



COMPREHENSIVE PLAN IMPLEMENTATION PROJECT – CODE REVIEW – BATCH #3

Planning Commission Worksession

August 24, 2021

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COMPREHENSIVE PLAN - POLICY MANDATES

- Increase supply of middle housing; provide housing choice
- Increase the tree canopy and preserve existing trees
- Manage parking to enable middle housing and protect trees



PUBLIC ENGAGEMENT – SUMMARY OF ACTIVITIES

- Project webpages (City of Milwaukie and Engage Milwaukie)
- Pilot newsletter articles: 12 articles
- CPIC meetings: 9
- Stakeholder interviews: 32 interviews in October
- Virtual open houses: 3 (English and Spanish)
- Community Surveys: 2 (English and Spanish)
- Email blasts and social media posts
- Handouts (English and Spanish)
 - Library, Farmers Market, Hillside, Wichita Center, Northwest Housing
- Neighborhood District Association (NDA) presentations
- Small group discussions (in both Spanish and English)
- Planning Commission and City Council updates



PUBLIC ENGAGEMENT – PUBLIC HEARINGS

- 9/1 – 35-day public notice
 - Project webpages (City of Milwaukie and Engage Milwaukie)
 - Email blast
 - Executive Summary posted
 - City social media
- 9/22 – 20-day notice
 - Email blast
 - Direct mail postcard to all residential properties
- 9/26 – Farmers Market booth
- 9/28 – presentation to Rotary
- NDA's
 - Presentation (or materials) at each NDA in September (w/ staff availability)
- October Pilot newsletter article
- Tree code outreach and education materials: Fall/Winter



CODE REVIEW SCHEDULE

- August 5: Comprehensive plan and land use map; zoning map; permitted uses; definitions; parking; ADU review and design and development standards
- August 10: Flag lots and back lots; Natural Resource code; Title 17 – land division
- **TONIGHT**: Tree Code; Design and development standards for middle housing



2017



Trees emphasized in community vision

2018



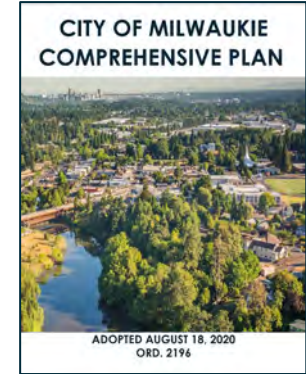
40% canopy by 2040 goal established

2019



Guide to achieve 40% canopy goal, calls out tree code

2020



Natural resource preservation policies

Public Tree Code ☒

Private Tree Code ☐



Updates - Chapter 16.32

- New code for residential development and residential non-development - 16.32.042
- Meant to improve alignment with vision and goals
- Establishes New Standards for development
 - Tree Preservation Standards
 - Mitigation Standards
 - Canopy Standards
 - Protection Standards
 - Soil Volume Standards
- Updates to definitions
- Permitting Requirements for non-development
 - Review Criteria and Approval Standards
 - Fees
- Low Income Assistance

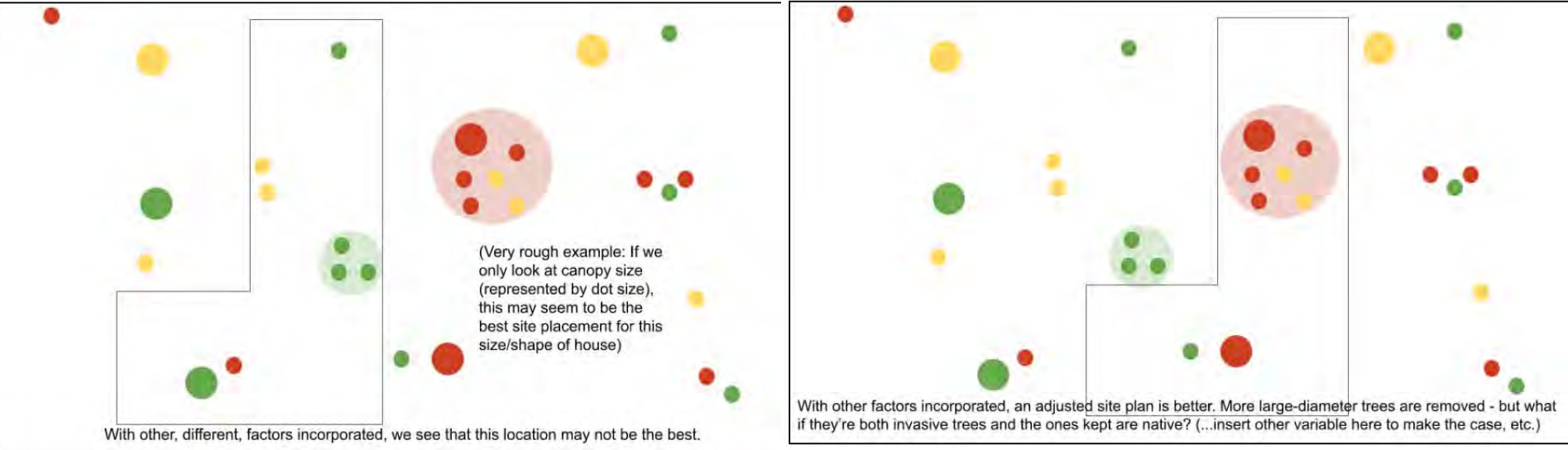


An aerial photograph of a suburban neighborhood, showing a grid of streets with houses and trees. The image is darkened to serve as a background for the text. Street names like 'SE 24th Ave' and 'SE 25th Ave' are visible on the right side.

Residential Development : Tree Preservation Standards

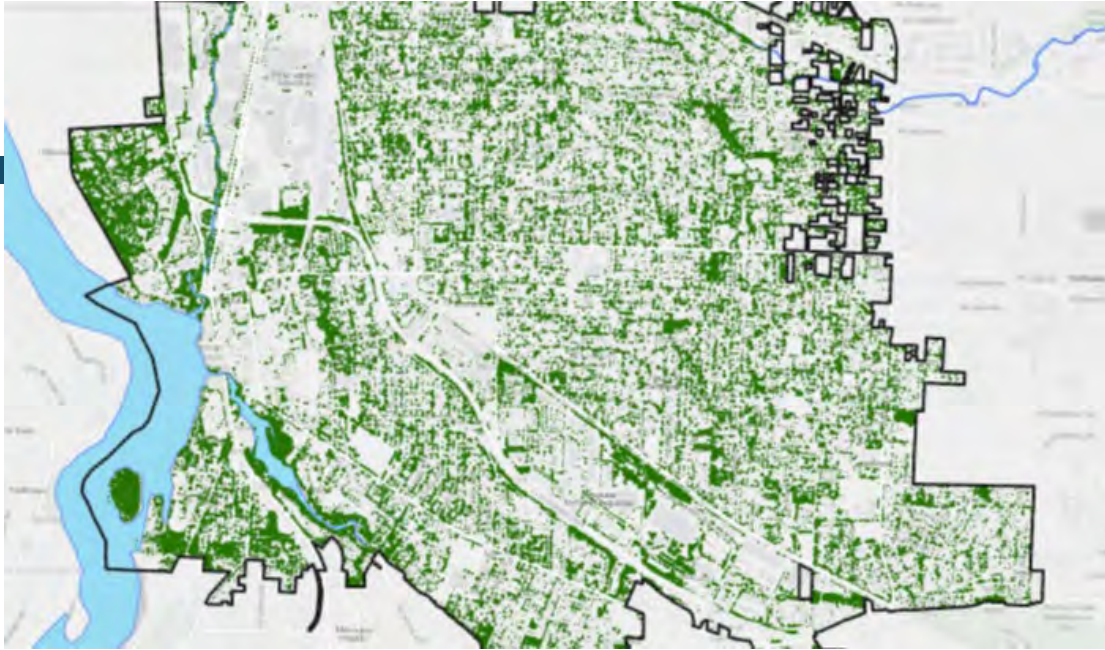
- Established to protect existing trees on site
- Trees are prioritized for preservation based on their native and climate adapted status
 - achieve a healthy, diverse and climate-adapted urban forest
- Priority tree species are required to be preserved
 - Exception for removal when required for development and no alternatives are available
- If removal is required, the private tree code establishes a maximum percentage of priority tree canopy removed (**canopy standards**) unless mitigation is performed (**mitigation standards**)
 - mitigation fees or discretionary alternatives

