

MILWAUKIE PLANNING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503-786-7630
 planning@milwaukieoregon.gov

Application for Land Use Action

Primary File #: NCU-2023-001

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

- | | | |
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| <input type="checkbox"/> Amendment to Maps and/or
<input type="checkbox"/> Comprehensive Plan Map Amendment
<input type="checkbox"/> Zoning Text Amendment
<input type="checkbox"/> Zoning Map Amendment
<input type="checkbox"/> Code Interpretation
<input type="checkbox"/> Community Service Use
<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Development Review
<input type="checkbox"/> Director Determination
<input type="checkbox"/> Downtown Design Review
<input type="checkbox"/> Extension to Expiring Approval
<input type="checkbox"/> Historic Resource:
<input type="checkbox"/> Alteration
<input type="checkbox"/> Demolition
<input type="checkbox"/> Status Designation
<input type="checkbox"/> Status Deletion | <input type="checkbox"/> Land Division:
<input type="checkbox"/> Final Plat
<input type="checkbox"/> Lot Consolidation
<input type="checkbox"/> Partition
<input type="checkbox"/> Property Line Adjustment
<input type="checkbox"/> Replat
<input type="checkbox"/> Subdivision
<input type="checkbox"/> Mixed Use Overlay Review
<input type="checkbox"/> Modification to Existing Approval
<input type="checkbox"/> Natural Resource Review**
<input checked="" type="checkbox"/> Nonconforming Use Alteration
<input type="checkbox"/> Parking:
<input type="checkbox"/> Quantity Determination
<input type="checkbox"/> Quantity Modification
<input type="checkbox"/> Shared Parking
<input type="checkbox"/> Structured Parking | <input type="checkbox"/> Planned Development
<input type="checkbox"/> Residential Dwelling
<input type="checkbox"/> Manufactured Dwelling Park
<input type="checkbox"/> Manufactured Dwelling
<input type="checkbox"/> Temporary Dwelling Unit
<input type="checkbox"/> Transportation Facilities Review**
<input type="checkbox"/> Variance:
<input type="checkbox"/> Use Exception
<input type="checkbox"/> Variance
<input type="checkbox"/> Willamette Greenway Review
<input type="checkbox"/> Other: _____
Use separate application forms for:
Annexation and/or Boundary Change <ul style="list-style-type: none"> • Compensation for Reduction in Property Value (Measure 37) • Daily Display Sign • Appeal |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): Johnson Creek Mini Storage, LLC

Mailing address: 8935 SE Stanley Place, Milwaukie State/Zip: OR 97206

Phone(s): 503-201-3795 Email: dgrshaw@aol.com

Please note: The information submitted in this application may be subject to public records law.

APPLICANT'S REPRESENTATIVE (if different than above): Iselin Architects, PC/ Todd Iselin

Mailing address: 1307 7th St, Oregon City State/Zip: OR 97045

Phone(s): 503-656-1942 Email: todd@iselinarch.com

SITE INFORMATION:

Address: 5803 Johnson Creek Blvd Map & Tax Lot(s): 12E 30AA, 68232, 68223

Comprehensive Plan Designation: Industrial Zoning: M Size of property: 0.52 acres

PROPOSAL (describe briefly):

Conversion of two existing storage units into managers office. Work includes providing required ADA parking. No change to building footprint is proposed.

SIGNATURE: I attest that I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code Subsection 19.1001.6.A. If required, I have attached written authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: _____

Date: 11-7-23

IMPORTANT INFORMATION ON REVERSE SIDE

*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1.

** Natural Resource and Transportation Review applications may require a refundable deposit

WHO IS ELIGIBLE TO SUBMIT A LAND USE APPLICATION (excerpted from MMC Subsection 19.1001.6.A):

Type I, II, III, and IV applications may be initiated by the property owner or contract purchaser of the subject property, any person authorized in writing to represent the property owner or contract purchaser, and any agency that has statutory rights of eminent domain for projects they have the authority to construct.

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

A preapplication conference may be required or desirable prior to submitting this application. Please discuss with Planning staff.

DEPOSITS:

Deposits require completion of a Deposit Authorization Form, found at www.milwaukieoregon.gov/building/deposit-authorization-form

REVIEW TYPES:

This application will be processed per the assigned review type, as described in the following sections of the Milwaukie Municipal Code:

- Type I: Section 19.1004
- Type II: Section 19.1005
- Type III: Section 19.1006
- Type IV: Section 19.1007
- Type V: Section 19.1008

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	NCU-2023-001	\$ 2,000			Materials received 11/07/2023 Payment submitted 11/15/2023
Concurrent application files		\$			
		\$			
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	

TOTAL AMOUNT RECEIVED: \$ 2,000 **RECEIPT #:** **RCD BY:**

Associated application file #s (appeals, modifications, previous approvals, etc.):

Neighborhood District Association(s): Lewelling

Notes:

Application for
**Type III Alteration of Non- Conforming
Use and Development**

**Johnson Creek Mini
Storage Remodel**

5803 Johnson Creek Blvd
Milwaukie, OR

November 2, 2023

City of Milwaukie
Planning Department
10501 SE Main St
Milwaukie, OR 97222

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B. Drawings

Architectural Site Plan
Partial Floor Plan and Elevations

Project Information and Summary

Johnson Creek Mini storage was constructed in the 1980's prior to current zoning regulations. It has been continuously owned and operated by the original family since that time with an office located on the adjacent property at 8935 SE Stanley Place. This office is shared with Ruffin Construction. The Owner is now seeking approval to convert two of the mini storage units into a manager's office on the same property as the business. No expansion of the building footprint is proposed for this remodel of what is now considered a non-conforming use based on current M Zone requirements.

The project will include upgrading parking and street side landscaping as well as providing bicycle parking to make the property more conforming to current zoning requirements than it currently is.

The following responses to relevant Code sections describe how this remodel will be no more of a detriment to surrounding properties than the existing non-conforming use.

19.309 MANUFACTURING ZONE M

19.309.1 Purpose

The M Zone is intended to promote clean, employee-intensive industries which may also include related accessory uses, such as commercial and office uses, which serve the industrial area.

19.309.2 Permitted Uses

Permitted uses are limited to industrial uses meeting the following criteria:

- A. Any combination of manufacturing, office, and/or commercial uses are allowed when at least 25% of the total project involves an industrial use as described under Subsection 19.309.2.B.
- B. A use which involves the collection and assembly of durable goods, warehousing of goods, transshipment of goods from other sources, and/or the assembly of goods from products which have been processed elsewhere, general manufacturing, and production.
- C. Commercial and office uses which are accessory to the industrial use(s). Such uses may include gymnasium, health club, secretarial services, sandwich deli, small restaurant, and retail/wholesale commercial use and showroom.
- D. May produce small amounts of noise, dust, vibration, or glare, but may not produce off-site impacts that create a nuisance, as defined by DEQ or the City Noise Ordinance.
- E. A permitted use may require outside storage areas. These storage areas shall be screened with a sight-obscuring fence or dense plantings from any adjoining residential uses or public streets.
- F. Warehouse use which is accessory to an industrial use.
- G. Marijuana retailers are allowed as a commercial use under Subsection 19.309.2.A. and subject to the special development standards set forth in Subsection 19.509.1.
- H. The following uses are allowed outright and do not need to be part of a project involving an industrial use as described under Subsection 19.309.2.B.

1. Construction: Contractors and Related Businesses

This category comprises businesses whose primary activity is performing specific building or other construction-related work, on- or off-site. Examples include: residential and nonresidential building construction, utility/civil engineering construction, specialty trade contractors, and moving companies. Any associated on-site office use must be accessory to the primary construction business.

2. Repair and Service

This category comprises firms involved in repair and servicing of industrial, business, or consumer electronic equipment, machinery, and related equipment, products, or by-products. Examples include: welding shops; machine shops; tool, electric motor, and industrial instrument repair; sales, repair, or storage of heavy machinery, metal, and building materials; heavy truck servicing and repair; tire retreading or recapping; exterminators, including chemical mixing or storage and fleet storage and maintenance; janitorial and building maintenance services that include storage of materials and fleet storage and maintenance; fuel oil distributors; solid fuel yards; and large-scale laundry,

dry-cleaning, and carpet cleaning plants. Auto service and repair shops for personal vehicles are allowed in the M Zone.

3. Trade Schools

This category comprises establishments whose primary purpose is to provide training for industrial needs and job-specific certification. Examples include: electronic equipment repair training, truck-driving school, welding school, training for repair of industrial machinery, and other industrial skills training.

- I. Marijuana and psilocybin production and cultivation facilities are subject to the regulations in Section 19.509.

Mini-storage warehouses are not an outright allowed use in the M Zone.

19.309.3 Preexisting Uses and Developments

Notwithstanding the provisions of Chapter 19.800 Nonconforming Uses and Development, prohibited uses and structures located in any mapped “employment” or “industrial” area, as shown on the Milwaukie Comprehensive Plan Title 4 Lands Map, that were lawfully in existence prior to May 6, 1999, and would be impacted by amendments prohibiting retail uses in excess of 60,000 sq ft, are considered to be approved uses and structures for the purposes of this section. If such a preexisting use or development is damaged or destroyed by fire, earthquake, or other natural force, then the use will retain its preexisting status under this provision, so long as it is substantially reestablished within 3 years of the date of the loss.

Notwithstanding the provisions of Chapter 19.800 Nonconforming Uses and Development, prohibited uses and structures located in any mapped “industrial” area, as shown on the Milwaukie Comprehensive Plan Title 4 Lands Map, that were lawfully in existence prior to March 17, 2009, may continue and expand to add up to 20% more floor area and 10% more land area than exists on the above-stated date. This expansion requires a conditional use review.

The existing mini storage complex is a Preexisting Use that was constructed in 1988. As such operation and limited expansion are allowed. The proposed alteration will reduce the actual floor area used for mini-storage by converting leasable space to office space for the management and security of the complex.

19.309.4 Specific Prohibited Uses

- A. Any use which has a primary function of storing, utilizing, or manufacturing explosive materials or other hazardous material as defined by the Oregon Fire Code, Chapter 27.
- B. New residential, religious institutions, or public schools.
- C. Retail uses greater than 60,000 sq ft gross floor area per building or business are prohibited on all lots included in mapped “Employment” or “Industrial” areas as shown on Milwaukie Comprehensive Plan Title 4 Lands Map, April 6, 1999.
- D. All lots included in mapped “Industrial” areas, as shown on Milwaukie Comprehensive Plan Title 4 Lands Map, April 6, 1999, carry the following additional restrictions:
 1. Individual retail trade uses greater than 5,000 sq ft gross floor area per building or business are prohibited.
 2. Multiple retail trade uses that occupy more than 20,000 sq ft gross floor area are prohibited, whether in a single building or in multiple buildings within the same project.

