



# CITY OF MILWAUKIE

## NOTICE OF PUBLIC HEARING

### Amendments to Milwaukie Zoning Ordinance and Municipal Code

The **Milwaukie City Council** will hold a public hearing at 6:00 p.m. on Tuesday, April 18, 2023, at Milwaukie City Hall, 10722 SE Main Street, to consider a recommendation to amend the Milwaukie Municipal Code (MMC) to comply with recent changes to state administrative rules. The proposed amendments would remove minimum parking quantity requirements for all uses citywide, add new requirements for large parking lots, and make minor non-substantive changes to promote the use of consistent language throughout the MMC (Land Use File #ZA-2022-005):

<https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-346>.

This matter was previously heard by the Planning Commission at a hearing on February 14, 2023, where the Commission unanimously recommended approval of the proposed amendments. The video of that meeting can be accessed here: <https://www.milwaukieoregon.gov/planning/planning-commission-13>.

**Please note that public notice was originally posted on March 2, 2023, for a public hearing of ZA-2022-005 to be held on April 4, 2023; however, the hearing for April 4, 2023, has been canceled and has been rescheduled for April 18, 2023.**

## Summary of Proposed Changes

Municipal Code – multiple sections.

The proposed code amendments ensure compliance with the parking provisions in Oregon Administrative Rules (OAR) Chapter 660 Division 12, Rules 400 – 450, one component of the Climate Friendly and Equitable Communities (CFEC) rules (adopted July 21, 2022). Under these new parking rules, jurisdictions have the option to either eliminate minimum parking quantity requirements from their zoning codes entirely or adopt more complex regulations that allow for some minimum quantity requirements but disallow jurisdictions from applying those mandates to various land uses and in certain geographies (e.g., Region 2040 Town Centers).

These code amendments remove parking mandates citywide for all uses and adopt new standards to comply with OAR 660-012-405, which is intended to promote parking efficiency and mitigate the negative impacts of large surface parking lots. Under these changes, property owners are still allowed to provide parking, subject to standards in the Milwaukie Municipal Code.

A summary of the amendments is as follows:

1. References to minimum parking quantity requirements and standards related to those requirements are removed from the following sections:
  - MMC 19.201 Definitions
  - MMC 19.303 Commercial Mixed-Use Zones
  - MMC 19.304 Downtown Zones
  - MMC 19.310 Business Industrial Zones
  - MMC Chapter 19.600 Off-Street Parking and Loading (all sections)
  - MMC 19.901 Introduction
  - MMC 19.905 Conditional Uses
  - MMC 19.910 Residential Dwellings
2. Minimum parking quantity requirements are removed from the following sections:
  - MMC 19.505 Building Design Standards (specifically, cottage cluster requirements in MMC 19.505.4 Cottage Cluster Housing)
  - MMC 19.605 Vehicle Parking Quantity Requirements
3. A table is added to MMC 19.609.2 to ensure that commercial, industrial, and community service users provide bicycle parking (bicycle parking quantity requirements were previously tied to minimum vehicle parking requirements for these uses).
4. New standards are added for large surface parking lots (1/4 acre in size) to MMC Subsection 19.606.4 to comply with standards in OAR 660-012-0405; language is added to the applicability section of MMC Subsection 16.32.42 to clearly link certain tree code standards in the subsection to the requirements 19.606.4.
5. The proposed amendments also include minor non-CFEC-related changes to establish consistent language within the MMC, including changing the title Planning Director to Planning Manager and changing the term single family dwelling to single detached dwelling.

available for public viewing after 8 a.m. on **Tuesday, April 11, 2023**, on the city's website at the meeting website noted above.

Copies of information in the file can be obtained for a reasonable fee. Copies of applicable City ordinances and the Comprehensive Plan are also available for review on the city's website.

**To comment on a proposal:** You are invited to attend this hearing or submit comments in writing before the meeting time. You may send written comments in advance to the staff contact listed below, or you may submit your comments in person at the hearing. If you want to present verbal testimony, either pro, con, or to raise questions, you will be invited to speak following the applicant's testimony. Testimony and comments at this hearing must be directed towards the criteria identified. If you submit a written comment or comment in person at the hearing, you will be sent a copy of the decision or recommendation. All written and verbal comments become part of the permanent record.

**Failure to raise an issue with sufficient specificity, and accompanied by statements or evidence sufficient to afford the responsible parties an opportunity to respond to the issue, will preclude any appeal on that issue to the Land Use Board of Appeals (LUBA).**

If you have any questions, please contact Ryan Dyar, Assistant Planner, in the Planning Department at 503-786-7661 or at [dyarr@milwaukieoregon.gov](mailto:dyarr@milwaukieoregon.gov).

*The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities Act (ADA). If you need special accommodations, please call 503-786-7600 at least 48 hours prior to the meeting.*