



CITY OF MILWAUKIE

July 11, 2024

Land Use File(s): DR-2024-002 (primary),
with CSU-2024-004, WG-2024-001, NR-2024-002

NOTICE OF DECISION

This is official notice of action taken by the Milwaukie Planning Commission on July 9, 2024.

Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email espanol@milwaukieoregon.gov.

Applicant(s):	Clackamas Water Environment Services (WES)
Location(s):	11525 SE McLoughlin Blvd
Tax Lot(s):	1S1E35AD, lots 1500 & 1600 and 1S1E35DA, lots 100, 200, & 201
Application Type(s):	Downtown design review, minor modification to community service use, Willamette Greenway review, natural resource review
Decision:	Approved with Conditions
Review Criteria:	Milwaukie Municipal Code (MMC): <ul style="list-style-type: none">• MMC Chapter 12.16 Access Management• MMC Title 18 Flood Hazard Regulations• MMC Section 19.304 Downtown Zones (including Downtown Mixed Use, DMU)• MMC Section 19.401 Willamette Greenway Zone• MMC Section 19.402 Natural Resources• MMC Section 19.508 Downtown Site and Building Design Standards• MMC Chapter 19.600 Off-Street Parking and Loading• MMC Chapter 19.700 Public Facility Improvements• MMC Section 19.804 Alteration of Nonconforming Uses and Development• MMC Section 19.904 Community Service Uses• MMC Section 19.905 Conditional Uses• MMC Section 19.907 Downtown Design Review• MMC Section 19.1006 Type III Review

Appeal period closes: 5:00 p.m., July 26, 2024

This notice is issued in accordance with Milwaukie Municipal Code (MMC) Section 19.1006 Type III Review. The complete case file for this application is available for review by appointment between 8:00 a.m. and 5:00 p.m. on regular business days at the Planning Department, City Hall, 10501 SE Main St. Please contact Brett Kelter, Senior Planner, at 503-786-7657 or kelterb@milwaukieoregon.gov, if you wish to view this case file or visit the project webpage at www.milwaukieoregon.gov/planning/dr-2024-002.

This decision may be appealed by 5:00 p.m. on July 26, 2024, which is 15 days from the date of this decision.¹ (Note: Please arrive by 4:45 p.m. for appeal payment processing.) Only persons who submitted comments or made an appearance of record at the public hearing have standing to appeal the decision by filing a written appeal. An appeal of this decision would be heard by the Milwaukie City Council following the procedures of MMC Section 19.1010 Appeals. This decision will become final on the date above if no appeal is filed during the appeal period. Milwaukie Planning staff can provide information regarding forms, fees, and the appeal process at 503-786-7630 or planning@milwaukieoregon.gov.

Per MMC Subsection 19.1001.7.E, this land use approval expires unless the applicant has: (1) obtained and paid for all necessary development permits and started construction within two years of land use approval, and (2) passed final inspection and/or obtained a certificate of occupancy within four years of land use approval. Extensions can be granted per MMC Section 19.908.

Findings in Support of Approval

The Findings for this application are included as Exhibit 1.

Conditions of Approval

1. The final plans submitted for development permit review for the approved development must be in substantial conformance with plans approved by this action, which are the plans received by the City on May 3, 2024, with revisions to the planting plans received on June 4, 2024, except as otherwise modified by these conditions.
2. In conjunction with the submittal of development permit applications, and prior to the issuance of permits and commencement of development activity on the site, the applicant must do the following:
 - a. As per Finding 8-d, provide a vegetation buffer plan that addresses the issues outlined in MMC Subsection 19.401.8.B, including riverbank stabilization, scenic view protection, retention of existing native vegetation and large trees, restoration of native vegetation, and general enhancement of the buffer area. The plan should confirm the location of any trees being removed from within the Willamette Greenway vegetation buffer area.

¹ As per MMC Section 19.1010, if the 15th day falls on a weekend or legal holiday, the end of the appeal period shall be extended to the end of the next business day.

- b. As per Finding 9-b-1, provide a report from a certified arborist confirming that the two dogwood trees proposed for removal are dead, diseased or dying and cannot be saved.
- c. As per Finding 9-c, provide a construction management plan that includes the applicable required information outlined in MMC Subsection 19.402.9.
- d. As per Finding 11-c, revise the plans to show a minimum of two (2) bicycle parking spaces that meet the applicable design standards of MMC 19.609. The rack used must be designed so that the bicycle frame and one wheel can be locked to a rigid portion of the rack with a U-shaped shackle lock when both wheels are left on the bicycle. A horizontal (ground-mounted) rack must support the bicycle at two points, including the frame. The rack must be installed to meet the applicable bicycle parking space dimensional standards of MMC Section 19.609 and should be located within 50 to 100 ft of the main entrance(s) of the building(s) where installed. The new bicycle parking must be installed prior to final inspection and occupancy of the approved development.

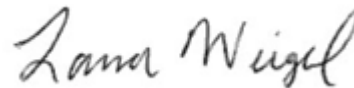
Other requirements

1. Survival of mitigation plantings

As per MMC Subsection 19.402.11.B.9, a minimum of 80% of the trees and shrubs planted as mitigation must remain alive on the second anniversary of the date that the planting is completed. Monitoring of the mitigation site is the ongoing responsibility of the property owner. Plants that die must be replaced in kind as needed to ensure the minimum 80% survival rate. The Planning Manager may require a maintenance bond to cover the continued health and survival of all plantings. An annual report on the survival rate of all plantings must be submitted for two years.

Decision

- Approved
 Approved with Conditions
 Denied



Laura Weigel, AICP
Planning Manager

Exhibits

1. Findings in Support of Approval

- cc: Nathan Seaver, WES, applicant (via email)
Shem Harding, Deca Architecture, applicant's representative (via email)
Lynne Chicoine, WES, applicant team (via email)

Planning Commission (via email)

Joseph Briglio, Community Development Director (via email)

Jennifer Garbely, City Engineer (via email)

Engineering Development Review (via email)

Patrick McLeod, Building Official (via email)

Stephanie Marcinkiewicz, Inspector/Plans Examiner (via email)

Harmony Drake, Permit Coordinator (via email)

Shawn Olson, Fire Marshal, Clackamas Fire District #1 (via email)

NDA(s): Island Station , Historic Milwaukie (via email)

Interested Persons

Land Use File(s): DR-2024-002 (primary file)

Address File(s): 11525 SE McLoughlin Blvd

EXHIBIT 1
Findings in Support of Approval
Primary File #DR-2024-002
WES Administration Building Expansion

Sections of the Milwaukie Municipal Code not addressed in these findings are found to be inapplicable to the decision on this application.

