



MILWAUKIE
Dogwood City of the West

Memorandum

To: Moving Forward Milwaukie Project Advisory Committee (PAC)

From: Li Alligood, Senior Planner (Project Manager)

Date: May 14, 2015

Re: Preparation for May 21, 2015, PAC Meeting

Greetings!

The 11th and final meeting of the *Moving Forward Milwaukie: Enhancing Our Commercial Districts* project advisory committee (PAC) is **Thursday, May 21, 6:00-7:30 pm** at the Johnson Creek Facility Operations Building, 6101 SE Johnson Creek Blvd (rear building) - *******please note the revised location*******. Light refreshments will be provided.

This is the final PAC discussion of Phase 3 of the Moving Forward Milwaukie project – Neighborhood Main Streets. We will be discussing draft code amendments in advance of their presentation to the public. The draft amendments are based on the 2012 *Neighborhood Main Streets Project* plan and recommendations.

We will also be discussing the entire Moving Forward Milwaukie project – the process and any lessons learned – and would very much like to hear from all of you. As an advisory committee, you have been invaluable to the process, and we appreciate all of the time and energy you have devoted to this very important community planning endeavor. We encourage all PAC members to attend this meeting so that have the opportunity to recap the project and talk about next steps.

I have enclosed some documents for you to review prior to the meeting.

- **Meeting agenda**

We will be discussing the draft code amendments and seeking PAC feedback about some key proposals. As discussed above, we will also be taking time to talk about the entire project, lessons learned, and next steps.

- **Minutes from the 4/1/15 PAC Meeting**

Including PAC feedback on the proposed approach to the Neighborhood Main Streets amendments.

- **Draft amendments**

The draft amendments will be refined with PAC input and presented to the public at a June 3 public event. Generally, the amendments introduce pedestrian-friendly development and design standards for new buildings, as well as language regarding allowed uses.

- **Questions?**

Additional information about the project and past efforts is available on the City's project web site at <http://www.milwaukieoregon.gov/planning/movingforward>. Information specific to the Neighborhood Main Streets is available at <http://www.milwaukieoregon.gov/planning/moving-forward-milwaukie-phase-3-neighborhood-main-streets>.

Please let me know if you have any questions, and thanks again for helping us with this important project. I can be reached at 503-786-7627 or alligoodl@milwaukieoregon.gov.

ATTACHMENTS

1. Meeting Agenda
2. Minutes from the 4/1/15 PAC Meeting
3. Draft code amendments

AGENDA

Moving Forward Milwaukie: Enhancing Our Commercial Districts

Project Advisory Committee Meeting #11

Thursday, May 21st 2015

6:00 P.M. – 7:30 P.M.

Johnson Creek Facility, Operations Building, 6101 SE Johnson Creek Blvd (rear building)

Welcome to the 11th (Final!) Project Advisory Committee (PAC) Meeting for *Moving Forward Milwaukie*. We appreciate your continued involvement in this exciting project! This meeting will conclude our work on the Neighborhood Main Streets areas, and wrap-up the PAC's official role on the project.

There will be opportunities for public participation throughout the meeting. Dinner and dessert will be served for members of the PAC.

The guidelines for participating in the Advisory Committee from the first meeting are again included on the back of this page for reference.

- | | |
|--|-------------|
| 1. Welcome and overview of meeting agenda
Presentation: 5 minutes | 6:00 |
| 2. Neighborhood Main Streets Draft Code Amendments
Presentation/Discussion: 30 minutes | 6:05 |
| 3. Recap and lessons learned
Discussion: 40 minutes | 6:35 |
| 4. Refreshments and socializing
15 minutes | 7:15 |
| 5. Adjourn | 7:30 |

Moving Forward Milwaukee: Enhancing Our Commercial Districts

Project Advisory Committee

Guidance for Participating on the Advisory Committee

The following guidance is provided to help Advisory Committee members understand their responsibilities and the ground rules for participating in the Committee. These rules are design to encourage civil discussion and decision-making.

Roles and Responsibilities

All advisory group members should be provided some orientation to their responsibilities as members of the advisory group. Individual members generally should not speak for the advisory group, only for themselves, unless designated by the group as its spokesperson. At a minimum, members should:

- Commit to attend all seven meetings, or send an alternate in their place
- Read, learn and absorb information quickly and accurately
 - Review project deliverables and provide feedback
 - Provide guidance for the project team
- Articulate their interests, concerns and perspectives on any issue being addressed
- Maintain an open mind regarding other views
- Focus on the “big picture”
- Work as a team member
- Participate collaboratively in group decision-making
- Constructively manage conflict between themselves and others in the group.
- Act as liaison between the Committee and the broader community
- Take responsibility for the success of the meeting

The group should strive for consensus where possible, but establish a “fall back” method of a simple or super majority for cases where this is not possible. Minority reports may provide a mechanism for those with different views to express concerns.

Ground Rules

The group should agree to some basic ground rules for their discussions. Post the ground rules at every meeting, so that if discussion gets off track or someone is dominating the discussion, the chair or facilitator can remind the group of previously agreed-to-ground rules. Examples include:

- Listen carefully and speak honestly
- Respect the views of others
- Keep an open mind
- Critique issues, not people
- Allow everyone to speak without dominating the conversation

DATE: April 1, 2015
TO: City of Milwaukie
FROM: ECONorthwest
SUBJECT: MEETING MINUTES FROM MOVING FORWARD MILWAUKIE
PROJECT ADVISORY COMMITTEE MEETING #10

Location: Milwaukie Public Safety Building

Date: April 1, 2015

Time: 6:00pm-7:30pm

Attendees

Advisory Committee Members Present:

- David Aschenbrenner, South Downtown Planning
- Dion Shepard, Historic Milwaukie NDA
- Sine Bone, Planning Commission
- Betty Fulmore, Ardenwood NDA
- Lars Campbell, Hector Campbell NDA
- Paul Lisac, 32nd Ave Business/Property Owner
- Greg Hemer, Linwood NDA
- Sherry Grau, Design and Landmarks Committee
- DJ Heffernan, Central Milwaukie Business / Property Owner
- Neil Hankerson, Downtown Business /Property Owner
- Alicia Hamilton, Island Station NDA
- Paul Klein, Lewelling NDA

City of Milwaukie:

- Dennis Egner – Planning Director
- Li Alligood – Senior Planner/Project Manager
- Vera Koliass –Associate Planner

Consultant Team

- Nick Popenuk, ECONorthwest
- Mary Dorman, Angelo Planning Group

Overview

Denny provided a welcome.

Nick described the adoption process for Downtown and Central Milwaukie Plan and code amendments, and how Neighborhood Main Streets fits into the bigger picture.

Recap of the 2012 Neighborhood Main Streets Project

Nick provided a recap of the 2012 Horizon Planning study on Neighborhood Main Streets, including key recommendations.

- **Dion:** Is the small commercial area in Island Station is part of the Neighborhood Main Street project?
 - **Li:** Island station is not part of the neighborhood main streets project area, but the same zone could potentially be applied there after discussion with the community
- **DJ:** Is there a plan to go back and look at economic development or transportation aspects of 32nd and 42nd Ave?
 - **Li:** Economic development efforts are ongoing, but not part of Moving Forward Milwaukie, because they tend to require additional resources and funding.
 - **Denny:** The PAC can make recommendations related to economic development and transportation that the City can consider in the future, but the focus of MFM is planning and zoning.
- **Patrick Finn, community member:** Would like the ability to convert existing single-family home on 32nd Ave., north of this zone (close to the Tacoma Street MAX station) to a café or coffee shop. That is where the demand is.
 - **Li:** There is a recommendation in the 2012 study to expand the geographic boundary of the 32nd Ave commercial zone. However, that requires a significant amount of staff time, public outreach, and technical analysis, and therefore is not part of the scope of the MFM project. That does not mean that it cannot be considered by the City at a later date.

Neighborhood Main Streets Draft amendments

Mary provided an overview of the key changes in the first draft of the proposed plan and code changes for Neighborhood Main Streets.

- **Betty:** Question about 50% less parking. 50% of what?
 - **Mary:** Same parking requirements that exist today. There are certain off-street parking standards that apply to different development types citywide. For example X spaces per 1,000 SF of a given use. In this area, new development is

only required to provide 50% of the parking specified in these citywide standards.

- **Paul:** How would the maximum setback affect my building on 32nd Ave, if I wanted to expand and add an adjacent use? Could I build closer to the street?
 - **Li:** Your building would be non-conforming and would be grandfathered in. You would be allowed to expand your building, keeping the same setback as your current building. You could build closer to the street.
- **Greg:** question on definitions of coffee shops and restaurants as far as zoning goes.
 - **Li:** There is no difference between these two as far as zoning goes.
- **Don Sparks, community member:** Would like to see flexibility in the zoning and parking reductions.
 - **Li** there is a process to have a variance, to do something other than what is permitted by code.

PAC input on key issues

Allowed uses: Drinking establishments and auto sales?

- **Sine:** What happens to business that are non-conforming? For example the existing auto sales business in the 42nd area?
 - **Li:** Any existing business will become nonconforming or "grandfathered in." Only causes issues if they want to expand their existing use.
- **DJ:** Is there a way to write code to prohibit liquor sales but not beer and wine?
 - **Li:** That's an OLCC issue, not City.
- **Neil:** Could zoning be structured such a way that alcohol can't be sold after 10 or 11 PM?
 - **Nick:** Not looking for ways to distinguish between "bars" and "brewpubs." Staff and the consultants can do that. Instead looking for direction on whether or not this is a good idea?
- **Betty:** Yes, we want family-oriented brewpubs but not bars and strip clubs.
 - **Li:** Strip clubs would definitely be prohibited.