Tree Prioritization : example



Above: prioritization schematics designed by Tree Board

The draft code anticipates the development of priority tree lists



Residential Development : Canopy Standards

- Tree canopy goals of 40% canopy cover by 2040
 - Shading vs. Urban Heat Island
 - Community Benefits
 - CAP + Comprehensive Plan
- Canopy standards ensure **intentional preservation and planting** on development sites to achieve canopy goals
- 40% tree canopy coverage required on completed development sites through **existing tree canopy** or through **future mature canopy of new plantings**
- mitigation is performed if unable to meet canopy standards

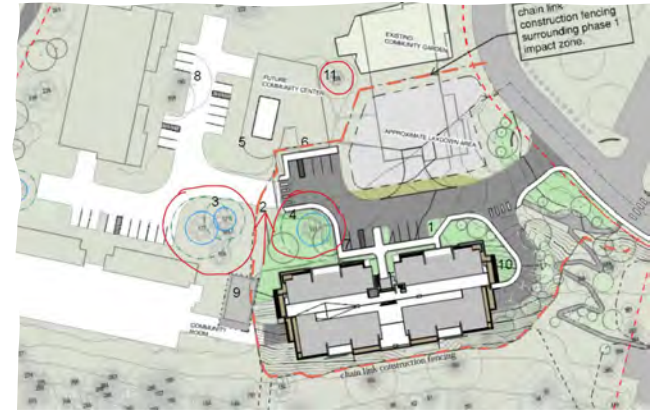
Residential Development : Mitigation Standards



- Mitigation standards are established when tree preservation or canopy standards cannot be met.
 - Mitigation fees associated with the **diameter of trees removed** and the total **canopy percentage needed to meet the 40% standard** would be paid by the permit applicant
- Applicants may apply for a **discretionary alternative** in lieu of a mitigation fee, for example:
 - Alternative construction designs and techniques that provide additional sustainability benefits to the site
 - minimization of hydrological impacts
 - fossil fuel alternatives and energy efficiency beyond regulatory requirements
 - wildlife enhancements
 - sustainable agriculture

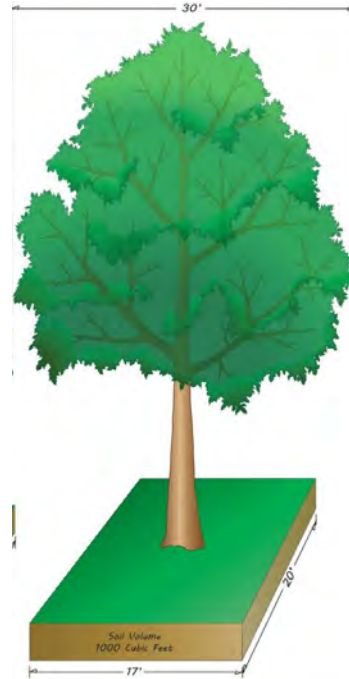
Residential Development : Tree Protection Standards

- Construction practices without consideration to trees can lead to tree harm and death
 - damage to roots, soil compaction, and other unintended impacts to tree structures.
- **Protection standards ensure preserved trees are protected from development impacts**
- Protection standards must be followed to obtain the preservation and canopy credits – standards include:
 - development of a tree protection plan
 - establishment of root protection zones
 - management of encroachment into root protection zones
 - protection fencing requirements
- When the prescriptive path is not practicable, the applicant may propose alternative measures and instead follow a performance path under guidance of an International Society of Arboriculture (ISA) certified arborist.



Residential Development : Soil Volume Standards

- Requires appropriate soil volume for new plantings to improve the tree's chance of long-term success
- 1,000 cubic feet of soil volume per tree planted
- Soil volume plan created by an arborist is required, and soil volume methods and specifications must be consistent with ISA best management practices
- The project arborist must verify the soil volume plan was successfully implemented prior to tree planting



Non-Development: Tree Removal



- Permit required if:
 - The tree is at least 6 inches in diameter at breast height (DBH)
 - The tree is less than 6 inches DBH and is a species specified on the City of Milwaukie rare or threatened tree list (to be developed)
 - The tree was planted to meet any requirements in the private tree code
- Replanting requirements for healthy tree removal
- Exceptions for agricultural trees

Low Income Assistance



- To the extent that city funds are available, the City Manager may exempt a property owner from the permit fee, removal fees and replanting fees when the owner demonstrates household income that is at or below 80 percent of median household income for the Portland-Vancouver-Hillsboro, OR-WA Metropolitan Statistical Area.
- Consistent with CET, HES and public tree code

Urban Forest Outreach

- Outreach and engagement for code development through comp. plan implementation
- Informational campaign
 - Program branding
 - Informational material creation
 - Website and online media refresh
- Outreach key to continued program success
 - Reduction in permits
 - Community stewardship of trees
 - Homeowner best management practices and awareness
 - Low-income assistance utilization



LET'S PLANT
A L B U Q U E R Q U E

Trees are a gift from one generation to the next.

Questions?

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[milwaukieoregon.gov
/sustainability/urbanforest](https://milwaukieoregon.gov/sustainability/urbanforest)



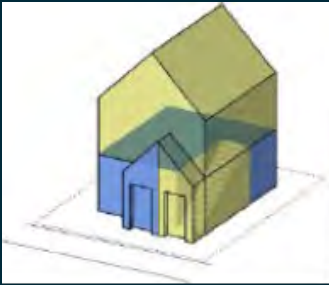
CODE AMENDMENTS – DEVELOPMENT STANDARDS

Lot Size	Permitted Housing Types currently	Permitted Housing Types proposed
1,500 sq. ft.	Rowhouse (townhouse)	Townhouse
3,000 sq. ft. to 4,999 sq. ft.	Detached single dwelling Detached single dwelling + ADU Duplex	Detached single dwelling Detached single dwelling + 2 ADU Duplex
5,000 sq. ft. to 6,999 sq. ft.	Detached single dwelling Detached single dwelling + ADU Duplex	Detached single dwelling Detached single dwelling + 2 ADU Duplex Triplex
7,000 sq. ft. and greater	Detached single dwelling Detached single dwelling + ADU Duplex	Detached single dwelling Detached single dwelling + 2 ADU Duplex Triplex Quadplex Cottage Cluster



CODE AMENDMENTS – DEVELOPMENT STANDARDS

- Attached and Detached units will be permitted.



CODE AMENDMENTS – DESIGN STANDARDS: 1-4 UNITS

- Currently, the code includes design standards for:
 - Single-family dwellings and duplexes (19.505.1)
 - Garages and carports
 - Multifamily housing
- Proposed amendments – a universal set of design standards that applies to all middle housing
 - Extend standards contained in 19.505.1 to apply to attached and detached forms of single and middle housing up to four units
 - Incorporate two new stand-alone subsections for Cottage Clusters and Townhouses
 - Right-size and merge some multiunit housing standards into the universal set



Residential design standards

Proposed reorganization and applicability

Applicability, general

The design standards in this subsection apply to the types of development listed below when the closest wall of the street-facing façade is within 50 ft of a front or street side lot line.

1. New single-family one to four unit attached and detached dwellings, and residential homes, duplexes, cottage clusters, and rowhouses or cottages on individual lots,... Placement of a new manufactured home on a lot outside of a manufactured home park is subject to the requirements of Section 19.506 and the standards of Subsection 19.505.1.