1. The applicant, Clackamas Water Environment Services (WES), has applied for approval to construct an addition to the existing administration building (admin building) on the campus of the Kellogg Creek Water Resource Recovery Facility (wastewater treatment plant) located at 11525 SE McLoughlin Blvd. The developed portion of the site is zoned Downtown Mixed Use (DMU), with the area between the plant and the Willamette River and Island Station neighborhood zoned Open Space (OS). The primary land use application file number is DR-2024-002 (downtown design review), with accompanying applications for community service use review, Willamette Greenway review, and natural resources review.
2. The subject property is approximately 10.75 acres (approximately 468,215 sq ft) and is comprised of five tax lots. The site is located southwest of the downtown core, separated from downtown by McLoughlin Boulevard (Highway 99E). An area of just over 6 acres is developed with the wastewater treatment plant facilities—admin building, chemical building, anaerobic digesters, primary and secondary clarifiers, aeration basins, and disinfectors. The remaining acreage is landscaping and an established park area to the west and south of the plant, with a paved multiuse trail extending from near the admin building south along the riverbank to 19th Avenue and the Island Station neighborhood. The admin building is on the northern part of the site, adjacent to the southern entrance to Milwaukie Bay Park and an overflow parking area. The paved Trolley Trail path separates the plant from McLoughlin Boulevard.

The facility was originally developed in 1974 and is recognized as a de facto community service use in the underlying zone. The subject property is within the Willamette Greenway overlay zone, where non-exempt activities require conditional use review. The site includes mapped water quality resource (WQR) and habitat conservation area (HCA) resources, and the admin building is mapped by the Federal Emergency Management Agency (FEMA) as being within the 1% annual chance flood hazard area (100-year floodplain).
3. The existing admin building is 3,600 sq ft; the proposal will add approximately 1,200 sq ft to the east side of the building and approximately 160 sq ft to the west side, reconfiguring the existing conference room, offices, and lab to support current operations. The existing locker rooms and a break room currently housed in the chemical building will be relocated to the admin building. The improvements will provide enhanced workspace for current staff, equitable locker room facilities for men and women, and important structural and code updates for the admin building.

4. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):

- MMC Chapter 12.16 Access Management
- MMC Title 18 Flood Hazard Regulations
- MMC Section 19.304 Downtown Zones (including Downtown Mixed Use, DMU)
- MMC Section 19.401 Willamette Greenway Zone
- MMC Section 19.402 Natural Resources
- MMC Section 19.508 Downtown Site and Building Design Standards
- MMC Chapter 19.600 Off-Street Parking and Loading
- MMC Chapter 19.700 Public Facility Improvements
- MMC Section 19.804 Alteration of Nonconforming Uses and Development
- MMC Section 19.904 Community Service Uses
- MMC Section 19.905 Conditional Uses
- MMC Section 19.907 Downtown Design Review
- MMC Section 19.1006 Type III Review

The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public hearing was held by the Planning Commission on July 9, 2024, as required by law.

5. MMC Chapter 12.16 Access Management

MMC Section 12.16.040 establishes standards for access (driveway) requirements, including access spacing, number and location of accessways, and limitations for access onto arterial and collector streets. New driveways accessing arterial streets must be spaced at least 600 ft from the nearest intersection; the minimum spacing requirement for collector streets is 300 ft. In non-residential districts, driveways must be at least 10 ft from the side property line.

The subject property does not have a public frontage; however, it does have a single existing accessway to McLoughlin Boulevard through the adjacent Trolley Trail parcel. No additional accessways are proposed as part of this development.

The Planning Commission finds that the proposed development is consistent with the applicable standards of MMC 12.16.

6. MMC Title 18 Flood Hazard Regulations

MMC Title 18 provides standards intended to minimize public and private losses due to flood conditions in specific areas. The regulations established in MMC Title 18 do this in part by controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters; controlling filling, grading, dredging, and other development which may increase flood damage; and preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas. As per MMC Section

18.16.030, a floodplain development permit is required prior to any construction or development within the flood management area.

The subject property includes flood hazard and flood management areas as identified on the Flood Insurance Rate Map (FIRM) prepared by FEMA and acknowledged by the City for the purposes of implementing MMC Title 18. Current FEMA mapping shows that the base flood elevation on the subject property is 36.3 ft (NAVD 88), which establishes the regulatory design flood elevation for the subject property as 37.3 ft (one foot above the base flood elevation).

The applicant has provided topographical survey data that shows the admin building the area immediately surrounding it are at an elevation between 38 and 39 ft, which is above the design flood elevation. It appears that the project area is therefore not subject to the flood hazard protection requirements of MMC Title 18 or the need for a floodplain development permit; this will be confirmed in conjunction with the associated building permit review.

The Planning Commission finds that the proposed development's consistency with the applicable standards of MMC Title 18 will be confirmed through the building permit process.

7. MMC Section 19.304 Downtown Zones (including Downtown Mixed Use DMU)

MMC 19.304 establishes standards for the downtown zones, including the Downtown Mixed Use (DMU) zone.

a. MMC Subsection 19.304.2 Uses

MMC 19.304.2 establishes the uses allowed in the DMU zone, including community service uses.

The proposed development is an addition to the admin building serving the wastewater treatment plant, a utility allowed as a community service use within the DMU zone.

This standard is met.

b. MMC Subsections 19.304.4 and 19.304.5 Development Standards and Detailed Development Standards

MMC Table 19.304.4 lists the general categories of development standards for the DMU zone and MMC 19.304.5 provides additional detail for each category.

(1) MMC Subsection 19.304.5.A Floor Area Ratios

Floor area ratio (FAR) is a tool for regulating the intensity of development. The minimum FAR for nonresidential development is established in MMC Table 19.304.4 and Figure 19.304-3 as 0.5:1; the maximum is 6:1.

The proposed development is an addition to an existing single-story administrative office building on a site approximately 10.75 acres in size (468, 215 sq ft). As per the 0.5:1 ratio established in MMC Table 19.304.4.B.1 and Figure 19.304-3, the minimum FAR required for the subject property is 234,108 sq ft. The existing building is approximately 3,600 sq ft, which yields a FAR of 0.015:1, well below the minimum required. The proposed addition will add a total of approximately 1,360 sq ft, resulting in a FAR calculation of 0.02:1. This moves the site closer to compliance with the minimum

standard and does not increase the nonconformity. As discussed in Finding 13, changes to nonconforming development that do not increase or extend the nonconformity are allowed.

This standard is met.

(2) MMC Subsection 19.304.5.B Building Height

MMC Table 19.304.4 establishes the base minimum building height for new buildings as 25 ft, with a base maximum building height of 45 ft specified in MMC Figure 19.304-4 for the majority of downtown. Height bonuses are allowed as per MMC Subsection 19.304.5.B.3.

The proposed development is an addition to an existing building; a new building is not proposed.

This standard is not applicable.

(3) MMC Subsection 19.304.5.C Street Setbacks

MMC 19.304.5.C establishes that no minimum setbacks are required and notes that minimum setbacks are used in conjunction with the site frontage design element in MMC Subsection 19.508.4.A. As per MMC Table 19.304.4, no side or rear setbacks are required.

As discussed in Finding 10, there is no site frontage requirement for the subject property. No setbacks (street, side, or rear) are required.