Vote:

Do you want to allow brewpubs but prohibit bars and taverns? 8 of 12 yes.

Limit non-residential uses to less than 10,000 to 15,000 SF?

- **Greg:** Concerned about impact on Safeway.
 - **Nick/Li:** Would only kick in if they wanted to expand.

Vote:

Do you want individual uses to have a cap on maximum SF? 10 of 12 yes.

Stand alone residential uses: Permitted? Conditional? Not Allowed?

- **DJ:** You need to have additional rooftops in this area to create the customer base that will support these business. Residential should be permitted.
- **Paul:** There's probably a market to tear down these existing buildings (both residential and commercial) and replace them with rowhouses, but does that give us the type of neighborhoods that we want? The gathering places that we want?

Vote:

Stand alone residential should be a conditional use? 10 yes.

Stand alone residential should not be allowed? One-half vote.

Stand alone residential should be permitted? One vote.

Should off-street parking requirements be removed?

- **David:** There's no on-street parking on these streets, because they're so narrow. So if you don't require off-street parking, where are people going to park? The only place they can is on the side streets in front of people's homes.

Vote:

No off-street parking requirements? 3.5 votes

Require some amount of off-street parking? 6.5 votes.

No response: 1

Should there be a maximum setback?

Li provided an explanation of the current street width vs the planned right-of-way width, and how setbacks are applied based on the future street width, so a zero setback may actually be a 12 or 16 foot setback today, depending on exactly how wide the street is in that location.

Vote

Should we have a maxim setback (specific number of feet to be determined by staff/consultant)? 11 yes

Should 42nd Ave and 32nd Ave be treated differently?

David: disappointed that not looking at expanding these areas. Not a lot of land in the 42nd Ave area. And much of it has limited uses, because of negotiated agreement with Safeway developer (i.e., no coffee shops allowed, because they would compete with Safeway). We should expand the zone.

Greg: The two areas should be treated the same except for the size limitation. SE 42nd should allow larger uses, so that Safeway does not become non-conforming.

Vote:

Should zones be exactly the same? 7

Should they be exactly the same except for 42nd allowing larger uses? 3

Should they include differences other than the maximum size of uses? 2

- **Dion:** 42nd feels different because of it being a main transportation route. Different types of businesses could locate there.

Questions or comments from audience?

Don Sparks: There is a difference between 32nd and 42nd. They have a different feel, a different scale, and different transportation infrastructure. I see more the need for more flexibility on 42nd, in terms of building size, and perhaps other measures.

Brian Brenneman, community member: We own a mixed-use building on 32nd Ave. We were concerned that the zoning changes might be more restrictive, and might cause us to lose our commercial tenant. We are glad to hear that's not the case, and that the proposed changes would provide additional flexibility vs the current zoning.

Closing notes:

Upcoming Public Event on May 6

Final PAC meeting - May 21, 2015

Underline/Strikeout Amendments

Title 14 Signs

*These amendments are based on the expectation that the **Downtown** amendments will have been adopted before these **Central Milwaukie** and **Neighborhood Main Street** amendments go to the Milwaukie City Council for adoption.*

CHAPTER 14.04 GENERAL PROVISIONS

14.04.030 DEFINITIONS

The following words and phrases when used in this title shall, for the purposes of this title, have the meanings respectively ascribed to them in this section:

"Downtown zones" means the DMU, Downtown Mixed Use, and OS, Open Space, Zones, as defined in the Zoning Ordinance.

"Other commercial zones" means the C-L, Limited Commercial; ~~DMU, Downtown Mixed Use~~; C-CS, Community Shopping Commercial; GMU, General Mixed Use; NMU, Neighborhood Mixed Use; and C-G, General Commercial, Zones, as defined in the Zoning Ordinance.

"Residential-Business Office Zone" means the R-1-B Zone, as defined in the Zoning Ordinance.

CHAPTER 14.16 SIGN DISTRICTS

14.16.020 RESIDENTIAL-BUSINESS OFFICE ZONE

No sign shall be installed or maintained in an R-1-B Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.020.

Table 14.16.020
Standards for Signs in Residential-Business Office Zone R-1-B

14.16.040 COMMERCIAL ZONES

No sign shall be installed or maintained in the C-L, C-CS, NMU and GMU Zones, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.040.

Table 14.16.040
Standards for Signs in Commercial Zones C-L, C-CS, NMU and GMU

Underline/Strikeout Amendments

Zoning Ordinance

*These amendments are based on the expectation that the **Downtown** amendments will have been adopted before these **Central Milwaukie** and **Neighborhood Main Street** amendments go to the Milwaukie City Council for adoption.*

CHAPTER 19.100 INTRODUCTORY PROVISIONS

19.107 ZONING

19.107.1 Zone Classifications

For the purposes of this title, the following base zones and overlay zones are established in the City per Table 19.107.1:

Table 19.107.1 Classification of Zones	
Zone Description	Abbreviated Description
Base Zones	
Residential	R-10
Residential	R-7
Residential	R-5
Residential	R-3
Residential	R-2.5
Residential	R-2
Residential	R-1
Residential-Business Office	R-1-B
Downtown Mixed-Use	DMU
Open Space	OS
Neighborhood Commercial	C-N
Limited Commercial	C-L
General Commercial	C-G
Community Shopping Commercial	C-CS
Manufacturing	M
Business Industrial	BI
Planned Development	PD
Tacoma Station Area Manufacturing	M-TSA
General Mixed-Use	GMU
Neighborhood Mixed-Use	NMU
Overlay Zones	
Willamette Greenway	WG
Historic Preservation	HP
Flex Space	FS
Aircraft Landing Facility	L-F

Tacoma Station Area

TSA

CHAPTER 19.300 BASE ZONES

19.303 ~~GENERAL~~ COMMERCIAL MIXED-USE ZONES ~~GMU~~

19.303.1 Purpose

- A. General Mixed-Use. The General Mixed-Use (GMU) Zone is intended to recognize the importance of Central Milwaukie as a primary commercial center and promote a mix of uses that will support a lively and economically robust district. It is also intended to ensure high quality urban development that is pedestrian-friendly and complementary to the surrounding area.
- B. Neighborhood Mixed-Use. The Neighborhood Mixed-Use (NMU) Zone is intended to recognize 32nd and 42nd Avenues as neighborhood commercial centers. This zone allows for a mix of small-scale retail and services, along with residential uses, that meet the needs of nearby residents and contribute to a vibrant, local economy. It is also intended to provide a safe and pleasant pedestrian environment while maintaining a neighborhood-scale identity.

19.303.2 Uses

A. Permitted Uses

Uses allowed outright in the ~~GMU zone~~ commercial mixed-use zones are listed in Table 19.303.2 with a "P." These uses are allowed if they comply with the development and design standards and other regulations of this title.

B. Conditional Uses

Uses listed in Table 19.303.2 as "CU" are permitted only as conditional uses in conformance with Section 19.905.

C. Nonconforming Uses, Structures, and Development

Existing structures and uses that do not meet the standards for the commercial mixed-use zones ~~GMU zone~~ may continue in existence. Alteration or expansion of a nonconforming use, structure or development that brings the use, structure or development closer to compliance may be allowed through Type II Development Review pursuant to Section 19.906. Alteration or expansion of a nonconforming use or structure that does not bring the use or structure closer to compliance may be allowed through a Type III Variance pursuant to Section 19.911. Except where otherwise stated in this section, the provisions of Chapter 19.800 Nonconforming Uses and Development apply.

D. Prohibited Uses

Uses not listed in Table 19.303.2, and not considered accessory or similar pursuant to (E) and (F) below, are prohibited. Uses listed with an "N" in Table 19.303.2 are also prohibited.

E. Accessory Uses

Uses that are accessory to a primary use are allowed if they comply with all development standards. ~~For the purposes of this section, drive-through facilities are considered an accessory use and must conform to Section 19.606.3.~~

Proposed Code Amendment

F. Similar Uses

The Planning Director, through a Type I review, may determine that a use that is not listed is considered similar to an example use listed in Table 19.303.2. The unlisted use shall be subject to the standards applicable to the similar example use.

G. Drive-through Uses. For the purpose of this section, drive-through uses are not considered an accessory use and must be approved through a conditional use review in conformance with Section 19.905. Drive-through facilities must also conform to Section 19.606.3.

