

Underline/Strikeout Amendments

Title 16 Environment

Chapter 16.32 Tree Code

16.32.042 TREE PRESERVATION AND PLANTING IN RESIDENTIAL ZONES

A. Applicability

The tree preservation and planting standards in this subsection apply to the following types of development in residential zones:

- ~~1. Land divisions.~~
- ~~2. Construction of a new residential dwelling unit that results in an increase of building footprint.~~
- ~~3. Construction of a new residential dwelling unit that does not result in an increase of building footprint. For applications meeting this criteria, only Subsections 16.32.042.F, 16.32.042.H and 16.32.042.J will apply.~~

1. Chapter 16.32.042 applies to the following types of development in residential zones:

- a. Land divisions.
- b. Construction of a new residential dwelling unit that results in an increase of building footprint.
- c. Construction of a new residential dwelling unit that does not result in an increase of building footprint. For applications meeting this criteria, only Subsections 16.32.042.F, 16.32.042.H and 16.32.042.J will apply.

2. The following sections apply in any zone whenever MMC 19.606.4 is applicable, and the applicant seeks to comply with 19.606.4.C.3 by establishing a tree canopy.

- a. 16.32.042.F Protection Standards
- b. 16.32.042.G Soil Volume Standards
- c. 16.32.042.H Submittal Requirements

F. Tree Protection Standards

Trees to be retained must be protected from development impacts according to the standards in this subsection to be eligible for tree preservation and tree canopy credit. For applications meeting criteria as outlined in Subsections 16.32.042.A.1.a and 16.32.042.A.1.b ~~16.32.042.A.1 and 16.32.042.A.2~~, a tree protection plan prepared by an ISA certified arborist that demonstrates adequate protection of the trees to be preserved as approved by the Urban Forester is required. Tree protection methods and specifications must be consistent with ISA best management practices using either the following prescriptive path or performance path tree protection methods:

H. Submittal Requirements

For applications for construction of a new residential dwelling unit that does not result in an expansion of building footprint (Subsection 16.32.042.A.1.c ~~16.32.042.A.3~~), applicants must

demonstrate compliance with the applicable provisions of Subsection 16.32.042.F by submitting a report including elements outlined in Subsection 16.32.042.H.2. For applications for land subdivision (Subsection 16.32.042.A.1.a ~~16.32.042.A.4~~) or construction of a new residential dwelling unit that results in an expansion of the building footprint (Subsection 16.32.042.A.1.b ~~16.32.042.A.2~~) an ISA certified arborist that is also tree risk assessment qualified (TRAQ) must demonstrate compliance with the applicable provisions of Subsections 16.32.042.B through 16.32.042.G. Other professionals such as engineers, landscape architects, soil scientists, and surveyors may assist the project arborist as needed in preparing the required information, but the arborist must organize, review, and approve the final product. The minimum submittal requirements include an inventory of existing trees, tree preservation plan, tree canopy plan, and arborist report with the following elements:

1. Tree Inventory Requirements

- a. Survey the locations of all trees at least 6-inch DBH, all trees at least 2-inch DBH that are listed on the Oregon Noxious Weed List or Milwaukie Invasive Tree List, and trees less than 6-inch DBH as specified on the City of Milwaukie Rare or Threatened Tree List. Trees that must be surveyed include those that are on site, within abutting public rights-of-way, and on abutting sites with root protection zones that extend into the site. The locations and information for trees on abutting sites may be estimated.
- b. Number each tree for identification at the site and on the plans.
- c. Identify the common name and scientific name of each tree.
- d. Measure the DBH of each tree in inches according to accepted ISA standards.
- e. Measure the approximate average crown radius of each tree in feet.
- f. Provide the crown area of each tree using the formula: $(\text{crown radius})^2 \times \pi$.
- g. Assess the health condition of each tree using the following categories:
 - (1) Good (no significant health issues)
 - (2) Fair (moderate health issues but likely viable for the foreseeable future)
 - (3) Poor (significant health issues and likely in decline)
 - (4) Very poor or dead (in severe decline or dead)
- h. Identify whether the tree is on the Milwaukie Rare or Threatened Tree List.
- i. Identify whether the tree is proposed for removal or retained.
- j. Organize the tree inventory information in a table or other format approved in writing by the Urban Forester.

2. Tree Preservation Plan Requirements

- a. Provide a site plan drawn to scale.
- b. Include the existing tree locations and corresponding tree numbers from the tree inventory.
- c. Identify rare or threatened trees as described in the City of Milwaukie Rare or Threatened Tree List.
- d. Identify the following site disturbances:

- (1) Demolition
 - (2) Tree removal
 - (3) Staging, storage, and construction access
 - (4) Grading and filling
 - (5) Paving
 - (6) Construction of structures, foundations, and walls
 - (7) Utility construction
 - (8) Trenching and boring
 - (9) Excavation
 - (10) Any other demolition or construction activities that could result in ground disturbances and/or tree damage.
- e. Locate tree and soil protection fencing to scale.
 - f. Locate soil compaction prevention methods to scale.
 - g. Identify performance path tree protection and soil volume areas.
 - h. Include tree and soil volume protection specifications from the arborist report on the plans including a detail and description of tree and soil volume protection fencing and signage.
 - i. The elements of the tree preservation plan may be included on multiple plan sheets for clarity.
 - j. The final approved set of construction drawings must include the tree preservation plan to ensure contractors, inspectors, and other professionals have access to the information.
3. Tree Planting Plan
- a. Provide a site plan drawn to scale.
 - b. Include the existing trees to be retained and their crown areas to scale.
 - c. Include the trees to be planted and their mature crown areas to scale based on the City of Milwaukie Tree Canopy List.
 - d. Identify the soil volume areas for each tree to be planted to scale.
 - e. For performance path soil volume areas, identify the methods and specifications as applicable for:
 - (1) Compaction Reduction;
 - (2) Soil Amendments;
 - (3) Topsoil Replacement; and/or
 - (4) Soil Under Pavement.
 - f. Include a diagram depicting the tree planting that is consistent with ISA best management practices.