This standard is met.

(4) MMC Subsection 19.304.5.D Off-Street Parking

MMC 19.304.5.D was established to provide standards for off-street parking downtown, including for vehicles and bicycles.

As discussed in Finding 11, minimum vehicle parking is no longer required, though other off-street parking standards still apply. A condition has been established to ensure that the minimum bicycle parking requirements are met.

As conditioned, this standard is met.

(5) MMC Subsection 19.304.5.E Residential Densities

MMC 19.304.5.E establishes density standards for residential development downtown. For townhouses and live/work units the minimum density is 25 units per acre; there is no maximum density. For stand-alone multiunit dwellings and senior/retirement housing the minimum density is 30 units per acre; maximum densities are effectively controlled by building height limits.

The proposed development is an addition to a nonresidential building.

This standard is not applicable.

As conditioned, the proposed development meets the applicable development standards, including the detailed development standards, of MMC 19.304.4 and 19.304.5.

c. MMC Subsection 19.304.6 Public Area Requirements

The Public Area Requirements (PAR) implement the Downtown and Riverfront Land Use Framework Plan and are intended to ensure a safe, comfortable, contiguous pedestrian-oriented environment as revitalization occurs in downtown. The PAR are defined as improvements within the public ROW and include such features as sidewalks, bicycle lanes, on-street parking, curb extensions, lighting, street furniture, and landscaping. The PAR is implemented through MMC Chapter 19.700 and the Public Works Standards.

As discussed in Finding 12-f, there are no required street improvements for the proposed development.

This standard is met.

d. MMC Subsection 19.304.7 Additional Standards

Depending upon the type of use and development proposed, the standards for general site design (MMC Section 19.504), for general building design (MMC Section 19.505), and/or downtown site and building design (MMC Section 19.508) may apply.

As a nonresidential development in the DMU zone, the proposed development triggers review against the design standards and/or guidelines of MMC 19.508. As discussed in Finding 10, the applicable guidelines of MMC 19.508 are met.

As proposed and discussed elsewhere in these findings, the Planning Commission finds that the applicable standards of the DMU zone are met.

8. MMC Section 19.401 Willamette Greenway Zone

MMC 19.401 establishes standards for the Willamette Greenway overlay designation, which is intended to protect, conserve, enhance, and maintain the natural, scenic, historic, economic, and recreational qualities of lands along the Willamette River and major courses flowing into the Willamette River.

The subject property is entirely within the Willamette Greenway zone as shown on the City's zoning map.

a. MMC Subsection 19.401.3 Limitations on Use

MMC 19.401.3 establishes that, within the Willamette Greenway overlay, all land use actions, any change or intensification of use, and any development permitted in the underlying zone are conditional uses, subject to the provisions of Section 19.905. Commercial, industrial, and residential structures (including residential accessory structures) exceeding 35 ft in height west of McLoughlin Boulevard are prohibited.

The proposed addition to the existing admin building (a commercial-type structure) constitutes a conditional use that is subject to the provisions of MMC 19.905.

b. MMC Subsection 19.401.5 Procedures

MMC 19.401.5 establishes procedures related to proposed uses and activities in the Willamette Greenway zone. MMC Subsection 19.401.5.B lists activities that are exempt from Willamette Greenway review, including changes to the interior of a building or alterations of buildings that do not increase the size or alter the configuration of the building footprint. Development in the Willamette Greenway zone requires conditional use review, subject to the standards of MMC Section 19.905 and in accordance with the approval criteria established in MMC Subsection 19.401.6.

The proposed addition, which will expand the footprint of the existing admin building, constitutes development as defined in MMC Subsection 19.401.4 and is not exempt from Willamette Greenway review. The proposal is subject to the conditional use review standards of MMC 19.905 (discussed in Finding 15) and the approval criteria of MMC 19.401.6.

c. MMC Subsection 19.401.6 Criteria

MMC 19.401.6 establishes the criteria for approving conditional uses in the Willamette Greenway zone.

- (1) Whether the land to be developed has been committed to an urban use, as defined under the State Willamette River Greenway Plan.

The State Willamette River Greenway Plan defines "lands committed to urban use" in part as "those lands upon which the economic, developmental and locational factors have, when considered together, made the use of the property for other than urban purposes inappropriate."

The subject property has been developed with the wastewater treatment plant for fifty years, since 1974. The City's comprehensive plan identifies the plant as an important urban use serving the city, as is the adjacent Milwaukie Bay Park to the north. The applicant continues to invest in maintenance and upgrades to the facility to ensure that the wastewater treatment plant will remain an efficient utility for the foreseeable future. The land is committed to an urban use.

- (2) Compatibility with the scenic, natural, historic, economic, and recreational character of the river.

The proposed addition is modest in size (1,360 sq ft) and will be buffered from McLoughlin Boulevard and the Willamette River with native trees and shrubs. The new plantings enhance the park-like recreational character of the river and maintain the recreational aspects of the greenway. In addition, the glass cladding of the addition minimizes the visual impact of the building and helps it blend with the heavily vegetated aspect of the site.

As proposed, the development is compatible with all relevant aspects of the character of the river.

(3) Protection of views both toward and away from the river.

As described above, the modest size of the proposed addition and its buffered placement minimize any impact the addition might have on views to and from the river. Subtle aspects of the design, such as creating an “open” corner and recessing the glass wall of the addition beneath the existing roofline, help to create a sense of layering and transparency that allow for views through the façade. This also limits the building’s visual impact on the environment, the public park, and the surrounding natural habitat.

As proposed, views both toward and away from the river will remain largely unchanged.

(4) Landscaping, aesthetic enhancement, open space, and vegetation between the activity and the river, to the maximum extent practicable.

A diverse selection of native plantings is proposed between the building and the Willamette River and on the east side of the new addition adjacent to the habitat conservation area (HCA) portion of the site. This helps visually screen the building, minimizes visual impact, and makes the building an even better neighbor to the public park that borders to the north.

(5) Public access to and along the river, to the greatest possible degree, by appropriate legal means.

The proposed addition has no impact on public access to and along the river. Only a very small addition (160 sq ft) is planned for the west façade facing the river, where the building is already screened from the river by other plant infrastructure and existing trees. Most of the addition (1,200 sq ft) is positioned to the east of the building, hidden from the river by the existing building and not blocking public access to the river from the park or McLoughlin Boulevard.

(6) Emphasis on water-oriented and recreational uses.

The proposed addition supports existing water-oriented and recreational uses by creating a pleasing and unobtrusive edge along Milwaukie Bay Park to the north, which is used by the public accessing the river. The proposed addition minimizes impacts to the river-facing façades of the building and is enhanced by new native trees and shrubs.

(7) Maintenance of or increase in views between the Willamette River and downtown.

The proposed addition maintains any existing views through the site between downtown and the Willamette River, as the addition retains the one-story height of the existing building and is stepped back at the northeast corner. Looking from the river toward downtown, the view of most of downtown Milwaukie will remain unchanged as seen from the water.