Applicability by housing type

Design Standard	Applicability		
	1-4 units	cottage clusters	townhouses
Articulation	[2]	[2]	[2]
Eyes on the street	[2]	[2]	[2]
Main entrance	[2]	[2] [3]	[2]
Detailed design	[2]	[2] [3]	[2]
Transitional space		[2]	
Private open space	[1]		[1]
Public open space		[1]	
Pedestrian circulation	[1] [4]	[1] [4]	[1]
Vehicle and bicycle parking	[1] [4]	[1] [4]	[1] [4]
Privacy and screening	[1]	[1]	[1]
Recycling areas	[4]	[4]	[4]
Sustainability	[5]	[5]	[5]

[1] Applicable to the entire site

[2] Applicable to dwellings facing the street

[3] Applicable to cottages in a cluster when facing the common courtyard

[4] Applicable only for additions or new buildings

[5] Applicable only for new buildings

CODE AMENDMENTS – DESIGN STANDARDS

- Applicability to remodels or expansion still applies:
 - Expansions that add 75 sq ft or less of street-facing façade area are exempt
 - 75 SF - 200 SF: Subject to *Eyes on the Street* (new portions only)
 - 200 SF+: Expanded façade area must meet the standards of *Eyes on the Street*, *Main Entrance*, and *Articulation*.
 - Expansions are not subject to *Detailed Design*, however, no expansion shall bring the street-facing façade out of conformance, or further out of conformance
 - For attached garage conversions: Design standards apply only to the street-facing façade of the garage
 - *Main Entrance* is applicable if the garage conversion would create a new main entrance



TOWNHOUSES

CODE AMENDMENTS – TOWNHOUSES

- 2012: Townhouse code adopted – none built to date
- Proposed standards are a combination of:
 - Large City Model Code
 - Design modeling and recommendations from project consultant



HB 2001 requirements:

- Min lot size = 1,500 sq ft
- Min street frontage = 20 ft



CODE AMENDMENTS – TOWNHOUSES

- Townhouse standards are generally the same as standards for single dwelling, or the proposed one to four units standards.
- Key considerations:
 - Avoid the “wall-like” effect of 3+ townhouses together
 - Avoid the effect of closely-spaced driveways
 - Insufficient curb space for parking or planting zone for street trees
- Proposal:
 - In the R-MD zone: max. of 2 townhouses
 - Ensure sufficient curb and plant strip area



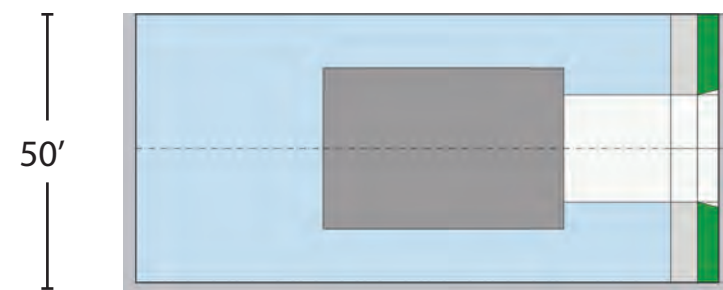
Wall-like effect



Proposed solutions

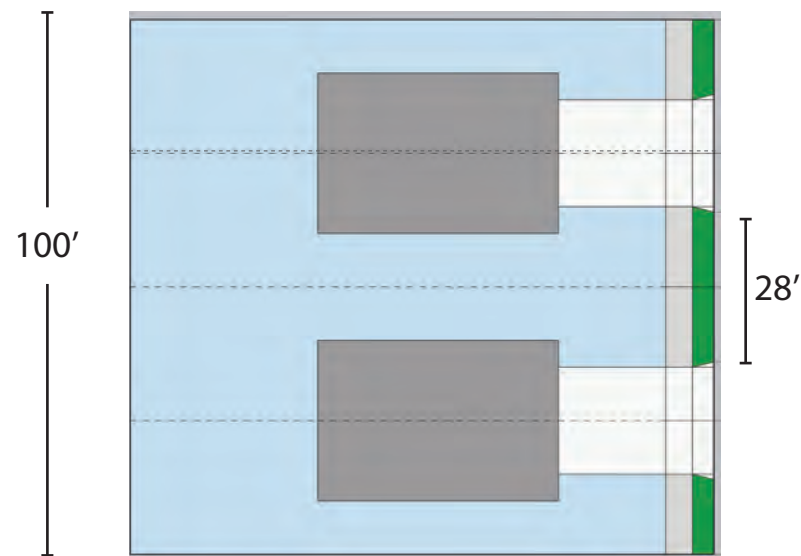
- » Limit the number of attached townhouses to two in the R-MD zone
- » Match development pattern of existing single dwellings
- » Minimum distance between driveways is 24 feet, which allows for on-street parking and street trees

Medium Density Residential (R-MD)



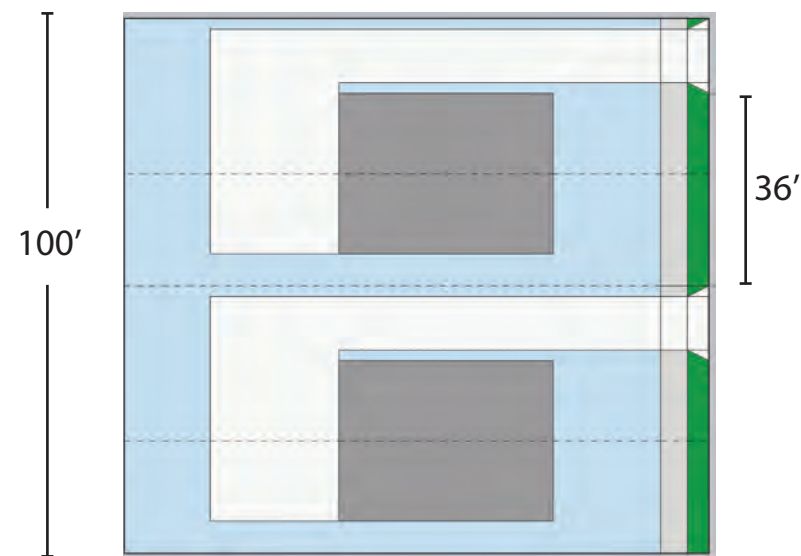
Paired front driveways

- » Max 2 townhouses connected
- » 5,000 square foot lot divided



2 sets of paired front driveways

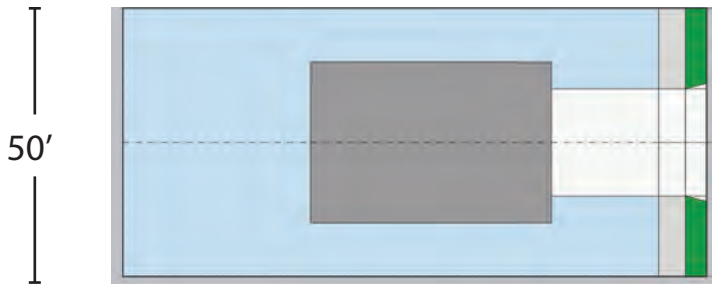
- » Each lot = 25' wide
- » Ample separation between driveways



Shared drive to back parking

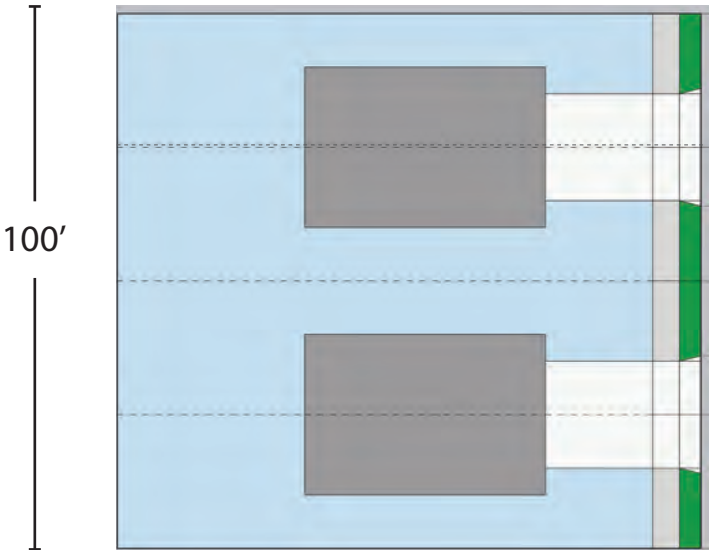
- » 2 50' wide lots divided
- » Ample separation between driveways

Medium Density Residential (R-MD)