- g. The minimum size of planted trees is 1.5-inch caliper for broadleaf trees and 5-foot tall for conifers unless otherwise approved by the Urban Forester. Nursery stock must be in good health with the size and quality consistent with ISA best management practices and ANSI Z60.1 standards.
- h. The species selection and spacing of trees to be planted must be such that it provides for the eventual mature size of the trees. Soil type, soil conditions and other site constraints shall be considered when selecting species for planting. Final site plans must be approved by the Urban Forester.
- i. Root barriers must be installed according to the manufacturer's specifications when a tree is planted within 5 feet of pavement or an underground utility box unless otherwise approved by the Urban Forester.
- j. Where there are overhead high voltage utility lines, the tree species selected must be of a type that, at full maturity, will not require pruning to avoid interference with the lines.
- l. The elements of the tree canopy plan may be included on multiple plan sheets for clarity.
- m. The final approved set of construction drawings must include the tree canopy plan to ensure contractors, inspectors, and other professionals have access to the information.

4. Arborist Report

- a. Provide a written narrative that summarizes the information from the tree inventory, tree preservation plan, and tree canopy plan.
- b. Provide findings and calculations that demonstrate whether the tree preservation standards in Subsection 16.32.042.B have been met.
- c. Provide findings and calculations that demonstrate whether the tree planting standards in Subsection 16.32.042.C have been met.
- d. If the tree preservation and/or tree planting standards have not been met, provide calculations for the applicable tree mitigation fees as required by Subsection 16.32.042.D.
- e. If the applicant is seeking a variance to the tree preservation and/or tree planting standards in place of providing mitigation fees, provide findings that demonstrate the proposal provides equivalent or greater environmental benefits as preserving or planting the required tree canopy consistent as required by Subsection 16.32.042.E.
- f. Provide findings that demonstrate compliance with the tree protection standards in Subsection 16.32.042.F.
- g. Provide findings that demonstrate compliance with the soil volume standards in Subsection 16.32.042.G.

I. Non-Development Tree Permit Requirements

1. Applicability

A permit is required prior to the removal of the following trees in residential zones on property that is outside the right-of-way and not owned or maintained by the City:

- a. Trees that are at least 6-inch DBH.
- b. Trees that are less than 6-inch DBH as specified on the City of Milwaukie Rare or Threatened Tree List.
- c. Trees that were planted to meet any requirements in Section 16.32.042.

Permits are not required in residential zones when tree removal is approved with development listed in Subsection 16.32.042.A.1.a ~~16.32.042.A~~. Permits are also not required in residential zones for the removal of trees that are grown for commercial agricultural or horticultural purposes including fruit trees, nut trees, or holiday trees.

Title 19 Zoning Ordinance

CHAPTER 19.200 DEFINITIONS AND MEASUREMENTS

Section 19.201 Definitions

As used in this title:

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

CHAPTER 19.300 BASE ZONES

19.303 COMMERCIAL MIXED-USE ZONES

19.303.3 Development Standards

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

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

Table 19.303.3 Commercial Mixed Use Zones—Summary of Development Standards			
Standard	GMU	NMU	Standards/ Additional Provisions
A. Lot Standards			
1. Minimum lot size (sq ft)	1,500	1,500	
2. Minimum street frontage (ft)	25	25	
B. Development Standards			
1. Minimum floor area ratio	0.5:1	0.5:1	Subsection 19.303.4.A Floor Area Ratio
2. Building height (ft)			Subsection 19.303.4.B Building Height
a. Base maximum	45	45	

b. Maximum with height bonus	57–69	Height bonus not available	Section 19.510 Green Building Standards Subsection 19.911.7 Building Height Variance in the General Mixed Use Zone
3. Street setbacks (ft)			Subsection 19.303.4.C Street Setbacks
a. Minimum street setback	0–15 ¹	None	Section 19.501.2 Yard Exceptions
b. Maximum street setback	10–20 ²	10	
c. Side and rear setbacks	None	None	
4. Frontage occupancy	50%	None	Subsection 19.303.4.D Frontage Occupancy Requirements Figure 19.303.4.D Frontage Occupancy Requirements
5. Maximum lot coverage	85%	85%	
6. Minimum vegetation	15%	15%	Subsection 19.504.6 Minimum Vegetation
7. Primary entrances	Yes	Yes	Subsection 19.303.4.E Primary Entrances
8. Off-street parking <u>standards</u> required	Yes	Yes	Chapter 19.600 Off-Street Parking and Loading
9. Transit street	Yes	Yes	Subsection 19.505.8 Building Orientation to Transit
10. Transition measures	Yes	Yes	Subsection 19.504.5 Transition Area Measures

19.303.6 Additional Provisions

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

B. Section 19.600 Off-Street Parking and Loading

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

19.304 DOWNTOWN ZONES

Table 19.304.4 CONTINUED			
Downtown Zones—Summary of Development Standards			
Standard	DMU	OS	Standards/ Additional Provisions
B. Development Standards CONTINUED			
5. Frontage occupancy requirements	50–90%	None	Subsection 19.304.5.E Frontage Occupancy Requirements Figure 19.304-6 Minimum Frontage Occupancy
6. Primary entrances	Yes	No	Subsection 19.304.5.F Primary Entrances
7. Off-street parking <u>standards required</u>	Yes, where applicable	Yes, where applicable	Subsection 19.304.5.G Off-Street Parking Chapter 19.600 Off-Street Parking and Loading
8. Open space	Yes, where applicable	Yes, where applicable	Subsection 19.304.5.H Open Space Subsection 19.508.4.G Open Space/Plazas
9. Transition measures	Yes, where applicable	No	Subsection 19.304.5.I Transition Measures Subsection 19.504.5 Transition Area Measures