(8) Protection of the natural environment according to regulations in Section 19.402.

The proposed planting plan has been designed to support the riparian ecology of the greenway zone by the applicant’s natural resource scientist. A mixture of native plants

and shrubs have been selected to help stabilize riparian areas and support the habitat and ecology of the site. The proposed development's compliance with the applicable requirements of MMC 19.402 are addressed in Finding 9.

(9) Conformance to applicable Comprehensive Plan policies.

The **Natural Resources and Environmental Quality element** in the Milwaukie Comprehensive Plan is intended to protect, conserve, and enhance the quality, diversity, quantity, and resiliency of Milwaukie's natural resources and ecosystems. This element features goals and policies related to awareness and education; water quality and resources; flora and fauna habitat; healthy urban forest; sustainable design and development; and air, noise, and light quality. The Natural Resources and Environmental Quality element includes the following relevant adopted policies:

- Require a detailed analysis of how development will avoid impacts to natural resources.
- Regulate floodplains to protect and restore associated natural resources and functions and increase flood storage capacity.
- Protect habitat areas for native and non-invasive naturalized plants and wildlife, considering impacts to habitat connectivity when reviewing development proposals.
- Protect and enhance riparian vegetation.

The proposed development involves minor disturbance to the designated HCA resources on the site. As discussed in Finding 9-d, the proposal includes an address of the nondiscretionary allowance for HCA disturbance and confirmation that the prescribed mitigation plantings will be provided, with a variety of native-species trees and shrubs planted in key areas within the riparian corridor and the remaining HCA on site, improving the stream bank and enhancing tree canopy and shrub cover. As discussed in Finding 6, the proposed development does not fall within the regulatory floodplain.

The **Willamette Greenway element** is intended to protect, conserve, enhance, and maintain the lands and water that comprise the City's portion of the Willamette River Greenway in a manner that recognizes the unique natural, scenic, historical, economic, and recreational qualities that exist along the river. This element features goals and policies related to the greenway boundary, greenway design plan, land use review process, natural resource protection, recreation, public access and view protection, and downtown. The Willamette Greenway element includes the following relevant adopted policies:

- Utilize the Willamette Greenway overlay zone in combination with underlying land use designations to manage uses and implement City objectives for the greenway.

- Protect and conserve natural resources within the greenway, including increasing the tree canopy.
- Evaluate proposals for new development for their effect on visual access to the river and Kellogg Creek from publicly owned land and the public right-of-way.

The subject property is entirely within the Willamette Greenway overlay zone, and the proposed addition requires review against the applicable criteria of MMC 19.401.6 as part of the City's effort to implement its greenway objectives. As noted above, the proposal involves minor disturbance of designated HCA resources and includes a mitigation planting plan that will establish new native-species trees in the riparian corridor and increase the tree canopy on site. As discussed above in Finding 8-c, the proposed development will not have significant impacts on public views of the river.

The **Public Facilities & Services element** is intended to plan, develop, and maintain an orderly and efficient system of public facilities and services to serve urban development. This element features goals and policies related to public facilities, water services, wastewater, stormwater, solid waste, facilities and personnel, local partners, administrative services, and energy and communication services. The Public Facilities & Services element includes the following relevant adopted policies:

- Maintain and enhance levels of public facilities and services to city residents, businesses, and vulnerable populations as urban development or growth occurs.
- Design, upgrade, and maintain systems to ensure that they are sustainable and resilient and utilize best available science and technology.
- Encourage the optimization and improvement of the Kellogg Water Resource Recovery Facility (the sewage treatment plant). Reduce the need for capacity expansion through water conservation and the use of pre-treatment by heavy users.
- Work with plant operators to minimize or eliminate external impacts of the wastewater treatment process by reducing the overall physical footprint of the plant, covering portions of the plant, reducing vehicle trips, eliminating odors, or other viable strategies.

The proposed addition is part of a long-term effort by the applicant to improve and enhance the operation of the wastewater treatment plant. The project will consolidate the currently dispersed breakroom and locker room aspects of the site into the admin building, freeing up space elsewhere on the site and laying the groundwork for future improvements within the existing facility footprint. Future projects will relate more to system and efficiency upgrades that will optimize operations and reduce vehicle trips, and the proposed addition is an important initial step.

- (10) Consistency with applicable plans and programs of the Department of State Lands (DSL).

The proposed activity is not inconsistent with any known plans or programs of DSL. The proposed development does not include excavation or fill below the ordinary high-water mark or within waters of the State. No permits from DSL or the Army Corps of Engineers are required.

- (11) Vegetation buffer plan meeting the conditions of MMC Subsections 19.401.8.A through C.

The subject property is adjacent to the Willamette River and includes a vegetation buffer area as described in MMC 19.401.8.A and discussed in Finding 8-d.

The Planning Commission finds that the proposed activity meets all relevant approval criteria provided in MMC 19.401.6.

- d. MMC Subsection 19.401.8 Vegetation Buffer Requirements

MMC 19.401.8 establishes requirements for a buffer strip of native vegetation along the river, between the river and a location 25 ft upland from the ordinary high-water line. The vegetation buffer is to be preserved, enhanced, or reestablished, except for development otherwise allowed by the zoning code. Large trees that are diseased, dead, or in danger of falling down may be removed if there is a clear public safety hazard or potential for property damage.

Prior to the removal of substantial amounts of vegetation within the buffer, a vegetation buffer plan must be submitted for review and approval. The plan must address such issues as riverbank stabilization, scenic view protection, retention of existing native vegetation and large trees, restoration of native vegetation, and general enhancement of the buffer area. Non-native vegetation may be removed in accordance with the applicable provisions of MMC Chapter 16.32, except for large trees 6 in or greater diameter at breast height (DBH). New plant materials in the buffer strip must be native vegetation.

The subject property is adjacent to the Willamette River, though the project area is located well beyond the 25-ft-wide vegetated buffer. The project includes the removal of two existing trees where the eastern addition of the admin building will be constructed, as well as the removal of two dead dogwood trees and 27 invasive species (black locust) trees. All but six or seven of the trees to be removed (black locust) are outside the vegetated buffer but within the WQR or HCA, where removal of invasive species is allowed (as discussed in Finding 9-b). Removal of those trees from within the vegetated buffer is allowable, with a condition established to ensure that a vegetation buffer plan is provided that addresses the various issues noted in this subsection.

The Planning Commission finds that, as conditioned, this standard is met.

As conditioned, the Planning Commission finds that the proposed development meets all applicable standards of the Willamette Greenway zone as established in MMC 19.401.

9. MMC Section 19.402 Natural Resources

MMC 19.402 establishes regulations for designated natural resource areas. The standards and requirements of MMC 19.402 are an acknowledgment that many of the riparian, wildlife, and wetland resources in the community have been adversely impacted by development over time. The regulations are intended to minimize additional negative impacts and to restore and improve natural resources where possible.

a. MMC Subsection 19.402.3 Applicability

MMC 19.402.3 establishes applicability of the Natural Resource (NR) regulations, including all properties containing Water Quality Resource (WQR) and Habitat Conservation Area (HCA) resources as shown on the City's NR Administrative Map.

