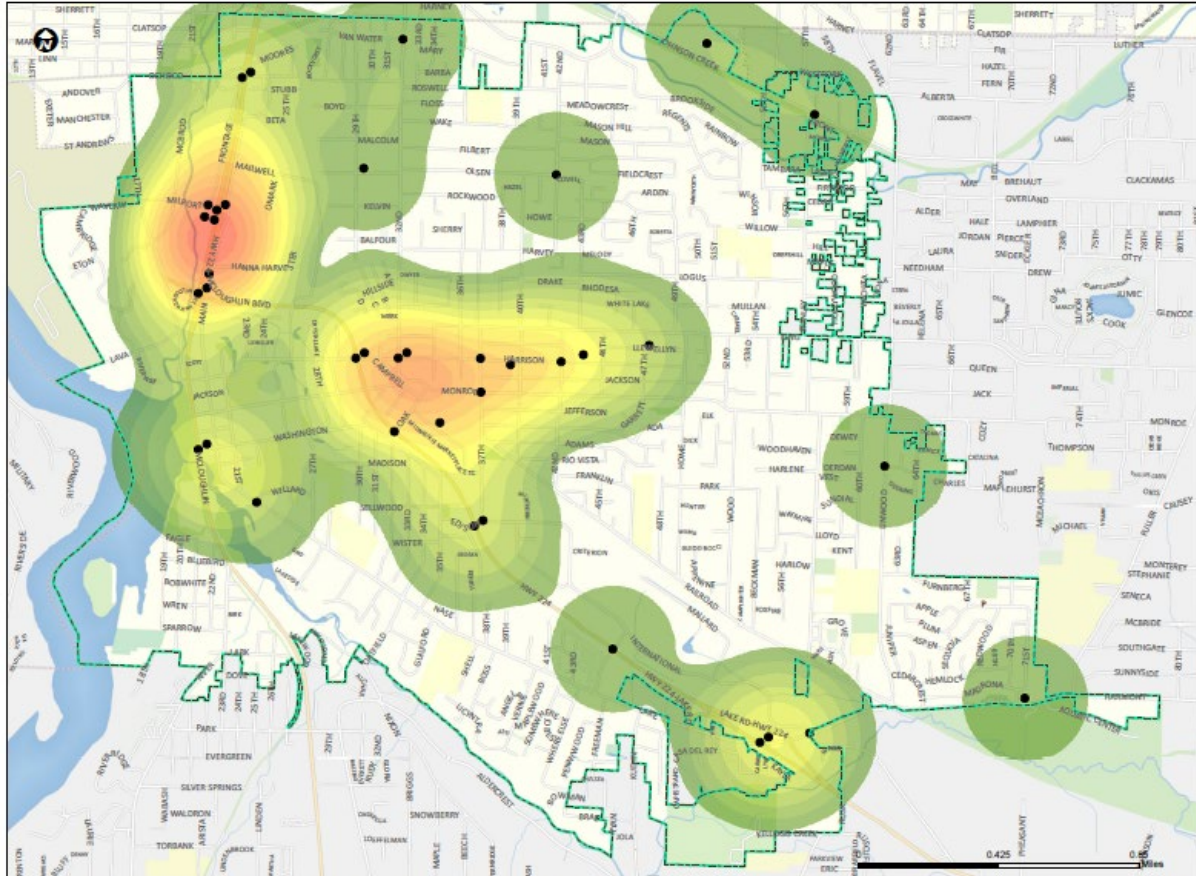
2022:

Total Accidents:

Traffic Accidents	2020	2021	2022
Injury Accidents	40	25	39
Non-Injury Accidents	155	98	153
Auto v. Ped / Bicyclist	13	7	12

2022 INJURY AND MINOR INJURY ACCIDENTS:

LOCATION	# OF ACCIDENTS	CAUSE
McLoughlin Blvd. / Milport Rd.	4	Poor Weather, following to close, Rear end (2)
HWY 224 / McLoughlin Blvd.	3	Lost control/barrier, Unknown
HWY 224 / Harrison St.	2	Ran red light, DUII

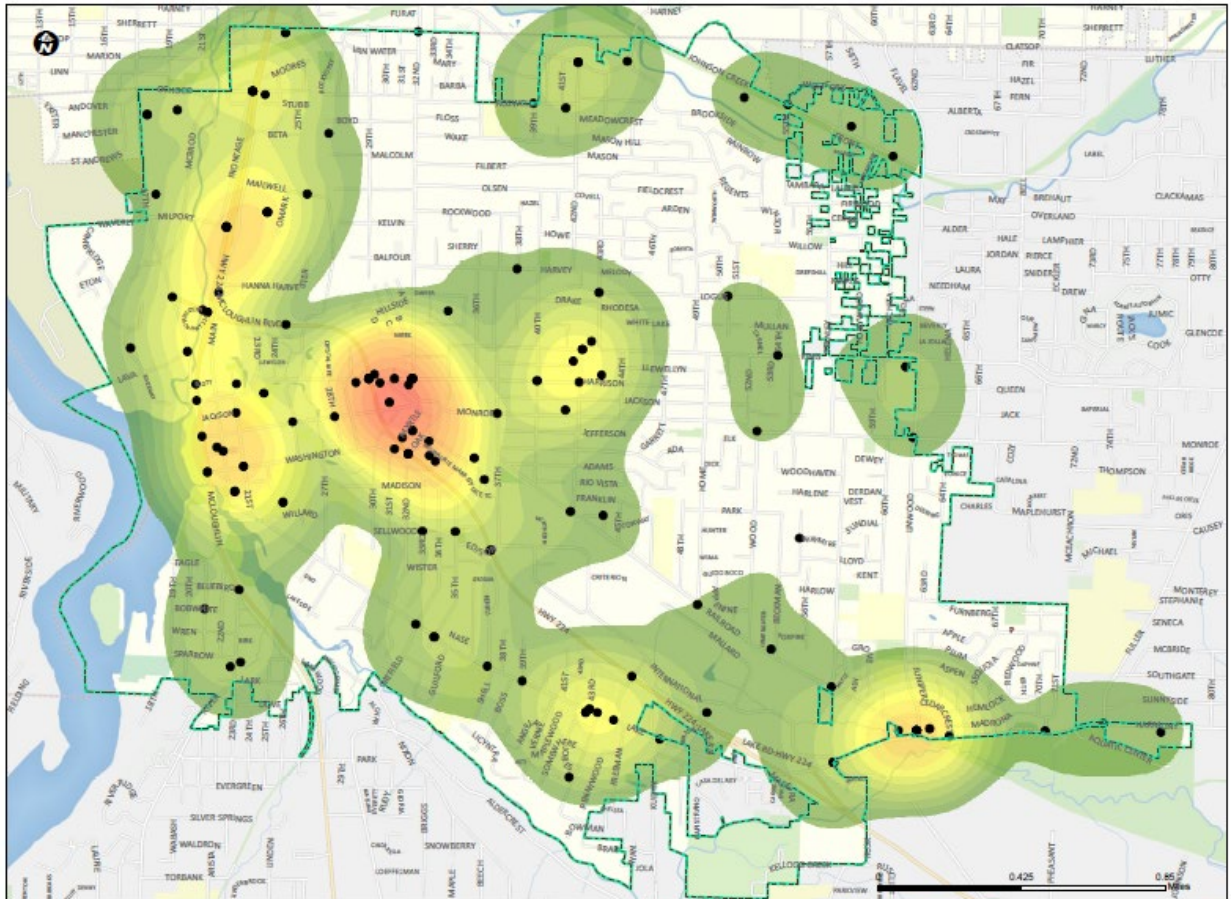


Injury Related Traffic Accidents 2022

The information depicted on this map is for general reference only. The City of Milwaukee cannot accept any responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied, Date: 2/27/2023 including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of errors would be appreciated. Data Sources: City of Milwaukee GIS, Metro Data Resource Center.