19.304.5 Detailed Development Standards

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

G. Off-Street Parking

1. Intent

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

2. Standards

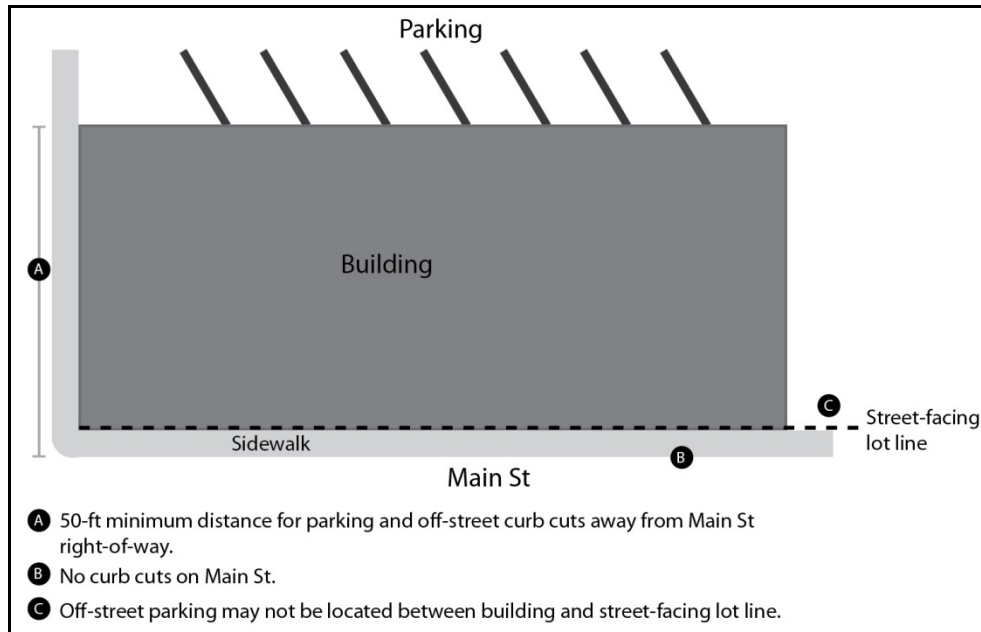
- a. Off-street parking for residential uses is subject to the ~~required at the ratios established in Table 19.605.1. All other applicable standards of Chapter 19.600 apply.~~
- b. If off-street parking is provided for nonresidential uses, the parking maximums in Table 19.605.1 shall apply. All other applicable standards of Chapter 19.600 shall also apply.
- c. Off-street surface parking lots (including curb cuts) shall not be located within 50 ft of the Main St right-of-way. Off-street surface parking lots approved prior to October 31, 2015, the effective date of Ordinance #2106, are exempt from this prohibition. This

exemption applies only to the property owner on file with the Clackamas County Assessor as of October 31, 2015, the effective date of Ordinance #2106, and is dissolved upon transfer of ownership.

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

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

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



~~3. Exemptions~~

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

19.304.8 Variances

The Planning ~~Manager~~ Director or Planning Commission may authorize variances to the development standards under Subsection 19.304.4 in accordance with procedures of Section 19.911. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2170 § 2, 2019; Ord. 2168 § 2, 2019; Ord. 2134 § 2,

2016; Ord. 2120 § 2, 2016; Ord. 2110 § 2 (Exh. G), 2015; Ord. 2106 § 2 (Exh. F), 2015; Ord. 2094 § 2, 2015; Ord. 2059 § 2, 2013; Ord. 2051 § 2, 2012; Ord. 2025 § 2, 2011)

19.310 BUSINESS INDUSTRIAL ZONE BI

19.310.6 Standards

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

H. Landscaping

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

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.505 BUILDING DESIGN STANDARDS

19.505.4 Cottage Cluster Housing

C. Development Standards

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

Table 19.505.4.C.1 (CONTINUED)		
Cottage Cluster Development Standards		
Standards	R-MD	R-1, R-2, R-2.5, R-3, R-1-B
E. Impervious Area, Vegetated Area (CONTINUED)		
2. Vegetated site area (minimum)	35%	35%
F. Community and Common Space		
1. Community building footprint (maximum) ¹	1,000 sf	1,000 sf
2. Common Space	19.505.1.D	19.505.1.D
G. Parking (see also 19.505.1.D.3)		
1. Automobile parking spaces per primary home (minimum)	0.5	0.5
2 <u>1.</u> Dry, secure bicycle parking spaces per home (minimum)		1.5
3 <u>2.</u> Guest bicycle parking spaces per home (minimum)		0.5

2. Off-Street Parking

- a. ~~There must be at least 0.5 off-street parking spaces per dwelling unit per Table 19.505.4.B.1. When off-street parking is provided, the parking spaces must be located together with parking spaces for other cottages in a common area, and not located on the same lot as an individual cottage unit.~~
- b. A cottage cluster parking area must be set back from the street. The distance of the setback is dependent on the orientation of the structure or lot. If the axis of the longest dimension of the parking area has an angle of 45 degrees or more to the lot line, the narrow dimension may be within 5 ft of the street. If the angle is less than 45 degrees, the parking area must be at least 20 ft from the street.
- c. If there are more than 8 units in a cottage cluster and off-street parking is provided, there must be at least 2 separate parking areas with a minimum of 4 parking spaces in each area. A drive aisle connecting the 2 areas is permitted if a separate driveway access for each area is not permitted per Chapter 12.16 Access Management.

CHAPTER 19.600 OFF-STREET PARKING AND LOADING

19.601 PURPOSE

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

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

19.602 APPLICABILITY

19.602.1 General Applicability

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

19.602.5 Improvements to Existing Off-Street Parking and Loading Areas

A. Purpose

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

B. Limitations on Required Improvements

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

C. Areas of Required Improvement

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

1. Paving and striping of parking areas, per Subsection 19.606.3.A.
- ~~2. Minimum required vehicle parking spaces, per Section 19.605.~~
- 2.3. Minimum required bicycle parking spaces, per Section 19.609.
- ~~3.4.~~ Landscaping of existing buffers, islands, and medians, per Subsection 19.606.2.D.
- ~~4.5.~~ New perimeter landscape buffers, islands, and medians, as applicable, per Subsection 19.606.2.
- ~~5.6.~~ Other applicable standards within Chapter 19.600, as determined by the Planning Director ~~Manager~~.