The subject property is adjacent to the Willamette River along its western boundary. The City's NR Administrative Map shows a WQR designation extending onto the subject property along the riverbank, and HCA resources are identified as surrounding the area that is developed with the wastewater treatment plant.

The proposed addition will not impact the WQR area on the site, but it will disturb approximately 2,400 sq ft of the HCA identified adjacent to the existing admin building. That level of disturbance is not listed among the exempt activities outlined in MMC Subsection 19.402.4.

The Planning Commission finds that the requirements of MMC 19.402 are applicable to the proposed activity.

b. MMC Subsection 19.402.6 Activities Requiring Type I Review

MMC 19.402.6 establishes that certain activities within a designated WQR and/or HCA are subject to Type I review in accordance with MMC 19.1004. This includes limited tree removal as well as activities in HCAs that meet nondiscretionary standards.

(1) MMC Subsection 19.402.6.A Limited Tree Removal

MMC 19.402.6.A establishes circumstances for allowing the removal of trees from within WQR and HCA areas, including trees that are dead, diseased, or dying and cannot be saved, as determined and documented in a report prepared by a certified arborist. The removal of more than three trees during a 12-month period that are categorized as nuisance species is also allowable as per this subsection.

All tree removal must be done in accordance with the standards of the International Society of Arboriculture. Each tree removed must be replaced with a new tree of at least 0.5-in caliper or at least 6-ft height overall after planting, unless the applicant demonstrates that a replacement tree has already been planted in anticipation of tree removal or if the existing site conditions otherwise preclude tree replacement (due to existing dense canopy coverage or other ecological reasons). The replacement tree must be located in the general

vicinity of the removed tree, somewhere within the designated WQR or HCA. The replacement tree does not have to be a native species but must not be categorized as a nuisance species. The property owner must ensure that each replacement tree survives at least two years beyond the date of its planting.

The proposed development will require the removal of two existing London plane trees (Platanus x acerifolia) that are in the footprint of the addition on the east side of the admin building. Additionally, the applicant has identified two dead dogwood trees (genus Cornus) in the WQR/HCA at the southwest corner of the site and 27 black locust trees (Robinia pseudoacacia) within the WQR/HCA riparian area along the riverbank that are listed as a nuisance species on the Milwaukie Native Plant List.

The removal of trees for the proposed addition footprint is allowable as discussed below in Finding 9-b-2. The removal of the dead dogwood trees is allowable with an arborist report that confirms the trees are dead (as required); a condition has been established to ensure that the necessary documentation is provided. The removal of the black locust trees as a nuisance species is allowable as per the provisions of this subsection.

As discussed below in Finding 9-b-2, the applicant has proposed to plant a total of 24 trees of five different native species within the remaining WQR/HCA as mitigation for the disturbance resulting from the proposed addition. The proposed replanting is at a less than 1:1 tree replacement ratio because the existing WQR/HCA is already densely planted with a substantial tree canopy.

As conditioned, and in conjunction with the mitigation plantings discussed in Finding 9-b-2, the proposed tree removal is allowable with Type I review in accordance with the applicable standards of this subsection.

(2) MMC Subsection 19.402.6.B Activities within HCAs in Compliance with Nondiscretionary Standards

Within HCAs, but outside of WQRs, nonexempt development that is not listed in MMC Subsections 19.402.7 or 19.402.8 and that is in compliance with the nondiscretionary standards provided in MMC Subsection 19.402.11.D is subject to Type I review.

As noted above in Finding 9-a, the proposed development is not exempt from review; it is also not listed in MMC 19.402.7 or 19.402.8 as needing Type II or Type III review, respectively. As discussed below in Finding 9-d, the proposed development meets the nondiscretionary standards for HCA disturbance provided in MMC 19.402.11.D and is subject to Type I review.

The Planning Commission finds that the proposed development, including the proposed addition and accompanying tree removal, is allowable with Type I review as provided in MMC 19.402.6.

c. MMC Subsection 19.402.9 Construction Management Plans

MMC 19.402.9 establishes standards for construction management plans, which are required for projects that disturb more than 150 sq ft of designated natural resource area. Construction management plans must provide information related to site access, staging of materials and equipment, and measures for tree protection and erosion control.

The applicant's submittal materials include a tree removal and planting plan, with demarcations of the WQR and HCA boundaries on the site. The plan sheets do not provide all of the specific information required by MMC 19.402.9, including showing staging areas, erosion control measures, and tree protection measures. A condition has been established to ensure that a formal construction management plan be provided in conjunction with the development permits submitted for the project.

As conditioned, the Planning Commission finds that this standard is met.

d. MMC Subsection 19.402.11 Development Standards

MMC 19.402.11 establishes development standards for projects that impact a designated natural resource, including requirements to protect natural resource areas during development and general standards for required mitigation (e.g., plant species, size, spacing, and diversity). MMC Subsection 19.402.11.B.6 requires all mitigation vegetation to be planted on the applicant's site within the designated natural resource area being disturbed, or in a contiguous area.

MMC Subsection 19.402.11.D establishes mitigation requirements for disturbance within HCAs. Specifically, MMC Subsection 19.402.11.D.1.b allows up to 10% of the HCA on a nonresidential site to be disturbed by right, subject to the mitigation requirements of MMC Subsection 19.402.11.D.2. There are two options for calculating the number of trees and shrubs that must be planted as mitigation: one based on the size of any trees that are removed in conjunction with the HCA disturbance and the other based on the size of the HCA disturbance (5 trees and 25 shrubs required for each 500 sq ft of HCA disturbance). The applicant must use whichever option results in more tree plantings.

The subject property includes over 130,000 sq ft of HCA that is outside of any WQR area on site. The proposed addition on the east side of the existing admin building (1,200 sq ft) will temporarily or permanently disturb approximately 2,400 sq ft of HCA. The proposed disturbance is less than 2% of the HCA on site and so is allowed by right via the nondiscretionary review track.

Based on the disturbance-size formula of 5 trees and 25 shrubs per 500 sq ft of HCA disturbance, the proposed 2,400-sq-ft disturbance requires the planting of 24 trees and 120 shrubs as mitigation. (Based on the tree-size formula for the necessary removal of the two existing London plane trees, at most a total of 20 trees would be required, so the disturbance-size option sets the applicable standard.) The applicant has proposed to plant 24 trees and 120 native-species trees and shrubs at various locations within the remaining HCA on the site.

As proposed, the Planning Commission finds that the applicable development standards of MMC 19.402.11 are met.

e. MMC Subsection 19.402.15 Boundary Verification and Map Administration

MMC 19.402.15 establishes standards for verifying WQR and HCA boundaries and for administering the City's Natural Resource (NR) Administrative Map.