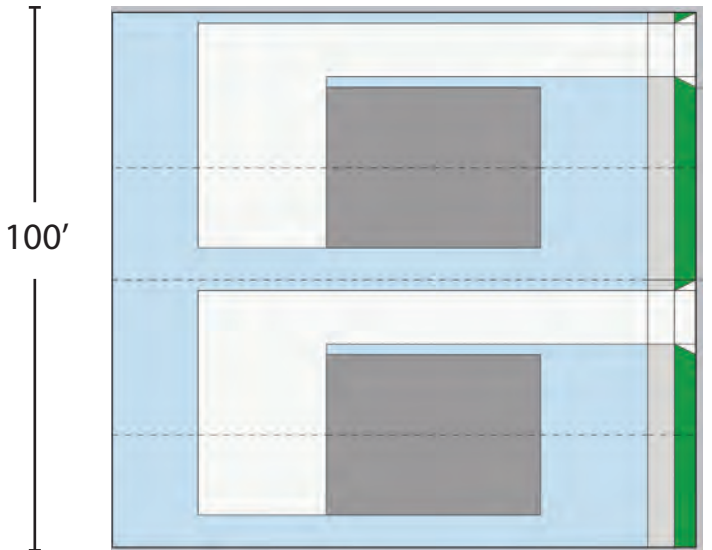
Paired front driveways

- » Max 2 townhouses connected
- » 5,000 square foot lot divided



2 sets of paired front driveways

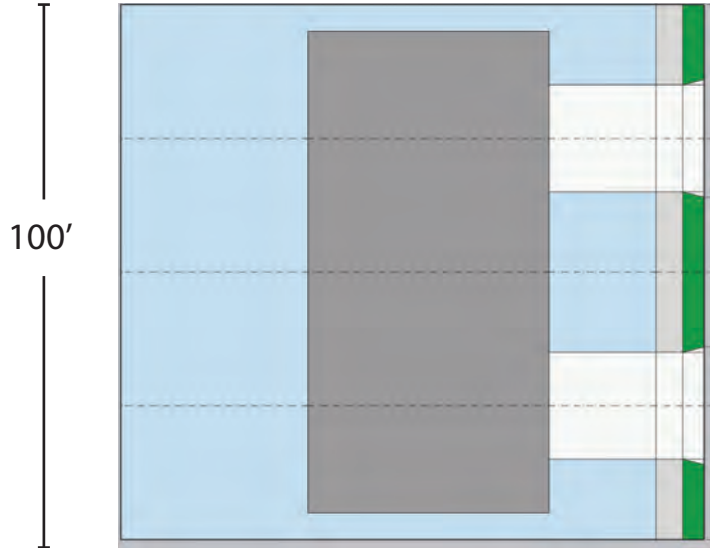
- » Each lot = 25' wide
- » Ample separation between driveways



Shared drive to back parking

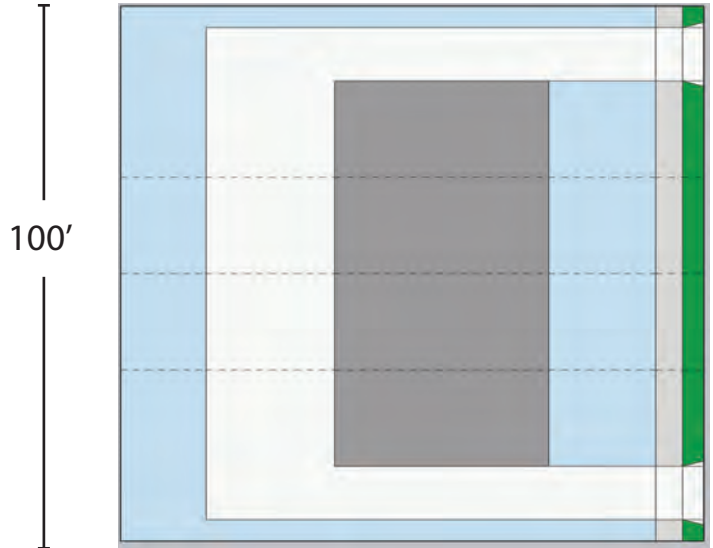
- » 2 50' wide lots divided
- » Ample separation between driveways

High Density Residential



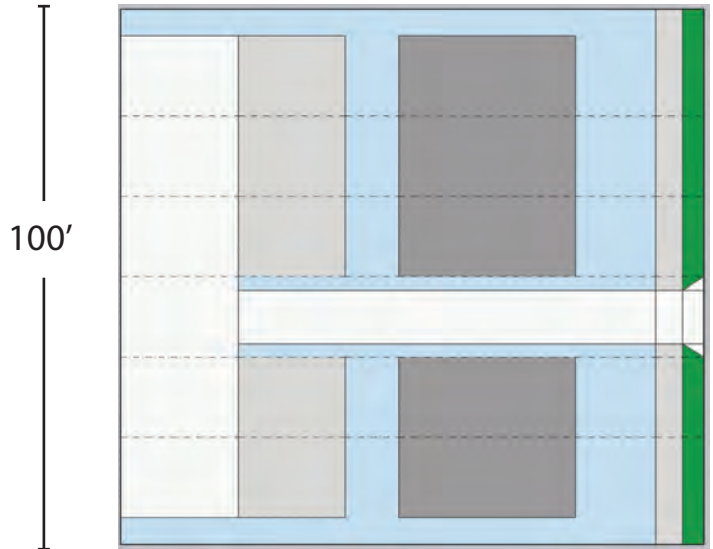
Attached paired front driveways

- » 2 5,000 square foot lots divided
- » Enough space between driveways



Shared drive to back parking

- » 2 5,000 square foot lots divided
- » Ample separation between driveways



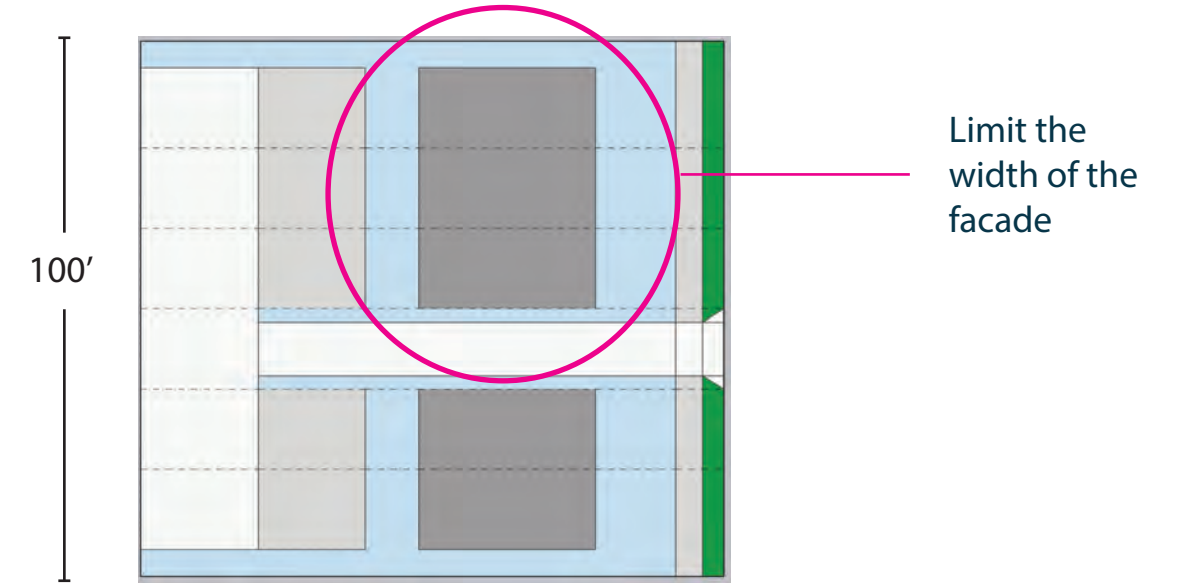
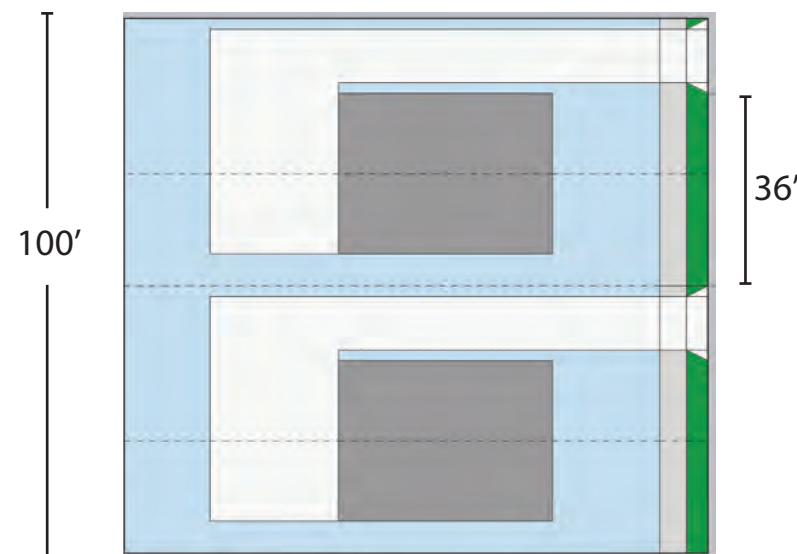
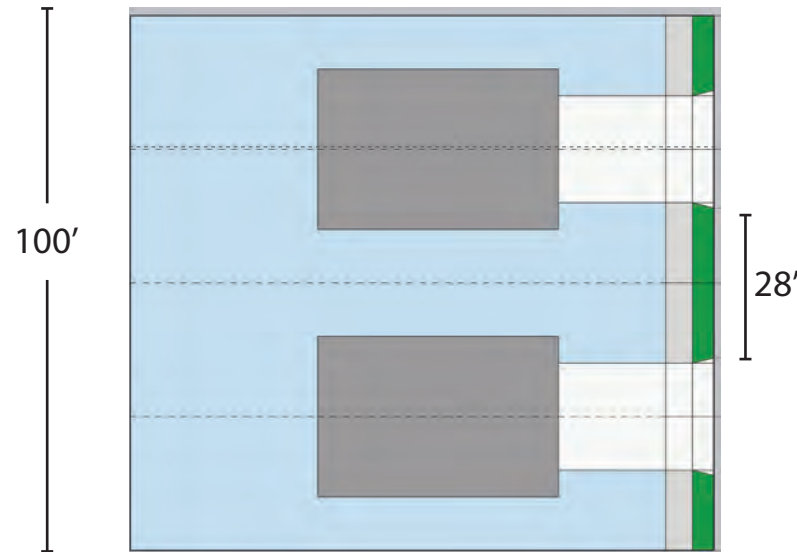
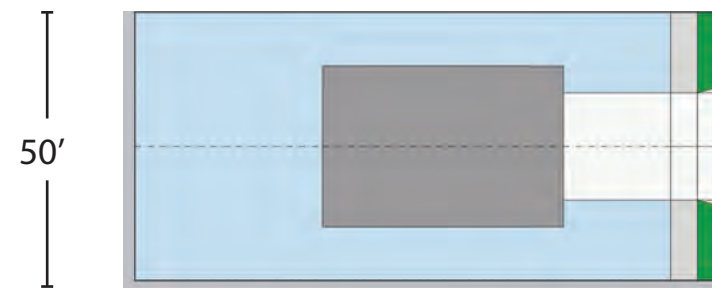
Shared single drive to back parking