2022 NON-INJURY ACCIDENTS –

LOCATION	# OF ACCIDENTS	CAUSE
McLoughlin Blvd / Ochoco St.	5	Brake Issues/Rear end, Veh into pole, Unknown (3)
HWY 224 / Harrison St	5	Ran red light, Rear End, Hit deer, Unknown (2)
Harrison St / 32 nd Ave	5	Rear end, Ran red light (3) , Turn on red
2400 SE Mailwell Dr	4	Backed into power pole, Unknown(3)
Washington St / 21 st Ave	2	Backed into sign, Rear end



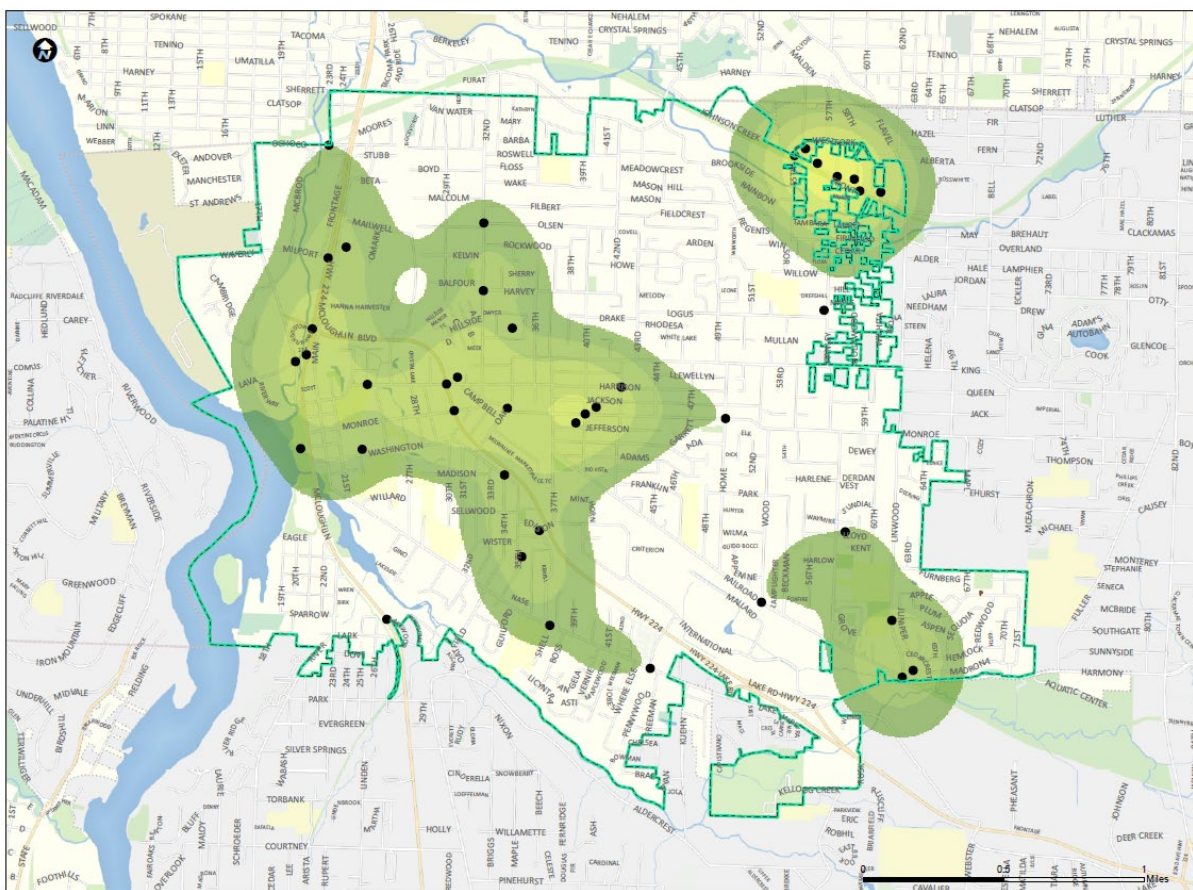
Non-Injury Related Traffic Accidents 2022 • Traffic Accidents Non-Injury Related Milwaukee City Limits Increased Accidents

The information depicted on this map is for general reference only. The City of Milwaukee cannot accept any responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied. Date: 2/27/2023 including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of errors would be appreciated. Data Sources: City of Milwaukee GIS, Metro Data Resource Center.

2021:

2021 INJURY AND MINOR INJURY ACCIDENTS:

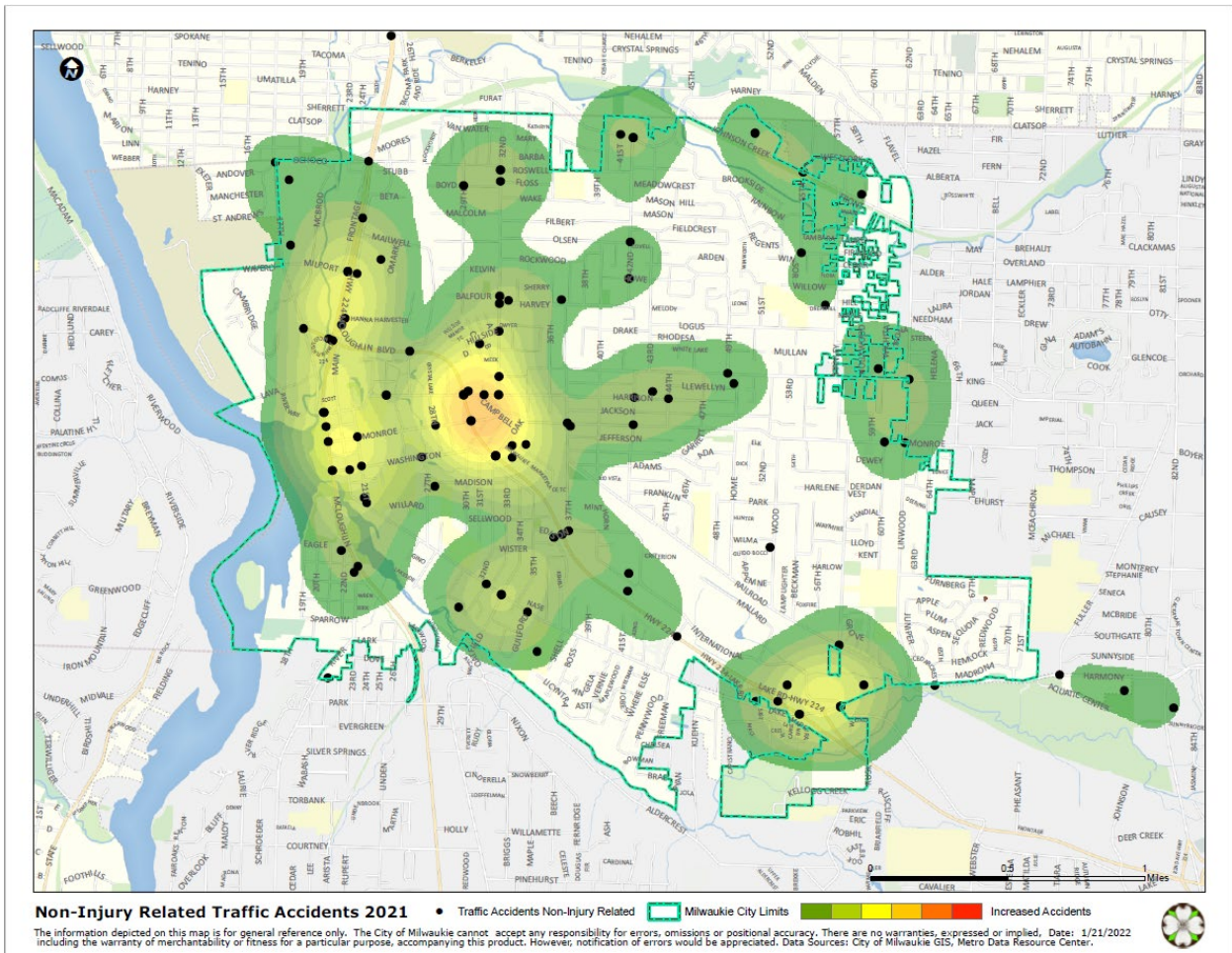
LOCATION	# OF ACCIDENTS	CAUSE
55 th to 58 th & Johnson Creek	4	H&R (2) , Rear end (1), DUII (1)
Harrison St / HWY 224	2	Failure to Obey TCD (1), Rear end (1)
Ochoco / McLoughlin	1	DUII



Injury Related Traffic Accidents 2020 • Traffic Accidents Non-Injury Related [Green Outline] Milwaukie City Limits [Color Scale] Increased Accidents
 The information depicted on this map is for general reference only. The City of Milwaukie cannot accept any responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied. Date: 1/21/2022 including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of errors would be appreciated. Data Sources: City of Milwaukie GIS, Metro Data Resource Center.

2021 NON-INJURY ACCIDENTS –

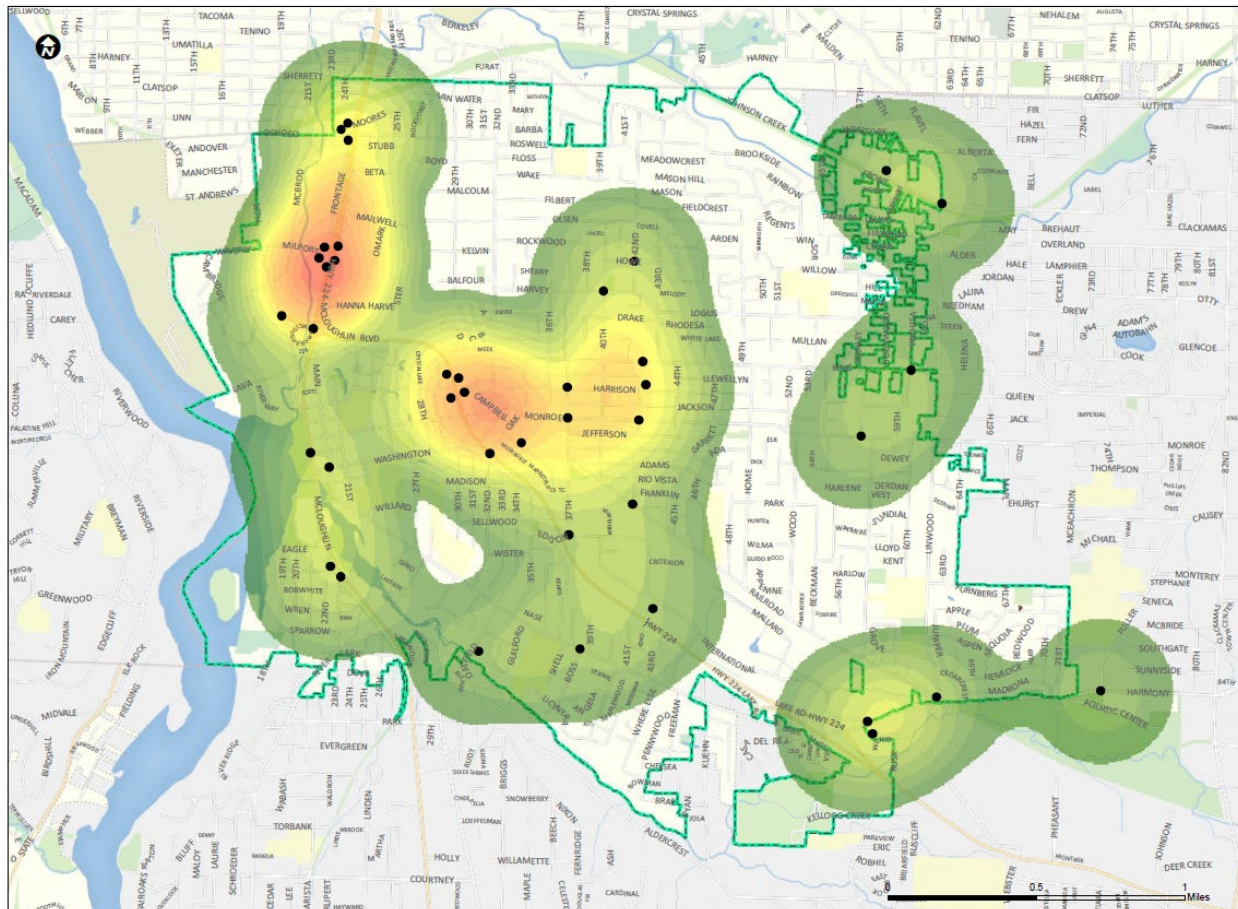
LOCATION	# OF ACCIDENTS	CAUSE
McLoughlin Blvd / HWY 224	5	Lost control (3), Rear end (1), Hit barrier to avoid crash (1)
HWY 224 / Harrison St	4	Rear end (2), DUII (1), Uknwn (1)
Harrison / McLoughlin	3	Lost control (1), Rear end (1), Unknwn (1)
McLoughlin / Milport	3	Failure to Obey TCD (2), Rear end (1)
Oak St / Hwy 224	2	Rear end (2)



2020:

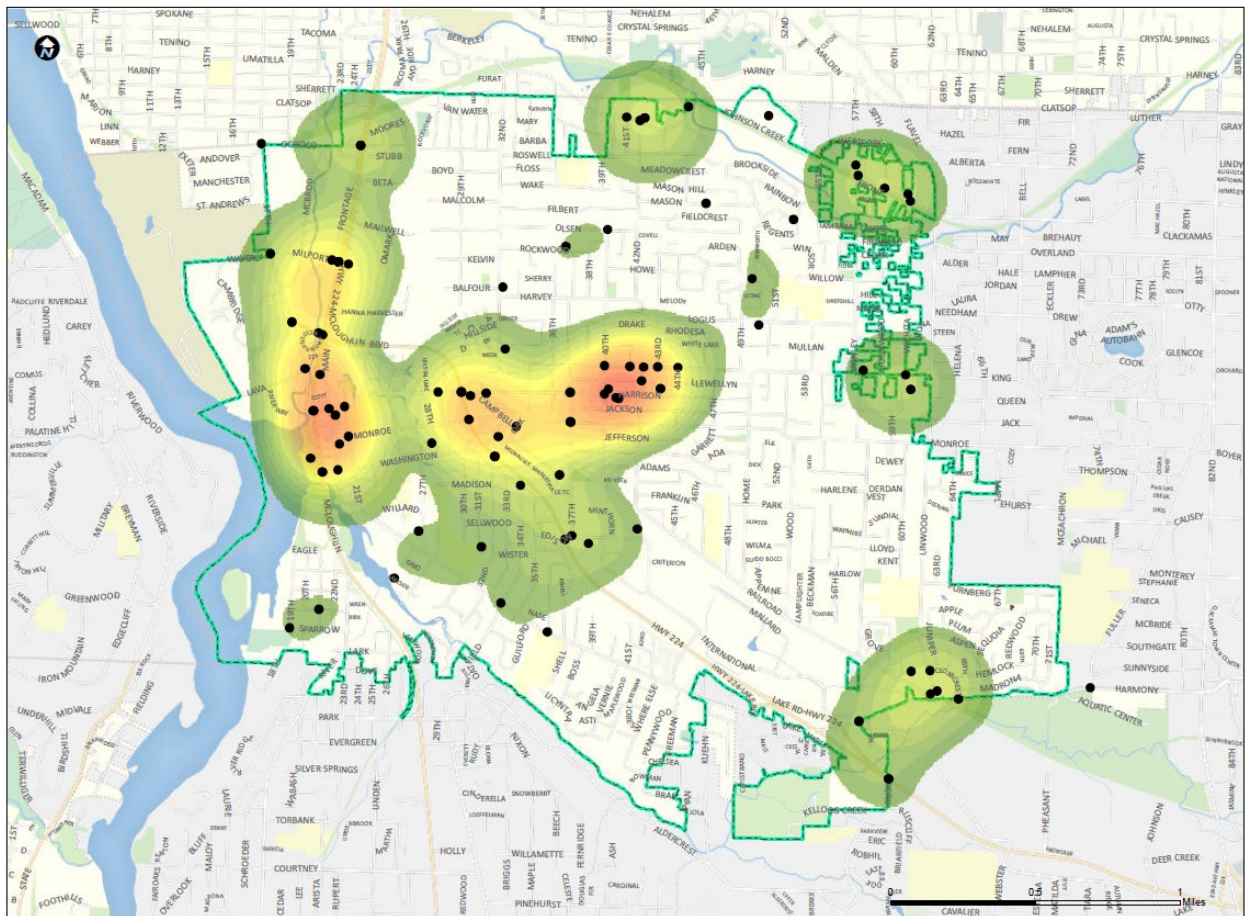
2020 INJURY AND MINOR INJURY ACCIDENTS:

LOCATION	# of Accidents	Proximate Cause(s)
McLoughlin & Millport	5	(2) Fail to Obey TCD, (1) Hit and Run, (1), (2) Rear End
Hwy 224 & Harrison Street	3	(3) Fail to Obey a Traffic Control Device
McLoughlin & Ochoco St.	3	(2) Fail to Obey a TCD, (1) Hit & Run
Oak Street and Hwy 224	2	(1) Fail to Maintain Lane, (1) Careless Driving
International Way and Lake Rd.	2	(1) Fail to Maintain Lane, (1) Fail to Obey a TCD



2020 NON-INJURY ACCIDENTS:

LOCATION	# of Accidents	Proximate Cause(s)
McLoughlin Blvd. / Millport	9	(5) Rear End, (3) Fail to Obey a TCD. and (1) Hit & Run
McLoughlin Blvd. / Ochoco	7	(4) Fail to Obey a TCD, (1) Hit & Run, (1) USRHT, (1) Rear End
Hwy 224 / Oak St.	7	(3) Hit & Run, (1) USB, (1) Fail to Obey a TCD, (1) Fail to Maintain Lane, (1) USLHT
Hwy 224 / Harrison St.	5	(4) Fail to Obey a TCD, and (1) USLHT
International Way / Lake Rd.	4	(2) Fail to Obey a TCD, and (2) Fail to Maintain Lane



From: [Daniel Eisenbeis](mailto:Daniel.Eisenbeis@odot.oregon.gov)
To: Ellen.WATERS@odot.oregon.gov
Cc: Rep.MarkGamba@oregonlegislature.gov; Sen.KathleenTaylor@oregonlegislature.gov; [Lisa Batey](#); [Rebecca Stavenjord](#); [Shane Abma](#); [Robert Massey](#); [Adam Khosroabadi](#)
Subject: Comments re: ODOT OR 224 Project
Date: Thursday, March 7, 2024 8:25:56 PM

Dear Ellen,

Thank you for taking the time to speak with me at the ODOT open house last week. As we discussed, I urge ODOT to incorporate modest steps in its OR 224 project to make significant improvements in how the highway impacts non-automotive modes and the surrounding community. Though I appreciate that ODOT is making ADA-compliant improvements to curb ramps and crosswalk signals outside of the Monroe Greenway crossing, in conversations with members of the ODOT staff and consultant team, it is clear that those improvements are just that: the bare minimum for ODOT to meet its legal obligations. I respectfully urge ODOT to do better and implement the following:

- As part of curb ramp replacements, provide modest curb extensions to reduce curb radius, reduce turning speeds onto cross streets, and reduce crosswalk lengths. Example locations include the northwest corner of the Harrison and 224 intersection as well as the NW corner of the Edison and 224 intersection. For instance, the NW corner of Harrison and 224 is a location with a dedicated right turn pocket on eastbound 224 and Harrison has two westbound travel lanes to help accommodate longer vehicles onto it. The current wide turning radius also has the effect of offsetting the crosswalk across the six lanes of 224 at a diagonal, which increases the crossing distance from a right angle crossing. This is a crossing where eastbound traffic is coming around a curve posted 50 mph.
- As part of the planned guardrail replacements, use concrete guardrails as the replacements along the southern side of elevated sections of 224 (between 17th and Harrison), which is adjacent to numerous residential structures. The elevation of the highway means that concrete barriers would deflect a meaningful portion of the road noise from the adjacent area. Moreover, members of the project team at the open house informed me that concrete barriers have lower maintenance costs than traditional guardrails.
- Revise the posted speed corridors in the project area to better reflect the context. Current posted speeds are 50 mph from 17th to just west of Harrison, 40 mph from there to the midway between Oak and Edison, and 50 mph from there headed east past Edison. However, lane widths and the banked curves in the 40 mph section were clearly engineered to accommodate much higher speeds. Please use this project as impetus to:
 - Revise the posted speed between 17th and west of Harrison to 45 mph,
 - Revise the current 40 mph section to 35 mph, and extend that posted speed section to east of Edison;
 - Reduce the striped lane widths and increase the shoulder and intersection curb widths in the 35 mph section. If speeds were 35 mph in this section, dedicated right turn lanes would not be necessary and future curb extensions could take advantage of a five lane, rather than current six lane, cross section--significantly improving conditions for people walking or rolling across the highway in the crosswalks.