(Ord. 2161 § 2, 2018; Ord. 2025 § 2, 2011)

19.603 REVIEW PROCESS AND SUBMITTAL REQUIREMENTS

19.603.1 Review Process

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

19.603.2 Submittal Requirements

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

- A. Delineation of individual spaces and wheel stops.
- B. Drive aisles necessary to serve spaces.
- C. Accessways, including driveways and driveway approaches, to streets, alleys, and properties to be served.
- D. Pedestrian pathways and circulation.
- E. Bicycle parking areas and rack specifications.

- F. Fencing.
- G. Abutting land uses.
- H. Grading, drainage, surfacing, and subgrading details.
- I. Location and design of lighting fixtures and levels of illumination.
- J. Delineation of existing and proposed structures.
- K. Parking and loading area signage.
- L. Landscaping, including the following information.
 - 1. The location and area of existing and proposed trees, vegetation, and plant materials, including details about the number, size, and species of such items.
 - 2. Notation of the trees, plants, and vegetation to be removed, and protection measures for existing trees and plants to be preserved.

(Ord. 2025 § 2, 2011)

19.604 GENERAL PARKING STANDARDS

19.604.1 Parking Provided with Development Activity

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

19.604.2 Parking Area Location

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

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

19.604.3 Use of Converting Off-Street Parking Areas

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

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

~~19.604.4 Storage Prohibited~~

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

19.605 VEHICLE PARKING QUANTITY REQUIREMENTS

The purpose of Section 19.605 is to ensure that development ~~provides adequate, but not excessive, does not provide excessive~~ vehicle parking based on their estimated parking demand. Subsection 19.605.1 establishes parking ratios for common land uses, and Subsection 19.605.3 allows certain exemptions ~~and reductions~~ to these ratios based on location or on-site amenities. Modifications to the established parking ratios and determinations of parking requirements for unique land uses are allowed with discretionary review per Subsection 19.605.2.

~~Nonresidential development in the Downtown Mixed Use (DMU) and Open Space (OS) Zones is exempt from the requirements of Section 19.605.~~

~~19.605.1 Minimum and Maximum Requirements~~ Parking Maximums

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

Table 19.605.1 Minimum To Maximum Off-Street Parking Standards Requirements		
Use	Minimum Required	Maximum Allowed
A. Residential Uses		
1. Single detached dwellings, including manufactured homes.	1 space per primary dwelling unit.	No maximum.
2. Multi-Unit Dwellings	1 space per dwelling unit.	2 spaces per dwelling unit.
3. Middle Housing ¹ a. Duplexes b. Triplexes c. Quadplexes d. Townhouses ² e. Cottage Clusters	0 0 0 0 0.5 spaces per dwelling unit	1 space per dwelling unit 1 space per dwelling unit 1 space per dwelling unit 1 space per dwelling unit 1 space per dwelling unit
4. Residential homes and similar facilities allowed by right in residential zones.	1 space per dwelling unit plus 1 space per employee on the largest shift.	Minimum required parking 1 space per dwelling unit plus one space per employee on the largest shift plus 1 space per bedroom.
5. Accessory dwelling units (ADU).	No additional space required unless used as a vacation rental, which requires 1 space per rental unit.	No maximum.

Table 19.605.1 CONTINUED Minimum To Maximum Off-Street Parking Standards Requirements		
Use	Minimum Required	Maximum Allowed
B. Community Service and Other Public Uses		
1. Religious institutions.	1 space per 4 seats.	1 space per 2 seats.
2. Day-care center (“family day-care” as defined in Section 19.201 has no parking requirements).	2 spaces per 1,000 sq ft of floor area.	3.5 spaces per 1,000 sq ft of floor area.
3. School—elementary or junior high.	1 space per classroom.	2 spaces per classroom.
4. School—senior high.	0.25 spaces per student, plus 1 space per staff.	0.33 spaces per student, plus 1 space per staff.
5. Meeting room, club, lodge, or association.	5 spaces per 1,000 sq ft of floor area, or 1 space per 4 seats if seats are permanently installed.	16.66 spaces per 1,000 sq ft of floor area, or 1 space per 3 seats if seats are permanently installed.
6. Library, museum, art gallery.	1 space per 1,000 sq ft of floor area.	1.2 spaces per 1,000 sq ft of floor area.

7. Nursing, convalescent, and extended-care facilities.	1 space per 4 beds.	1 space per 3 beds.
C. Lodging Places		
1. Motel, hotel, boarding house.	1 space per lodging unit.	1.5 spaces per lodging unit.
2. Bed and breakfast establishments.	1 space per lodging unit, plus 1 space for the permanent residence.	1.5 spaces per lodging unit, plus 2 spaces for the permanent residence.
D. Commercial Uses—Recreational		
1. Indoor recreation, such as a health club, gym, bowling alley, arcade, etc.	3 spaces for each 1,000 sq ft of floor area.	5.5 spaces per 1,000 sq ft of floor area.
2. Theater, auditorium, or stadium.	1 space per 4 seats.	1 space per 3 seats.
E. Commercial Uses—Retail Goods		
1. Eating and drinking establishments.	4 spaces per 1,000 sq ft floor area.	15 spaces per 1,000 sq ft of floor area.
2. General retail—grocery stores, convenience stores, specialty retail and shops.	2 spaces per 1,000 sq ft of floor area.	5 spaces per 1,000 sq ft of floor area.
3. Bulk retail—furniture and home furnishings, appliances, vehicles, building materials, and similar large items.	1 space per 1,000 sq ft of floor area.	3 spaces per 1,000 sq ft of floor area.
4. Gas stations.	No minimum.	1.25 spaces per 4 pumps.
F. Commercial Uses—Services		
1. General office, including banks.	2 spaces per 1,000 sq ft of floor area.	3.4 spaces per 1,000 sq ft of floor area.
2. Medical/dental office (non-hospital), veterinary clinic.	3.9 spaces per 1,000 sq ft of floor area.	4.9 spaces per 1,000 sq ft of floor area.
Table 19.605.1 CONTINUED		
Minimum To Maximum Off-Street Parking Standards Requirements		
Use	Minimum Required	Maximum Allowed
F. Commercial Uses—Services CONTINUED		
3. Personal services, such as a barbershop, beauty parlor, etc.	4 spaces per 1,000 square floor area.	5.4 spaces per 1,000 sq ft of floor area.
4. Commercial services, such as dry cleaners and repair shops (does not include vehicle repair).	2.8 spaces per 1,000 sq ft of floor area.	5.1 spaces per 1,000 sq ft of floor area.
5. Vehicle repair.	2 spaces per 1,000 sq ft of floor area.	2.5 spaces per 1,000 sq ft of floor area.
6. Quick vehicle repair and servicing, such as oil change and tire shops.	2 spaces per service bay.	3 spaces per service bay.
7. Mortuary/funeral home.	1 space per 5 chapel or parlor seats.	1 space per 3 chapel or parlor seats.