- » 10,000 square foot lots divided
- » Ample separation between driveways

Consideration for R-MD

- » Limit the width instead of the number of attached units
- » Maximum width could be 36 - 40 feet
- » Would allow the potential for up to 3 attached townhouses, rather than 2

Medium Density Residential (R-MD)



COTTAGE CLUSTERS

CODE AMENDMENTS – COTTAGE CLUSTERS

- General characteristics
 - Detached and attached homes clustered around shared open space
 - Parking is often grouped in a shared lot
 - Cottages are small in size and footprint
 - Sometimes have shared resources or amenities such as garden, common building, workshop, etc
 - Units can be on their own lot or on a single lot



CODE AMENDMENTS – COTTAGE CLUSTERS

- HB 2001
 - Permitted on all lots over 7,000 sq ft
 - Building footprint is limited
 - Lot coverage and max. density do NOT apply
 - Design standards are addressed in the Large City Model Code
 - An important housing type, especially for addressing attainability



CODE AMENDMENTS – COTTAGE CLUSTERS

- 2012: Cottage cluster code adopted – none built to date
- Proposed standards are a combination of:
 - 2019 Cottage Cluster Feasibility Study
 - Large City Model Code
 - Design modeling and recommendations from project consultant
- The proposed code amendments are intended to:
 - Promote market-rate provision of homes affordable to households of a variety of incomes and sizes.
 - Encourage a design that balances a reduction in private outdoor space with shared outdoor common area.
 - Promote community-building both within a housing cluster and with the surrounding neighborhood.



EXAMPLES

TWO COTTAGE CLUSTER EXAMPLES:

High Density

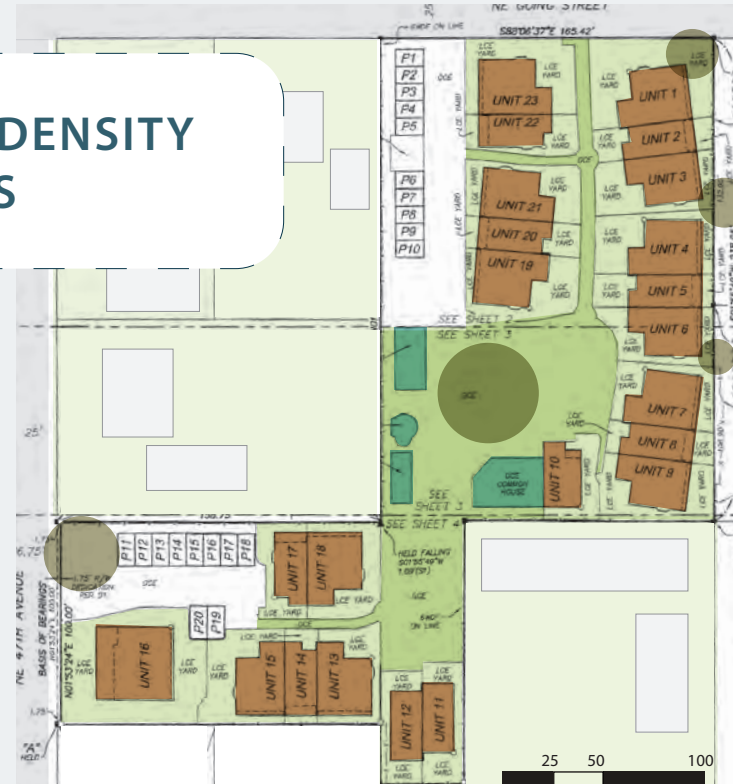
» Greater density

» Attached units

Moderate Density (R-MD)