WQR locations are determined based on the provisions of MMC Table 19.402.15. For rivers and streams, the WQR includes the feature itself and a vegetated corridor that extends 50 ft from the ordinary high-water mark or two-year recurrence interval flood elevation.

For HCAs, the City's NR Administrative Map is assumed to be accurate with respect to location unless challenged by the applicant. As per MMC Subsection 19.402.15.A.1, HCA mapping errors resulting from simple incongruities or legal development prior to 2011 can be corrected with appropriate documentation. As per MMC Subsection 19.402.15.B.2.b, when disturbances are allowed within HCAs the City may update the NR Administrative Map to show that the permanently disturbed area is no longer considered an HCA.

The proposed development does not impact the WQR on the site. Although the applicant has not challenged the accuracy of the mapped HCA, it is clear from the available aerial photos that some portions of the developed areas on the site are improperly shown as HCA resources on the NR Administrative Map. In addition, the permanent HCA disturbance allowed by this review will no longer be considered HCA and should be removed from the map.

The Planning Commission finds that the City's NR Administrative Map will be revised to more accurately reflect the HCA boundary with respect to existing legal development and the HCA disturbance approved with this review.

The Planning Commission finds that, as conditioned, the proposed development, including disturbance of the designated HCA on the subject property, meets all applicable standards of MMC 19.402.

10. MMC Section 19.508 Downtown Site and Building Design Standards

MMC 19.508 establishes design standards for downtown development, to encourage building design and construction with durable, high-quality materials. The design standards are applicable to expansions or additions to existing buildings that add more than 250 sq ft and are visible from the pedestrian level of adjacent streets, sidewalks, and/or public parks or pedestrian walkways. MMC Subsection 19.508.4 establishes standards for 14 different elements of design; where the standards are not met, the associated guidelines must be addressed in a discretionary review.

The proposed development is for an addition of more than 250 sq ft to an existing nonresidential building. The findings for the downtown design elements are provided in Table 10, below. Where the design elements are applicable, the proposed addition does not meet most of the specific design standards, so the table addresses the purpose statement and design guidelines for each element.

Table 10
Downtown Design Elements

A. SITE FRONTAGE	
<i>Purpose: To encourage building design and site placement that enlivens the public realm and streetscape through significant building presence along site frontages and active groundfloor uses.</i>	
Applicability	Findings
<p>a. Frontage Occupancy Figure 19.508.4.A.2.a.(1) illustrates which block faces are subject to the minimum frontage occupancy requirements. It does not include the subject property.</p> <p>b. Build-To Lines/Street Setbacks Figure 19.508.4.A.2.b illustrates which block faces are subject to the first-floor build-to requirements. It does not include the subject property.</p> <p>c. Active Ground-Floor Space New buildings fronting Main Street (excluding ground-floor residential) are subject to specific standards.</p>	<p><i>The subject property is not on Main Street and does not appear on either of the figures that establish applicability for this design element.</i></p> <p><i>This element is not applicable.</i></p>

B. WALL STRUCTURE AND BUILDING FAÇADE DETAIL

Purpose: To add visual interest to buildings and enhance the street environment with engaging and varied wall structures. Use design features and details to break down the scale and mass of a building to create comfortable, pedestrian-friendly environments and enclosure to public areas.

Guidelines	Findings
<p>a. Street-facing façades should engage the street, achieving a distinct and high-quality treatment that contributes to the downtown as the center of the community.</p> <p>b. Building façades should create a sense of coherence through holistic and human-scale design. They should be designed with vertical divisions such as a tripartite façade of base, middle, and top, and horizontal design elements that reference traditional storefront widths and create a sense of rhythm, or an alternative design of vertical and horizontal elements that bring a human scale to the space of the street. Such vertical and horizontal architectural elements should create a coherent pattern and visual interest at a pedestrian scale, particularly for larger buildings.</p> <p>c. Buildings should avoid blank wall faces on street-facing façades, particularly on ground floors and building corners at street intersections.</p> <p>d. Building façades should integrate façade articulation techniques to add visual interest to the built environment and clearly demarcate areas of visual interest, highlighting entries or displays.</p> <p>e. Massing should be purposeful and cohesive, boldly showing depth and/or visual lightness to enrich the pedestrian zone, integrating façade articulation techniques to reduce the perceived scale of larger buildings.</p>	<p><i>The existing building does not have frontage on a public street but faces the southern portion of Milwaukie Bay Park. The proposed addition, with its extensive clear glazing near the building entrance and allowing views into the communal breakroom and meeting rooms, presents a welcoming public face to the park and to the downtown core at a distance across McLoughlin Boulevard. In its design, the addition aims to optimize storefront-style glazing, weather protection, articulation, and visual interest while remaining compatible with the architectural rhythm of the existing building. Minor glazing on the west side of the addition makes some connection to the street without impacting the remaining adjacent HCA resource with windows and openings.</i></p> <p><i>The addition massing purposefully increases the sense of enclosure on the southern edge of the public park, enriching the pedestrian experience and respecting the scale of the park. The addition is designed in proportions that reflect the single-story building. The fenestration treatment with vertical window proportions and a simple, clear sense of rhythm supports the addition's compatibility with the existing building architecture.</i></p> <p><i>The proposed design is consistent with the purpose of this design element and the applicable design guidelines.</i></p>

C. EXTERIOR BUILDING MATERIALS

Purpose: To encourage the use of high-quality building materials that highlight architectural elements, create a sense of permanence, are compatible with downtown Milwaukie and the surrounding built and natural environment, and activate the building around the pedestrian realm.

Guidelines	Findings
<p>a. Exterior materials and finishes should be durable, long-lasting, and low maintenance and create a sense of permanence and high quality.</p> <p>b. Exterior materials for street-facing façades should include a palette that is visually interesting, coherent, compatible, related to its place, and observant of environmental elements of our region.</p> <p>c. Ground-floor materials should consist primarily of a simple palette of long-lasting materials such as brick, stone, or concrete to create a sense of groundedness.</p> <p>d. Upper-floor materials should be attractive and compatible with the dominant materials and colors used on ground-floor façades of the building. Upper-floor materials should not overwhelm ground floor materials.</p> <p>e. Street-facing façade materials should be wrapped around the edge to non-street-facing façades to create a seamless appearance.</p> <p>f. For renovations to existing development, new and existing materials should create a unified appearance.</p>	<p>The proposed addition is designed with high quality, long-lasting cladding materials of glass, metal, and stucco that complement the existing cast-in-place concrete and stucco walls of the existing building. The façade materials underscore the building's sense of permanence and civic sensibility, adding depth and richness while creating a unified appearance with the existing palette.</p> <p>The simple articulation of the storefront-style fenestration contrasts subtly with the rhythm of the punched window openings of the original building, complementing the original building architecture. The overall recessed placement of the addition allows the generous transparency of the front façade to wrap the corner and supports the more solid prominence of the main entry.</p> <p>The proposed design is consistent with the purpose of this design element and the applicable design guidelines.</p>

D. FAÇADE TRANSPARENCY AND ACTIVATION

Purpose: To activate building interiors and exteriors by ensuring transparency through the building, allowing for daylighting of ground-floor commercial and public uses of buildings, and promoting a safe and vibrant pedestrian environment through visual and physical connections between interior and exterior spaces. To limit blank walls and promote alternatives to glazing where needed to activate façades and engage pedestrians viewing building exteriors.