Table 19.303.2 General Mixed Use Zone Uses			
Uses and Use Categories	GMU	NMU	Standards/Additional Provisions
Residential			
Single-family Detached	N	CU	Subsection 19.505.1 Single Family Dwellings Section 19.905 Conditional Uses
Rowhouse ¹	P	CU	Subsection 19.505.5 Standards for Rowhouses Section 19.905 Conditional Uses
Multifamily	P	CU	Subsection 19.505.3 Design Standards for Multifamily Housing Section 19.905 Conditional Uses
Mixed use ²	P	P	Subsection 19.505.6 Commercial & Mixed Use Development
Live/work units	P	P	Subsection 19.505.6 Standards for Live/Work Units
Senior and retirement housing	P	CU	Subsection 19.505.3 Design Standards for Multifamily Housing Section 19.905 Conditional Uses
Commercial³			
<p>General office. General office means professional, executive, management, or administrative offices of firms or organizations.</p> <p>Examples include: professional services such as lawyers, architects or accountants; financial businesses such as lenders, brokerage houses, banks or credit unions; headquarters, or real estate agents; sales offices; government offices and public utility offices; and medical and dental clinics.</p>	P	P	

Proposed Code Amendment

<p>Indoor recreation. Indoor recreation consists of for-profit facilities providing active recreational uses of a primarily indoor nature.</p> <p>Examples include: gyms, dance studios, tennis, racquetball and soccer centers, recreational centers, skating rinks, bowling alleys, arcades, shooting ranges, and movie theaters.</p>	<p>P</p>	<p><u>P</u></p>	
<p>Retail-oriented sales. Sales-oriented retail firms are involved in the sale, leasing, and rental of new or used products to the general public.</p> <p>Examples include: stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronics, fabric, gifts, groceries, hardware, household products, jewelry, pets and pet products, pharmaceuticals, plants, printed materials, stationery, and printed and electronic media. May also include car sales and other auto-oriented retail uses.</p>	<p>P</p>	<p><u>P</u></p>	
<p>▪ <u>Drinking establishments.</u> <u>Drinking establishments primarily involve the sale of alcoholic beverages for consumption on-site.</u></p> <p>Examples include: tavern, bar, or cocktail lounge.</p>	<p><u>P</u></p>	<p><u>CU</u></p>	
<p>▪ <u>Eating and drinking establishments.</u> Eating and Drinking <u>E-establishments</u> primarily involve the sale of prepared food and beverages for consumption on-site or take-away. <u>Eating establishments may include incidental sales of alcoholic beverages.</u></p> <p>Examples include: restaurants, delicatessens, retail bakeries, taverns, brew-pubs, coffee shops, concession stands, and espresso bars.</p>	<p>P</p>	<p><u>P</u></p>	

<ul style="list-style-type: none"> ▪ Medical marijuana facility⁶. <u>Medical marijuana facility means a business that dispenses medical marijuana in accordance with the regulations set forth by ORS Chapter 475 and related Oregon Administrative Rules. State-registered grow sites are not considered to be medical marijuana facilities and are not permitted under the City of Milwaukie's medical marijuana facility regulations.</u> 	<p><u>P</u></p>	<p><u>P</u></p>	<p>Subsection 19.303.6 <u>Standards for Medical Marijuana Facilities</u></p>
<ul style="list-style-type: none"> ▪ Vehicle sales and rentals. <u>Vehicle sales and rentals means a business that sells or leases consumer vehicles including passenger vehicles, motorcycles, light and medium trucks, boats and other recreational vehicles.</u> 	<p><u>P</u></p>	<p><u>N</u></p>	
<p>Personal service oriented. Personal service oriented firms are involved in providing consumer services.</p> <p>Examples include: hair, tanning and spa services, pet grooming, photo and laundry drop-off, dry cleaners, and quick printing.</p>	<p><u>P</u></p>	<p><u>P</u></p>	
<p>Repair-oriented.⁴ Repair-oriented uses are establishments providing product repair of consumer and business goods.</p> <p>Examples include: repair of televisions and radios, bicycles, clocks, jewelry, guns, small appliances, office equipment, tailors and seamstresses, shoe repair, locksmiths, <u>and upholsterers,</u> and some automobile and boat service and repair.</p>	<p><u>P</u></p>	<p><u>P</u></p>	
<ul style="list-style-type: none"> ▪ Vehicle repair and service. <u>Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Also includes quick-servicing activities where the driver generally waits in the car before and while the service is performed.</u> <p>Examples include gas stations, quick oil change shops, car washes, vehicle repair, transmission or muffler shop, auto body shop, alignment shop, auto upholstery shop, auto detailing, and tire sales and mounting.</p>	<p><u>CU</u></p>	<p><u>CU</u></p>	

Proposed Code Amendment

<p>Day care.⁵ Day Care is the provision of regular child care, with or without compensation, to four or more children by a person or person(s) who are not the child’s parent, guardian, or person acting in place of the parent, in a facility meeting all state requirements.</p> <p>Examples include: nursery schools, before-and-after school care facilities, and child development centers.</p>	<p>P</p>	<p><u>P</u></p>	
<p>Commercial lodging. Commercial Lodging includes for-profit residential facilities where tenancy is typically less than one month.</p> <p>Examples include: hotels, motels, and bed-and-breakfast establishments. Does not include senior and retirement housing.</p>	<p>P</p>	<p><u>P</u></p>	
<p>Boarding, lodging, or rooming house. Generally means a private home where lodgers rent one or more rooms for one or more nights, and sometimes for extended periods of weeks, months, and years. The common parts of the house are maintained, and some services, such as laundry and cleaning, may be supplied.</p> <p>Examples include: Boarding house and cooperative housing</p>	<p>CU</p>	<p><u>CU</u></p>	<p>Section 19.905 Conditional Uses</p>
<p>Commercial parking Parking facility. Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.</p> <p>Examples include structured parking, short- and long-term fee parking facilities, commercial district shared parking lots and commercial shuttle parking.</p>	<p>CU</p>	<p><u>CU</u></p>	<p>Section 19.905 Conditional Uses Subsection 19.611 Parking Structures</p>
<p>Manufacturing and Production</p>			

<p>Manufacturing and production.^z Uses are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used.</p> <p>Examples include processing of food and related products; catering establishments; breweries, distilleries, and wineries; weaving or production of textiles or apparel; woodworking, including cabinet makers; manufacture or assembly of machinery, equipment, instruments, including musical instruments, vehicles, appliances, precision items, and other electrical items; and production of artwork and toys.</p>	<p>P</p>	<p><u>P</u></p>	
Institutional			
<p>Community service uses</p>	<p>CSU</p>	<p><u>CSU</u></p>	<p>Section 19.904 Community Service Uses</p>

P = Permitted.

N = Prohibited.

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

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

1. The limit of 4 consecutive row houses established in 19.505.5 does not apply in the GMU zone. In the GMU zone, there is no limit on the number of consecutive row houses.
2. Residential uses built as part of a vertical mixed-use building are not subject to conditional use review.
3. In the NMU Zone, unless otherwise specified in this section, all non-residential uses listed in Table 19.303.2 shall be no greater than 10,000 square feet in area per use. A non-residential use greater than 10,000 square feet in area may be approved through a conditional use review pursuant to Section 19.905.
- ~~24.~~ Repair oriented uses are permitted in the GMU Zone only when conducted within a completely enclosed building.
- ~~35.~~ Day care and childcare uses are limited to 5,000 sq. ft.
6. Medical marijuana facilities shall meet the following standards:
 - a. As set forth by Oregon Administrative Rules, a medical marijuana facility shall not be located within 1,000 ft of the real property comprising a public or private elementary, secondary, or career school attended primarily by minors or within 1,000 ft of another medical marijuana facility.
 - b. A medical marijuana facility shall not be co-located with another business.
 - c. Display of marijuana or marijuana products that are visible from outside of the facility is prohibited.
 - d. The hours of operation for medical marijuana facilities shall be limited to the hours between 8:00 a.m. and 10:00 p.m.
- 4.7. Manufacturing and production uses are limited to 5,000 sq ft in floor area per use on the ground floor and are only permitted when associated with, and accessory to, a related retail oriented sales or eating/drinking establishment use. For purposes of this subsection, manufacturing and production involve goods that are sold or distributed beyond or outside of the associated on-site eating or drinking establishment or retail trade use. For example, a brewing facility that distributes or sells its products elsewhere would be considered a manufacturing and production use, while a restaurant kitchen that prepares food that is purchased on-site would not be considered manufacturing or production.

19.303.3 Development Standards

These development standards are intended to ensure that new development in the mixed use zones ~~GMU zone~~ 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 mixed use zones ~~GMU zone~~. Development standards are presented in detail ~~full~~ in Section 19.303.4, ~~Subsection 19.313.3 (B)~~.

Table 19.303.3 General Mixed Use Zones—Summary of Development Standards			
Standard	GMU	<u>NMU</u>	Standards/ Additional Provisions
A. Lot Standards			
1. Minimum lot size (sq ft)	1,500	<u>1,500</u>	
2. Minimum street frontage (ft)	25	<u>25</u>	
B. Development Standards			
1. Minimum floor area ratio ¹	0.5:1	<u>0.5:1</u>	Section 19.303.4.A Floor Area Ratio
2. Building height (ft)			Section 19.303.4.B Building Height
a. Base maximum	45	<u>45</u>	
b. Maximum with height bonus	57	<u>Height bonus not available</u>	
3. Street Setbacks (ft)			Section 19.501.2 Yard <u>Exceptions</u>
a. Minimum street setback	0-15 ²	<u>None</u>	Section 19.303.4.C Street Setbacks
b. Maximum street setback	10-20 ³	<u>10</u>	
c. Side and rear setbacks	None	<u>None</u>	
4. Frontage occupancy	50%	<u>None</u>	Section 19.303.4.D Frontage Occupancy Requirements Figure 19.303.4.D Frontage Occupancy Requirements
5. Maximum lot coverage	85%	<u>85%</u>	Section 19.303.4.E Lot Coverage
6. Minimum vegetation	15%	<u>15%</u>	Section 19.303.4.F Minimum Vegetation
7. Primary entrances	Yes	<u>Yes</u>	Section 19.303.4.G Primary Entrances
8. Off-street parking required	Yes	<u>Yes</u>	Chapter 19.600 Off-Street Parking and Loading
9. Transit Street	Yes	<u>Yes</u>	Subsection 19.505.8 Building Orientation to Transit
<u>910.</u> Transition Measures	Yes	<u>Yes</u>	Subsection 19.504.6 Transition Area Measures
11. Flexible ground floor space	<u>No</u>	<u>No</u>	Subsection 19.303.4.I Flexible Space
C. Other Standards			

1. Residential density requirements (dwelling units per acre)			Subsection 19.202.4 Density Calculations Subsection 19.303.4.H Residential Density Subsection 19.501.4 Density Exceptions
a. Stand-alone residential			
(1) Minimum	25	<u>11.6</u>	
(2) Maximum	50	<u>14.5</u>	
b. Mixed-use buildings	None	<u>None</u>	
2. Signs	Yes	<u>Yes</u>	Section 14.16.040 Commercial Zone

1. ~~Commercial parking~~ Parking facilities and public parks and plazas are exempt from the minimum floor area ratio requirement.
2. Residential edge standards apply to properties as shown on Figure 19.303.5.
3. Commercial edge standards apply to properties as shown on Figure 19.303.4.C-2.b.