8. Car wash.	No minimum.	2 spaces per wash bay for self-service washes, or 2 spaces per 1,000 sq ft of floor area for full-service washes.
G. Industrial Uses		
1. Manufacturing.	1 space per 1,000 sq ft of floor area.	2 spaces per 1,000 sq ft of floor area.
2. Storage, warehouse, wholesale establishment less than 150,000 sq ft.	0.5 spaces per 1,000 sq ft of floor area.	1 space per 1,000 sq ft of floor area.
3. Storage, warehouse, wholesale establishment 150,000 sq ft or greater.	0.3 spaces per 1,000 sq ft of floor area.	0.4 spaces per 1,000 sq ft of floor area.
4. Mini-warehouse; self-service storage.	1 space per 45 storage units, plus 1 space per employee of the largest shift.	1 space per 20 storage units, plus 1 space per employee of the largest shift.

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

19.605.2 Maximum Quantity Modifications and Required Parking Determinations

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

A. Applicability

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

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

B. Application

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

1. Describe the proposed uses of the site, including information about the size and types of the uses on site, and information about site users (employees, customers, residents, etc.).
2. Identify factors specific to the proposed use and/or site, such as the proximity of transit, parking demand management programs, availability of shared parking, and/or special characteristics of the customer, client, employee or resident population that affect parking demand.

3. Provide data and analysis specified in Subsection 19.605.2.B.3 to support the determination request. The Planning Manager may waive requirements of Subsection 19.605.2.B.3 if the information is not readily available or relevant, so long as sufficient documentation is provided to support the determination request.
 - a. Analyze parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from the Institute of Transportation Engineers, American Planning Association, Urban Land Institute, or other similar organizations.
 - b. Review parking standards for the proposed use or similar uses found in parking regulations from other jurisdictions.
 - c. Present parking quantity and parking use data from existing developments that are similar to the proposed development. The information about the existing development and its parking demand shall include enough detail to evaluate similarities and differences between the existing development and the proposed development.
 - d. For middle housing, provide occupancy and use data quantifying conditions of the on-street parking system within one block of the middle housing development.
 - e. ~~Identify factors specific to the site, such as the preservation of a priority tree or trees, or planting of new trees to achieve 40% canopy, as identified in Chapter 16.32.~~
4. Propose a ~~minimum and maximum~~ parking ratio. For phased projects, and for projects where the tenant mix is unknown or subject to change, the applicant may propose a maximum range (low and high number of parking spaces) for each development phase ~~and both a minimum and maximum number of parking spaces to be provided at buildout of the project.~~
5. Address the approval criteria in Subsection 19.605.2.C.

C. Approval Criteria

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

1. All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use in other locations; parking quantity allowances ~~requirements~~ for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.
2. ~~In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to decrease the amount of minimum required parking shall meet the following criteria:~~
 - a. ~~The use, frequency, and proximity of transit, parking demand management programs, and/or special characteristics of the site users will reduce expected vehicle use and parking space demand for the proposed use or development, as compared with the standards in Table 19.605.1.~~
 - b. ~~The reduction of off-street parking will not adversely affect available on-street parking.~~

- ~~c. The requested reduction is the smallest reduction needed based on the specific circumstances of the use and/or site, or is otherwise consistent with city or comprehensive plan policy.~~
- 23. In addition to the criteria in Subsection 19.605.2.C.1, requests for modifications to increase the amount of maximum allowed parking shall meet the following criteria:
 - a. The proposed development has unique or unusual characteristics that create a higher-than-typical parking demand.
 - b. The parking demand cannot be accommodated by shared or joint parking arrangements or by increasing the supply of spaces that are exempt from the maximum amount of parking allowed under Subsection 19.605.3.A.
 - c. The requested increase is the smallest increase needed based on the specific circumstances of the use and/or site.

19.605.3 Exemptions and By-Right Reductions to Quantity Allowances Requirements

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

A. Exemptions to Maximum Quantity Allowance

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

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

~~B. Reductions to Minimum Parking Requirements~~

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

~~1. Reductions for Neighborhood Commercial Areas~~

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

- ~~a. Properties zoned Commercial Limited (C-L).~~
- ~~b. Properties zoned Commercial Neighborhood (C-N).~~

~~c. Properties in the Neighborhood Mixed Use (NMU) Zone in the area bounded by 40th Ave, King Rd, 44th Ave, and Jackson St.~~

~~2. Proximity to Public Transit~~

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

~~b. Parking for multi-unit developments and middle housing may be reduced by up to 20% if the development is within 500 ft walking distance, as defined in Subsection 19.605.3.B.2.d, of a transit stop with a peak hour service frequency of 30 minutes or less.~~

~~c. Parking for all uses except single detached dwellings may be reduced by 25% if the development is within 1,000 ft walking distance, as defined in Subsection 19.605.3.B.2.d, of a light rail transit stop, or if it is located in the Downtown Mixed Use Zone DMU.~~

~~d. In determining walking distance, the applicant shall measure the shortest route along sidewalks, improved pedestrian ways, or streets if sidewalks or improved pedestrian ways are not present. Walking distance shall be measured along the shortest course from the point on the development site that is nearest to the transit stop.~~

