



# CITY OF MILWAUKIE

**To:** CPIC  
**From:** Project Team  
**Date:** June 10, 2021  
**Subject:** CPIC Meeting #9

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Hello Milwaukie Comprehensive Plan Implementation Committee members,

Thank you in advance for preparing for this Comprehensive Plan Implementation Committee (CPIC) Meeting. The ninth CPIC meeting is scheduled for June 17th, from 6 – 9 PM. Important Note: Due to public health concerns, this meeting will be held entirely over Zoom. Please do not plan to attend this meeting in person. City staff will send an email to you with your individual Zoom panelist link. Please log in to the meeting approximately 15 minutes early to avoid any potential technology issues.

Please review the information provided in this packet thoroughly in advance of the meeting. We will have a full agenda and look forward to receiving your guidance on these topics. Additionally, it may be helpful to keep a copy of this packet close by in the event that technology does not cooperate as we intend. We will reference packet page numbers when we are discussing specific items.

### **Request for Review and Comment on Meeting Packet Materials**

In the spirit of working quickly and efficiently to meet our project deadlines, careful review of meeting packet materials is essential. It is expected that CPIC members come to each meeting prepared having read the materials and ready to discuss each topic in detail.

The primary objectives for CPIC #9 are to:

1. Review key amendments in the draft code for DLCD grant submittal
2. Discuss floor area ratio (FAR) and development capacity standards
3. Review and discuss the code adoption process and next steps
4. Opportunity for open discussion

**CPIC Meeting Packet #9 Materials List**

<b>Number</b>	<b>Packet Item</b>
1	Agenda (this document)
2	Attachment A: Table of amendments
3	Attachment B: Development Capacity memo
4	Attachment C: Code Adoption Process spreadsheet

If you have any questions on the materials in this packet, please feel free to contact me via phone or email, my information is listed below. We are grateful for your participation in this important work.

Thank you,

Vera Kolas, Senior Planner  
kolasv@milwaukieoregon.gov  
503-786-7653

### Milwaukie Community Vision

*In 2040, Milwaukie is a flourishing city that is entirely equitable, delightfully livable, and completely sustainable. It is a safe and welcoming community whose residents enjoy secure and meaningful work, a comprehensive educational system, and affordable housing. A complete network of sidewalks, bike lanes, and paths along with well-maintained streets and a robust transit system connect our neighborhood centers. Art and creativity are woven into the fabric of the city.*

*Milwaukie's neighborhoods are the centers of daily life, with each containing amenities and community-minded local businesses that meet residents' needs. Our industrial areas are magnets for innovation, and models for environmentally-sensitive manufacturing and high wage jobs.*

*Our residents can easily access the training and education needed to win those jobs. Milwaukie nurtures a verdant canopy of beneficial trees, promotes sustainable development, and is a net-zero energy city. The Willamette River, Johnson Creek, and Kellogg Creek are free flowing, and accessible. Their ecosystems are protected by a robust stormwater treatment system and enhanced by appropriate riparian vegetation. Milwaukie is a resilient community, adaptive to the realities of a changing climate, and prepared for emergencies, such as the Cascadia Event.*

*Milwaukie's government is transparent and accessible, and is committed to promoting tolerance and inclusion and eliminating disparities. It strongly encourages engagement and participation by all and nurtures a deep sense of community through celebrations and collective action. Residents have the resources necessary to access the help they need. In this great city, we strive to reach our full potential in the areas of education, environmental stewardship, commerce, culture, and recreation; and are proud to call it home.*

### Comprehensive Plan Implementation Committee Charge

The CPIC will support the City by helping to involve a variety of different stakeholders in the decision-making process, offering feedback on a code audit and draft code concepts and ensuring that the diverse interests of the Milwaukie community are reflected in the code and map amendments.

The CPIC are the primary liaisons to the Milwaukie community, and are expected to provide feedback on public involvement efforts, code concepts and amendments, and advance recommendations to the Planning Commission and City Council.

The CPIC will interact with City of Milwaukie staff, particularly the Planning Division and its consultant team. The CPIC will meet monthly throughout the code amendment process, with adoption of the final code package plan targeted for early Summer 2021. Subcommittees may also be established to work on specific tasks and will hold meetings as necessary. CPIC members are also encouraged to help facilitate meetings with their neighborhood district associations and other community organizations. The CPIC is encouraged to promote opportunities for public involvement, disperse information to the Milwaukie community, and solicit feedback concerning the Comprehensive Plan Implementation project.

