



# CITY OF MILWAUKIE

## NOTICE OF PUBLIC HEARING Amendments to Milwaukie Municipal Code

The **Milwaukie Planning Commission** will hold a public hearing at **6:30 p.m. on Tuesday, March 12**, to consider a recommendation for proposed municipal code text amendments (Primary File #ZA-2022-005). The city first provided notice of these proposed changes on January 10, 2023; however, the city paused its adoption while the state carried out additional rulemaking to clarify and correct sections of OAR Chapter 660, Division 12.

**The Planning Commission will hold this meeting both in person at City Hall (10501 SE Main St) and through Zoom video.** The public may participate in this meeting in person or by joining the Zoom webinar. The public may watch live on the city's YouTube channel or Comcast Cable channel 30 in city limits. **To participate in this meeting by phone** dial 1-253-205-0468 and enter Webinar ID 863 9991 3734 and Passcode 629606. To raise your hand by phone dial \*9. Written comments may be submitted by email to [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov). The Planning Commission will take verbal comments. For Zoom webinar login information visit <https://www.milwaukieoregon.gov/bc-pc/planning-commission-115>.

### 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, a component of the Climate Friendly and Equitable Communities (CFEC) rules (adopted by the state on July 21, 2022). Under these new parking rules, jurisdictions have the option to either eliminate minimum parking quantity requirements from their zoning codes 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 areas of the city (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. The amendments also update the city's bicycle parking code to ensure quality parking is provided, that the code language is clear and objective, and that it complies with OAR 660-012-0630.

More information on next page.

### Summary of Proposed Changes (continued)

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 19.312 North Milwaukie Innovation Area
  - 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. Language is added to clarify that middle housing is exempt from the provisions in MMC Subsection 19.504.7. On-site walkway requirements for middle-housing development are addressed under MMC Section 19.505.
3. MMC 19.505.3 Multi-unit Housing standards have been updated to clarify that on-site pedestrian facilities for multi-unit housing development must connect to abutting transit facilities. Bicycle parking standards are removed from Table 19.505.3.D and a notation has been added to instead direct people to the standards in MMC Section 19.609.
4. Minimum automobile 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
5. New climate-mitigation requirements are added for large surface parking lots (1/2 acre in size) to MMC Subsection 19.606.4 to comply with standards in OAR 660-012-0405.
6. MMC 19.607 has been amended to permit a fourth parking space within a required yard for quadplexes, to remove an outdated graphic, and to clarify that all off-street parking and maneuvering areas within a required front or street-side yard must be comprised of a durable, dust-free hard surface. These are non-CFEC-related code clean-up amendments.
7. Multiple changes have been made to update MMC Section 19.609 Bicycle Parking. The quantity standards have been updated in Table 19.609.2; bicycle parking quantity requirements were previously tied to minimum automobile parking requirements. New dimensional standards have been added to provide builders with more orientation options and make the standards better adhere to the state's clear and objective requirements for residential development. The development standards for long-term and short-term bicycle parking have been expanded to ensure bicycle parking is secure, visible, and accessible for all types of development. New standards have been added for schools, and new standards have been added to support electric-assist bicycles and larger bicycles.

More information on next page.

**Summary of Proposed Changes (continued)**

8. 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, changing the term single-family dwelling to single detached dwelling, and changing residential home to adult foster/care home.

**To learn more about the proposal:** Call the staff contact assigned to the proposal or visit the project webpage at <http://www.milwaukieoregon.gov/planning/za-2022-005>. The staff report on the proposal will also be available after 9 a.m. on **Tuesday, March 5, 2024**, 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 staff report presentation. Testimony and comments at this hearing must be directed toward 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 [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.*