~~3. Multitenant Commercial Sites~~

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

~~a. Use with highest parking requirement. The use that has the largest total number of minimum parking spaces required shall be required to provide 100% of the minimum number of parking spaces.~~

~~b. All other uses. All other uses on the site shall be required to provide 80% of the minimum number of parking spaces.~~

~~4. Carpool/Vanpool~~

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

~~5. Bicycle Parking~~

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

~~6. Car Sharing~~

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

~~7. Provision of Transit Facility Improvements~~

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

~~8. Affordable Housing~~

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

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

19.605.4 Shared Parking

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

~~A. Review~~

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

~~B. Standards~~

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

~~of Section 19.605 after dissolution of the agreement. A copy of the recorded documentation shall be provided to the City prior to obtaining a building permit. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2186 § 2, 2019; Ord. 2161 § 2, 2018; Ord. 2112 § 2 (Exh. B), 2015; Ord. 2106 § 2 (Exh. F), 2015; Ord. 2051 § 2, 2012; Ord. 2025 § 2, 2011)~~

19.605.4.5 Electric Vehicle (EV) Charging Requirements

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

A. Commercial and Industrial Parking

For commercial and industrial uses that provide off-street parking, choose one of the following:

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

B. Multi-Unit and Mixed-Use Residential Parking

For buildings with 5 or more dwelling units where off-street parking spaces are provided, choose one of the following:

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

19.606 PARKING AREA DESIGN AND LANDSCAPING

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

19.606.1 Parking Space and Aisle Dimensions

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

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

C. Perimeter Landscaping

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

1. Dimensions

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

19.606.3 Additional Design Standards

A. Paving and Striping

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

D. Pedestrian Access and Circulation

Subsection 19.504.98 establishes standards that are applicable to an entire property for on-site walkways and circulation. The purpose of Subsection 19.606.3.D is to provide safe and convenient pedestrian access routes specifically through off-street parking areas. Walkways required by Subsection 19.606.3.D are considered part of the on-site walkway and circulation system required by Subsection 19.504.98.

1. Pedestrian access shall be provided for off-street parking areas so that no parking space is further than 100 ft away, measured along vehicle drive aisles, from a building entrance, or a walkway that meets the standards of Subsection 19.606.3.D.2.
2. Walkways through off-street parking areas must be continuous, must lead to a building entrance, and meet the design standards of Subsection 19.504.98.E.

E. Internal Circulation

1. General Circulation

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

F. Lighting

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

1. Lighting luminaires shall have a cutoff angle of 90 degrees or greater to ensure that lighting is directed toward the parking surface.
2. Parking area lighting shall not cause a light trespass of more than 0.5 footcandles measured vertically at the boundaries of the site.
3. Pedestrian walkways and bicycle parking areas in off-street parking areas shall have a minimum illumination level of 0.5 footcandles, measured horizontally at the ground level.
4. Where practicable, lights shall be placed so they do not shine directly into any WQR and/or HCA location. The type, size, and intensity of lighting shall be selected so that impacts to habitat functions are minimized. (Ord. 2218 § 2 (Exh. B), 2022; Ord. 2168 § 2, 2019; Ord. 2161 § 2, 2018; Ord. 2106 § 2 (Exh. F), 2015; Ord. 2051 § 2, 2012; Ord. 2036 § 3, 2011; Ord. 2025 § 2, 2011)

19.606.4 Surface Parking Areas Over One-Quarter Acre

A. Purpose

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

B. Measurement

Calculating the one-quarter acre threshold (10,890 sq ft) is based on the cumulative area measured around the perimeter of all parking spaces, vehicle maneuvering areas, interior walkways, and interior landscaping areas. This requirement applies even when parking areas are scattered throughout a property or span multiple lots but serve a common use or uses.

C. General Requirements

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

1. Development standards. These standards apply in addition to those in Subsections 19.606.3.D, 19.504.8, and Section 19.505. Where there is a conflict with those standards, the standards in Subsection 19.606.4 take precedence.
 - a. Walkways must be provided along the entire length of at least one side of a driveway and must be separated from the driveway by a curb.

b. Walkway crossings at intersections with drive aisles and driveways must be provided. Crossing facilities must be demarcated by either a raised surface or by utilizing a separate surface material. Demarcation with the use of paint alone is not permitted.

c. The longest façade of a building must include an abutting walkway with a zero-foot setback from the building and must include the building's primary entrance.

d. In no case may a drive-through, drive-aisle, parking area, or other area used by automobiles be located between a building and its abutting walkway.

e. Development must provide trees along driveways. Trees must be planted a minimum of one per 30 lineal ft of the driveway and must be consistent with the planting requirements in 19.606.2.C.2.

2. Developments must provide one of the following:

a. Installation of solar panels with a generation capacity of at least 0.5 kilowatts per parking space on the property. Panels may be located anywhere on the property so long as their placement complies with other development standards in the Milwaukie Municipal Code.

b. Spending at least 1.5% of the project cost on green energy, in compliance with OAR 330-135-0010. This provision applies to public projects only.

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

D. Tree Canopy Coverage Standards

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

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

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

a. All surface areas on which a vehicle is designed to maneuver, such as drives, drive-through lanes, drive aisles, and parking stalls, must be included.

b. Areas not used for passenger vehicles, such as loading areas, interior landscaped areas, interior walkways not designed to be used by a passenger vehicle, and areas that are permanently used for outdoor storage, can be excluded when calculating this area.

2. Calculating Tree Canopy Coverage

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

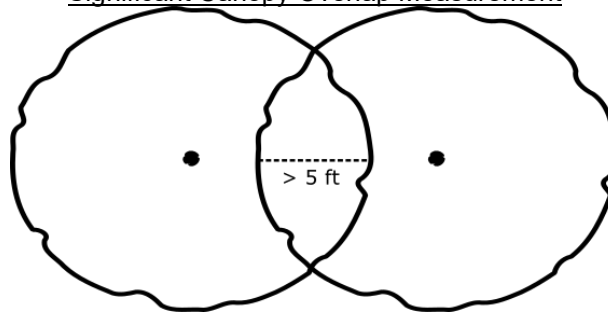
a. The expected diameter of the tree crown at 15 years must be used to calculate tree canopy coverage, regardless of if the tree is mature at that time.

b. The area under the expected canopy at 15 years that is either paved surface, including parking stalls and maneuvering areas, loading areas, walkways that are interior to the parking area, and interior and perimeter parking area landscaping will count towards meeting the required canopy coverage standard.