I appreciate comments from ODOT staff that the budget for this project is limited. However, I am also confident that the cost of the requests above are modest compared to the benefits they would provide.

Thank you for your consideration.

Sincerely,
Daniel Eisenbeis

Attachment 9. A. 3.

From: [Mark Johansen](#)
To: Ellen.WATERS@odot.oregon.gov
Cc: Rep.MarkGamba@oregonlegislature.gov; Sen.KathleenTaylor@oregonlegislature.gov; [Shane Abma](#); [Lisa Batey](#); [Adam Khosroabadi](#); [Robert Massey](#); [Rebecca Stavenjord](#)
Subject: 224 Project community input
Date: Monday, March 18, 2024 2:14:55 PM

Hi there Ellen project manager and cc'd local officials,
Mark Johansen here, local family physician and husband/father to a young Milwaukie family on 24th.

I was hoping to input my 0.02c regarding the 224 project, especially regarding the section between 17th and harrison.

As a resident of the 24th neighborhood it seems to me that folks like to use that onramp corridor to 224 to test their engine decibels and acceleration. No kidding, it feels like it's used as a raceway in the middle of the night. Between 23rd to 29th including the apartment homes there must be hundreds of households that experience the same problem as my young family does.

The speed for the rest of 224 after Harrison and Monroe and through the shopping area is 40 but the entrance to 224 is 50, which seems to send the wrong message ... so drivers treat it like a racetrack and then drivers have brake/decelerate anyway just yards later to conform to the 40.

As part of the project could something be done about decreasing the speed and noise of that zone? I see that guard rails are planned to be updated anyway: Could there be concrete installed on the southern side to improve both safety of the corridor as well as noise control? And reduce the speed limit

Thanks for listening,

--

Mark Johansen DC
10414 se 24th

Mayor Lisa Batey
Milwaukie City Hall
10501 SE Main St.
Milwaukie, OR 97222

March XX, 2024

Toni Karter
Executive Director
Housing Authority of Clackamas County
13930 S. Gain St.
Oregon City, OR 97045

**RE: Letter of Support for the Housing Authority of Clackamas County's Section 18
Disposition Application**

Dear Ms. Karter,

On behalf of the City of Milwaukie, I am writing in support of the Scattered Sites Section 18 Disposition application, as proposed by the Housing Authority of Clackamas County.

The Housing Authority seeks to submit a HUD Section 18 Disposition application for 18 scattered site public housing units located in the City of Milwaukie. The addresses are listed below.

9644 SE 32nd Av	Milwaukie	97222
11403 SE 32nd Av	Milwaukie	97222
9666 SE 32nd Av	Milwaukie	97222
4040 SE Harrison St	Milwaukie	97222
5125 SE Rainbow Ln	Milwaukie	97222
4957 SE Harrison St	Milwaukie	97222
2859 SE Malcolm St	Milwaukie	97222
9475 SE 40th Av	Milwaukie	97222
12205 SE 67th Ct	Milwaukie	97222
12315 SE 65th Ct	Milwaukie	97222
17120 SE Shadow Ct	Milwaukie	97267
17116 SE Shadow Ct	Milwaukie	97267
10508 SE 47th Av	Milwaukie	97222
17118 SE Shadow Ct	Milwaukie	97267
9622 SE 32nd Av	Milwaukie	97222
6606 SE Hemlock	Milwaukie	97222
6536 SE Hemlock St	Milwaukie	97222
8737 SE 28th Av	Milwaukie	97222

[Click here to enter text.](#)

This application would permit the Housing Authority to sell the 18 public housing units located in the City of Milwaukie while ensuring the residents living in these units are successfully relocated with tenant protection vouchers. The Authority intends to sell the units either into affordable homeownership opportunities for our community or into a program that would allow the homes to be used to help those most vulnerable in the City of Milwaukie. The Authority will also utilize the proceeds of any sale to either develop or acquire new affordable housing units.

We understand the Housing Authority is undertaking an extensive public engagement process to educate existing residents about the upcoming Section 18 application and how they will be supported through this transition.

I write to express the City of Milwaukie's support for the Housing Authority's Scattered Sites Section 18 application.

Sincerely,

Lisa Batey, Mayor
On Behalf of the City of Milwaukie

Clackamas County Public Housing Repositioning FAQs

What is happening with Clackamas County's Public Housing?

The Housing Authority of Clackamas County (HACC) is repositioning its 445 unit Public Housing portfolio. The portfolio consists of three 100-unit multi-family developments in Hillside Park, Clackamas Heights, and Oregon City View Manor (OCVM), and 145 scattered site single-family homes located throughout Clackamas County.

What is repositioning?

As federal funding to maintain public housing has decreased for decades, public housing agencies across the country, including HACC, are struggling to adequately maintain their aging housing stock. In 2018, recognizing the significant backlog of capital needs and solidifying its intent to remove itself from public housing administration, the U.S. Department of Housing & Urban Development (HUD) established a number of programs to allow public housing agencies flexibility to "reposition" their portfolios and "develop locally appropriate strategies to preserve affordable housing." Repositioning will allow Clackamas County to replace its aging Public Housing portfolio with new rent assistance vouchers and newly developed affordable housing. This will happen through a process of relocating existing residents using new rent assistance vouchers allocated by HUD as part of repositioning, disposing of and/or redeveloping existing property, and using asset sale proceeds to develop new affordable housing.

How will existing residents be affected?

As part of the repositioning process, each displaced household will receive a Section 8 Tenant Protection Voucher and relocation assistance. These vouchers provide more flexibility for residents than public housing assistance, which is tied to the property. Tenant-based Section 8 voucher holders can take their voucher and lease safe, decent, and affordable privately owned rental housing in a location of their choice. Residents will also be provided the right to return to a newly constructed home once the redevelopment is complete. If they choose to return to the new property, their moving costs will be covered by HACC.

Are the residents aware of these changes?

Yes, HACC has been proactively hosting a series of meetings to provide information and give residents the opportunity to ask questions. These meetings will be ongoing and scheduled as new information is available and at critical phases for each project. In addition, HACC will also be hosting engagement meetings related to the redevelopment of Clackamas Heights to encourage an open dialogue between the design team and residents. These meetings will include the review of design options and amenities, allowing for resident input and feedback.