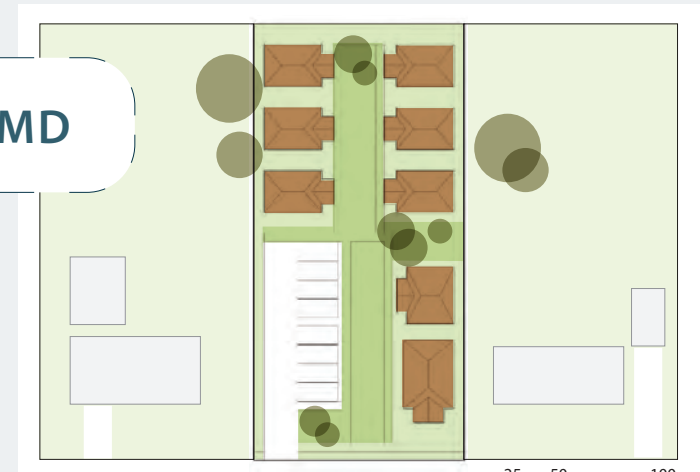
» Detached units only

HIGH DENSITY ZONES



Example 1: built project

R-MD



Example 2: unbuilt prototype



Milwaukie Comprehensive Plan Residential Zoning Proposed Designations

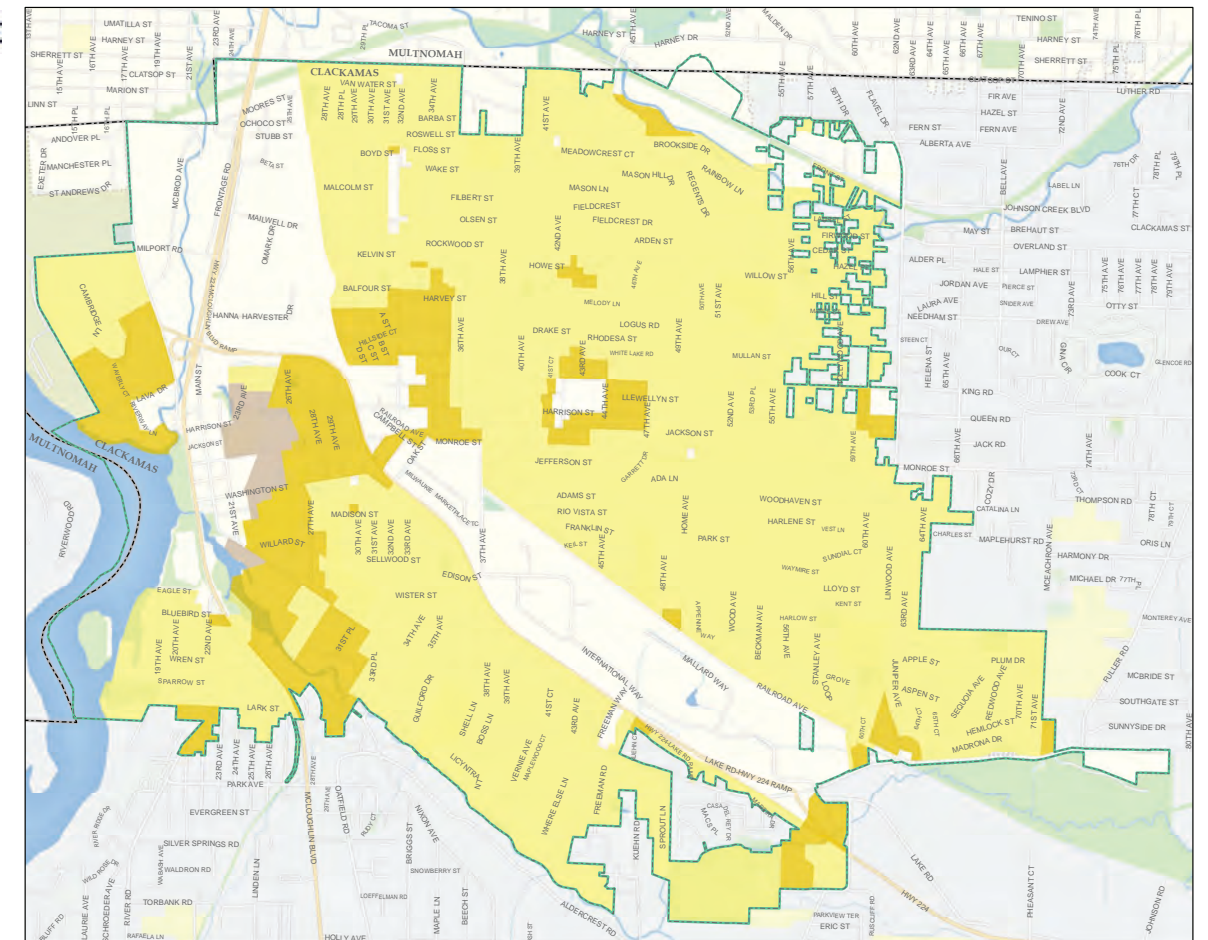
- City of Milwaukie
- County Boundary
- R-1 (357.58 Acres)
- R-1-B (34.62 Acres)
- R-2 (2017.27 Acres)



Data Sources: City of Milwaukie GIS, Clackamas County GIS, Metro Data Resource Center
Date: Thursday, June 17, 2021
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, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of errors would be appreciated.

GIS Coordinator
City of Milwaukie
4101 SE Johnson Creek Blvd.
Milwaukie, OR 97126
(503) 786-7847

0 0.25 0.5 Miles



EXAMPLE:

**“Cully Green” built example in
NE Portland**



High density zones

- » Greater density
- » Attached units



EXAMPLE



A typical Milwaukie lot which would accommodate part of Example 1

Street view elevation diagram



Dwellings 23

Building separation Attached or 6 ft

Footprint 460-815 sq ft

Total area 990 - 1,575 sq ft

Site 1.4 acres (60,944 sq ft)

Common area 500+ sq ft / unit

Parking 20 spaces

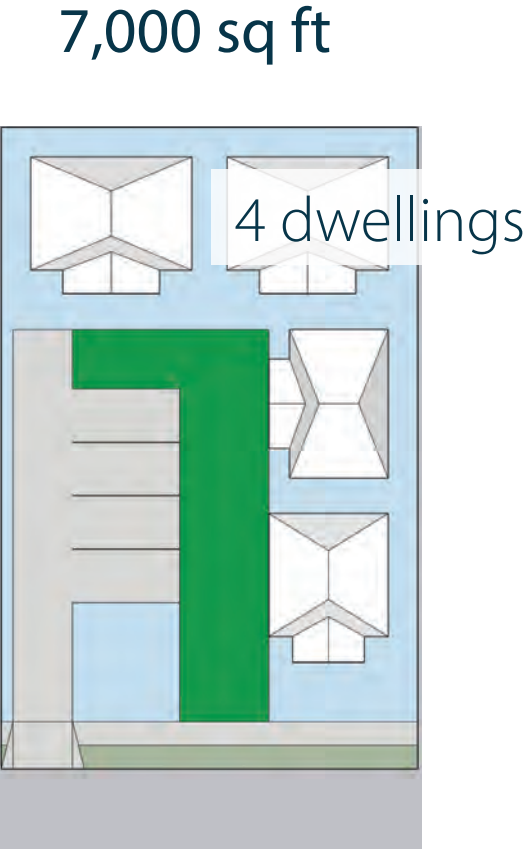
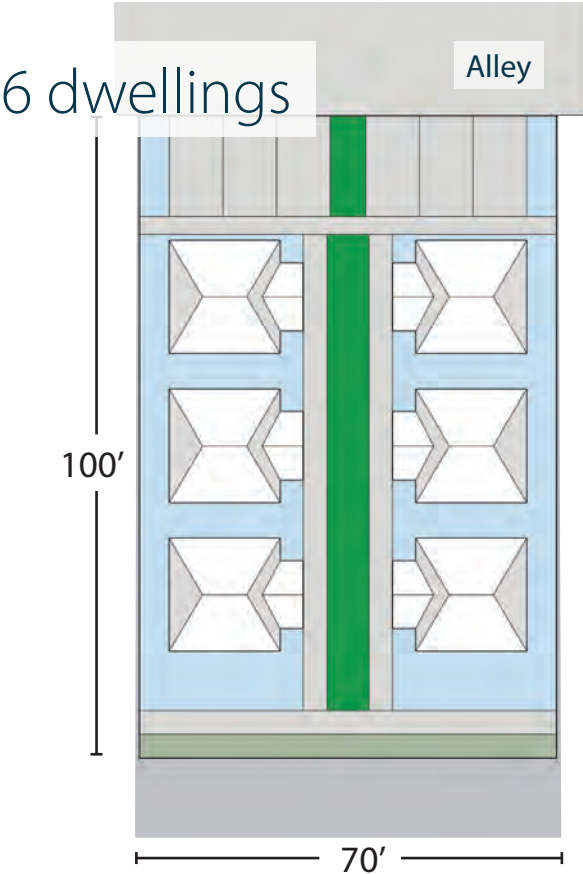
Legend

- Cottage cluster units
- Private green space
- Common green space
- Community buildings/amenities
- On-site parking
- Adjacent buildings
- Trees