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

Figure 19.606.4

Significant Canopy Overlap Measurement



3. Tree Plan Submittal Requirements

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

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

4. General Tree Planting and Maintenance Requirements

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

- a. Trees must be planted in continuous trenches in perimeter and interior landscaping areas and spaced to maintain a continuous canopy 15 years after planting. Canopy spacing will be measured based on the expected diameter of the tree crown 15 years after planting. Sections of the canopy are considered continuous when there is no space greater than 5 ft between two or more projected crown areas. Gaps in the canopy are permitted to accommodate other features of the parking area, such as drive aisles
- b. Applicants must submit a soil volume and protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.G Soil Volume Standards.
- c. Applicants must submit a tree protection plan for approval by the Urban Forester or designee as outlined in Subsection 16.32.042.F Tree Protection Standards.
- d. Trees must be maintained to ensure their survival and long-term health. Inspection of tree health will occur at the time of site development and, to ensure tree survival, three to five years after planting.

19.607 OFF-STREET PARKING STANDARDS FOR RESIDENTIAL AREAS

19.607.1 Residential Driveways and Vehicle Parking Areas

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

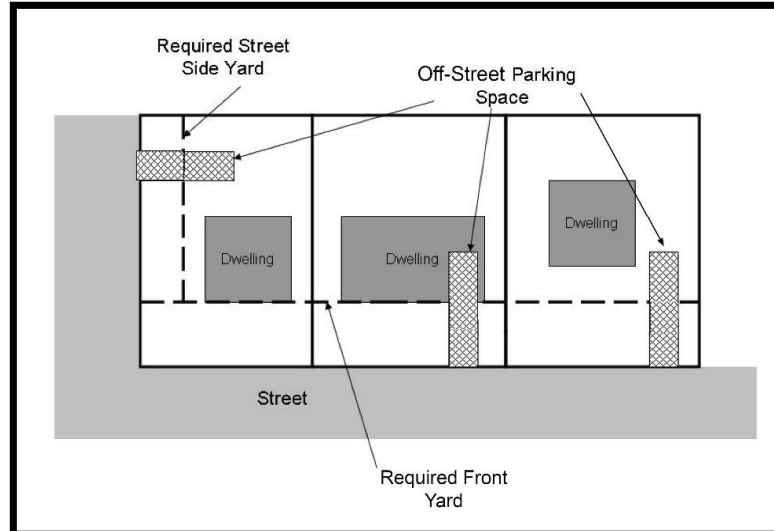
A. Dimensions

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

B. Location

- ~~1. Off-street vehicle parking shall be located on the same lot as the associated dwelling, unless shared parking is approved per Subsection 19.605.4. Tandem (end-to-end) parking is allowed for individual units.~~
12. No portion of an off-street parking space the required parking space is allowed within the following areas. See Figure 19.607.1.B.1-19.607.1.B.2. These standards do not apply to off-street parking for cottage clusters, which are subject to the standards in Subsection 19.505.4.
 - a. Within an adjacent public street right-of-way or access easement.
 - b. Over a public sidewalk.

Figure 19.607.1.B.21
Parking Space Location



C. Parking Surface Materials

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

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

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

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

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

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

19.607.2 Commercial Vehicle, Pleasure Craft, and Recreational Vehicle Parking

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

- A. Commercial vehicles shall not be permitted to be parked or stored in the front yard or required street side yard on cottage cluster, rowhouse, duplex, ~~single-family~~ single detached dwelling, or residential home properties. Commercial vehicles may be present anywhere on these properties for up to 12 hours in 1 day if the vehicle is engaged in loading or unloading materials for a residence(s).
- B. Recreational vehicles and pleasure crafts on middle housing, ~~cottage cluster, rowhouse, duplex, single-family~~ single detached, or adult foster/care home ~~residential home~~ properties must comply with the following regulations:

1. On residential lots less than 1 acre, only 1 recreational vehicle or private pleasure craft that is not located in an enclosed structure such as a garage shall be allowed. Canoes and other crafts less than 12 ft long shall be exempt from this requirement. On lots larger than 1 acre, 1 additional recreational vehicle or private pleasure craft that is not located in an enclosed structure is allowed for each 1/2 acre of area over 1 acre.
2. No vehicle or pleasure craft shall be lived in, have housekeeping maintained, or have hook-up to utilities while parked or stored on, or otherwise attached or moored to, a lot used for middle housing, ~~a cottage cluster, rowhouse, duplex, single-family~~ single detached dwelling, or adult foster/care home ~~residential home~~.

19.608 LOADING

19.608.2. Number of Loading Spaces

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

A. Residential Buildings

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

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

B. Nonresidential and Mixed-Use Buildings

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

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

19.609 BICYCLE PARKING

19.609.1 Applicability

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

19.609.2 Quantity of Spaces

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

1. ~~Unless otherwise specified, the number of bicycle parking spaces shall be at least 10% of the minimum required vehicle parking for the use. development must provide at least the minimum number of bicycle parking spaces listed in Table 19.609.2.~~
 2. ~~The number of bicycle parking spaces at transit centers shall be provided at the ratio of at least 1 space per 100 daily boardings.~~
 3. ~~Multi-unit residential and middle housing development with 4 or more units must provide one space per unit. Parking for cottage cluster developments is specified in Table 19.505.4.C.1.~~
- 2 Where the calculation of minimum bicycle parking spaces does not result in a whole number, the result shall be rounded up to the next whole number.