3. Facilities whose primary purpose is to provide training to meet industrial needs are exempted from this prohibition.

The existing mini-storage use is not an Specific Prohibited Use.

19.309.5 Standards for Conditional Uses

A. Natural Resource Extraction

1. Open pit and gravel excavating or processing shall not be permitted nearer than 50 ft to the boundary of an adjoining property line, unless written consent of the owner of such property is first obtained. Excavating or processing shall not be permitted closer than 30 ft to the right-of-way line of an existing platted street or an existing public utility right-of-way.

2. An open pit or sand and gravel operation shall be enclosed by a fence suitable to prevent unauthorized access.

3. A rock crusher, washer, or sorter shall not be located nearer than 500 ft to a residential or commercial zone. Surface mining equipment and necessary access roads shall be constructed, maintained, and operated in such a manner as to eliminate, as far as is practicable, noise, vibration, or dust which is injurious or substantially annoying to persons living in the vicinity.

B. High-Impact Commercial Uses

When considering a high-impact commercial use, the Commission shall consider the following:

1. Nearness to dwellings, churches, hospitals, or other uses which require a quiet environment.

2. Building entrances, lighting, exterior signs, and other features which could generate or be conducive to noise or other disturbance for adjoining uses.

3. Parking vehicles and pedestrian access and circulation could contribute to noise or attract habitual assembly or unruly persons.

4. Hours of operation.

5. In addition to consideration of the above with respect to building and site design, the Planning Commission may attach conditions or standards of performance and impact, and methods for monitoring and evaluating these, to ensure that such establishments do not become unduly or unnecessarily disruptive.

6. In addition, when considering an adult entertainment business, the following criteria shall be used:

a. The proposed location of an adult entertainment business shall not be within 500 ft of an existing or previously approved adult entertainment business or within 500 ft of either a public park, a church, a day-care center, a primary, elementary, junior high, or high school, or any residentially zoned property.

b. Distances shall be measured in a straight line, without regard to intervening structures, between the closest structural wall of the adult entertainment business and either the closest property line of the applicable property or the closest structural wall of any preexisting or previously approved adult entertainment business.

No Conditional Use is being sought for natural resource extraction or high impact commercial use with this application. Criteria are not applicable.

19.309.6 Development Standards for All Uses

The following development standards apply to all uses in the M Zone.

A. Setbacks (Minimum)

Front: 20 ft

Side: None*

Corner side yard: 10 ft

Rear: None*

The existing buildings are 20' from the front property line, on the side property lines and more than 60' from the rear property line (due to topography). The structures comply with current M Zone setback requirements.

B. Height (Maximum)

45 ft

The existing buildings are less than 14' to the top of the parapet. No change in building height is proposed. The maximum height for the zone is not exceeded.

C. Parking and Loading

See Chapter 19.600.

Refer to Chapter 19.600 response.

D. Landscaping

15% landscaping of the site is required. A variety of trees, shrubbery, and ground cover is encouraged. Street trees are required along street frontages and within parking lots to help delineate entrances, provide shade, and permeable areas for storm water runoff. A bond or a financial guarantee of performance will be required.

26% of the total site is landscaped (4425 s.f.). A majority of this landscape area is at the rear of the site where topographic constraints to development exist. Installation of new landscape is proposed at the street side frontage to screen parking area and make the entry to the complex more appealing.

E. Site Access

1 curb cut (45 ft maximum) per 150 ft of street frontage.

No Change to the existing 32' wide curb cut is proposed with this project. The existing complies with Zoning requirements.

F. Transition Area

Industrial development adjacent to and within 120 ft of areas zoned for residential uses is subject to Type I or II review per Section 19.906 Development Review. The following characteristics will be considered:

1. Noise
2. Lighting
3. Hours of operation
4. Delivery and shipping
5. Height of structure
6. Distance to residential zone boundary

The review authority may attach conditions to reduce any potentially adverse impacts to residential properties.

The existing mini-storage complex is not an industrial development. Criteria do not apply.

G. Public Facility Improvements

As specified in Chapter 19.700.

No Public Facility Improvements are proposed as part of this NCU application. Section is not applicable.

H. Additional Standards

Chapter 19.500 Supplementary Development Regulations contains additional standards that may apply.

19.309.7 Special Development Standards

The following development standards apply to specified uses in the M Zone.

A. Marijuana Businesses

1. Marijuana retailers shall be subject to the standards of Subsection 19.509.1.
2. Marijuana production, processing, testing, research, and warehousing shall be subject to the security and odor control standards of Subsection 19.509.2.

Section is not applicable. No marijuana related business is existing or proposed.

CHAPTER 19.600 OFF-STREET PARKING AND LOADING

- 19.601 PURPOSE
- 19.602 APPLICABILITY
- 19.603 REVIEW PROCESS AND SUBMITTAL REQUIREMENTS
- 19.604 GENERAL PARKING STANDARDS
- 19.605 VEHICLE PARKING QUANTITY REQUIREMENTS
- 19.606 PARKING AREA DESIGN AND LANDSCAPING
- 19.607 OFF-STREET PARKING STANDARDS FOR RESIDENTIAL AREAS
- 19.608 LOADING
- 19.609 BICYCLE PARKING
- 19.610 CARPOOL AND VANPOOL PARKING
- 19.611 PARKING STRUCTURES

Note: This section has been condensed for brevity. Only applicable sections of this Code Section are included in this narrative.

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, space for 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.

19.602.2 Maintenance Applicability

Property owners shall comply with the regulations of Chapter 19.600 by ensuring conformance with the standards of Chapter 19.600 related to ongoing maintenance, operations, and use of off-street parking and loading areas. Changes to existing off-street parking or loading areas that bring the area out of conformance with Chapter 19.600, or further out of conformance if already nonconforming, are prohibited.

19.602.3 Applicability for Development and Change in Use Activity

The provisions of Chapter 19.600 apply to development and changes of use as described in Subsection 19.602.3.

A. Development of a vacant site shall have off-street parking and off-street loading areas that conform to the requirements of Chapter 19.600. Development of a site that results in an increase of 100% or more of the existing floor area and/or structure footprint on a site shall also conform to the requirements of Chapter 19.600. The floor area and/or footprint of structures demolished prior to development or redevelopment on the site shall not be considered when calculating the increase in floor area and/or structural footprints.

B. Existing off-street parking and loading areas shall be brought closer into conformance with the standards of Chapter 19.600, per Subsection 19.602.5, when the following types of development or change in use occur:

1. Development that results in an increase of less than 100% of the existing floor area and/or structure footprint.
2. Changes of use, as defined in Section 19.201.

The change in building area from mini-storage use to an accessory office use does not constitute a Change in use as defined in 19.201. Criteria are not applicable.

19.602.4 Applicability not Associated With Development or Change in Use

A. Any parking or loading area developed to serve an existing use(s) that is not associated with development activity or a change in use described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611. The total number of spaces in the existing parking area and new parking area shall not exceed the maximum allowed quantity of parking as established in Section 19.605.

B. Any parking or loading area that is not developed to serve an existing use and is not associated with development activity or a change in use as described in Subsection 19.602.3 shall conform to the requirements of Sections 19.604 and 19.606-19.611. The requirements of Section 19.605 do not apply to parking areas described under Subsection 19.602.4.B.

The existing non-conforming development does not comply with current requirements of Section 19.604- 19.611. The proposed improvements will bring the site closer to conformance than what currently exists.

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.

The cost of the proposed parking and street side landscaping proposed is approximately 15% of the overall project cost, exceeding the 10% maximum.

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.

The existing parking area is a mix of asphalt, concrete and gravel and unstriped. New concrete paving and striping is proposed.

2. Minimum required vehicle parking spaces, per Section 19.605.

No accessible parking space exists at the current facility. This addition is proposed and will provide the required 2 parking spaces per Section 19.605.

3. Minimum required bicycle parking spaces, per Section 19.609.

Bicycle parking spaces per Section 19.609 are proposed to be added as part of this project.

4. Landscaping of existing buffers, islands, and medians, per Subsection 19.606.2.D.

Enhanced landscaping is proposed at existing buffers and medians over what currently exists. Full compliance with Section 19.606.2 is not possible given existing site improvements.

5. New perimeter landscape buffers, islands, and medians, as applicable, per Subsection 19.606.2.

Enhanced landscaping is proposed along Johnson Creek Blvd. Buffers to adjacent industrial properties at each side are not possible with narrow width of site and existing improvements.

6. Other applicable standards within Chapter 19.600, as determined by the Planning Director.

19.603 REVIEW PROCESS AND SUBMITTAL REQUIREMENTS

19.603.1 Review Process

The Planning 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 dwellings, 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.

- 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.

Refer to Site Plan drawing included with this application for required information.

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.

All parking associated with the existing use will be on the subject property with proposed plan.

19.604.3 Use of 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.

All required parking will be for users of the site only.

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.

Parking spaces will not be used for storage of equipment or materials. The existing mini-storage facility structures are designed for enclosed storage of these items.

19.605 VEHICLE PARKING QUANTITY REQUIREMENTS

The purpose of Section 19.605 is to ensure that development provides adequate, but not 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. Subsection 19.605.5 details requirements for installing electric vehicle (EV) charging infrastructure in multi-unit, mixed-use, commercial, and industrial developments. 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.

19.605.1 Minimum and Maximum Requirements

A. Development shall provide at least the minimum and not 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 Director shall determine which ratio to apply to the proposed development or use.

A minimum of 1 space per 45 units + 1 employee space and a maximum of 1 space per 20 units + 1 per employee on largest shift are required for self storage facilities in Table 19.605.1. Two parking spaces are proposed for the 45 units and 1 employee in conformance with this requirement.

B. When a specific use has not been proposed or identified at the time of permit review, the Planning 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.

Use is existing. Criteria is not applicable.

C. If a proposed use is not listed in Table 19.605.1, the Planning Director has the discretion to apply the quantity 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 requirements will be determined per Subsection 19.605.2.

Use is listed in Table 19.605.1. No discretion from the Planning Director is necessary.

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.

Criteria is not applicable. Table lists whole numbers for this particular use.

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.

No ADA parking spaces currently exist at this site. New ADA compliant parking space is proposed as part of the work.

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.

Criteria is not applicable. Parking at site does not exceed maximum number allowed. Table 19.605.1 has been omitted from narrative for brevity.

9.605.2 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.

Section is not applicable. No modification to quantity is sought with this proposal. Section has been omitted from narrative for brevity.

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.

No shared parking is proposed. Section has been omitted from narrative to condense application.

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. These standards apply to all types of development except for middle housing, single detached dwellings, and 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.

Parking and maneuvering dimensions proposed comply with minimum requirements in Table 19.606.1. Tables and diagrams in this section have been omitted to condense narrative.

B. The dimension of vehicle parking spaces provided for disabled persons shall be according to federal and State requirements.

ADA parking dimensions comply with Oregon Transportation Commission and Federal requirements.

C. Parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner.

Parking spaces have adequate turnaround areas to ensure that no vehicles will back on to Johnson Creek Blvd.

D. Drive aisles shall be required in parking areas greater than 5 spaces. Drive aisles shall meet the minimum width standards of Subsection 19.606.1. Where a drive aisle or portion thereof does not abut a parking space(s), the minimum allowed width for a one-way drive aisle shall be 8 ft and the minimum allowed width for a two-way drive aisle shall be 16 ft.

Existing drive aisle to be retained is more than 25' wide, allowing sufficient maneuvering on site.

19.606.2 Landscaping

A. Purpose

The purpose of the off-street parking lot landscaping standards is to provide vertical and horizontal buffering between parking areas and adjacent properties, break up large expanses of paved area, help delineate parking spaces and drive aisles, and provide environmental benefits such as stormwater management, carbon dioxide absorption, and a reduction of the urban heat island effect.

B. General Provisions

1. Parking area landscaping shall be required for the surface parking areas of all uses, except for middle housing and single detached dwellings. Landscaping shall be based on the standards in Subsections 19.606.2.C-E.

Parking area landscaping is proposed to be enhanced from its current existing condition as part of this project. Strict compliance with Subsections 19.606.2.C-E is not possible due to site constraints.

2. Landscaped areas required by Subsection 19.606.2 shall count toward the minimum amount of landscaped area required in other portions of Title 19.

Parking area landscaping has been included in calculations for minimum 15% required landscaping within the M Zone.

3. Parking areas with 10 or fewer spaces in the Downtown Mixed Use Zone are exempt from the requirements of Subsection 19.606.2.

Criteria is not applicable. Site is not within Downtown Mixed Use Zone.

4. Required trees shall be species that, within 10 years of planting, will provide a minimum of 20-ft diameter shade canopy. Compliance with this standard is based on the expected growth of the selected trees.

The single new tree proposed (Armstrong Maple) will have a mature canopy of 25'. Additional trees are not proposed due to limited width of site and existing signage.

5. Implementation of this section is in addition to, and must be coordinated with, Chapter 16.32 Tree Code.

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 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.

Minimum Perimeter Landscape Strip Dimensions		
Location	Downtown Zones	All Other Zones
Lot line abutting a right-of-way	4'	8'
Lot line abutting another property, except for abutting properties that share a parking area	0'	6'

Width of landscape area abutting the right of way is constrained by the geometry of the site and existing building locations. The landscape strip between parking and right of way varies from approximately 4' to 14'-6" since property lines at side of lot are not perpendicular to side lot lines.

No landscaping strip is proposed abutting adjacent industrial properties due to limited site width. Existing slatted chain link fencing on both adjacent properties provides screening of parking areas from neighboring properties.

2. Planting Requirements

Landscaping requirements for perimeter buffer areas shall include one tree planted per 30 lineal ft of landscaped buffer area. Where the calculation of the number of trees does not result in a whole number, the result shall be rounded up to the next whole number. Trees shall be planted at evenly spaced intervals along the perimeter buffer to

the greatest extent practicable. The remainder of the buffer area shall be grass, ground cover, mulch, shrubs, trees, or other landscape treatment other than concrete and pavement.

Approximately 37' of landscape strip along the right way (measured perpendicular to side lot lines) exists. A single new tree is proposed since a second tree would obscure the existing low pole mounted sign. The planting areas are proposed to be planted with shrubs and ground cover designed to add vertical interest without creating vision clearance issues on this busy street. Figure 19.606.2 omitted for brevity.

3. Additional Planting Requirements Adjacent to Residential Uses

In addition to the planting requirements of Subsection 19.606.2.D.2, all parking areas adjacent to a residential use shall have a continuous visual screen in the landscape perimeter area that abuts the residential use. The area of required screening is illustrated in Figure 19.606.2.C.3. The screen must be opaque throughout the year from 1 to 4 ft above ground to adequately screen vehicle lights. These standards must be met at the time of planting. Examples of acceptable visual screens are a fence or wall, an earth berm with plantings, and other plantings of trees and shrubs.

No parking areas exist or are proposed adjacent to residential properties. Subsection does not apply. The planting areas are proposed to be planted with shrubs and ground cover designed to add vertical interest without creating vision clearance issues on this busy street. Figure 19.606.2.C.3 omitted for brevity.

D. Interior Landscaping

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

1. General Requirements

Interior landscaping of parking areas shall be provided for sites where there are more than 10 parking spaces on the entire site. Landscaping that is contiguous to a perimeter landscaping area and exceeds the minimum width required by Subsection 19.606.2.C.1 will be counted as interior landscaping if it meets all other requirements of Subsection 19.606.2.D.

Only two parking spaces are required/ proposed. Subsection does not apply. Remainder of subsection has been omitted for brevity.

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.

Paving and stripping are proposed per attached Site Plan drawing to clearly delineate parking spaces.

B. Wheel Stops

Parking bumpers or wheel stops, of a minimum 4-in height, shall be provided at parking spaces to prevent vehicles from encroaching on the street right-of-way, adjacent landscaped areas, or pedestrian walkways. Curbing may substitute for wheel stops if vehicles will not encroach into the minimum required width for landscape or pedestrian areas.

Wheel stops are proposed at all parking spaces as shown on Site Plan.

C. Site Access and Drive Aisles

1. Accessways to parking areas shall be the minimum number necessary to provide access while not inhibiting the safe circulation and carrying capacity of the street. Driveway approaches shall comply with the access spacing standards of Chapter 12.16.

The existing accessway is proposed to remain. Relocation or reconfiguration of existing conditions is not feasible.

2. Drive aisles shall meet the dimensional requirements in Subsection 19.606.1.

The existing 25' + drive aisle meets the dimensional standard.

3. Parking drive aisles shall align with the approved driveway access and shall not be wider than the approved driveway access within 10 ft of the right-of-way boundary.

The existing accessway serves as the drive aisle and is proposed to remain. Relocation or reconfiguration of existing conditions is not feasible.

4. Along collector and arterial streets, no parking space shall be located such that its maneuvering area is in an ingress or egress aisle within 20 ft of the back of the sidewalk, or from the right-of-way boundary where no sidewalk exists.

The existing parking space to the east of the driveway is approximately 11' from the edge of pavement at Johnson Creek Blvd. Relocation or reconfiguration of existing conditions is not feasible.

5. Driveways and on-site circulation shall be designed so that vehicles enter the right-of-way in a forward motion.

The existing accessway/ drive aisle allows for vehicles to maneuver and enter the right of way in a forward motion.

D. Pedestrian Access and Circulation

Subsection 19.504.9 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 19.504.9.

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.

Both parking spaces are less than 30' to the secure access gate.

2. Walkways through off-street parking areas must be continuous, must lead to a building entrance, and meet the design standards of Subsection 19.504.9.E.

E. Internal Circulation

1. General Circulation

The Planning 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.

No dedicated walkways exist or are proposed due to the constrained site and requirement for two parking spaces. Most users of the facility will be on site for short duration and park immediately in front of storage units for loading and unloading.

2. Connections to Adjacent Parking Areas

Where feasible, parking areas shall be designed to connect with parking areas on adjacent sites to eliminate the use of the street for cross movements.

No connections exist or are proposed to parking areas at adjacent industrial properties.

3. Drive-Through Uses and Queuing Areas

The following standards apply to uses with drive-through services and uses such as gas stations and quick vehicle service facilities where vehicles queue rather than park on the site. The Planning Director has the authority to determine when the standards apply to a proposed use.

No drive through use is proposed. The remainder of subsection has been omitted for brevity.

F. Lighting

Lighting is required for parking areas with more than 10 spaces. The Planning Director 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:

Lighting is not required for the two spaces required. Illumination provided by existing building mounted lights will remain. The remainder of subsection has been omitted for brevity.

19.607 OFF-STREET PARKING STANDARDS FOR RESIDENTIAL AREAS

Subsection is not applicable to this industrial property. Section has been omitted from narrative.

19.608 LOADING

19.608.1 General Provisions

A. The purpose of off-street loading areas is to contain loading activity of goods on-site and avoid conflicts with travel in the public right-of-way; provide for safe and efficient traffic circulation on the site; and minimize the impacts of loading areas to surrounding properties.

The existing 25'+ width between storage buildings provides ample space for loading and unloading of goods or materials for this use. No change to existing condition is proposed. The remainder of this Subsection has been omitted from the narrative.

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. 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.

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.

A minimum of 2 bicycle space is required. A 3 space rack is proposed since the required space is identical to that needed for 2 bicycles.

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.

Project is not a residential development. Criterion is not applicable.

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.

No covered bicycle parking is required for the minimum 2 spaces required.

19.609.3 Space Standards and Racks

A. The dimension of each bicycle parking space shall be a minimum of 2 x 6 ft. A 5-ft-wide access aisle must be provided. If spaces are covered, 7 ft of overhead clearance must be provided. Bicycle racks must be securely anchored and designed to allow the frame and 1 wheel to be locked to a rack using a high security, U-shaped, shackle lock.

The proposed bike rack and location complies with the required dimensional and security standards.

B. Lighting shall conform to the standards of Subsection 19.606.3.F.

Existing building mounted lighting provides adequate illumination. No changes are proposed.

19.609.4 Location

A. Bicycle parking facilities shall meet the following requirements:

1. Located within 50 ft of the main building entrance.

The proposed bicycle parking rack is approximately 25' from the secure entry gate for the complex.

2. Closer to the entrance than the nearest non-ADA designated vehicle parking space.

The proposed bicycle rack is closer to the entry than the required ADA parking space.

3. Designed to provide direct access to a public right-of-way.

The bike parking is directly accessible and visible from the public right of way.

4. Dispersed for multiple entrances.

A single secure entry to the site is existing. A single bike rack is adequate for this use.

5. In a location that is visible to building occupants or from the main parking lot.

The bike parking rack is visible from the 2 space parking lot.

6. Designed not to impede pedestrians along sidewalks or public rights-of-way.

The proposed bike rack is located adjacent to the existing building separated from the right of way by a parking space and landscape strip.

7. Separated from vehicle parking areas by curbing or other similar physical barriers.

A bollard is proposed at the edge of the adjacent parking space to separate the bicycle parking area rather than a curb which could present a potential trip hazard.

B. The public right-of-way may be utilized for bicycle parking when parking cannot be reasonably accommodated on the site and the location is convenient to the building's front entrance. The bicycle parking area in the right-of-way must leave a clear, unobstructed width of sidewalk that meets the Engineering Department's Public Works Standards for sidewalk passage. See Figure 19.609 for illustration of space and locational standards. A right-of-way permit is required.

No bike parking in the right of way is proposed. Subsection is not applicable.

19.610 CARPOOL AND VANPOOL PARKING

19.610.1 Applicability

New industrial, institutional, and commercial development with 20 or more required parking spaces shall provide carpool/vanpool parking.