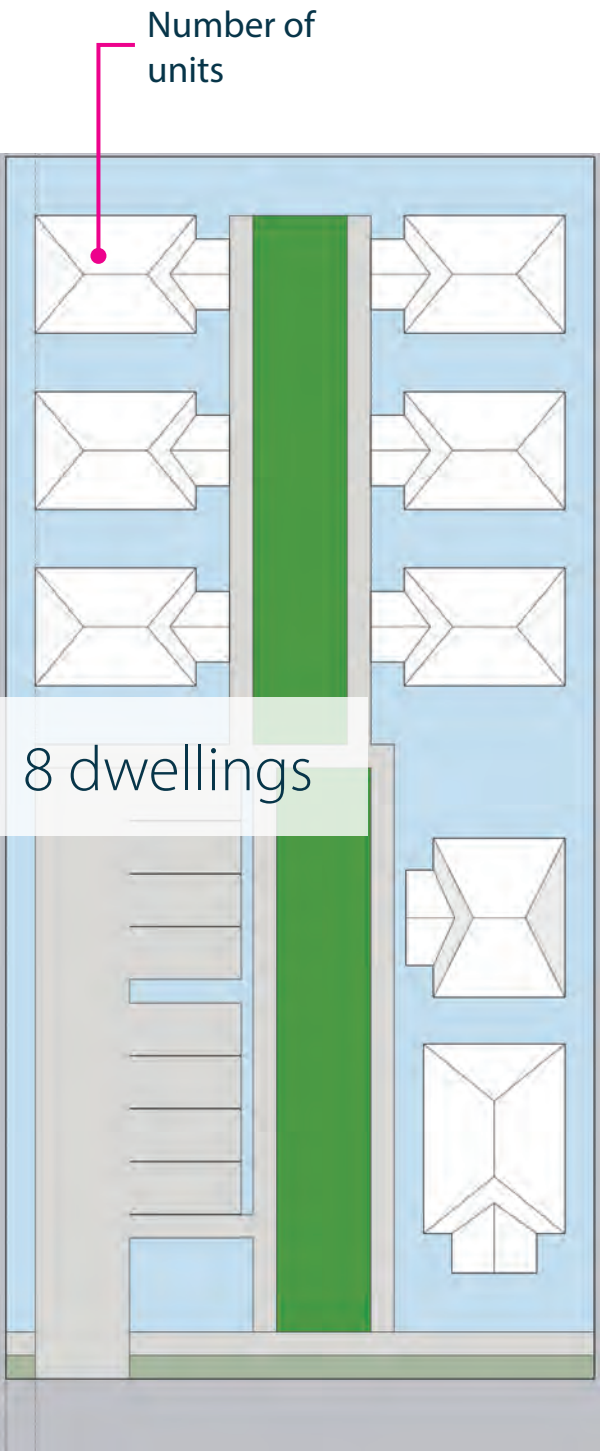
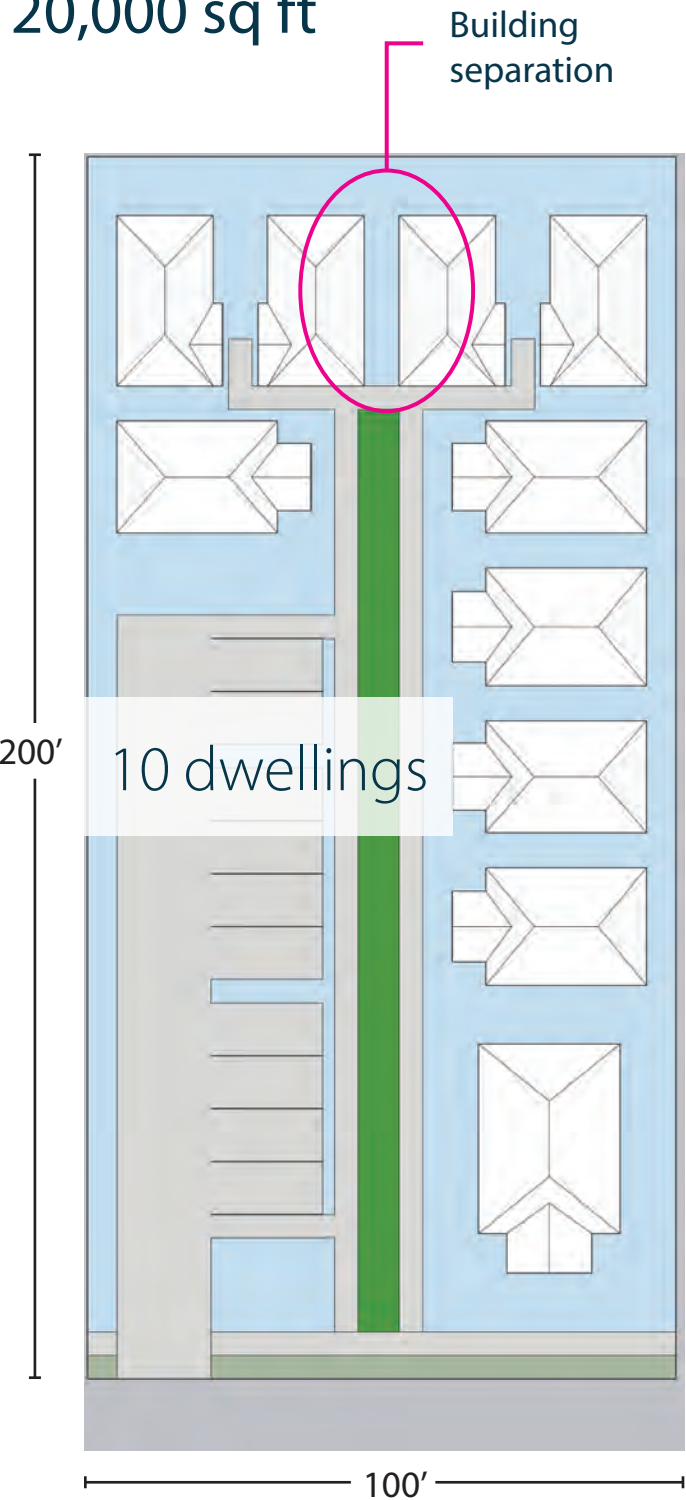
Cottage Cluster Built Example (Cully Green in NE Portland)

7,000 and 20,000 sq ft lots

- » **Distance between buildings**
between 6 feet minimum
- » **Maximum number of cottages per cluster:** must be 8 or greater
- » **Common open space per unit**
- » **Parking**



20,000 sq ft



Example configurations

Cottage Clusters on large lots

Issues

- » Two prototypical sites between 2 and 3 acres
- » Tested to see the most intense case
- » No limit was imposed on the number of clusters



Example Site
Site size 2.7 acres
120,000 sq ft



Example Site
Site size 2.1 acres
92,000 sq ft

Testing proposed cottage cluster standards

- » Apply minimum dimensions and standards
- » Apply no limit on maximum number of clusters