Table 19.609.2	
Minimum Bicycle Parking Quantity Requirements	
Use	Minimum Required
<u>1. Multi-unit residential development</u>	<u>1 space per dwelling unit.</u>
<u>2. Cottage clusters</u>	<u>See Table 19.505.4.C.1. for cottage cluster development bicycle parking requirements.</u>
<u>3. Adult foster/care homes and similar facilities allowed by right in residential zones.</u>	<u>0.1 space per dwelling unit plus 0.1 space per employee on the largest shift.</u>
<u>B. Community Service and other Public Uses</u>	
<u>1. Religious institutions.</u>	<u>0.1 space per 4 seats.</u>
<u>2. Day-care center ("family day-care" as defined in Section 19.201 has no parking requirements).</u>	<u>0.2 spaces per 1,000 sq ft of floor area.</u>
<u>3. School—elementary/junior high.</u>	<u>0.1 space per classroom.</u>
<u>4. School—senior high.</u>	<u>0.025 spaces per student, plus 0.1 space per staff.</u>
<u>5. Meeting room, club, lodge, or association.</u>	<u>0.5 spaces per 1,000 sq ft of floor area, or 0.1 space per 4 seats if seats are permanently installed.</u>
<u>6. Library, museum, art gallery.</u>	<u>0.1 space per 1,000 sq ft of floor area.</u>
<u>7. Nursing, convalescent, and extended-care facilities.</u>	<u>0.1 space per 4 beds.</u>
<u>8. Transit centers</u>	<u>1 space per 100 daily boardings</u>
<u>C. Lodging Places</u>	
<u>1. Motel, hotel, boarding house.</u>	<u>0.1 space per lodging unit.</u>
<u>2. Bed and breakfast establishments.</u>	<u>0.1 space per lodging unit, plus 0.1 space for the permanent residence.</u>
<u>D. Commercial Uses—Recreational</u>	
<u>1. Indoor recreation, such as a health club, gym, bowling alley, arcade, etc.</u>	<u>0.3 spaces for each 1,000 sq ft of floor area.</u>

2. Theater, auditorium, or stadium.	0.1 space per 4 seats.
E. Commercial Uses—Retail Goods	
1. Eating and drinking establishments.	0.4 spaces per 1,000 sq ft floor area.
2. General retail—grocery stores, convenience stores, specialty retail and shops.	0.2 spaces per 1,000 sq ft of floor area.
3. Bulk retail—furniture and home furnishings, appliances, vehicles, building materials, and similar large items.	0.1 space per 1,000 sq ft of floor area.
4. Gas stations.	2
F. Commercial Uses—Services	
1. General office, including banks.	0.2 spaces per 1,000 sq ft of floor area.
2. Medical/dental office (non-hospital), veterinary clinic.	0.39 spaces per 1,000 sq ft of floor area.
3. Personal services, such as a barbershop, beauty parlor, etc.	0.4 spaces per 1,000 square floor area.
4. Commercial services, such as dry cleaners and repair shops (does not include vehicle repair).	0.28 spaces per 1,000 sq ft of floor area.
5. Vehicle repair.	0.2 spaces per 1,000 sq ft of floor area.
6. Quick vehicle repair and servicing, such as oil change and tire shops.	0.2 spaces per service bay.
7. Mortuary/funeral home.	0.1 space per 5 chapel or parlor seats.
8. Car wash.	2
G. Industrial Uses	
1. Manufacturing.	0.1 space per 1,000 sq ft of floor area.
2. Storage, warehouse, wholesale establishment less than 150,000 sq ft.	0.05 spaces per 1,000 sq ft of floor area.
3. Storage, warehouse, wholesale establishment 150,000 sq ft or greater.	0.03 spaces per 1,000 sq ft of floor area.
4. Mini-warehouse; self-service storage.	0.1 space per 45 storage units, plus 0.1 space per employee of the largest shift.

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

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

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

- a. When 10% or more of vehicle parking is covered.
- b. If more than 10 bicycle parking spaces are required.
- c. For multi-unit residential development.

19.610 CARPOOL AND VANPOOL PARKING

19.610.2 Number of Spaces

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

19.611 PARKING STRUCTURES

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

19.611.1 Permitted Zones and Review Procedures

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

19.611.2 Compliance with Other Sections of Chapter 19.600

- A. ~~Spaces in parking structures can be used to satisfy the minimum quantity requirements of Section 19.605.~~ Spaces in parking structures are exempt from counting against maximum parking allowances if the spaces are utilized for types of parking listed in Subsection 19.605.3.A.
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CHAPTER 19.900 LAND USE APPLICATIONS

19.901 INTRODUCTION

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

Table 19.901 CONTINUED Land Use Applications		
Application Type	Municipal Code Location	Review Types
Land Divisions:	Title 17	
Final Plat	Title 17	I
Lot Consolidation	Title 17	I
Partition	Title 17	II
Property Line Adjustment	Title 17	I, II
Replat	Title 17	I, II, III
Subdivision	Title 17	III
Middle Housing Land Division	Title 17	II
Miscellaneous:	Chapters 19.500	
Barbed Wire Fencing	Subsection 19.502.2.B.1.b-c	II
Modification to Existing Approval	Section 19.909	I, II, III
Natural Resource Review	Section 19.402	I, II, III, V
Nonconforming Use Alteration	Chapter 19.804	III
Parking:	Chapter 19.600	
Quantity Determination	Subsection 19.605.2	II
Quantity Modification	Subsection 19.605.2	II
Shared Parking	Subsection 19.605.4	†
Structured Parking	Section 19.611	II, III
Planned Development	Section 19.311	IV
Residential Dwellings:	Section 19.910	
Manufactured Dwelling Park	Subsection 19.910.3	III
Temporary Dwelling Unit	Subsection 19.910.4	I, III
Sign Review	Title 14	Varies
Transportation Facilities Review	Chapter 19.700	II
Variances:	Section 19.911	
Use Exception	Subsection 19.911.5	III
Variance	Subsection 19.911.1-4	II, III
Willamette Greenway Review	Section 19.401	III

19.905 CONDITIONAL USES

19.905.5 Conditions of Approval

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

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

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

19.910 RESIDENTIAL DWELLINGS

19.910.3 Manufactured Dwelling Parks

D. Development Requirements

All manufactured dwelling parks shall meet the following minimum requirements:

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