No carpool or vanpool parking is required or proposed since this is not a new development with more than 20 parking spaces. Remainder of subsection has been omitted for brevity.

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.

No structured parking is proposed. The remainder of subsection has been omitted for brevity.

CHAPTER 19.800 NONCONFORMING USES AND DEVELOPMENT

- 19.801 PURPOSE
- 19.802 GENERAL PROVISIONS
- 19.803 CONTINUATION OF NONCONFORMING USES AND DEVELOPMENT
- 19.804 ALTERATION OF NONCONFORMING USES AND DEVELOPMENT
- 19.805 REBUILDING OF NONCONFORMING USES AND DEVELOPMENT
- 19.806 AMORTIZATION OF NONCONFORMING USES

19.801 PURPOSE

Nonconforming uses and development are uses and development that do not conform to the City's current land use and development regulations either because they were established prior to the enactment of such regulations or because they conformed at the time they were established but applicable City regulations have since changed.

Most nonconforming uses and development may be maintained, but may not be altered, without land use review. Nonconforming uses and development may be rebuilt if destroyed in some instances. In general, however, nonconforming uses and development shall be brought into conformance with applicable land use and development regulations when redevelopment occurs. In particular, the City does not support the continuation of high-impact nonconforming uses in perpetuity. (Ord. 2025 § 2, 2011)

19.802 GENERAL PROVISIONS

19.802.1 Nonconforming Uses and Development

A specific site may be nonconforming because it contains a nonconforming use, nonconforming development, or both, as defined in Section 19.201. Determination of the legal status of a nonconforming use or development may be requested by the property owner pursuant to Section 19.903.

The existing mini storage use is non-conforming since it is not an allowed or conditional use within the M zone. Parking and landscape strips within the zone are also existing non-conforming elements of the development.

19.802.2 Provisions

The following provisions apply to all nonconforming uses and development:

- A. Changes in ownership may occur and do not affect the status of a nonconforming use or development.
- B. A nonconforming use or development is allowed to change to a conforming use or development. Once a conforming use or development occupies the site, the nonconforming status is lost and the nonconforming use or development may not be reestablished.
- C. Routine maintenance and repair, as defined in Section 19.201, is allowed. Alteration, as defined in Section 19.201 and further described in Section 19.804, or destruction, as described in Section 19.805, may require land use review and/or may result in the loss of the nonconforming status of the use or development.

D. Where other sections of the Milwaukie Municipal Code require nonconforming uses or development to come closer to conformance, those provisions apply instead of the provisions of this chapter.

E. Provisions of this chapter do not apply to signs. Nonconforming signs are regulated by Title 14 Signs.

The proposed site improvements will bring the non-conforming elements of the site closer to conformance with current Milwaukie Municipal Code requirements and not adversely affect neighboring properties.

19.803 CONTINUATION OF NONCONFORMING USES AND DEVELOPMENT

19.803.1 Provisions

A nonconforming use or development may continue indefinitely pursuant to the provisions in Subsection 19.802.2 unless it is discontinued as described in this section, altered as described in Section 19.804, destroyed as described in Section 19.805, or amortized as described in Section 19.806.

19.803.2 Loss of Nonconforming Use Status

If a nonconforming use is discontinued or abandoned, as defined in Section 19.201, for more than 1 year, the site will lose its nonconforming status and any subsequent use on the site shall conform to all applicable land use and development regulations.

The Owner intends to continue the non-conforming use of this property as it has been continuously operated since 1988.

19.804 ALTERATION OF NONCONFORMING USES AND DEVELOPMENT

19.804.1 Nonconforming Uses

A. Provisions

The following provisions apply to the alteration of nonconforming uses:

1. A nonconforming use shall not be moved, in whole or in part, to any portion of the site other than that occupied by the nonconforming use, except as allowed per Subsection 19.804.1.B.1.

The existing nonconforming use will be limited to the two tax lots upon which it now sits. The current office for the mini-storage facility on Stanley Place will be utilized exclusively by Ruffin Construction, which is an allowed use in the M Zone.

2. No additional development or physical alterations associated with the nonconforming use shall occur, except as allowed per Subsection 19.804.1.B.1. Additional development or physical alterations not associated with the nonconforming use and that conform to Title 19 are allowed.

No expansion of the existing building footprint or additional building area is proposed with the remodel to replace storage units with a manager's office.

3. No intensification of the nonconforming use shall occur, except as allowed per Subsection 19.804.1.B.1. Alterations that decrease the intensity of the nonconforming use are allowed.

The replacement of three storage units with a dedicated office for the site will result in less intensive use of the site.

B. Land Use Review Required

1. A nonconforming use shall not be moved, altered, or intensified unless such move, alteration, or intensification is approved by the Planning Commission through a Type III review per Section 19.1006. The applicant shall demonstrate that the proposed move, alteration, or intensification would result in no more of a detriment to surrounding properties than the existing nonconforming use.

The Planning Director has determined that the proposed alteration to this non-conforming site requires approval from the Planning Commission as a Type III review. This application has been prepared to demonstrate that the alterations will not result in more of detriment than the existing condition to surrounding properties than what currently exists.

2. If a nonconforming use involving a structure is replaced by another use, the new use shall conform to Title 19 unless the Planning Commission determines that such structure is suitable only for another nonconforming use through a Type III review per Section 19.1006. The applicant shall demonstrate that the new nonconforming use would be no more detrimental to surrounding properties than the one it is replacing.

The change of a portion of the building from mini-storage warehouse space to mini-storage office does not represent a change in use of the structure. It will not have any detrimental impact on surrounding properties.

19.804.2 Nonconforming Development

The following provisions apply to the alteration of nonconforming development:

A. Alterations or expansions that increase or extend the nonconformity are not allowed unless a variance is approved pursuant to Section 19.911.

The proposed alterations will not increase or expand non-conformity and have been designed to bring the site more into conformance with current zoning regulations. No variances are being sought with this application.

B. Alterations or expansions that conform to Title 19 are allowed. For example, development that does not conform to height, yard requirements, or lot coverage may be altered provided that the alteration does not exceed the height, yard requirements, or lot coverage requirements of Title 19.

No expansion of the non-conforming use is proposed as part of this project. The existing buildings on the site comply with setback, height and lot coverage requirements.

19.805 REBUILDING OF NONCONFORMING USES AND DEVELOPMENT

19.805.1 Provisions

The following provisions establish when a nonconforming use or development may be reestablished or rebuilt following its intentional or accidental destruction:

- A. When a nonconforming use or development is intentionally destroyed to an extent less than or equal to 50% of its replacement value, restoration is allowed. The restoration shall not result in an increase in the nonconformance of the use or development.
- B. When a nonconforming use or development is intentionally destroyed to an extent exceeding 50% of its replacement value, restoration of the use or development shall conform to all applicable land use and development regulations.
- C. If a nonconforming use or development is partially or totally destroyed by fire or other causes or natural hazards beyond the control of the owner, the use or development may be restored or replaced. The restoration or replacement shall not be more out of conformance with the land use or development regulations than the original use or development.

19.805.2 Loss of Nonconforming Status

Restoration or replacement of nonconforming uses or development that have been partially or totally destroyed, whether intentional or by accident, must commence within 1 year from the date of destruction. If restoration or replacement does not commence within the 1-year period, the use or development will lose its nonconforming status, and any subsequent use or development on the site shall conform to all applicable land use and development regulations.

Subsection is not applicable. No accidental or intentional destruction of this non-conforming use has occurred.

19.806 AMORTIZATION OF NONCONFORMING USES

19.806.1 Purpose

The purpose of this section is to provide a process whereby the City could require the discontinuance of nonconforming uses through amortization in a manner that is fair, predictable, and transparent.

19.806.2 Applicability

A. All legally established high-impact nonconforming uses, as defined in Section 19.201 and as identified on the City's inventory pursuant to Subsection 19.806.3.B, are subject to amortization and discontinuance. Illegally established uses are subject to enforcement proceedings by the City if not immediately discontinued or converted to a conforming use.

B. The following nonconforming uses are not subject to amortization and discontinuance:

1. Nonconforming uses that can be made conforming within 6 months, where the owner also enters into an agreement with the City to bring the use into conformance within 6 months.
2. Nonconforming uses that are protected under the Religious Land Use and Institutionalized Persons Act.
3. Nonconforming uses that are identified as low-impact nonconforming uses, as defined in Section 19.201.

Subsection is not applicable. The City has not requested a discontinuance of this non-conforming use.

19.806.3 Identification of Nonconforming Uses

A. The City Council may direct the Planning Director to evaluate existing land uses within the city for the purpose of compiling an inventory of uses subject to amortization and discontinuance. Such direction shall be made by resolution at a public meeting.

B. The Planning Director's evaluation shall be undertaken as follows:

1. Create a list of all nonconforming uses pursuant to City Council direction as provided in Subsection 19.806.3.C below.
2. Remove all properties that are exempt under Subsection 19.806.2.B from the list.
3. Determine which nonconforming uses that remain on the list are high-impact nonconforming uses, as defined by Section 19.201.
4. Compile an inventory of all properties containing a high-impact nonconforming use.

C. At the time of a vote directing the Planning Director to perform an evaluation of nonconforming uses, the Council shall specify the following:

1. The amount of time the Planning Director has to perform the evaluation, which shall be no less than 60 days.
2. Whether the Planning Director shall evaluate all uses in the entire City or whether the evaluation should be limited to a specified geographic area, type of use, or zoning district.

D. No less than 60 days after the Planning Director's completion of the inventory, City Council shall review and adopt the inventory by resolution. Upon review of the Planning Director's evaluation and inventory, Council may add or remove properties from the inventory prior to its adoption.

E. No more than 30 days after the adoption of the inventory by City Council, the Planning Director shall provide notice to all property owners listed in the nonconforming use inventory. Such notice shall include the following:

1. A statement that the City has determined that the subject property contains at least one nonconforming use that is subject to discontinuance through amortization.
2. The findings from the Planning Director's evaluation.
3. A copy of this section.

4. The date of the first evidentiary hearing before the Planning Commission to determine the schedule of amortization and discontinuance. Such a hearing shall be scheduled no less than 60 days after the mailing of the notice.

Subsection is not applicable. The City has not requested a discontinuance of this non-conforming use.

19.806.4 Review Process

A. For all properties with identified nonconforming uses that are included in the adopted nonconforming use inventory, the City shall require the discontinuance of such uses under a plan whereby the full value of any use-dependent structures and facilities are amortized within a definite and reasonable period of time. This action is a quasi-judicial action and shall utilize the Type IV review process pursuant to Section 19.1007. A separate hearing shall be conducted for each nonconforming use to determine the appropriate amortization schedule.

1. The approved amortization schedule shall be adopted by ordinance and shall commence upon the effective date of the ordinance.