Guidelines	Findings
<ul style="list-style-type: none"> a. Design street-facing nonresidential and mixed-use ground floors with a high percentage of glazing to create transparency and engagement at the pedestrian eye level. b. Design nonresidential and mixed-use street-facing upper floors with sufficient glazing coverage to create visual interest along the façade and access to views, light, and air for building inhabitants. c. Design residential street-facing façade glazing coverage to balance transparency and privacy for residents. d. Arrange glazing to provide balanced coverage of the façade and limit blank walls on both street-facing and street-visible façades. If blank walls are proposed, use alternatives to glazing such as artwork, murals, vertical landscaping, and changes in materials or articulation to create visual interest. e. Design window and doors to maximize transparency and flexibility for ongoing use and adaptation that can be integrated into planned and future building uses and operations, considering such future treatments as shades, curtains, security fencing, and product shelving near windows or doors. 	<p><i>The generous fenestration along the north façade embraces the civic position of the building alongside a popular downtown park. The storefront-style glazing at the more communal and public portions of the building allows for future flexibility and the potential for building adaptation near the front entrance. While the north façade seeks to maximize glazing facing the park, the east façade balances the need to limit glazing facing the HCA to avoid light spill and other detrimental effects to habitat. In this case, the stucco portions of the east wall are intended to create a backdrop to plantings and support the ecological function of the site. Generous plantings are proposed along the east façade to mitigate building impacts on the HCA.</i></p> <p><i>The proposed design is consistent with the purpose of this design element and the applicable design guidelines.</i></p>

E. BUILDING ENTRANCES

Purpose: To create pedestrian-friendly development by providing building entrances that are oriented to the sidewalk or other public space and connected with clearly marked pedestrian walkways.

Guidelines	Findings
<p>a. Entryways should be sited to provide access where the highest amount of pedestrian activity is planned and where the pedestrian experience is designed to be exceptional. Primary building entries should be located along the Main Street or transit street frontage, where present, or at the corner of 2 such frontages for corner lots, whenever possible. Primary entries should not be oriented towards parking lots and service areas.</p> <p>b. Building entries should be designed as prominent architectural features that are clearly defined and demarcated. Entryways should integrate features such as scale, materials, glazing, projecting or recessed forms, architectural details, and color in entryway areas, along with accent features such as lighting and landscaping to set an entry apart.</p> <p>c. Nonresidential doors should create a strong connection to the street through the use of techniques such as storefront doors and surrounding windows with a high percentage of glazing, double doors, and large glazed sectional doors.</p> <p>d. Residential entryways should incorporate vertical and horizontal layering by including a comfortable change of grade or entry features such as porches, terraces, stoops, or covered landings to create a connection to the street while maintaining a respectful separation for resident privacy. Residential doors should be substantial enough to suggest privacy yet still express a welcoming sense of friendly contact for those who approach and enter.</p>	<p><i>The building's primary entry faces the adjacent public park, creating a welcoming front door to the site. The proposed addition emphasizes the primary entrance by presenting a calm and subtly contrasting architectural foil to the original building design. The original entry utilizes glazed double doors that are generously sized and welcoming. The addition reinforces the entrance with simple and unobtrusive fenestration patterning that helps the overall addition visually step back. Its massing reflects the proportions of the original northwest wing of the building, both of which flank the more prominent entry portion of the building and reinforce the prominence of the building's front door.</i></p> <p><i>The proposed design is consistent with the purpose of this design element and the applicable design guidelines.</i></p>

F. WINDOWS

Purpose: To integrate windows made of high-quality materials that are compatible with the building design to create visually interesting exterior façades and that function to create sufficient interior light and enhance connections between interior and exterior spaces.

Guidelines	Findings
<p>a. Window materials should be compatible with other primary wall and surface materials while providing a degree of contrast. Materials should be high quality and provide a high degree of transparency. Windows should provide shadowing through use of trim and/or recesses.</p> <p>b. Nonresidential uses should provide windows at the street level, inviting pedestrians in and providing views both in and out, maintaining transparency and visibility regardless of the time of day.</p> <p>c. Ground-floor street-facing nonresidential windows should engage with the street and connect indoor and outdoor spaces, such as through the use of operable, opening windows (e.g., sliding, pivoting, or articulating windows).</p> <p>d. Window groupings, proportions and orientation should create a sense of rhythm and pattern to provide architectural interest to the overall building composition.</p>	<p><i>The design of the proposed addition proposes generous glazing on the north façade, facing the public park and downtown area. High-quality storefront-style glazing is used, reflecting the civic character of the site and creating a sense of transparency and welcome at the pedestrian scale. This transparency is appropriate to the communal use of the addition and supports the building's civic prominence as an edge to the public park. Glazing on the east façade is limited to respect the HCA and to create a backdrop to the layered plantings along the busy transit corridor of McLoughlin Boulevard.</i></p> <p><i>The proposed design is consistent with the purpose of this design element and the applicable design guidelines.</i></p>

G. CORNERS

Purpose: To create a strong architectural statement at street corners, provide opportunities for pedestrian-scale activity, establish visual landmarks, and enhance visual variety.

Applicability	Findings
This design element applies to corner lots or development sites consisting of more than one lot under common ownership at the corner of two public streets or at the corner of a street and a public area, park, or plaza.	<i>The subject property is adjacent to the southern portion of Milwaukie Bay Park but is separated from the nearest public street (McLoughlin Boulevard) by the Trolley Trail. This element is not applicable.</i>

H. BUILDING MASSING AND TRANSITIONS

Purpose: To promote building massing that creates compatible building scale and relationships between adjacent downtown buildings including massing variation that reflects the rhythm of traditional storefronts and breaks up the perceived massing of larger buildings, while creating an inviting pedestrian realm on the street by increasing access to light and air. To provide scaled transitions to adjacent residential uses to minimize impacts of building massing.

Applicability	Findings
As per MMC Subsection 19.508.2.B, this element is not applicable to expansions or additions to existing buildings.	<i>The proposed development is an addition to an existing building. This element is not applicable.</i>

I. WEATHER PROTECTION

Purpose: To create an all-season pedestrian environment shielded from the elements, whether by the building structure itself or with added-on features such as awnings and canopies, that is integrated with rather than obscures the building design. Overhead protection encourages window shopping and lingering, and weather protection features can provide interest and detail to a façade as well as create outdoor sidewalk seating areas for restaurants and cafés.