## MILWAUKIE COMPREHENSIVE PLAN IMPLEMENTATION | ATTENDEES

### **CPIC Members**

Joel Bergman  
Micah Meskel  
Nicole Zdeb  
Renee Moog  
Sharon Johnson  
Celestina DiMauro  
Daniel Eisenbeis  
Matthew Bibeau  
Stephan Lashbrook  
Ada Gonzalez  
Dominique Rossi  
Eugene Zaharie  
Jennifer Dillan  
Councilor Lisa Batey – City Council Liaison  
Joseph Edge – Planning Commission Liaison

### **City Staff**

Vera Kalias, Senior Planner  
Laura Weigel, Planning Manager  
Mary Heberling, Assistant Planner  
Peter Passarelli, Public Works Director  
Natalie Rogers, Climate Action and Sustainability Coordinator

### **Consultant Team**

Marcy McInelly, Urbsworks, Inc.  
Kimi Sloop, Barney and Worth, Inc.  
Keith Liden, Land Use Planner  
Rick Williams, Rick Williams Consulting  
Todd Prager, Teragan

**Milwaukee Comprehensive Plan Implementation Committee Virtual Meeting (CPIC #9)**

**June 17, 2021; 6:00 pm – 9:00 pm**

By Zoom Web Conference

This meeting will be recorded and posted to the city website.

<b>Comprehensive Plan Implementation Committee Meeting #8 - Agenda</b>		
<b>Time</b>	<b>Topic</b>	<b>Who</b>
5:45 – 6:00 pm	Login to Webinar and Conference Line	CPIC members
15 minutes 6:00 – 6:15 pm	Welcome <ul style="list-style-type: none"> <li>• Overview of Process – where we are, where we are going</li> </ul>	Vera Kolias
45 minutes 6:15 – 6:55pm	Proposed code amendments <ul style="list-style-type: none"> <li>• Relationship to comp plan</li> </ul>	Marcy McNelly
45 minutes 6:55 – 7:40 pm	FAR and Development Capacity	Marcy McNelly
20 minutes 7:40 – 8:00 pm	Next Steps <ul style="list-style-type: none"> <li>• Draft adoption process</li> <li>• CPIC role</li> </ul>	Vera Kolias
30 minutes 8:00 – 8:30pm	Open discussion	CPIC
15 minutes 8:30 – 8:45 pm	Public comment period	Public
5 minutes 8:45 – 8:50 pm	Wrap up	Vera Kolias
9:00 pm	Adjourn	Vera Kolias

**Date:** 08 June 2021  
**Subject:** Milwaukie Comprehensive Plan Implementation – Summary of amendments  
**To:** City of Milwaukie Project Management Team  
**From:** Marcy McInnelly AIA, Urbsworks, Inc.

## SUMMARY OF PROPOSED AMENDMENTS

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**Table 1: Proposed Amendments– Summary Table**

Proposed Amendments	HB2001
<b>Comprehensive Plan, related to housing types</b>	
This set of amendments updates the Comprehensive Plan land use map and designations to permit a broader range of housing types for a broader range of incomes. These updates reflect changes to Title 19 below. <i>Addresses Comprehensive Plan and House Bill 2001.</i>	
Amend Land Use Map to consolidate residential land use designations in to two new zones (Moderate Density and High Density)	X
Amend Land Use Designations to reflect changes to permitted housing types and density ranges in Title 19	X
<b>Title 16 related to tree code</b>	
This set of amendments cleans up Title 16 language and updates desired tree types to meet policy goals of improving ecological function and creating multi-level, uneven-aged canopy. <i>Addresses Comprehensive Plan and Urban Forestry Management Plan.</i>	
Update Title 16 Environment with greater differentiation of tree types (conifers, wide-canopied broadleaf, narrow-canopy broadleaf)	
Update Chapter 16.32 with new tree code regulating trees on private property, zoned residential	
<b>Title 19, related to housing types</b>	
These amendments simplify existing residential zones, permit a broader range of middle housing types, and remove certain development standards and approval standards for middle housing types so they are subject to the same level of review currently used for single dwellings. These updates meet policy goals of increasing housing that is affordable at a range of income levels citywide and clean up existing code language. <i>Addresses Comprehensive Plan, Housing Affordability Strategy, and House Bill 2001.</i>	
Amend zone classifications and zoning map to consolidate existing residential zones in to two new zones (R-1, R-2)	X
Amend definitions of housing types to permit new forms of middle housing and represent number of units on lots based on lot size	X
Amend base residential zones, permitted uses, and development standards to permit middle housing	X