Why is this happening now?

Clackamas County has the oldest public housing in Oregon and among the oldest in the country. In recent decades, the federal government has increasingly reduced budgets for public housing repairs and operations. In place of investing in public housing, the federal government has increased its investment in affordable housing programs that rely on the private sector, such as rental assistance vouchers and tax credits.

The passing of the 2018 Metro Affordable Housing Bond and the 2020 Supportive Housing Services (SHS) Measure provides HACC with a unique opportunity to utilize its existing public housing assets to leverage public and private resources to increase affordable housing opportunities in Clackamas County. As outlined in Clackamas County's Metro Affordable Housing Bond Local Implementation Strategy (LIS), HACC set aside nearly half of its bond revenue to leverage opportunities related to repositioning. Clackamas County has

allocated SHS funding for this as well. This provides a once in a generation opportunity for the Housing Authority to improve its existing assets, build more affordable housing, and create a sustainable platform for the Housing Authority that is responsive to the realities of funding opportunities and congressional appropriations.

Where are we in the process?

Each of the assets in the portfolio are at different phases of the repositioning process.

- **Hillside Park** – The existing 100 units at Hillside Park in Milwaukie are being redeveloped with up to 500 new units in two phases. The Section 18 application for Phase 1 has been approved by HUD and redevelopment activities are underway. 54 existing units will be demolished and 275 new units will be constructed. Construction on Phase 1 will start this summer. Planning for Phase 2 with redevelopment under Section 18 is underway. HUD has already approved Section 18 justification. In Phase 2, 46 existing units will be demolished and up to 225 new units will be constructed. Existing residents in Phases 1 and 2 are being relocated with Section 8 rental assistance and they will be given the option to relocate into a newly constructed unit once complete. Construction on Phase 2 is expected to start in 2026.
- **Clackamas Heights** – The existing 100 units at Clackamas Heights in Oregon City will be redeveloped with up to 250 new units. Community engagement is underway and the site concept plan is in development. Staff will be working to secure support from the local jurisdictions and prepare the Section 18 application to submit to HUD.
- **Oregon City View Manor** – The existing 100 units at Oregon City View Manor are planned for disposition, with the asset sale proceeds going towards the Clackamas Heights redevelopment and/or other projects. Staff are preparing the Section 18 application to submit to HUD. Staff will be working to secure support from the local jurisdiction and are preparing the Section 18 application to submit to HUD.
- **Scattered Sites** - The 145 scattered site single-family homes located throughout Clackamas County are planned for disposition, with each home being sold under one of three scenarios: 1) affordable home ownership opportunities for existing residents through a land trust model; 2) to the private market; or 3) to community based organizations to deliver recovery oriented services. Asset sale proceeds will go towards the Clackamas Heights redevelopment and/or other projects. Staff will be working to secure support from the local jurisdictions and preparing the Section 18 application to submit to HUD.

Will residents be cost-burdened by this?

No. While moving is inconvenient, all moving expenses will be covered by HACC, including:

- **Relocation Advisory Services:** counseling, multiple one-on-one consultations, and assistance locating available units.
- **Moving Expenses:** travel reimbursement, boxes, packing paper, and movers.
- **Moving fees and deposits**
- **Right to Return:** moving fees covered

Will affordable housing units be lost or gained?

Because of these repositioning efforts, the amount of affordable housing will increase in Clackamas County.

PROPERTY	ACTION	HUD METHOD	EXISTING UNITS	NEW UNITS	VOUCHERS CREATED	AFFORDABILITY PRESERVED
Hillside Park	Redevelopment	Section 18	100	500	100	
Scattered Sites	Disposition	Section 18	145	0	145	Up to 145
OCVM	Disposition	Section 18	100	0	100	
Clackamas Heights	Redevelopment	Section 18	100	250	100	
TOTAL			445	750	445	Up to 145

Current total Public Housing: 445 units

Planned Repositioning Outcomes:

- **Section 8 Vouchers:** 445 new vouchers
- **Hillside Park Redevelopment:** up to 500 new affordable units (replacing 100 public housing units)
- **Park Place Redevelopment:** up to 250 new affordable units (replacing 100 public housing units)
- **Affordable Scattered Site Housing Opportunities:** up to 145 (includes homeownership & supportive housing opportunities)
- **Oregon City View Manor disposition:** affordable homeownership opportunities through partnership with homeownership organizations like Habitat for Humanity

In addition, all sale proceeds HACC receives because of these repositioning processes will be restricted by HUD to support affordable housing. HACC plans to use these proceeds to support additional affordable housing development throughout Clackamas County.



Updates on the Supportive Housing Services Program & Public Housing Repositioning

Clackamas County Coordinating Committee
March 7, 2024

Housing Authority of Clackamas County: Repositioning Public Housing

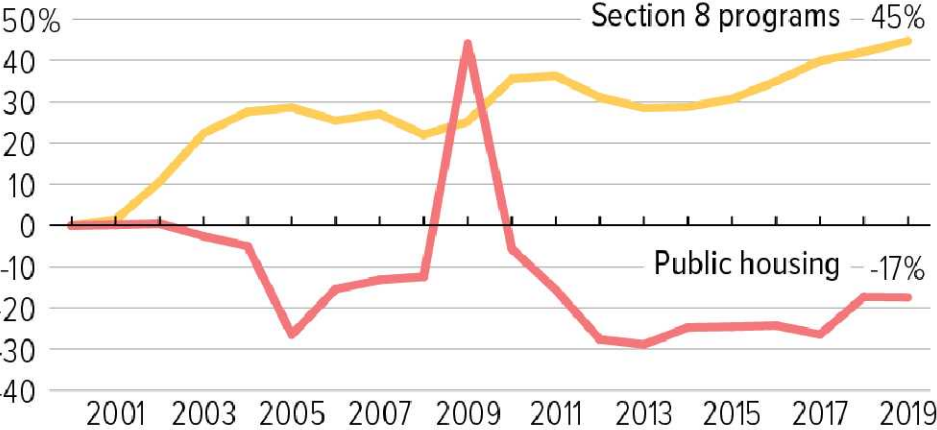


What is repositioning?

- Federal disinvestment has resulted in aging public housing with unmet capital needs
- U.S. Department of Housing & Urban Development allows agencies to “reposition” portfolios and develop locally appropriate strategies to preserve affordable housing, including by redeveloping and/or disposing of assets

Public Housing Funding Has Dropped While Section 8 Funding Has Responded to Cover Rising Needs

Percent change in funding since 2000, adjusted for inflation



Note: "Public Housing" includes capital and operating funds. "Section 8 programs" includes outlays for the Housing Choice Voucher and Project-Based Rental Assistance programs. The graph reflects annual budget authority for public housing and (to avoid distortions from one-time recessions of funds and other factors) annual outlays for Section 8. Public housing funding for 2009 includes supplemental capital funds provided in economic recovery legislation.