19.303.4 Detailed Development Standards

The following detailed development standards describe additional allowances, restrictions, and exemptions related to the development standards of Table 19.303.3

A. Floor Area Ratio

1. Intent

The floor area ratio (FAR) is a tool for regulating the intensity of development. Minimum floor area ratios help to ensure that the intensity of development is controlled and that more intense forms are confined to appropriate mixed use zones. ~~areas of the downtown. In some cases, FAR densities are provided for provision of a public benefit or amenity to the community.~~

2. Standards

- a. The minimum floor area ratio in Table 19.303.3 applies to all nonresidential building development.
- b. Required minimum floor area ratio shall be calculated on a project-by-project basis and may include multiple contiguous parcels. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FAR.
- c. If a project is to be developed in phases, the required FAR must be met for the land area in the completed phase(s), without consideration of the land area devoted to future phases.

3. Exemptions

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

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

B. Building Height

1. Intent

~~Minimum and m-Maximum~~ building height standards ~~serve several purposes. They~~ promote a compatible building scale and relationship of one structure to another. A

~~minimum building height is established to ensure that the traditional building scale for the downtown area is maintained.~~

2. Base Maximum Building Height Standard

a. The base maximum building height in the GMU zone is 3 stories or 45 feet, whichever is less, unless the height bonus in ~~(b)~~ Subsection 3 below is applied.

b. The base maximum building height in the NMU zone is 3 stories or 45 feet, whichever is less. No building height bonus is available in the NMU zone.

3. Height Bonuses

A building can utilize one of the development incentive bonuses of this subsection.

a. Residential

New buildings that devote at least 1 story or 25% of the gross floor area to residential uses are permitted 1 additional story or an additional 12 ft of building height, whichever is less.

b. Green Building

Project proposals that receive certification (any level) under an ANSI-approved green building rating system (e.g., LEED, Green Globes or Earth Advantage certified) are permitted an additional story or an additional 12 ft of building height, whichever is less, ~~is allowed.~~

~~4. Exemptions~~

~~The following are exempt from the minimum building height standards.~~

~~a. Additions to existing buildings.~~

~~b. Accessory structures.~~

~~c. Buildings with less than 1,000 sq ft of floor area.~~

C. Street Setbacks

1. Intent

Buildings are allowed and encouraged to build up to the street right-of-way in the mixed use zones. ~~GMU zone~~. This ensures that buildings engage the street right-of-way.

2. Standards

a. No minimum street setbacks are required, except for Residential Street Edges in Figure 19.303.5.

b. In the GMU zone, the Mmaximum street setback is 20 feet. For properties shown as having a commercial edge on Figure 19.303.4.C.2.b, the following standards apply.

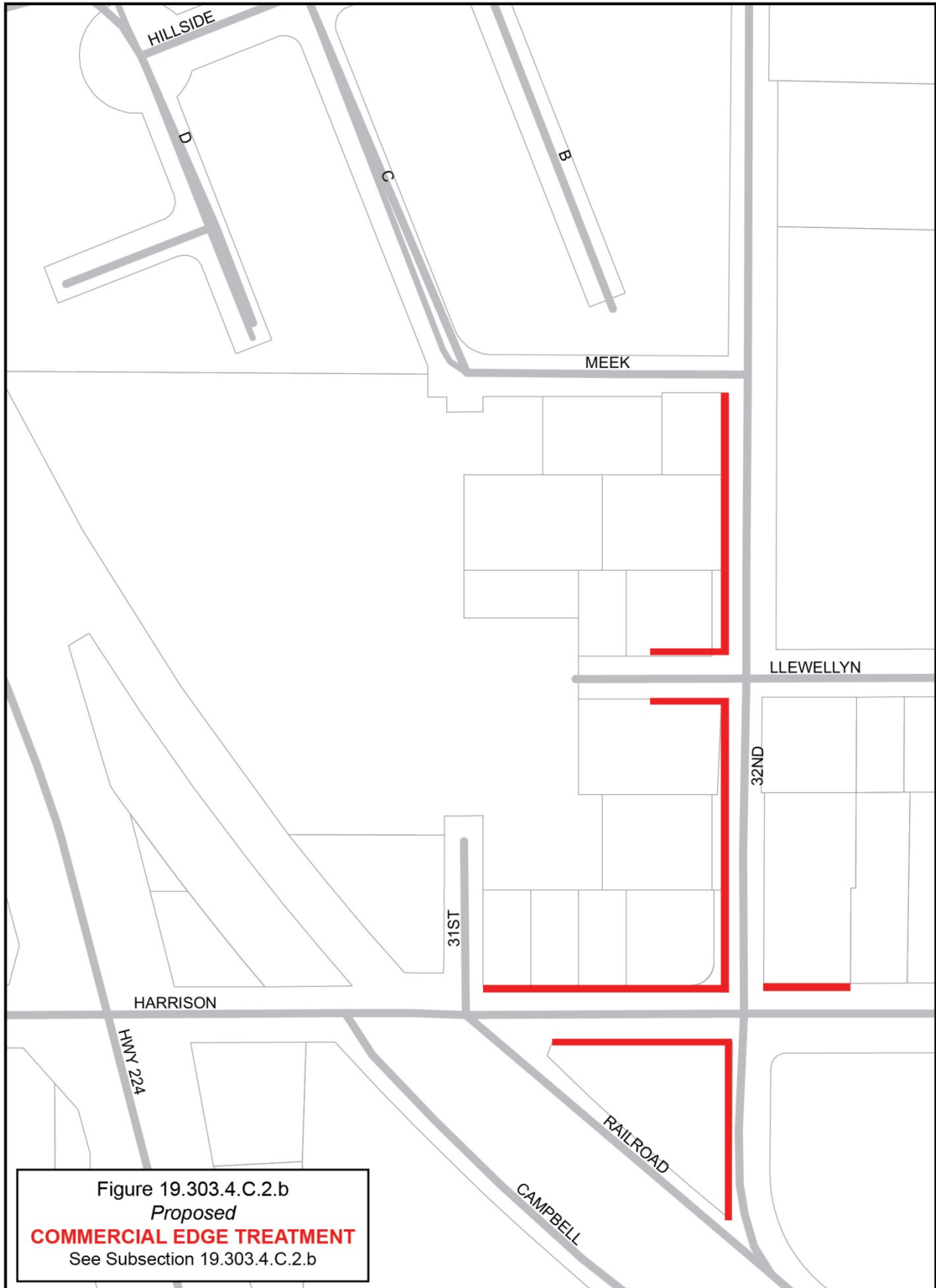
(1) No minimum street setback is required. Maximum street setback is 10 feet.

(2) The area within the street setback, if provided, shall be landscaped.

c. In the NMU zone, the maximum street setback is 10 feet unless the yard exception standards of Section 19.501.2 apply.

d. When a building is set back from the sidewalk, the setback area must be landscaped.

- (1) The setback area may include usable open space such as plazas, courtyards, terraces and small parks.
 - (2) Usable open space may be counted toward the minimum vegetation requirement in Subsection (F) below.
- de. No vehicle parking is permitted between the building and the street. Vehicle parking must be located behind and/or to the side of buildings except in cases of a through-lot or lots which front on 3 or more streets, in which case this standard applies to 2 streets.



D. Frontage Occupancy Requirements

The intent of this standard is to establish a consistent "street wall" along key streets. Minimum frontage occupancy requirements are established for block faces identified on Figure 19.303.4.D. The requirements apply as follows:

1. For block faces identified on Figure 19.303.4.D, 50 percent of the site frontage must be occupied by a building or buildings. If the development site has frontage on more than one street, the frontage occupancy requirement must be met on one street only.
- ~~2. Building facades with recesses incorporated to comply with façade articulation requirements are considered to be occupying the site frontage if the recesses do not exceed 24 inches.~~

E. Lot Coverage

The maximum area that may be covered by primary and accessory buildings shall not exceed 85 percent of the total lot area.

F. Minimum Vegetation

The minimum vegetation area that shall be retained or planted in trees, grass, shrubs, bark dust for planting beds, etc., shall be 15 percent of the total lot area.