2. The hearings conducted under this subsection, per Section 19.1007 Type IV Review, shall be limited to the determination of the following:

a. Whether the use is properly included on the inventory.

b. Whether the use is exempt from amortization and discontinuance under Subsection 19.806.2.B.

c. The duration of a reasonable amortization period and all terms associated therewith, based on the evaluation criteria in Subsection 19.806.5.

B. The City Council may, by ordinance, execute a compliance agreement with the owner of any property found to contain a high-impact nonconforming use. Such an agreement shall include a schedule for the property owner to bring the property into conformance through discontinuance of all nonconforming uses in a certain amount of time or by other means acceptable to the City. Such an agreement shall alleviate the City's obligation to schedule a hearing to determine an amortization period pursuant to Subsection 19.806.4.A or, alternatively, shall supersede the established amortization period for the subject property.

C. The City shall record in the Clackamas County real estate records all ordinances adopted pursuant to this subsection.

Subsection is not applicable. The City has not requested a discontinuance of this non-conforming use.

19.806.5 Evaluation Criteria

The City's review authorities shall consider the following criteria, at a minimum, in determining a reasonable length of time for the amortization period:

A. Nature of the use, its operations, and structures.

B. Character of the land and land uses in the surrounding area.

- C. Location of the use in relation to surrounding uses.
- D. Value of the land and its improvements.
- E. Length of time the use has been in existence and the length of time the use has been nonconforming.
- F. Amount of capital investment in the structures or improvements on the property at the time the use became nonconforming.
- G. Amount of investment realized to date and the amount remaining, if any, to be recovered during the amortization period.
- H. Existence or nonexistence of lease obligations.
- I. Removal costs that are directly attributable to the establishment of a discontinuance date.
- J. Other costs and expenses that are directly attributable to the establishment of a discontinuance date.
- K. Burden on the property owner resulting from discontinuance of the use.
- L. Benefit to the public resulting from discontinuance of the use. (Ord. 2025 § 2, 2011)

Subsection is not applicable. The City has not requested a discontinuance of this non-conforming use.

GENERAL NOTES & SPECS

General Requirements:
The Contractor shall fully comply with the current edition of the State of Oregon Structural Specialty Code (Oregon Modified International Building Code), IBC Plumbing, Mechanical, Electrical & Fire Codes & all additional state and local code requirements. The Contractor shall assume full responsibility for any work knowingly performed contrary to such laws, ordinances or regulations. The Contractor is to obtain all required permits and licenses required for the work. The Contractor shall also perform coordination with all utilities and state service authorities. Written dimensions on these drawings shall have precedence over scaled dimensions. The Contractor shall verify and is responsible for all dimensions (including rough opening) and conditions on the job and must notify the Architect of any variations from these drawings.

The Architect shall not be responsible for construction means and methods, acts of omissions of the Contractor or sub-contractors, or failure of any of them to carry out work in accordance with the construction documents. Any defect discovered in the construction documents shall be brought to the attention of the Architect by written notice before proceeding with the work. Reasonable time not allowed the Architect to correct the defect shall place the burden of cost and liability from such defect upon the Contractor.

Wood Framing:
DF-L #2 or better, unless noted otherwise. Sizes as indicated on drawings, fastened per OSSC table.

Doors:
All new wood doors to be solid core wood with stained finish to be selected by owner. Manufactured by Lynden or equal. All new metal doors to be 18GA flush steel (Steelcraft SL Series or equal) w/ welded steel frames (Steelcraft F Series or equal)

Windows:
Exterior Windows: All exterior windows to be double-glazed vinyl with low-E coating. Maximum U-value of 0.26. Manufactured by Milgard or equal.
Storefront & Curtain Wall Systems: Prefinished aluminum with 1" double glazing, thermally broken. Manufactured by US Aluminum or equal.

Roofing:
Membrane Roofing: TPO, 60 mil, mechanically fastened, approved underlayment, plates, fasteners, termination bars, flashing and accessories as required for manufacturer's recommended installation.

Building Insulation:
Insulation shall be fiberglass type conforming to the following:
Walls with gypsum board: R-21 kraft-faced batts, typ. unless noted otherwise.
Plumbing and office walls with gypsum board: full depth friction fit sound isolation type.

Gypsum Board:
Install gypsum board assemblies in accordance with GA-201, Gypsum Board for walls and ceilings. Gypsum board to be 5/8" with square cut ends and tapered edges, unless noted otherwise. Finish to match existing.

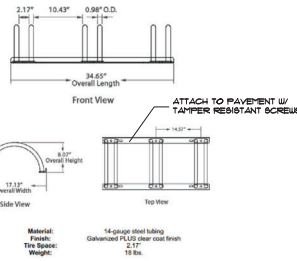
Flooring:
Selection by owner from Contractor's vendor. Verify all substrates are acceptable to manufacturer prior to installation.

Painting:
All paints for project shall be from same source manufactured by Miller, Parker, Sherwin-Williams or approved equal.
Metal doors and frames: 2 coats fast set alkylid semi-gloss over factory primer.
Gypsum board assemblies: 2 coats solvent free, modified acrylic satin over high solid PVA primer.
Wood doors: 2 coats lacquer over semi-transparent stain.

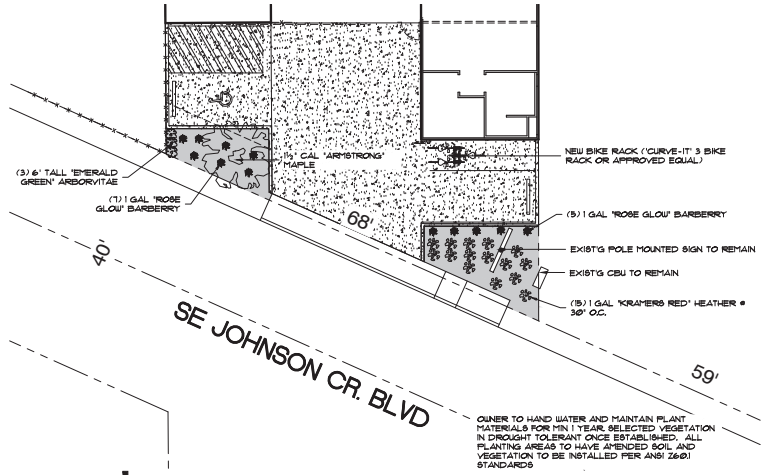
Electrical:
Electrical work shall be performed on a design-build basis. The design-build contractor shall furnish a complete and operative electrical system to meet all local and state codes. Fixtures specified on lighting / reflected ceiling plan are for bidding purposes and energy code compliant substitutions are permitted. Contractor to be responsible for emergency lighting design. Contractor is responsible for all submittals required by Authority Having Jurisdiction.

HVAC:
HVAC work shall be performed on a design-build basis. The design-build contractor shall furnish a complete and operative mechanical system to meet all local and state codes. Contractor is responsible for all submittals required by Authority Having Jurisdiction. Coordinate all equipment placement and support with Architect prior to final design.

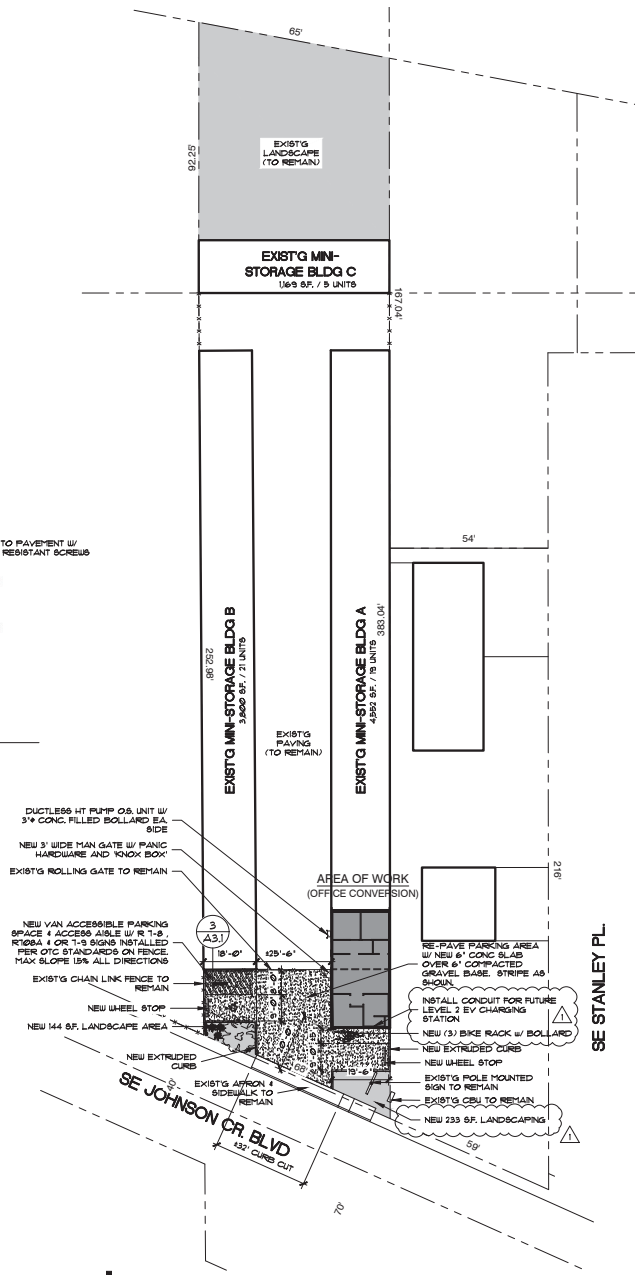
Plumbing:
Plumbing work shall be performed on a design-build basis. The design-build contractor shall furnish a complete and operative plumbing system to meet all local and state codes. Fixtures specified on drawings are for bidding purposes and intent, only. Contractor is responsible for all submittals required by Authority Having Jurisdiction.