Source: Office of Management and Budget Public Use Database, Department of Treasury expenditure data, and annual appropriations legislation

Federal Investment in Public Housing vs. Section 8 Rent Assistance Programs

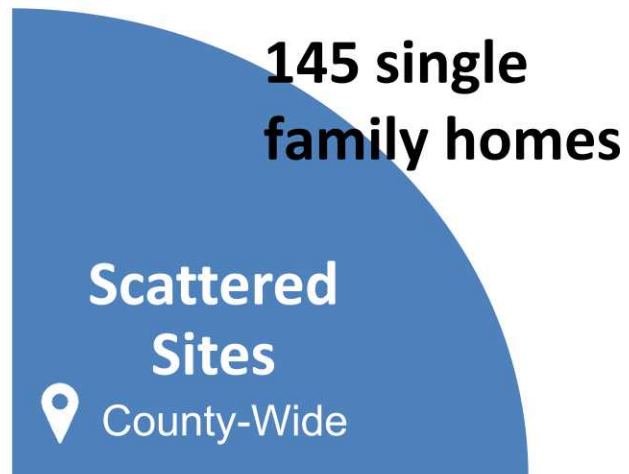
The Housing Authority's Public Housing Portfolio

445 Total Units

100 units



100 units



100 units



Planned Outcomes for Clackamas County

PROPERTY	ACTION	EXISTING UNITS	NEW UNITS	VOUCHERS CREATED	AFFORDABILITY PRESERVED
Hillside Park	Redevelopment	100	500	100	
Scattered Sites	Disposition	145	0	145	Up to 145
OCVM	Disposition	100	0	100	
Clackamas Heights	Redevelopment	100	250	100	
TOTAL		445	750	445	Up to 145