Amend requirement to permit 3,000 SF lot for detached single dwelling and duplex	X
Remove allowances for encroachments into side yard height plane to limit the size of single detached dwellings	
Amend restriction permitting only one dwelling per lot	X
Amend single detached dwelling and duplex building design standards to include triplexes and quadplexes	X
Amend development standards with FAR or other form based approach tools to define maximum development capacity	
Amend design standards for ADUs to be clear and objective (same as single dwellings currently)	
Remove cottage cluster standards and implement new cottage cluster code development and design standards.	X
Amend current rowhouse standards	X
Remove minimum structure size for manufactured homes to treat same as single dwellings currently	
Amend review type for ADUs and Duplexes to allow out right (same as single dwellings currently)	X
<b>Title 19, related to tree code</b>	
<p>This set of amendments updates plant types to meet policy goals for greater forest diversity and more native and climate-resilient species. Amendments ensure consistency with new draft tree code and clean up existing code language.</p> <p><i>Addresses Comprehensive Plan and Urban Forestry Management Plan.</i></p>	
Update native vegetation and native plant definitions to be consistent with new tree code	
Amend "Vegetation Buffer Requirements" in Willamette Greenway Overlay Zone to be consistent with new tree code	
Update "Native Plant List" referenced in Natural Resource Overlay Zone to include other vegetation types and nuisance/prohibited plants	
<b>Title 19, related to parking</b>	
<p>This set of amendments clarifies locations for on-site parking, lowers the minimum number of on-site parking spaces required for each dwelling unit, and modifies code language to allow for flexible approaches to parking. Reducing the requirement for parking on-site can reduce the cost of housing and decrease impervious surfaces.</p> <p><i>Addresses Comprehensive Plan and House Bill 2001.</i></p>	
Amend minimum on-site parking requirements to one space per dwelling unit	X
Remove standard for location of off-street parking space precluding it be located within front setback or within 15 feet of front lot line or within side setback	

**Date:** 10 June 2021  
**Subject:** Milwaukie Comprehensive Plan Implementation  
**To:** Vera Koliass, City of Milwaukie / forward to CPIC members  
**From:** Marcy McInnelly AIA, Urbsworks, Inc.

## DEVELOPMENT CAPACITY DISCUSSION

In the February CPIC #5 meeting, a number of Code Concepts were proposed to apply **form based approaches** to residential zoning. A stated goal of the Comprehensive Plan Implementation project is a zoning code that focuses on the shape and size of housing, while regulating the uses within the building or buildings less.

A form based approach for middle housing would allow one, two, three, or four dwellings inside a structure or on a lot, as long as the shape and size of the structure is similar to the shape and size of typical houses or pre-existing houses.

Most cities limit the shape and size of a house using these zoning tools:

- **Setbacks** limit how close to the edge of the neighboring property line a house can be built.
- **Maximum height** limits the height of a structure to the highest point of the roof. This limits the number of floors in a house. A 35-foot height limit typically allows about two-and-a-half stories, for example.
- **Maximum lot coverage** limits how much of the lot can be covered by a house. is usually represented as a percentage of the property.
- **Minimum lot size** sets a threshold for the minimum size that a property must be for the tools or regulations above to apply.

The City of Milwaukie already uses all of these tools. In addition, the City applies an additional tool to sculpt the upper portions of a house and prevent upper floors from being too close to the neighboring property. This regulation is called the "Side Yard Height Plane."

When applied together, these zoning tools define a three-dimensional shape that equals the maximum amount of house that a person could build on their property. In CPIC presentations, these dimensions have been represented in graphics called the "jello mold." These graphics are intended to help committee members "see" the maximum volume of a house that is allowed on a property based on the zoning tools described above. This jello mold area has also been referred to as "development capacity."

The first thing that people notice is how much bigger the jello mold is when compared with a typical pre-existing house in Milwaukie. That is because very few homes take advantage of the maximum volume or development capacity allowed by current zoning. People are concerned that when multiple units are allowed on a lot, larger structures may be built to take advantage of the maximum development capacity.

At the next CPIC meeting, we would like to discuss the issues described above, hear people's concerns, and discuss possible solutions.

A preliminary list of possible solutions includes:

- Adjust existing tools to further limit maximum development capacity:
  - **More restrictive side yard height plane**
  - **More restrictive lot coverage** (e.g. reduced maximum lot coverage)



- New tools for consideration are:
  - Establish a **maximum development capacity**, or a maximum amount of floor area or square footage that is allowed to be built on a property. No matter how many dwellings units or structures are built on a site, they would not be able to exceed the maximum development capacity. Setbacks, height limitations, and possibly lot coverage limitations would still apply.
  - **Floor Area Ratio** limits, which set the maximum of floor area of a structure in relationship to the lot size (lot square footage); usually expressed as a ratio and is commonly referred to by its acronym, FAR.
  - Establish a **maximum development capacity (or an FAR)**, but make it adjustable in exchange for housing that meets Comprehensive Plan goals. For example, the maximum development capacity that applies to a single dwelling would be reduced from what it is today, but might be slightly increased for two, three, or four dwelling units. The development capacity increase would incentivize the creation of more small-scale housing, more housing choices, and more affordable housing—all objectives of the Comprehensive Plan.