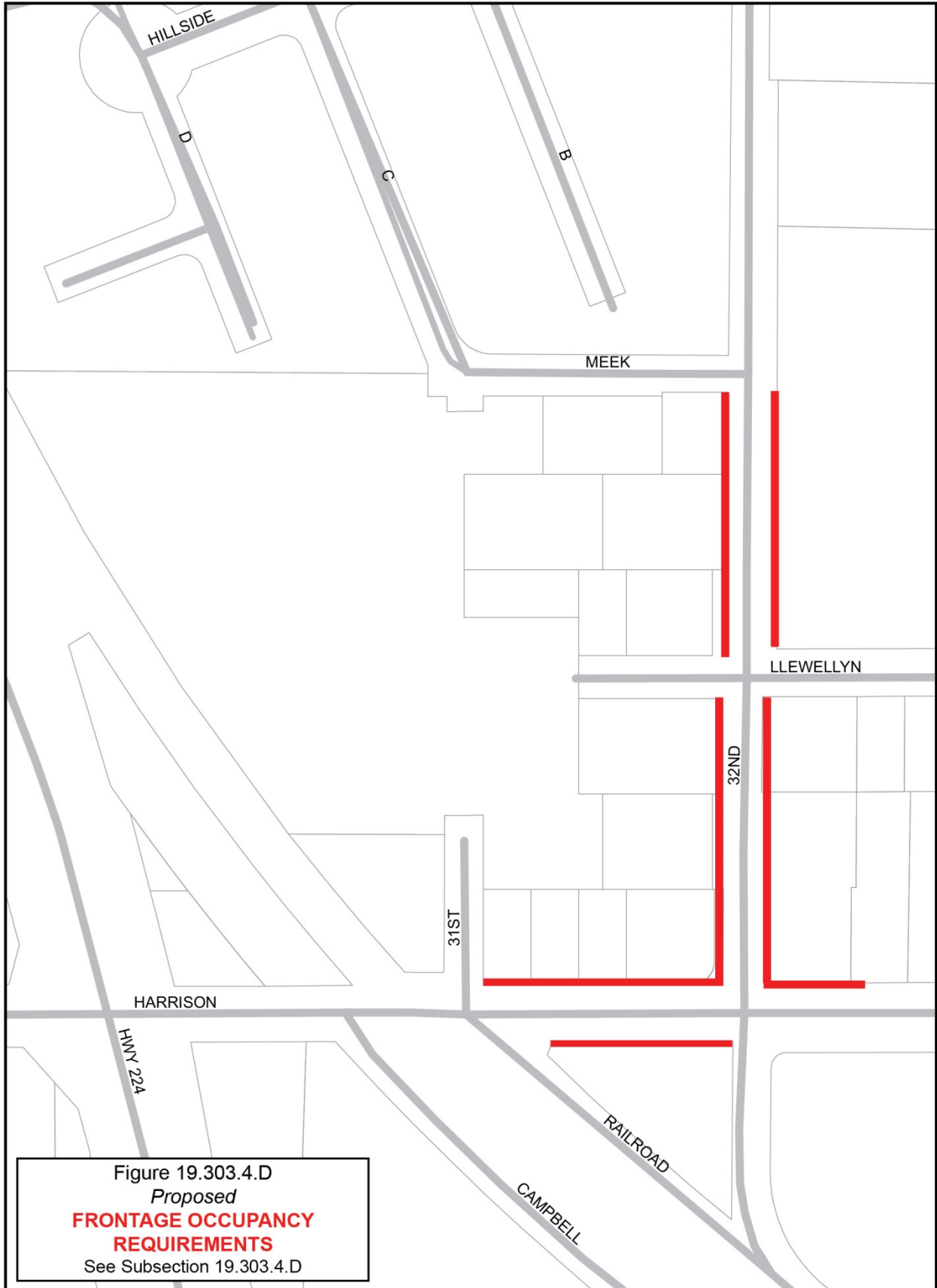
G. Primary Entrances

1. Intent

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

2. Standards

- a. All new buildings shall have at least one primary entrance facing an abutting public street (i.e., within 45 degrees of the street property line); or, if the building entrance must be turned more than 45 degrees from the public street (i.e., front door is on a side or rear elevation) due to the configuration of the site or similar constraints, a pedestrian walkway must connect the primary entrance to the sidewalk.
- b. Where a development contains multiple buildings and there is insufficient public street frontage to meet the above building orientation standards for all buildings on the subject site, a building's primary entrance may orient to plaza, courtyard, or similar pedestrian space containing pedestrian amenities. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a pedestrian walkway.
- c. If a development is on a corner in the GMU zone, the primary entrance may be oriented toward either street.
- d. If a development is on a corner in the NMU zone, the primary entrance must be oriented toward 32nd Ave or 42nd Ave.



H. Residential Density

1. Intent

Minimum densities are applied to residential development in the ~~GMU zone~~ commercial mixed-use zones to assure efficient use of land at densities that support transit use and nearby businesses.

2. Standards

a. Minimum density for stand-alone residential development in the GMU zone is 25 units per acre and maximum density is 50 units per acre.

b. Minimum density for stand-alone residential development in the NMU zone is 11.6 units per acre and maximum density is 14.5 units per acre.

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

~~c. Maximum residential densities for mixed-use buildings are controlled by height limits.~~

3. Exemption

There are no minimum or maximum density requirements when residential units are developed as part of a mixed-use building. Maximum residential densities for mixed-use buildings are controlled by height limits.

I. Flexible ground floor space.

1. Intent: The flexible ground floor space standard is intended to ensure that new buildings in the ~~downtown~~ commercial mixed-use zones are designed and constructed to accommodate active uses such as retail and eating/drinking establishments.

2. This standard applies to new buildings fronting on 32nd or 42nd within the NMU zone.

3. This standard is met when at least 75% of the ground-floor space in a new building meets the following requirements.

a. The ground-floor height must be at least 14 feet, as measured from the finished floor to the ceiling, or from the finished floor to the bottom of the structure above (as in a multistory building). The bottom of the structure above is the lowest portion of the structure and includes supporting beams, and any heating, ventilation and/or fire suppression sprinkler systems.

b. The interior floor area adjacent to the street must be at least 25 feet deep, as measured from the inside building wall or windows facing the street.

19.303.5 Standards for Residential Street Edges

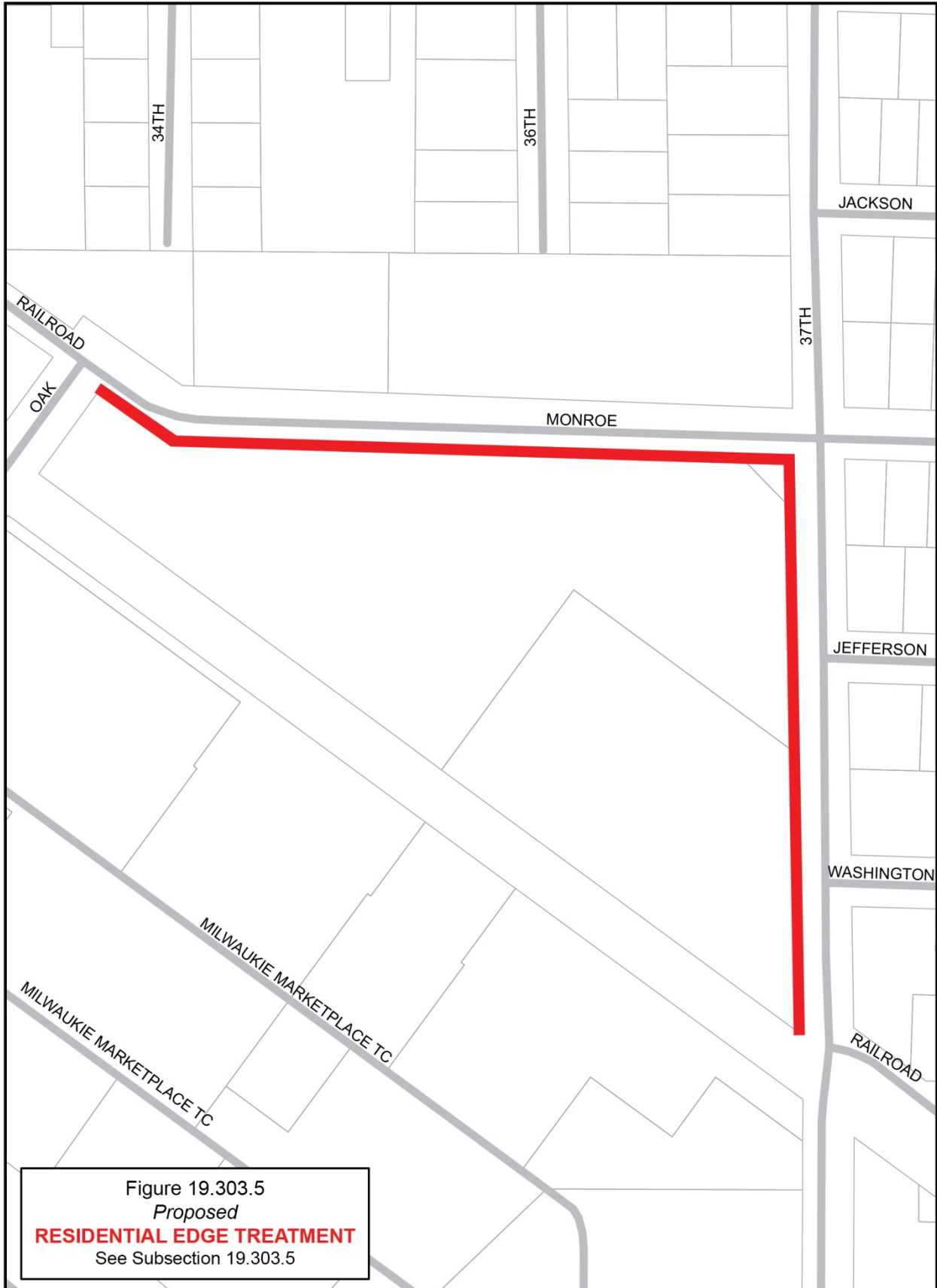
For properties shown as having a residential edge on Figure 19.303.5, and for development that occurs adjacent to or abutting an R-3 or an R-5 zone, the following standards apply.

A. A minimum setback of **[10-15 feet]** shall apply.

B. Along the property line adjacent to the residential zone, buildings within 50 feet of 37th Ave and Monroe St shall provide a step back of at least 6 feet for any portion of the building above 35 feet.