Public Housing Single Family Homes Scattered Sites by Location

Unincorporated: 84

Milwaukie: 18

Gladstone: 7

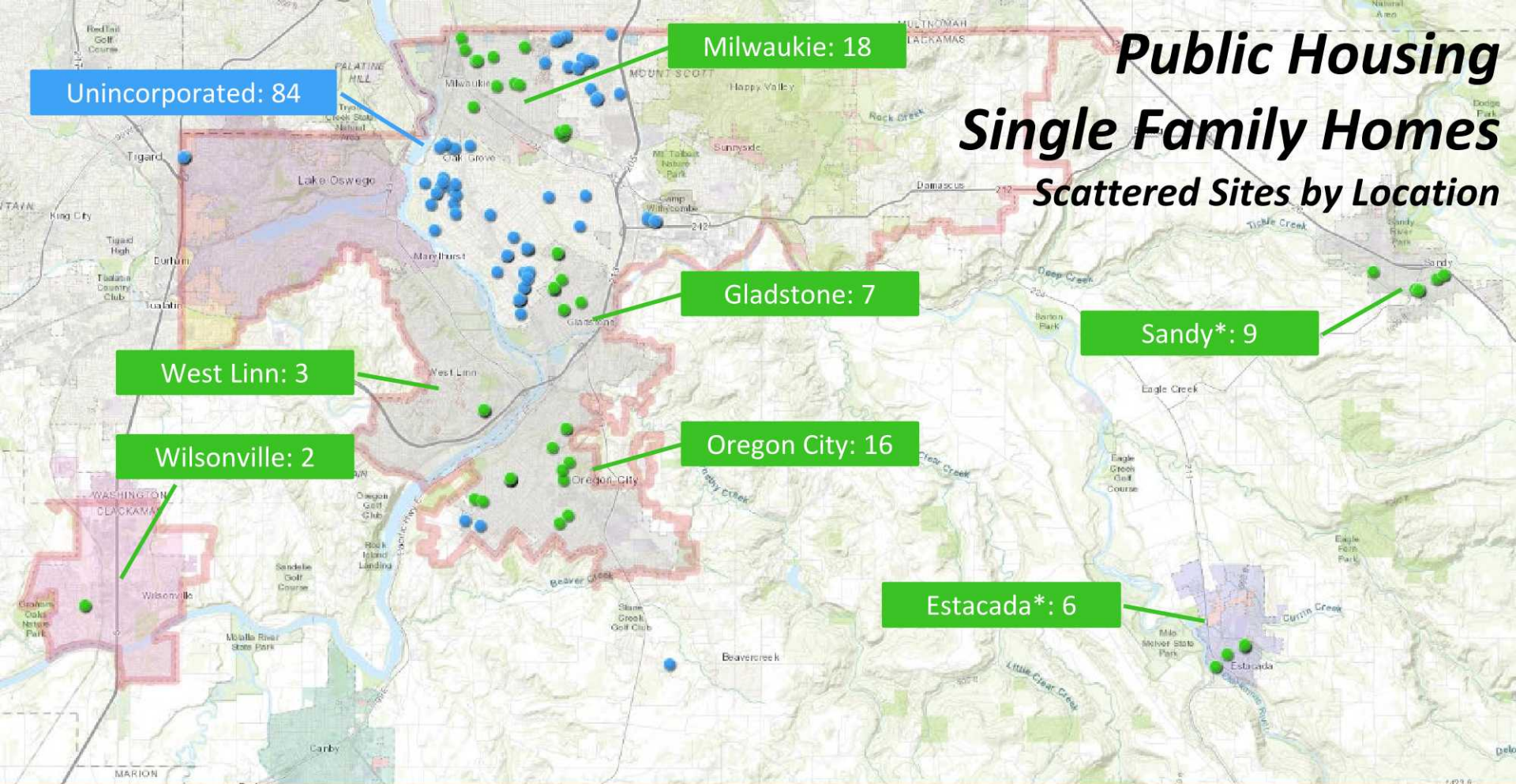
Sandy*: 9

West Linn: 3

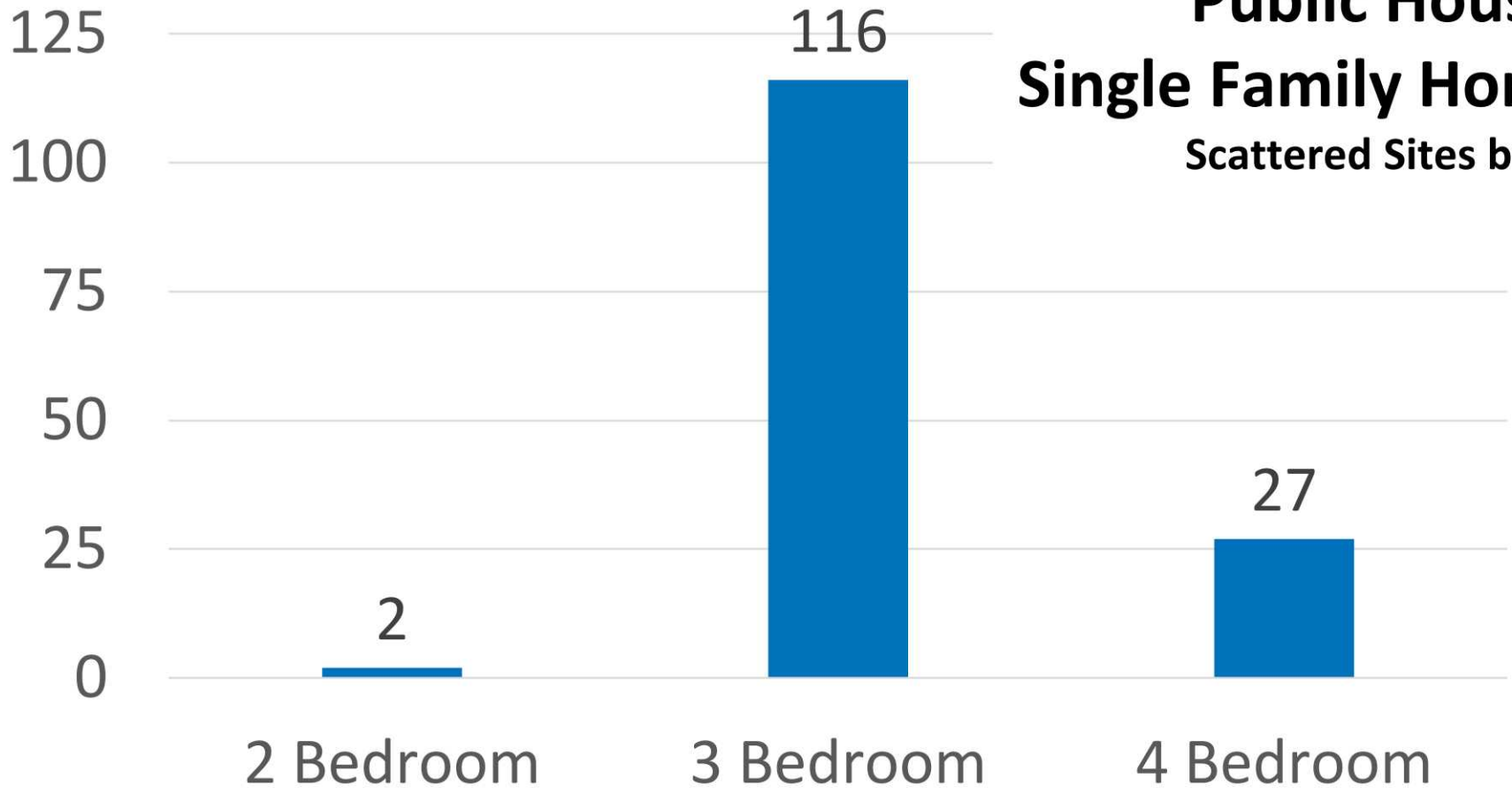
Wilsonville: 2

Oregon City: 16

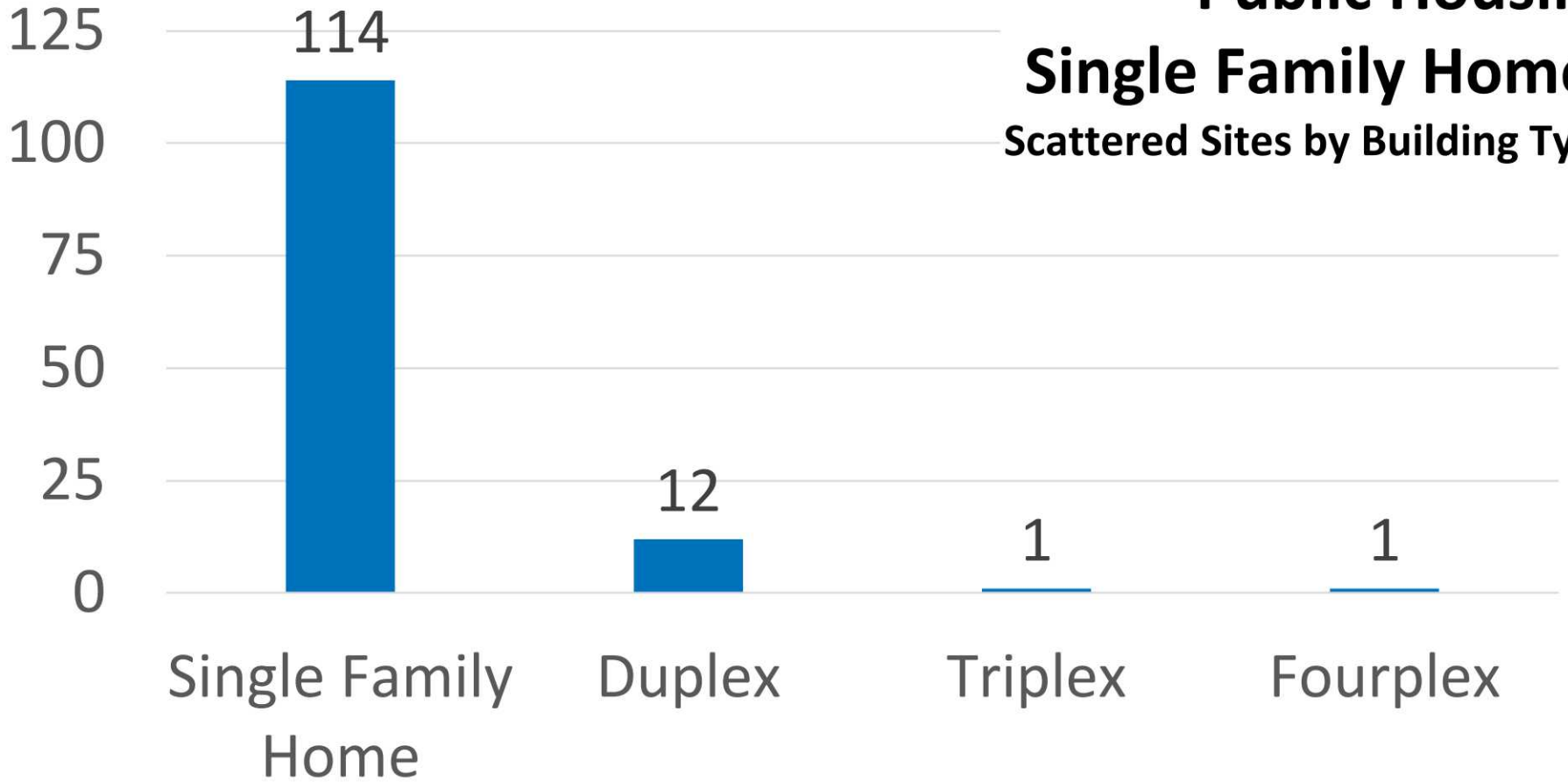
Estacada*: 6



Public Housing Single Family Homes Scattered Sites by Size



Public Housing Single Family Homes Scattered Sites by Building Type



Scattered Site Repositioning

Goals

- ✓ Generate sale proceeds for new affordable housing development
- ✓ Preserve affordability through creative strategies

Strategies for disposition

- ✓ First-time homebuyer programs in partnership with organizations like Proud Ground and Habitat for Humanity
- ✓ Recovery-oriented transitional housing in partnership with community-based housing services providers (leveraging Supportive Housing Services funds)
- ✓ Private market sales