'CURVE-IT' 3 BIKE RACK



LANDSCAPE PLAN



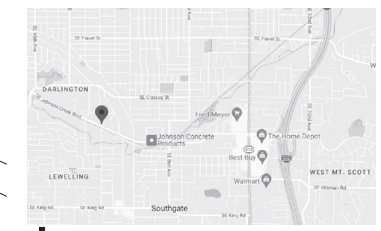
SITE PLAN

DRAWING INDEX

- A1.1 SITE PLAN & GENERAL NOTES
- A1.2 FLOOR PLAN, ELEVATIONS & SCHEDULES
- A3.1 SECTIONS, INTERIOR ELEVATIONS & DETAILS

PROJECT / CODE INFORMATION

PROJECT DESCRIPTION	CONVERSION OF THREE EXISTING STORAGE UNITS TO OFFICE AREA W/ STORAGE ROOMS	
PROPERTY LOCATION	T 1 S, R 2E, SEC 30 (M)	
ADDRESS	5803 SE JOHNSON CREEK BLVD PORTLAND, OR, 97206	
COUNTY	CLACKAMAS	
ZONE	M	
ELEVATION	134 FT	
SITE AREA	16,988 SF	
BUILDING SQUARE FOOTAGE	EXIST'G	NEW TOTAL
BUILDING TOTAL	4,552 SF	0
WORK AREA	797 SF	0
CONSTRUCTION TYPE	V-8, NON-SPRINKLERED	
OCCUPANCY	S-1, STORAGE & B, OFFICE (NO OCCUPANCY SEPARATION REQUIRED)	
OCCUPANT LOAD	797 SF @ 1 PER 150 G = 5 OCCUPANTS	
EXITS	1 REQUIRED, 1 PROVIDED	
HEIGHT	14' ACTUAL, 40' ALLOWED 1 STORY ACTUAL, 1 STORY ALLOWED	
AREA	4,552 SF ACTUAL, 9,000 SF ALLOWED	
FIRE RESISTANCE RATINGS	2-HR @ WEST PROPERTY LINE (EXISTING WALL IS 1-HR. AREA OF WORK TO BE UPGRADED TO 2-HR) 1-HR VOLUNTARY RATING DESIRED BY OWNER BETWEEN REMODELED OFFICE & HALL/STORAGE ROOMS	
PARKING	REQUIRED	5/1000 S.F. FLOOR AREA
	EXISTING	2 SPACES
	PROVIDED	1 ADA VAN ACCESSIBLE 1 STANDARD
LANDSCAPING	REQUIRED	2,548 SF (15%)
	EXISTING	4,425 SF (26%)
	NEW	377 SF
NON CONFORMING UPGRADES	- NEW BICYCLE PARKING - 377 S.F. OF ENHANCED LANDSCAPING AT STREET FRONTAGE	



VICINITY MAP

ISELIN ARCHITECTS P.C.
1307 Seventh Street
Oregon City, OR 97045
503-656-1942
www.iselinarchitects.com

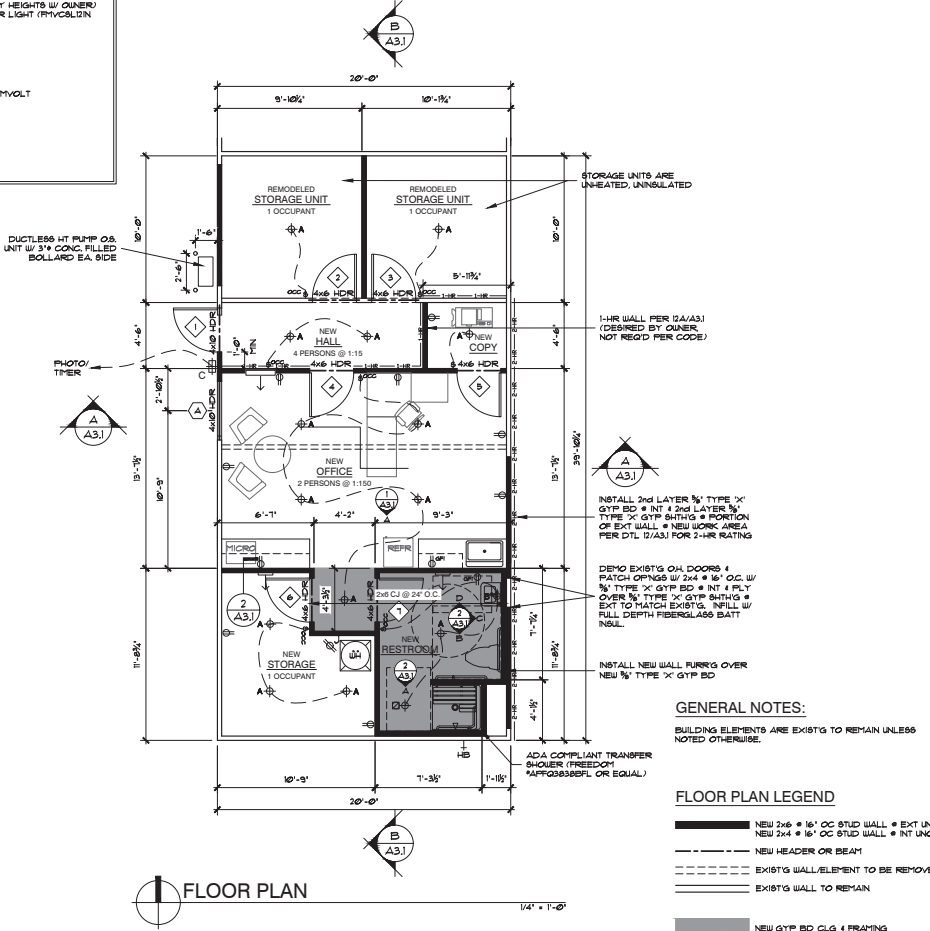
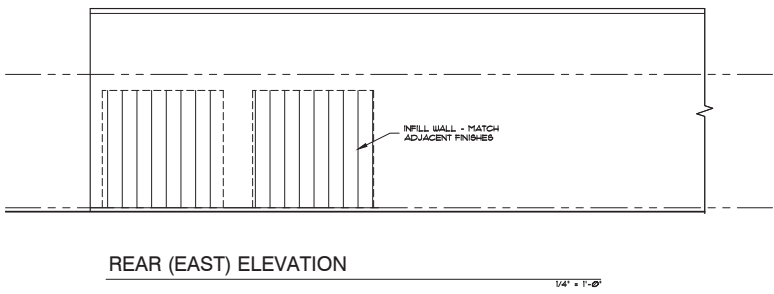
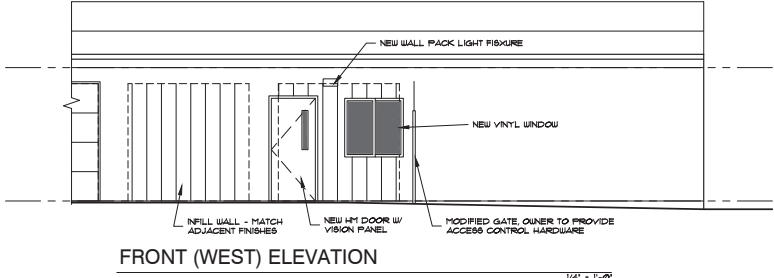
REGISTERED ARCHITECT
#2272
TODD L. ISELIN
OREGON CITY, OREGON
STATE OF OREGON

Remodel
Johnson Creek Mini Storage
5803 SE Johnson Creek Blvd.
Portland, OR, 97206

PROJ. NO.: 2329
FILE: A-SIT
DATE: 10/17/2023
REVISIONS
1: 11/01/23

SHEET #
A1.1

ELECTRICAL LEGEND	
	100 V. WALL OUTLET
	GROUND FAULT CIRCUIT INTERRUPTER
	CEILING-MOUNTED LIGHT FIXTURE 'HALO' HLG 6' 3000K, CANLESS SURFACE MTD OR EQUAL (B.T.W)
	WALL-MOUNTED SCENE LIGHT FIXTURE (VERIFY HEIGHTS W/ OWNER) 'LITHONIA' II INTEGRATED LED BATHROOM BAR LIGHT (M.V.GALDIN M.VOLT 30K 90 CFI B2 M6 OR EQUAL) 9.5W
	RECESSED CEILING EXHAUST FAN
	TWO-WAY SWITCH
	TWO-WAY SWITCH W/ OCCUPANCY SENSOR
	LED WALL PACK 'LITHONIA' UPX1 LED PZ 40K M.VOLT 1/4 W BATTERY BACK UP OR EQUAL 24W
	DUCTLESS HT PUMP INSIDE UNIT
	'GADET' REGISTER TYPE WALL HEATER



GENERAL NOTES:
BUILDING ELEMENTS ARE EXIST'G TO REMAIN UNLESS NOTED OTHERWISE.

FLOOR PLAN LEGEND	
	NEW 2x6 @ 16" OC STUD WALL @ EXT UND
	NEW 2x4 @ 16" OC STUD WALL @ INT UND
	NEW HEADER OR BEAM
	EXIST'G WALL/ELEMENT TO BE REMOVED
	EXIST'G WALL TO REMAIN
	NEW GYP BD CLG & FRAMING

- HARDWARE GROUPS**
- 1 1/2 PR HINGES (NRP HINGES @ DOOR 1) CLASSROOM LOCKSET CLOSER
 - 1 1/2 PR HINGES STOR RM LOCKSET WALL STOP
 - 1 1/2 PR HINGES PASSAGE LATCHSET WALL STOP
 - 1 1/2 PR HINGES INTEGRATED OCCUPANCY INDICATOR LOCKSET WALL STOP

DOOR SCHEDULE							
NO	SIZE	THK	TYPE	MATERIALS		HWR	NOTES
				DOOR	FRAME		
1	3'-0" x 7'-0"	1 1/2"	VP	HM	HM	1	
2	3'-0" x 7'-0"	1 1/2"	FL	HM	HM	2	20 MIN
3	3'-0" x 7'-0"	1 1/2"	FL	HM	HM	2	20 MIN
4	3'-0" x 7'-0"	1 1/2"	VP	HM	HM	1	20 MIN
5	3'-0" x 7'-0"	1 1/2"	FL	WD	HM	3	
6	3'-0" x 7'-0"	1 1/2"	FL	WD	HM	3	
7	3'-0" x 7'-0"	1 1/2"	FL	WD	HM	4	

FL = FLUSH
HM = HOLLOW METAL
TEMP = TEMPERED GLAZING
VP = VISION PANEL
WD = WOOD
ALL DOOR HARDWARE TO BE ADA COMPLIANT LEVEL TYPE, LIGHT COMMERCIAL GRADE

WINDOW SCHEDULE				
NO	SIZE	TYPE	MAT.	NOTES
1	4'-0" x 4'-0"	SLD	VNLYL	

BLD = SLIDER
NOTES:
1 ALL WINDOWS TO BE VNLYL, DBL PANE W LOW E' COATING, UNO. U = 0.28 MAX.



ISELIN ARCHITECTS P.C.