Proposed Code Amendment

- C. A height bonus consistent with Section 19.303.3.B(4)(b) may only be applied to buildings or portions of a building that are at least 50 feet away from the adjacent residential zone.



19.303.6 Additional Provisions

Depending upon the type of use and development proposed, the following sections of the Milwaukie 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.

A. Section 19.500 Supplementary Development Regulations

This section contains standards for site and building design that will apply to most new types of development, including residential and commercial. Relevant sections include:

1. 19.501 General Exceptions
2. 19.502 Accessory Structures
3. 19.503 Accessory Uses
4. 19.504 Site Design Standards
5. 19.505 Building Design Standards
6. 19.507 Home Occupation Standards

B. Section 19.600 Off-Street Parking and Loading

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

C. Section 19.700 Public Facility Improvements

Contains standards for transportation, utility and other public facility improvements that may be required as part of development.

CHAPTER 19.400 OVERLAY ZONES AND SPECIAL AREAS

19.404 FLEX SPACE OVERLAY ZONE

19.404.1 Purpose

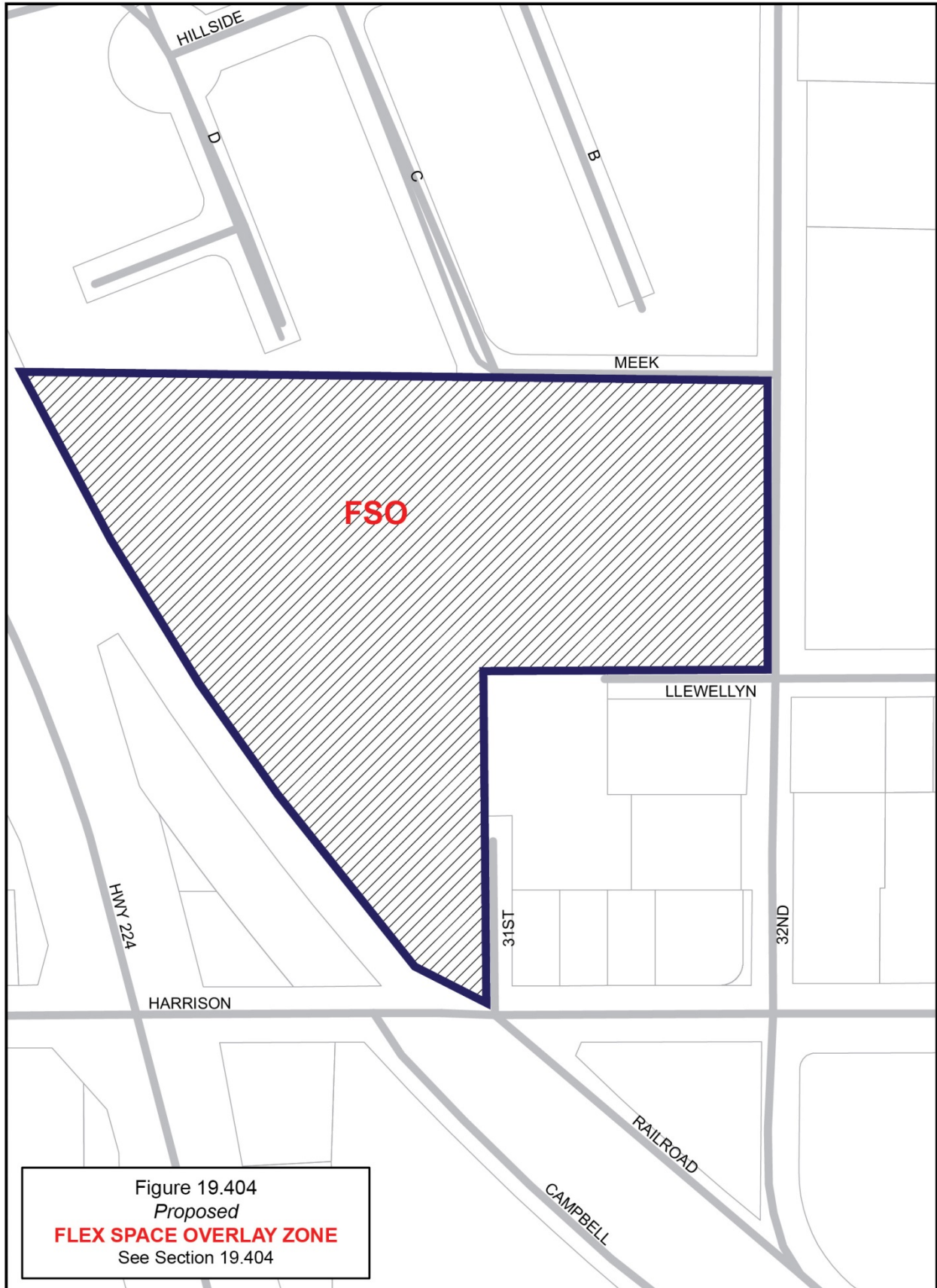
The Flex Space Overlay Zone implements the Central Milwaukie Land Use and Transportation Plan and is intended to provide flexibility for development of an identified opportunity site within Central Milwaukie (Figure 19.404). This overlay provides targeted opportunities for employment uses and promotes buildings that can accommodate a variety of uses that may change over time. Uses in the Flex Space Overlay Zone may include employment-intensive uses beyond those allowed in the underlying zone, and may change as appropriate to respond to market conditions and developer needs.

19.404.2 Applicability

The standards and requirements of this section apply to all properties within the Flex Space Overlay Zone as indicated on the Zoning Map.

19.404.3 Consistency with Base Zone

The General Mixed Use Zone GMU is the base zone for properties within the Flex Space Overlay Zone and all requirements of the base zone apply unless otherwise noted in this section. Where conflicts occur between this section and other sections of the code, the standards and requirements of this section shall supersede.



19.404.4 Permitted Uses

In addition to those uses allowed by the base zone (GMU), Table 19.404.4 lists uses that are permitted within the Flex Space Overlay Zone.

Table 19.404.4 Flex Space Overlay Zone Uses	
Use Category	Status
A. Industrial Service	
Industrial services are engaged in repair and/or servicing of industrial, business or consumer machinery, equipment, products or by-products or in training or instruction of such repair or servicing. Examples include: electrical contractors, equipment rental facilities, tool or instrument repair, and data storage facilities.	P
B. Manufacturing¹	
This category comprises establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, including the assembly of component parts. Examples include: alternative energy development; biosciences; food and beverage processing; software and electronics production; printing; fabrication of metal products; products made from manufactured glass; products made from rubber, plastic, or resin; converted paper and cardboard products; and microchip fabrication. Manufacturing may also include high-tech and research and development companies.	P
C. Wholesale Trade	
This category comprises establishments engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, or professional business users; or to other wholesalers, generally without transformation, and rendering services incidental to the sale of merchandise. Wholesalers sell or distribute merchandise exclusively to other businesses, not the general public, and normally operate from a warehouse or office and are not intended for walk-in traffic. Examples include: mail order houses; sale and/or rental of machinery, building materials, special trade tools, janitorial supplies and restaurant equipment; and wholesalers of food, clothing, auto parts, building hardware and office supplies.	P
D. Trade Schools	
This category comprises establishments whose primary purpose is to provide training for industrial needs and job-specific certification. Examples include: electronic equipment repair training, truck-driving school, welding school, training for repair of industrial machinery, and other industrial skills training.	P

P = Permitted

1. Manufacturing uses shall only be conducted in an enclosed space. The following manufacturing uses are not allowed: explosive materials, concrete and asphalt mixing or batching, rock crushing and aggregate storage.

19.404.5 Design Standards

The design standards in Subsection 19.505.7 Commercial and Mixed-Use Development apply to new mixed-use and non-residential development in the Flex Space Overlay Zone.

19.404.6 Additional Provisions for Off-Site Impacts

In order to ensure compatibility between manufacturing and nonmanufacturing uses, the following off-site impact standards apply.

A. Applicability

Proposed Code Amendment

The off-site impact standards in this section apply to all new machinery, equipment, and facilities associated with manufacturing uses. Machinery, equipment, or facilities that were at the site and in compliance with existing regulations as of the effective date of this ordinance, are not subject to these off-site impact standards.

B. Noise

The City's noise control standards and requirements in Chapter 8.08 apply.

C. Vibration

Continuous, frequent, or repetitive vibrations that exceed 0.002g peak are prohibited. Generally, this means that a person of normal sensitivities should not be able to feel any vibrations.

1. Temporary vibrations from construction activities or vehicles leaving the site are exempt.
2. Vibrations lasting less than 5 minutes per day are exempt.
3. Seismic or electronic measuring equipment may be used when there are doubts about the level of vibrations.

D. Odor

Continuous, frequent, or repetitive odors are prohibited. The odor threshold is the point at which an odor may just be detected. An odor detected for less than 15 minutes per day is exempt.

E. Illumination

Machinery, equipment, and facilities may not directly or indirectly cause illumination on other properties in excess of 0 (zero) footcandles of light.

F. Measurements

Measurements for compliance with these standards may be made from the property line or within the property of the affected site. Measurements may be made at ground level or at habitable levels of buildings.

G. Documentation

An applicant must provide documentation certified by a registered engineer or architect, as appropriate, to ensure that the proposed activity can achieve compliance with these standards.

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.504.6 Transition Area Measures

Where commercial, mixed-use, or industrial development is proposed abutting or adjacent to properties zoned for lower-density residential uses, the following transition measures shall be required. These additional requirements are intended to minimize impacts on lower-density residential uses.