Result

- » Tight fit with only 6 feet of separation between clusters



36 dwellings

Building separation 6 ft

Max Cottages per cluster 12

Cluster separation 6 ft

Common courtyard width 15 ft

Parking 36 spaces

Lot coverage 27%

Dwelling per acre 13



27 dwellings

Building separation 6 ft

Max Cottages per cluster 12

Cluster separation 6 ft

Common courtyard width 15 ft

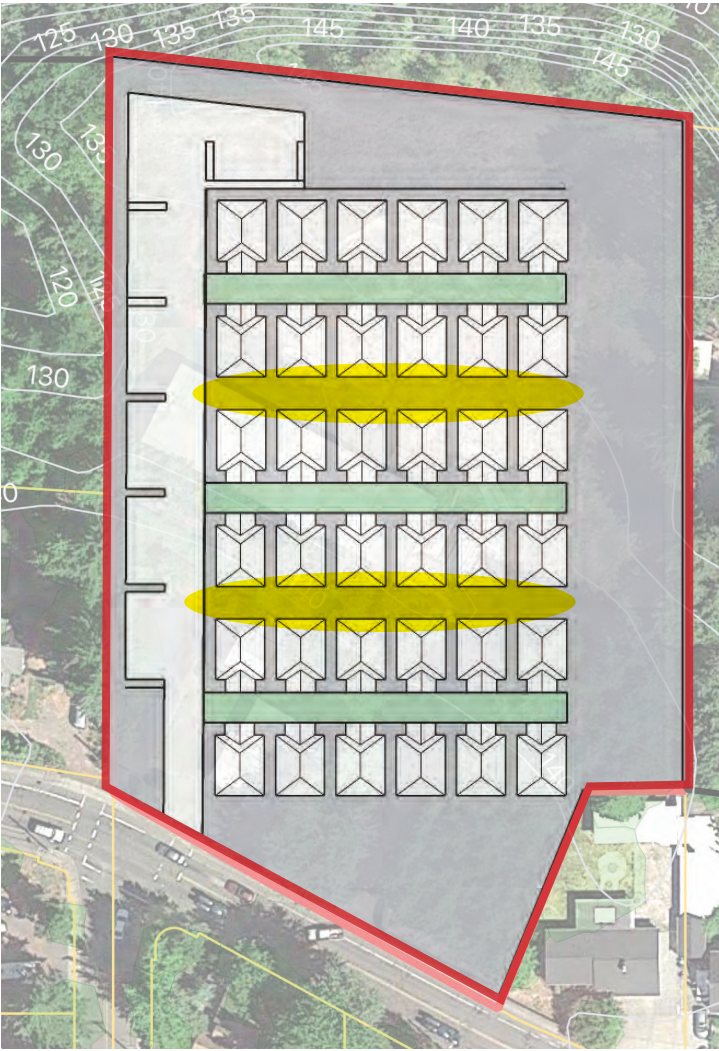
Parking 27 spaces

Lot coverage 26%

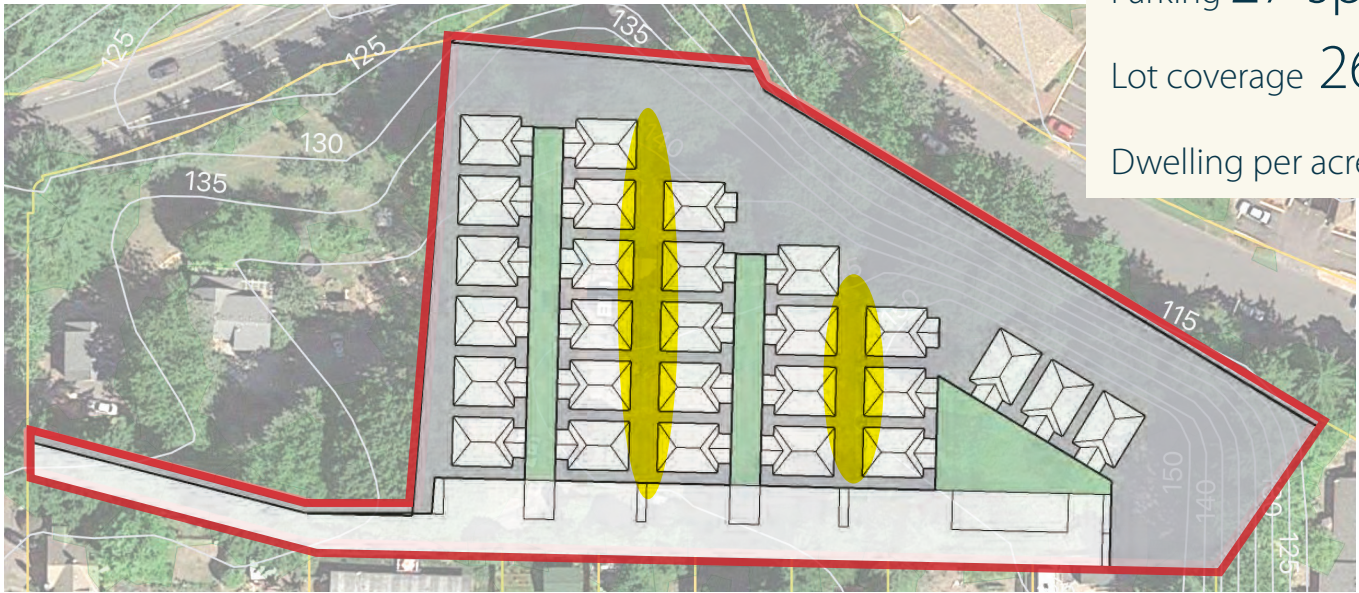
Dwelling per acre 13

Increased separation between clusters

» From 6 feet to 10 feet

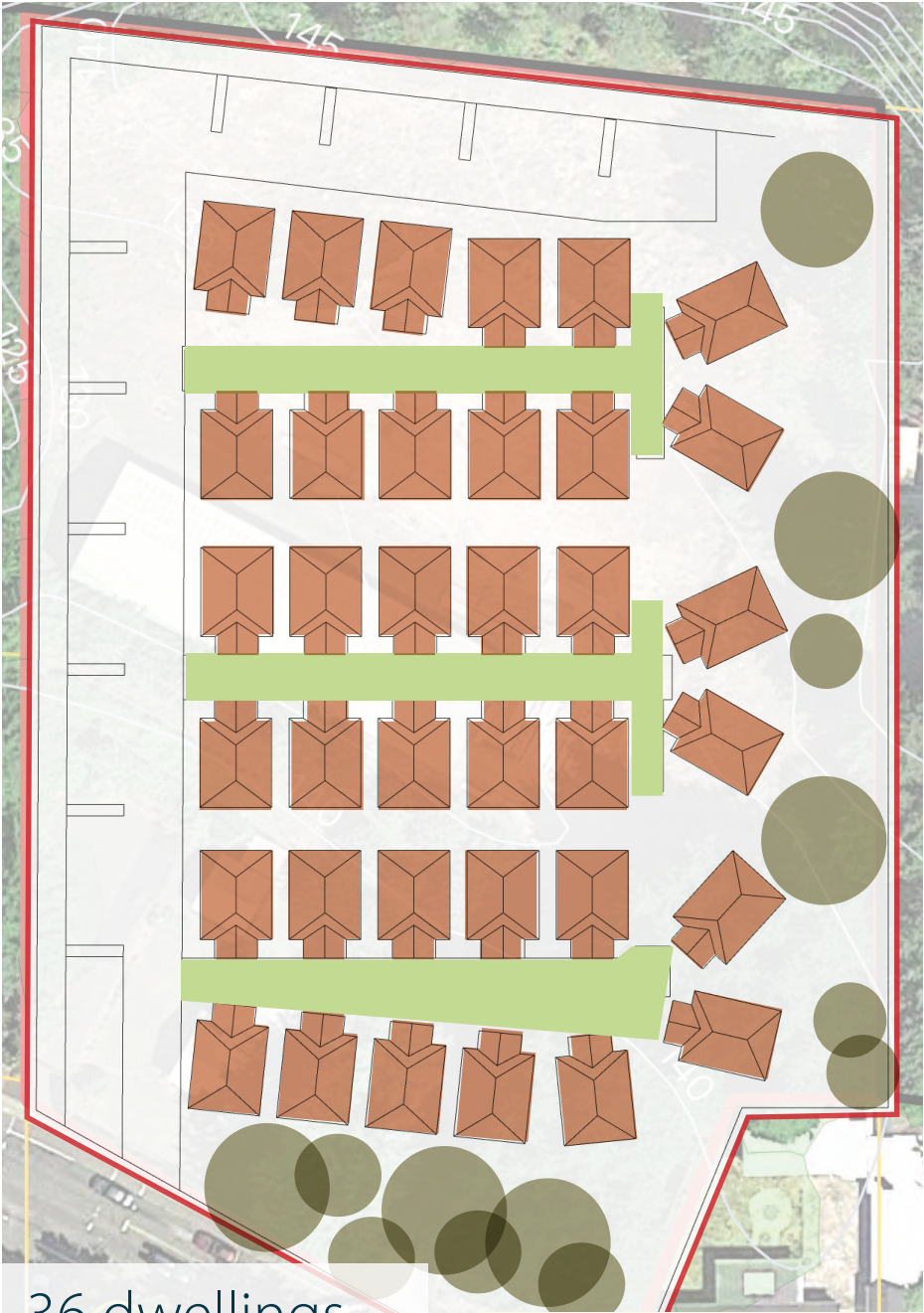


- 36 dwellings
- Building separation 6 ft
- Max Cottages per cluster 12
- Cluster separation 10 ft
- Common courtyard width 15 ft
- Parking 36 spaces
- Lot coverage 27%
- Dwelling per acre 13



- 27 dwellings
- Building separation 6 ft
- Max Cottages per cluster 12
- Cluster separation 10 ft
- Common courtyard width 15 ft
- Parking 27 spaces
- Lot coverage 26%
- Dwelling per acre 13

Example Sites with 3 clusters



36 dwellings
in 3 clusters







- Building separation 6 ft
- Max Cottages per cluster 12
- Cluster separation 10 ft
- Common courtyard width 15 ft
- Parking 36 spaces
- Lot coverage 27%
- Dwelling per acre 13



26 dwellings in 3
clusters

- Building separation 6 ft
- Max Cottages per cluster 12
- Cluster separation 6 ft
- Common courtyard width 15 ft
- Parking 26 spaces
- Lot coverage 25%
- Dwelling per acre 12

Legend

- | | |
|---|--|
|  Cottage cluster units |  Community building |
|  Private green space |  On-site parking |
|  Common green space |  Trees |

Example Sites with 2 clusters



24 dwellings
in 2 clusters

- Building separation 6 ft
- Max Cottages per cluster 12
- Cluster separation 20 ft
- Common courtyard width 30 ft
- Parking 24 spaces
- Lot coverage 18%
- Dwelling per acre 8.8



21 dwellings in 2
clusters

- Building separation 6 ft
- Max Cottages per cluster 12
- Cluster separation 15 ft
- Common courtyard width 30-75 ft
- Parking 21 spaces
- Lot coverage 20%
- Dwelling per acre 10

Legend

- | | |
|-----------------------|--------------------|
| Cottage cluster units | Community building |
| Private green space | On-site parking |
| Common green space | Trees |

CODE AMENDMENTS – COTTAGE CLUSTERS

- Key Issues related to cottage clusters on lots >20,000 sq ft
 - Maximum number of cottage clusters
 - The separation distance between cottages is increased
 - Cottage clusters prohibited on flag lots or back lots over a certain area
 - Street-path connectivity requirements



NEXT STEPS