1307 Seventh Street
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503-656-1942
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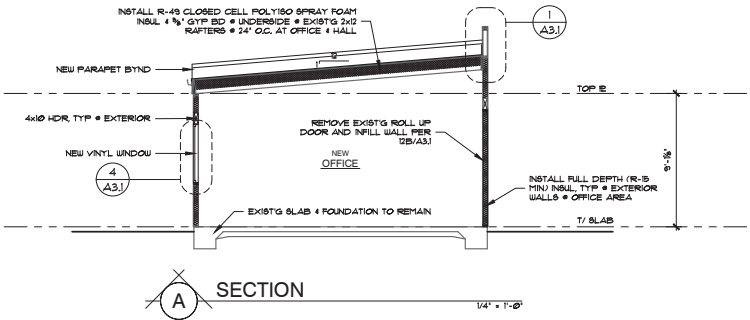


Remodel
Johnson Creek Mini Storage
5803 SE Johnson Creek Blvd.
Portland, OR, 97206

PROJ. NO.: 2329
FILE #: A.SEC
DATE: 10/17/2023

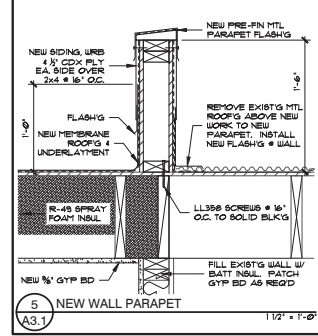
SHEET #
A3.1

SECTIONS & DETAILS



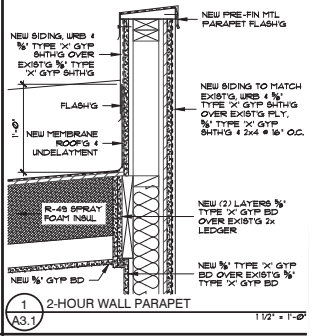
A SECTION

1/4" = 1'-0"



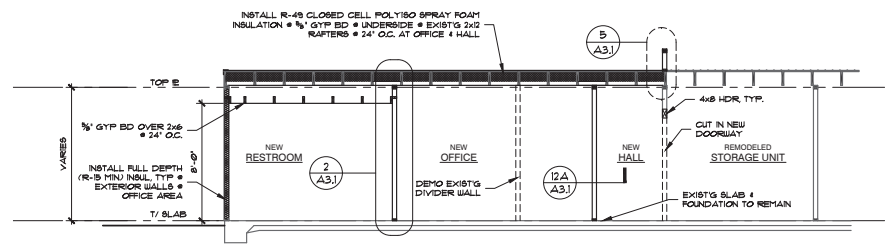
5 NEW WALL PARAPET

1/12" = 1'-0"



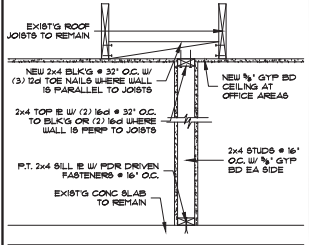
1 2-HOUR WALL PARAPET

1/12" = 1'-0"



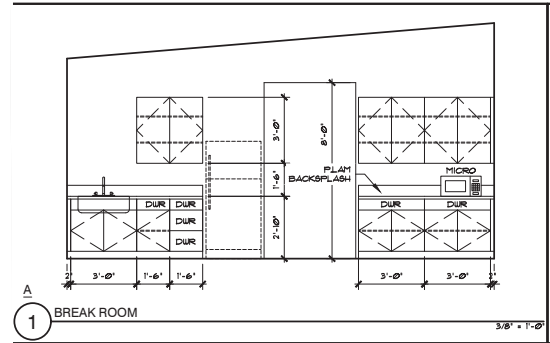
B SECTION

1/4" = 1'-0"



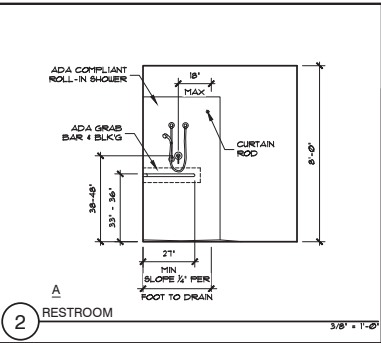
2 TYPICAL NEW PARTITION WALL

1" = 1'-0"



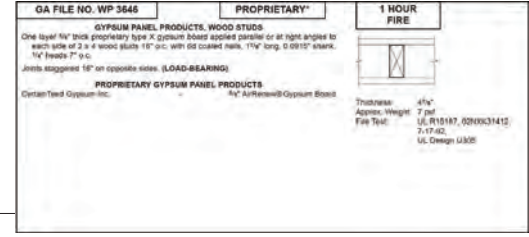
1 BREAK ROOM

3/8" = 1'-0"

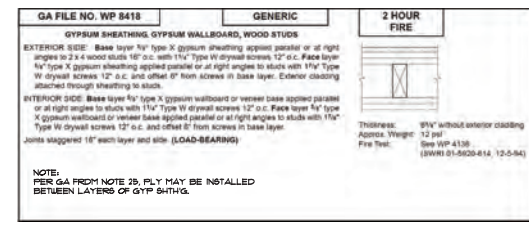


2 RESTROOM

3/8" = 1'-0"



A INTERIOR WALL (VOLUNTARY AS DESIRED BY OWNER)



B EXTERIOR WALL

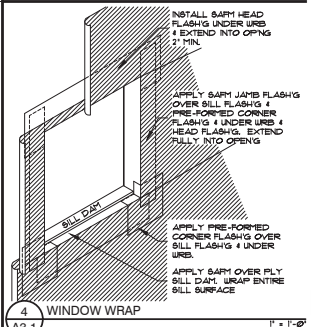
12 FIRE RESISTANCE ASSEMBLIES

A3.1

1" = 1'-0"

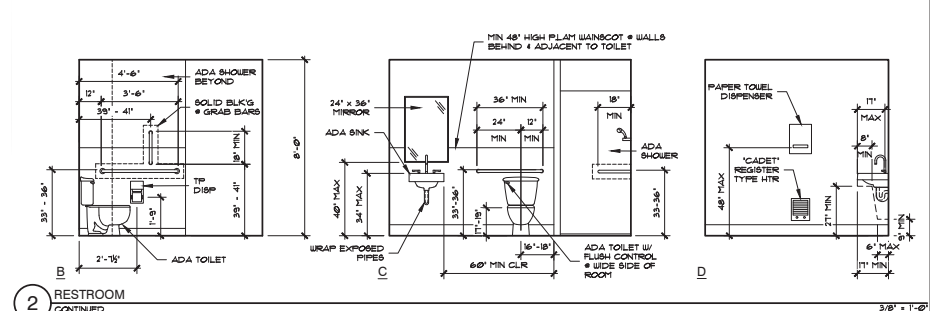
3 NEW STEM WALL

A3.1



4 WINDOW WRAP

A3.1



2 RESTROOM CONTINUED

3/8" = 1'-0"

1" = 1'-0"



CITY OF MILWAUKIE
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503.786.7600
 planning@milwaukieoregon.gov
 building@milwaukieoregon.gov
 engineering@milwaukieoregon.gov

Preapplication Conference Report

Project ID: 20-004PA

This report is provided as a follow-up to the meeting that was held on 6/4/2020 at 10:00 AM

The Milwaukie Municipal Code is available here: www.qcode.us/codes/milwaukie/

APPLICANT AND PROJECT INFORMATION

Applicant:	Patrick Shaw	Applicant Role: Owner
Applicant Address:	8935 SE Stanley Pl	
Company:	Ruffin Construction	
Project Name:	N/A	
Project Address:	5803 SE Johnson Creek Blvd	Zone: Manufacturing (M)
Project Description:	Convert storage spaces into small office with two bathrooms	
Current Use:	N/A	
Applicants Present:	Patrick Shaw	
Staff Present:	Brett Kelter, Associate Planner; Dalton Vodden, Associate Engineer	

PLANNING COMMENTS

Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	In the Manufacturing (M) zone, mini-storage facilities and residential dwellings are not allowed uses; construction-related bases of operation are permitted. The existing mini-storage facility and associated residential dwelling are nonconforming uses that have been established at the site for a long time. MMC Subsection 19.804.1 establishes a review process for making changes to nonconforming uses, including moving, altering, or intensifying the use. Planning staff has determined that the proposal to convert some existing storage units to office space, and then to repurpose some of the existing office space within the residential dwelling for residential use, does represent a move or alteration of the existing nonconforming uses that therefore warrants land use review.
<input checked="" type="checkbox"/>	Dimensional Standards	The development standards for the M zone are provided in MMC Subsection 19.309.6. The applicant has not proposed any exterior physical changes to any of the existing structures that would affect the building footprint (only adding doors and/or windows).

Land Use Review Process

<input checked="" type="checkbox"/>	Applications Needed	The proposal to convert existing mini-storage space into a small office and to allow the existing office space within the residential structure to be put to residential use requires a
-------------------------------------	----------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		Nonconforming Use application, with Type III review and a public hearing with the Planning Commission.
<input checked="" type="checkbox"/>	Review Type	<ul style="list-style-type: none"> • Conditional Use = Type III
<input checked="" type="checkbox"/>	Fees	<ul style="list-style-type: none"> • Type III application = \$2,000
<input checked="" type="checkbox"/>	Application Process	<p>The applicant should submit a complete electronic copy of all application materials for the City's initial review. Due to the COVID pandemic, hard copies of materials are not currently desired. A determination of the application's completeness will be issued within 30 days.</p> <p>Once the application is deemed complete, a public hearing with the Planning Commission will be scheduled. As long as measures remain in place to address the COVID pandemic, the public hearing will be conducted online. Public notice will be sent to property owners and current residents within 300 ft of the subject property no later than 20 days prior to the hearing date. At least 14 days before the hearing, a sign giving notice of the application must be posted on the subject property, to remain until the decision is issued. Staff will prepare a report with analysis of the proposal and a recommendation for decision that will be made available one week before the hearing. Both staff and the applicant will have the opportunity to make presentations at the hearing, followed by public testimony and then deliberation by the Commission.</p> <p>Issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. Development permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.</p>
Overlay Zones (MMC 19.400)		
<input type="checkbox"/>	Willamette Greenway	
<input checked="" type="checkbox"/>	Natural Resources	<p>An intermittent stream feature runs under the northern portion of the property, though it does not qualify as an actual Water Quality Resource (WQR). However, the presence of the stream does present some riparian habitat north of the existing mini-storage facility that qualifies as Habitat Conservation Area (HCA), although the City's Natural Resources administrative map has not been officially adjusted to show any HCA on the site. Regardless, the proposed activity would not expand the footprint of any existing structures and would not trigger any review under the Natural Resources section of the code.</p>
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	
Site Improvements/Site Context		
<input checked="" type="checkbox"/>	Landscaping Requirements	<p>A minimum of 15% of the site is required to be landscaped in the Manufacturing. Street trees are required along street frontages and within parking lots to help delineate entrances and provide shade and permeable areas for stormwater runoff.</p> <p>It appears that the minimum landscaping requirement is largely met by the existing landscaped area on the northern portion of the site. That said, given that there is very little landscaping on the main (southern) portion of the site, it would be preferably to minimize the loss of any additional existing landscaped areas, such as for new off-street parking.</p>
<input checked="" type="checkbox"/>	Onsite Pedestrian/Bike Improvements (MMC 19.504, 19.606, and 19.609)	<p>The mini-storage site is currently nonconforming with respect to the bicycle parking standards of MMC Section 19.609. If there is an opportunity to install at least one bike rack somewhere on the site without impacting existing landscaping, staff would encourage it.</p>
<input type="checkbox"/>	Connectivity to surrounding properties	