- A. All yards that abut, or are adjacent across a right-of-way from, a lower-density zone shall be at least as wide as the required front yard width of the adjacent lower-density zone. This additional yard requirement shall supersede the base zone yard requirements for the development property where applicable.
- B. All yards that abut, or are adjacent across a right-of-way from, a lower-density zone shall be maintained as open space. Natural vegetation, landscaping, or fencing shall be provided to the 6-ft level to screen lower-density residential uses from direct view across the open space.

19.504.11 Preliminary Circulation Plan

A Preliminary Circulation Plan is intended to guide site development by establishing a plan for access, connectivity, and circulation. A preliminary circulation plan is a conceptual plan in that it does not establish a precise alignment for street, pedestrian, or bicycle facilities.

A. Applicability

A Preliminary Circulation Plan is required for development on sites [3-4] acres and larger that are subject to Development Review per MMC 19.906 and are either:

1. Vacant
2. The proposed new development or redevelopment will result in reconfiguration of the transportation and development pattern for >50% of the site.

B. Approval Criteria

In reviewing a proposed Preliminary Circulation Plan, the Planning Director shall find compliance with the relevant portions of the Comprehensive Plan, Transportation System Plan, and MMC 19.708 Transportation Facility Requirements.

C. Permit Process

A new Preliminary Circulation Plan or a revision to an approved Preliminary Circulation Plan are subject to Type II review per Section 19.1005.

19.505 BUILDING DESIGN STANDARDS

19.505.1 Single-Family Dwellings and Duplexes

19.505.2 Garages and Carports

19.505.3 Multifamily Housing

19.505.4 Cottage Cluster Housing

19.505.5 Rowhouses

19.505.6 Live/Work Units

19.505.7 Commercial and Mixed-Use Development.

A. Purpose

The design standards contained in this section are intended to encourage building design and construction with durable, high-quality materials. The design standards support development of an attractive, cohesive and pedestrian-friendly commercial area. The design standards do not prescribe a particular building or architectural style.

B. Applicability

1. The design standards in this section apply to new commercial, institutional, manufacturing and mixed-use buildings within the GMU and NMU zones.
2. The standards in this section do not apply to rowhouses or live/work units. Rowhouses and live/work units are subject to the design standards in Section 19.505.5 Rowhouses and Section 19.505.6 Live/Work Units.
3. The standards in this section do not apply to stand-alone multifamily housing. Stand-alone multifamily buildings are subject to the design standards in Section 19.505.3 Multifamily.

C. Building Design Standards

All buildings that meet the applicability provisions in Subsection 19.505.74.B shall meet the following design standards.

An applicant may request a variance to the Design Standards in Subsection 19.505.74.C through a Type II review, pursuant to Subsection 19.911.3.B.

1. Corners

The intent of this standard is to reinforce intersections as an important place for people to gather.

Buildings at the corner of two public streets (for the purposes of this standard an alley is not considered a public street) shall incorporate one of the following features:

- a. Locate the primary entry to the building at the corner

- b. A prominent architectural element, such as increased building height or massing, a cupola, a turret or a pitched roof at the corner of the building or within 20 feet of the corner of the building;
- c. The corner of the building cut at a 45 degree angle

2. Weather Protection

The intent of this standard is, through the use of awnings and canopies along the ground floor of buildings, to protect pedestrians from rain and provide shade; to encourage window shopping and lingering; and to create visual interest on the ground floor of a building.

Buildings shall provide weather protection for pedestrians as follows:

- a. Minimum weather protection coverage
 - All ground floor building entries shall be protected from the weather by canopies, or recessed behind the front building façade at least 3 feet.
- b. Weather protection design
 - Weather protection shall comply with applicable building codes, ~~and shall be designed to be visually compatible with the architecture of a building.~~ Where applicable, weather protection shall be designed to accommodate pedestrian signage (e.g., blade signs) while maintaining required vertical clearance.

3. Exterior Building Materials

The intent of this standard is to provide a sense of permanence through the use of certain permitted building materials; to provide articulation and visual interest to larger buildings; and to allow for a variety of materials and designs.

The following standards are applicable to the exterior walls of new buildings facing streets, courtyards, and/or public squares. Table 19.505.7.C.3 specifies the primary, secondary and prohibited material types referenced in this standard.

- a. Buildings shall utilize primary materials for at least 60 percent of the building facades.
- b. Secondary materials are permitted on no greater than 40 percent of each building facade.
- c. Accent materials are permitted on no greater than 10 percent of each building facade as trims or accents (e.g. flashing, projecting features, ornamentation, etc.).
- d. Buildings shall not utilize materials listed as (N) prohibited.
- e. For existing development, façade modifications that affect more than 50 percent of the façade shall comply with standards in this section. The Planning Director may waive this requirement if application of the standards would create an incongruous appearance of existing and new materials.

Table 19.505.7.C.3 Commercial Exterior Building Materials	
Material Type	Nonresidential and Mixed-Use
Brick	P

Proposed Code Amendment

Stone/masonry	P
Stucco	P
Glass (transparent, spandrel)	P
Concrete (poured in place or precast)	P
Finished wood, wood veneers and wood siding	S
Finished metal panels, such as anodized aluminum, stainless steel or copper, featuring a polished, brushed or patina finish	S
Concrete blocks with integral color (ground, polished or glazed finishes)	S
Fiber reinforced cement siding and panels	S
Ceramic tile	S
Concrete blocks with integral color (split face finish)	A
Standing seam and corrugated metal	A
Glass block	A
Vegetated wall panels or trellises	A
Vinyl siding	N
Exterior insulation finishing system (EIFS)	N

P = Primary Material

S = Secondary Material

A = Accent Material

N = Prohibited Material

4. Windows and Doors

The standards of this section are intended to enhance street safety and provide a comfortable pedestrian environment by providing ground-level transparency between the interior of buildings and the sidewalk.

- a. For non-residential and mixed-use buildings, ~~[30-40]~~ 30 percent of the ground-floor street wall area must consist of openings; i.e., windows or glazed doors. The ground-floor street wall area is defined as the area up to the finished ceiling height of the space fronting the street or 15 feet above finished grade, whichever is less.
- b. For all buildings, the following applies:
 - (1) Nonresidential ground floor windows must have a visible transmittance (VT) of 0.6 or higher.
 - (2) Doors and/or primary entrances must be located on the street-facing block faces and must be unlocked when the business located on the premises is open. Doors/entrances to second-floor residential units may be locked.
 - (3) Clear glazing is required for ground-floor windows. Nontransparent, reflective, or opaque glazings are not permitted.
 - (4) The bottom edge of windows along pedestrian ways shall be constructed no more than 36 inches above grade.

- (5) Ground-floor windows for nonresidential uses shall allow views into storefronts, working areas, or lobbies. Signs are limited to a maximum coverage of 50 percent of the required window area.
 - c. Windows shall be designed to provide shadowing. This can be accomplished by recessing windows 4 inches into the façade and/or incorporating trim of a contrasting material or color.
 - d. For all building windows facing streets, courtyards, and/or public squares in the downtown, the following window elements are prohibited:
 - (1) Reflective, tinted, or opaque glazing
 - (2) Simulated divisions (internal or applied synthetic materials)
 - (3) Exposed, unpainted metal frame windows
5. Roofs
- a. The intent of this standard is to enliven the pedestrian experience and create visual interest through roof form. The roof form of a building shall follow one (or a combination) of the following forms:
 - (1) Flat roof with parapet or cornice
 - (2) Hip roof
 - (3) Gabled roof
 - (4) Dormers
 - (5) Shed roof
 - b. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum ~~{4/12-5/12}~~ 4/12 pitch.
 - c. Sloped roofs shall have eaves, exclusive of rain gutters, that project from the building wall at least 12 inches.
 - d. All flat roofs or those with a pitch of less than ~~{4/12-5/12}~~ 2/12 shall be architecturally treated or articulated with a parapet wall that projects vertically above the roof line at least 12 inches and/or a cornice that projects from the building face at least 6 inches.
 - e. When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms for the new structure(s) shall have similar slope and be constructed of the same materials as the existing roofing.
6. Rooftop Equipment and Screening
- The intent of this standard is to integrate mechanical equipment into the overall building design.
- a. The following rooftop equipment does not require screening:
 - (1) Solar panels, wind generators, and green roof features;
 - (2) Equipment under two feet in height.
 - b. Elevator mechanical equipment may extend above the height limit a maximum of 16 feet provided that the mechanical shaft is incorporated into the architecture of the building.

- c. Satellite dishes, communications equipment and all other roof-mounted mechanical equipment shall be limited to 10 feet in height, shall be set back a minimum of five feet from the roof edge and shall be screened from public view and from views from adjacent buildings by one of the following methods:
 - (1) A screen around the equipment that is made of a primary exterior finish material used on other portions of the building or wood fencing or masonry;
 - (2) Green roof features or regularly maintained dense evergreen foliage that forms an opaque barrier when planted.
- d. Required screening shall not be included in the building's maximum height calculation.

7. Ground-Level Screening

Mechanical and communication equipment and outdoor storage and outdoor garbage and recycling areas shall be screened so they are not visible from streets and other ground-level private open space and common open spaces.

19.505.8 Building Orientation to Transit

The following requirement applies to all new commercial, office, mixed-use, and institutional development within 500 ft of an existing or planned transit route measured along the public sidewalk that provides direct access to the transit route:

New buildings shall have their primary orientation toward a transit street or, if not adjacent to a transit street, a public right-of-way which leads to a transit street. The primary building entrance shall be visible from the street and shall be directly accessible from a sidewalk connected to the public right-of-way. A building may have more than 1 entrance. If the development has frontage on more than 1 transit street, the primary building entrance may be oriented to either street or to the corner.