<input type="checkbox"/>	Circulation	
<input checked="" type="checkbox"/>	Building Design Standards (MMC 19.505)	No changes are proposed to the footprint of any existing buildings, and the nonresidential development building design standards are only applicable to new manufacturing buildings.
<input type="checkbox"/>	Downtown Design Standards (MMC 19.508)	
Parking Standards (MMC 19.600)		
<input type="checkbox"/>	Residential Off-Street Parking Requirements	
<input checked="" type="checkbox"/>	Multi-Family/Commercial Parking Requirements	<p>For mini-storage uses, a minimum of 1 space per 45 storage units is required, plus 1 space per employee of the largest shift. There are currently approximately 50 storage units and 1 regular employee, so a minimum of 2 off-street parking spaces are required. For perpendicular or 90° spaces, the stalls must be at least 9 ft wide and 18 ft deep, with a 22-ft-wide drive aisle. Perimeter landscaping is required (at least 8 ft wide adjacent to the public right-of-way or 6 ft wide adjacent to other properties, with 1 tree every 30 lineal feet), as is interior landscaping (25 sq ft per space, but with a minimum of 120 sq ft per planting area).</p> <p>Where the existing parking situation is nonconforming with current standards, the code requires an effort to bring the site closer to conformance. In this case, an effort to establish at least two parking spaces on the site (including at least one ADA van parking space and loading area) is recommended. New spaces can be covered if desired, without the need for perimeter landscaping. Note that any new spaces should be arranged with adequate room to maneuver without backing into the public right-of-way on Johnson Creek Blvd.</p>
Approval Criteria (MMC 19.900)		
<input checked="" type="checkbox"/>	Changes to Nonconforming Uses (MMC 19.804)	As per MMC 19.804.1.B, the applicant must demonstrate that the proposed move, alteration, or intensification would result in no more of a detriment to surrounding properties than the existing nonconforming use.
<input type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	
<input checked="" type="checkbox"/>	Development Review (MMC 19.906)	A Development Review application, subject to Type I review (\$200 application fee) may be required in conjunction with the review of any necessary development permits, to confirm compliance with any conditions of approval and/or parking improvements.
<input type="checkbox"/>	Variance (MMC 19.911)	
Land Division (MMC Title 17)		
<input type="checkbox"/>	Design Standards	
<input type="checkbox"/>	Preliminary Plat Requirements	
<input type="checkbox"/>	Final Plat Requirements (See Engineering Section of this Report)	
Sign Code Compliance (MMC Title 14)		
<input type="checkbox"/>	Sign Requirements	

Noise (MMC Title 16)		
<input type="checkbox"/>	Noise Mitigation (MMC 16.24)	
Neighborhood District Associations		
<input checked="" type="checkbox"/>	Lewelling	Prior to submitting the application, the applicant is encouraged (but not required) to present the project at a regular meeting of the relevant Neighborhood District Association (NDA), in this case the Lewelling NDA.
	Choose an item.	
	Choose an item.	<u>Lewelling NDA Chair</u> Stephan Lashbrook drampa82@gmail.com Regular meeting—second Wednesdays, 6:30pm (online)
Other Permits/Registration		
<input type="checkbox"/>	Business Registration	
<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)	
Additional Planning Notes		
ENGINEERING & PUBLIC WORKS COMMENTS		
Public Facility Improvements (MMC 19.700)		
<input checked="" type="checkbox"/>	Applicability (MMC 19.702)	Chapter 19.700 of the Milwaukie Municipal Code, herein referred to the "Code", applies to partitions, subdivisions, new construction and modification and or expansions of existing structures or uses that produce a projected increase in vehicle trips. The proposed activity would not result in any change in vehicle trips and does not trigger the applicability of MMC 19.700.
<input type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	
<input checked="" type="checkbox"/>	Transportation Impact Study (MMC 19.704)	No transportation impact study is required.
<input type="checkbox"/>	Agency Notification (MMC 19.707)	
<input type="checkbox"/>	Transportation Requirements (MMC 19.708)	
<input type="checkbox"/>	Utility Requirements (MMC 19.709)	
Flood Hazard Area (MMC 18)		
<input type="checkbox"/>	Development Permit (MMC 18.04.100)	

<input type="checkbox"/>	General Standards (MMC 18.04.150)	
<input type="checkbox"/>	Specific Standards (MMC 18.04.160)	
<input type="checkbox"/>	Floodways (MMC 18.04.170)	
Environmental Protection (MMC 16)		
<input type="checkbox"/>	Weak Foundation Soils (MMC 16.16)	
<input type="checkbox"/>	Erosion Control (MMC 16.28)	
<input type="checkbox"/>	Tree Cutting (MMC 16.32)	
Public Services (MMC 13)		
<input type="checkbox"/>	Water System (MMC 13.04)	
<input checked="" type="checkbox"/>	Sewer System (MMC 13.12)	The subject property is not currently connected to the City's sewer system. Installation of new bathrooms at the site will require a sewer connection. Payment of the required Northeast Sewer Extension (NESE) district reimbursement fee may be made in full at any time or can continue on the applicant's current payment plan.
<input type="checkbox"/>	Stormwater Management (MMC 13.14)	
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	The installation of new plumbing fixtures triggers the requirement to pay associated system development charges (SDCs), which will be collected in conjunction with the associated permits. The estimated required SDCs based on the current Fee Schedule are noted below: Milwaukie Wastewater SDC: \$75.82 per drainage fixture unit (to be confirmed with the applicant's final permit submittal)
<input type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	
Public Places (MMC 12)		
<input type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	
<input checked="" type="checkbox"/>	Access Requirements (MMC 12.16.040)	Backing into the public right-of-way is prohibited.
<input type="checkbox"/>	Clear Vision (MMC 12.24)	
Additional Engineering & Public Works Notes		

BUILDING COMMENTS

All drawings must be submitted electronically through www.buildingpermits.oregon.gov

New buildings or remodels shall meet all the provisions of the current applicable Oregon Building Codes. All State adopted building codes can be found online at: <https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx>.

All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at www.buildingpermits.oregon.gov. Each permit type and subpermit type are separate permits and will need to be applied for individually. Plans need to be uploaded to their specific permits in PDF format as a total plan set (not individual pages) if size allows.

Note: Plumbing and electrical plan reviews (when required) are done off site so two (2) paper copies will be required for those reviews only. Paper copies should be delivered to our office for processing.

Site utilities require a separate plumbing permit. This permit will require plumbing plan review so two (2) paper copies will be required for this review. Paper copies should be delivered to the Building Division office for processing. The grading plan submitted to the Engineering Department does not cover this review.

If you have any building related questions, please email us at building@milwaukieoregon.gov.

Additional Building Notes

N/A

OTHER FEES

<input type="checkbox"/>	Construction Excise Tax Affordable Housing CET – Applies to any project with a construction value of over 100,000.	Calculation: Valuation *12% (.12)
<input type="checkbox"/>	Metro Excise Tax Metro – Applies to any project with a construction value of over \$100,000.	Calculation: Valuation *.12% (.0012)
<input type="checkbox"/>	School Excise Tax School CET – Applies to any new square footage.	Calculation: Commercial = \$0.67 a square foot, Residential = \$1.35 a square foot (not including garages)

FIRE DISTRICT COMMENTS

Matt Amos, Fire Inspector for Clackamas Fire District 1 has indicated that the district has no comments for this proposal.

COORDINATION WITH OTHER AGENCIES

Applicant must communicate directly with outside agencies. These may include the following:

- Metro
- Trimet
- North Clackamas School District
- North Clackamas Parks and Recreation District (NCPRD)
- Oregon Parks and Recreation
- ODOT/ODOT Rail
- Department of State Lands

- Oregon Marine Board
- Oregon Department of Fish and Wildlife (ODOT)
- State Historic Preservation Office
- Clackamas County Transportation and Development

MISCELLANEOUS

State or County Approvals Needed

<input type="checkbox"/>	Boiler Approval (State)	
<input type="checkbox"/>	Elevator Approval (State)	
<input type="checkbox"/>	Health Department Approval (County)	

Arts Tax

<input type="checkbox"/>	Neighborhood Office Permit	
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Other Right-of-Way Permits

<input type="checkbox"/>	Major:	
<input type="checkbox"/>	Minor:	
<input type="checkbox"/>	Painted Intersection Program Permits:	
<input type="checkbox"/>	artMOB Application	
<input type="checkbox"/>	Traffic Control Plan (Engineering)	
<input type="checkbox"/>	Parklet:	
<input type="checkbox"/>	Parklet Application/ Planning Approval	
<input type="checkbox"/>	Engineering Approval	
<input type="checkbox"/>	Building Approval	
<input type="checkbox"/>	Sidewalk Café:	
<input type="checkbox"/>	Tree Removal Permit:	

Infrastructure/Utilities

Applicant must communicate directly with utility providers. These may include the following:

- PGE
- NW Natural
- Clackamas River Water (CRW)
- Telecomm (Comcast, Century Link)
- Water Environmental Services (WES)
- Garbage Collection (Waste Management, Hoodview Disposal and Recycling)

Economic Development/Incentives

<input type="checkbox"/>	Enterprise Zone:	
<input type="checkbox"/>	Vertical Housing Tax Credit:	
<input type="checkbox"/>	New Market Tax Credits:	
<input type="checkbox"/>	Housing Resources:	

PLEASE SEE NOTE AND CONTACT INFORMATION ON THE FOLLOWING PAGE

This preliminary preapplication conference information is based only on the applicant's proposal, and does not cover all possible development scenarios. Other requirements may be added after an applicant submits land use applications or building permits. City policies and code requirements are subject to change. If a note in this report contradicts the Milwaukie Municipal Code, the MMC supersedes the note. If you have any questions, please contact the City staff that attended the conference (listed on Page 1). Contact numbers for these staff are City staff listed at the end of the report.

Sincerely,

City of Milwaukie Development Review Team

BUILDING DEPARTMENT

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Stephanie Marcinkiewicz	Inspector/Plans Examiner	503-786-7636

ENGINEERING DEPARTMENT

Steve Adams	City Engineer	503-786-7605
Dalton Vodden	Associate Engineer	503-786-7617

PLANNING DEPARTMENT

Dennis Egnor	Planning Director	503-786-7654
Vera Koliass	Senior Planner	503-786-7653
Brett Kolver	Associate Planner	503-786-7657
Mary Heberling	Assistant Planner	503-786-7658

COMMUNITY DEVELOPMENT DEPARTMENT

Leila Aman	Community Development Director	503-786-7616
Alison Wicks	Development Programs Manager	503-786-7661
Alicia Martin	Administrative Specialist II	503-786-7600
Tempest Blanchard	Administrative Specialist II	503-786-7600
Dan Harris	Administrative Specialist II	503-786-7600

CLACKAMAS FIRE DISTRICT

Mike Boumann	Lieutenant Deputy Fire Marshal	503-742-2673
Izak Hamilton	Fire Inspector	503-742-2660