CHAPTER 19.900 LAND USE APPLICATIONS

19.904 COMMUNITY SERVICE USES

19.904.11 Standards for Wireless Communication Facilities

Table 19.904.11.C				
Wireless Communication Facilities—Type and Review Process				
Towers		WCFs Not Involving New Tower		
Zones	New Monopole Tower 100 Feet	Building Rooftop or Wall Mounted Antenna¹	Water Towers, Existing Towers, and Other Stealth Designs	On Existing Utility Pole in Row with or w/out Extensions²
BI	P1	P2	P2	P2
M	P1	P2	P2	P2
M-TSA	P1	P2	P2	P2
C-N	N	P2	P2	P2
C-G	N	P2	P2	P2
C-L	N	P2	P2	P2
C-CS	N	P2	P2	P2
OS	N	P2	P2	P2
DMU	N	P2	P2	P2
GMU	N	P2	P2	P2
NMU	N	P2	P2	P2
R-1-B	N	P2	P2	P2
R-1	N	N	P2	P2
R-2	N	N	P2	P2
R-2.5	N	N	P2	P2
R-3	N	N	P2	P2
R-5	N	N	P2	P2
R-7	N	N	P2	P2
R-10	N	N	P2	P2

P = Permitted

1 = Type III review—requires a public hearing in front of the Planning Commission

2 = Type II review—provides for an administrative decision

N = Not Permitted

~~P = Permitted~~ ~~N = Not Permitted~~

¹ Rooftop extensions are not to exceed 15 ft in height above the roof top and are not to project greater than 5 ft from the wall of a building.

² Antennas placed on right-of-way utility poles may be extended 15 ft. If the pole cannot be extended, the carrier may replace the pole. The replacement utility pole shall not exceed 15 ft in height of the pole that is to be replaced.

F. Location and Size Restrictions

2. Height: maximum heights. Also see Table 19.904.11.C.

a. Height Restrictions

The maximum height limitation of the monopole tower and antennas shall not exceed the following:

- (1) BI, M, and M-TSA Zones: 100 ft.
- (2) New towers are not permitted in the R-1-B, R-1, R-2, R-2.5, R-3, R-5, R-7, R-7PD, R-10, R-10PD, GMU, NMU, C-N, C-G, C-L, OS, and DMU Zones.

Underline/Strikeout Amendments

TITLE 20 Public Art

*These amendments are based on the expectation that the **Downtown** amendments will have been adopted before these **Central Milwaukie** and **Neighborhood Main Street** amendments go to the Milwaukie City Council for adoption.*

CHAPTER 20.04 ART MURALS

20.04.060 ORIGINAL ART MURALS

A. Standards for Original Art Murals

1. Original art murals are allowed on properties described in this subsection.
 - a. Properties in the sign districts Sections 14.16.020 Residential-Business Office Zone, 14.16.030 Neighborhood Commercial Zone, 14.16.040 Commercial Zone, 14.16.050 Manufacturing Zone, and 14.16.060 Downtown Zones.

Updates for Section References and Housekeeping Only

*These amendments are based on the expectation that the **Downtown** amendments will have been adopted before these **Central Milwaukie** and **Neighborhood Main Street** amendments go to the Milwaukie City Council for adoption.*

19.201

“Greenway areas” means lands that lie along the Willamette River and major courses flowing into the Willamette River. Shown on the Zoning Map as the Willamette Greenway Overlay Zone.

Table 19.301.2

Table 19.301.2 Low Density Residential Uses Allowed				
Use	R-10	R-7	R-5	Standards/Additional Provisions
Residential Uses				
Single-family detached dwelling	P	P	P	Subsection 19.505.1 Single-Family Dwellings and Duplexes
Duplex	P/II	P/II	P	Subsection 19.505.1 Single-Family Dwellings and Duplexes Subsection 19.910.2 Duplexes
Residential home	P	P	P	Subsection 19.505.1 Single-Family Dwellings and Duplexes

19.301.5.I.3

3. Subsection 19.505.1 Single-Family Dwellings and Duplexes

19.301.5.I.4

4. Subsection 19.505.2 Garages and Carports

Table 19.302.2

Table 19.302.2 Medium and High Density Residential Uses Allowed						
Use	R-3	R-2.5	R-2	R-1	R-1-B	Standards/ Additional Provisions
Residential Uses						
Single-family detached dwelling	P	P	P	P	P	Subsection 19.505.1 Single-Family Dwellings and Duplexes
Duplex	P	P	P	P	P	Subsection 19.505.1 Single-Family Dwellings and Duplexes
Residential home	P	P	P	P	P	Subsection 19.505.1 Single-Family Dwellings and Duplexes

Rowhouse	P	P	P	P	P	Subsection 19.505.1 Single-Family Dwellings and Duplexes Subsection 19.505.5 Rowhouses
Cottage cluster housing	P	P	P	P	P	Subsection 19.505.4 Cottage Cluster Housing Cottage cluster land division requires Type III review
Multifamily	CU	CU	P	P	P	Subsection 19.505.3 Multifamily Housing Subsection 19.302.5.F Residential Densities Subsection 19.302.5.H Building Limitations
Congregate housing facility	CU	CU	P	P	P	Subsection 19.505.3 Multifamily Housing Subsection 19.302.5.F Residential Densities Subsection 19.302.5.H Building Limitations

Table 19.302.4

Table 19.302.4						
Medium and High Density Residential Development Standards						
Standard	R-3	R-2.5	R-2	R-1	R-1-B	Standards/ Additional Provisions
A. Lot Standards						
1. Minimum lot size (sq ft)	3,000	2,500	2,500	1,400		Subsection 19.501.1 Lot Size Exceptions Subsection 19.505.4 Cottage Cluster Housing Subsection 19.505.5 Rowhouses
a. Rowhouse	6,000	5,000	7,000	6,400		
b. Duplex	5,000	5,000	5,000	5,000		
c. All other lots						

19.302.5.L

5. Subsection 19.505.1 Single-Family Dwellings and Duplexes
6. Subsection 19.505.2 Garages and Carports
7. Subsection 19.505.3 Multifamily Housing
8. Subsection 19.505.4 Cottage Cluster Housing
9. Subsection 19.505.7 Building Orientation to Transit

Table 19.304.2

Table 19.304.2 Downtown Zones—Uses			
Uses and Use Categories	DMU	OS	Standards/ Additional Provisions
Residential			
Rowhouse	P	N	Subsection 19.304.3.A.1 Downtown residential use limitations Subsection 19.505.5 Rowhouses
Multifamily	P	N	Figure 19.304-2 Ground-Floor Residential Permitted Subsection 19.304.3.A.1 Downtown residential use limitations Subsection 19.505.3 Multifamily Housing
Live/work units	P	N	Subsection 19.304.3.A.1 Downtown residential use limitations Subsection 19.505.6 Live/Work Units
Second-story housing	P	N	Section 19.508 Downtown Site and Building Design Standards
Senior and retirement housing	P	N	Subsection 19.304.3.A.1 Downtown residential use limitations Subsection 19.505.3 Multifamily Housing

19.402.14.C

For residential proposals, development may be clustered so that land can be developed at allowed densities while avoiding or minimizing impacts to WQRs or HCAs. The intent of this section is to encourage creative and flexible site design that enables the allowable density to be transferred elsewhere on a site to protect environmentally sensitive areas and preserve open space and natural features. A residential cluster development may be permitted in any residential or mixed-use zoning district, subject to Type III review and approval by the Planning Commission. A cluster development proposal may be considered in conjunction with a proposal for land division or property line adjustment as provided in Subsection 19.402.13.

19.404.9.A.1.b

- b. Business Industrial (BI) uses as set forth in Section 19.310 shall also be allowed. The development of BI uses on Sites 2-1 and 2-2 shall comply with the development requirements of Section 19.310, except that outdoor storage shall be permitted. In this case, the 32nd Avenue and Meek Street property lines shall be

considered front yards and a 20-ft setback shall be applied. These setbacks shall be landscaped in accordance with Subsection 19.606.2.C.2, and provided with a sight-obscuring wooden fence adjacent to the public right-of-way and residential property lines. The Planning Commission may allow these setbacks to be reduced to 10 ft, where the proposed design of the buffer is of a high quality and includes: (1) the use of masonry walls, or other acceptable material, of up to 8 ft in height; (2) enhanced landscaping; and (3) one of the elements listed in Subsection 19.404.8.A.18. Development of BI uses on the site is not required to comply with the standards set forth in Subsection 19.404.8.

19.406.5.E.7

7. Stand-Alone Multifamily Residential Development

Stand-alone multifamily residential development shall comply with Subsection 19.505.3 Multifamily Housing. In addition, the ground floor of stand-alone multifamily buildings shall be constructed to meet building code standards for a retail use. This will facilitate efficient conversion of the ground-floor space from residential to retail in the future.

19.406.6.F

F. Development and Design Standards

In addition to the standards in the base M-TSA Zone, the development and design standards for Subarea 1 in Subsections 19.406.5.E-G also apply to Subarea 2, with the following addition: Rowhouse development in Subarea 2 shall comply with Subsection 19.505.5 Rowhouses.

19.508.4.A.3.b

- b. Rowhouses are subject to the objective standards of Subsection 19.505.5 Rowhouses, as revised by Subsection 19.304.3.B.

19.508.4.A.3.c

- c. Live/work units are subject to the objective standards in Subsection 19.505.6 Live/Work Units.
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19.608.2.B

B. Nonresidential and Mixed-Use Buildings

19.708.5.B.1

- 1. In residential and mixed-use districts, a pedestrian/bicycle path shall be required at least every 300 ft when a street connection is not feasible.