Guidelines	Findings
<p>a. Along the ground floor, buildings should protect pedestrians from inclement weather and provide shade in the summer through use of awnings, canopies, marquees, or elements of the building structure itself such as recesses or balconies. The total amount of awning, canopy, and/or marquee coverage along a façade should provide adequate weather protection for pedestrians without overly shadowing the sidewalk.</p> <p>b. Awnings, canopies, and marquees should be placed over all building entrances and storefront windows or other similar locations and integrated with other entryway design features. (See Subsection 19.508.4.E.) The total amount of awning, canopy and/or marquee coverage along a façade should provide adequate weather protection for pedestrians without overly shadowing the sidewalk.</p> <p>c. The design of awnings, canopies, marquees, and elements of the building structure should be an integral and well-proportioned component of the building façade. Awnings, canopies and marquees should not obscure or negatively impact the character-defining features of the subject building.</p> <p>d. Canopies and awnings should be sized to match individual entrances and storefront windows. They should be placed directly above such features and should not extend outside the piers and lintel of the storefront opening. A single awning or canopy spanning across multiple commercial storefronts and that obscures character-defining features is strongly discouraged.</p> <p>e. Weather protection features should be well proportioned relative to the sidewalks. Features should not be so project so far into the public right-of-Way as to detract from street trees, light fixtures, or street furniture, but should extend far enough to provide coverage for pedestrians at entrances and windows. Features should provide adequate vertical clearance for pedestrian movement.</p> <p>f. Awnings, canopies, and marquees should be of high-quality materials and should not include vinyl.</p> <p>g. Awning or canopy lighting, if provided, should highlight the building or illuminate the sidewalk and should not illuminate awnings or canopies from below or internally.</p>	<p><i>Both the existing building and proposed addition feature generous weather protection along the north façade, which has the most pedestrian-oriented frontage. The main entrance steps back from the roofline, offering protection for people entering the building. Similarly, the addition incorporates a projecting roofline that provides solar shading for the generous windows of the addition. These canopy elements create a language of layering and protection, which helps articulate the façade and provide visual interest as well as weather protection and shade. The scale of the canopies is well integrated with the overall one-story building design and reflects the pedestrian scale of the adjacent park. As integral parts of the roofline, the material of the canopies is of a high quality and complements the building's architecture.</i></p> <p><i>The proposed design is consistent with the purpose of this design element and the applicable design guidelines.</i></p>

J. ROOFS AND ROOFTOP EQUIPMENT SCREENING

Purpose: To create a visually interesting feature at the top of the building that enhances the quality and character of the building and complements the building design, while reducing or eliminating the visual impact of rooftop equipment on the street pedestrian environment by providing screening or other concealing design features that also contribute to the high-quality design and visual interest of the building.

Guidelines	Findings
<p>a. Building massing should contribute to a welcoming and pedestrian-scaled sense of enclosure and definition of the street.</p> <p>b. Building rooflines should enliven the pedestrian experience and be of visual interest, with detail and variation that will create a skyline composed of interesting forms and shadows. Building silhouette should be compatible with those of other buildings along the existing streetscape.</p> <p>c. Roof shape, surface materials, colors, mechanical equipment and other penthouse functions should all be integrated into the overall building design and should be considered an additional façade to complement the Building's design.</p> <p>d. Roof mounted mechanical equipment should be hidden from public street view by parapets, screening walls, vertical landscaping or green roof features, enclosures installed as an integral part of the architectural composition, strategic placement, or similar treatments. If such treatments are not practicable, mechanical units may be painted in lieu of screening with muted, neutral colors that make the equipment visually subordinate to the building and any adjacent buildings.</p>	<p><i>New rooftop equipment supporting the addition is screened with a rooftop screen wall, creating an integral component of the building architecture while hiding HVAC equipment. The siding of the screen wall reflects the color and material of the existing building siding, which helps integrate the screen with the overall building design. Additionally, the rectilinear form of the screen enclosure harmonizes with the low horizontal massing of the building and is set-back from the building edge to limit views from the park and the highway.</i></p> <p><i>The proposed design is consistent with the purpose of this design element and the applicable design guidelines.</i></p>

K. SERVICE AREAS (SCREENING)

Purpose: To preserve well-designed building frontages and pedestrian environments by minimizing the potential negative impacts of service areas on visual design and circulation while maintaining sufficiently accessible and functional loading, waste collection, utility, and other service areas.

Applicability	Findings
As per MMC Subsection 19.508.2.B, this element is not applicable to expansions or additions to existing buildings.	The proposed development is an addition to an existing building. This element is not applicable.

L. RESIDENT OPEN SPACE

Purpose: To promote livability in the downtown environment by providing open space amenities within the development site for use by residents.

Applicability	Findings
This element applies to mixed-use buildings and residential-only multifamily buildings with four or more units.	The proposed development is an addition to an existing nonresidential building. This element is not applicable.

M. PLAZAS AND USABLE OPEN SPACE

Purpose: To ensure that downtown plazas and open spaces are designed for usability and a variety of activities during all hours and seasons; provide amenities for downtown visitors, businesses, and residents; promote livability; and help soften the effects of built and paved areas.

Applicability	Findings
This element applies to plazas, courtyards, gardens, terraces, outdoor seating, small parks, and similar spaces.	The proposed development does not create a plaza or similar open space. This element is not applicable.

N. OUTDOOR AND EXTERIOR BUILDING LIGHTING

Purpose: To incorporate outdoor and exterior building lighting that increases pedestrian comfort, accentuates design and architectural features, enhances safety, and minimizes light pollution (both spill and casting or glare).

Guidelines	Findings
<p>a. Exterior lighting should be used to articulate the building elements, including (but not limited to) entrances, common open spaces for residents, plazas and usable open space, signage, canopies, cornices, storefronts, and other architectural features. Lighting levels of entrances, areas underneath weather protection elements, and all open spaces should be pedestrian scale and provide a sense of safety.</p> <p>b. All lighting should be designed to prevent unnecessary illumination of adjacent sites, with the exception of adjacent sidewalks within a public-right-of-Way where illumination is desired. As a rule of thumb, lighting levels should be no greater than necessary to provide for pedestrian safety, property or business identification, and crime prevention.</p> <p>c. Flashing or strobe lights, fluorescent tube lights, and security spotlights are strongly discouraged from use on building exteriors.</p>	<p><i>Minimal new lighting is proposed, both to avoid detrimental impacts on the HCA to the east and to not deter from the character of the public park to the north and the Willamette River to the west. Existing soffit lighting at the main entrance will be maintained, which reinforces the entrance without creating glare and disturbing the riparian ecology.</i></p> <p><i>New lighting will be restrained and minimal in nature, directing most of the luminance at ground surfaces to avoid unnecessary illumination. The design does not include flashing or strobe lights, fluorescent tube lights, or security spotlights.</i></p> <p><i>The proposed design is consistent with the purpose of this design element and the applicable design guidelines.</i></p>

The Planning Commission finds that, as proposed, the design is consistent with the purpose of the applicable design elements and the applicable design guidelines.

11. MMC Chapter 19.600 Off-Street Parking and Loading

MMC 19.600 regulates off-street parking and loading areas on private property outside the public right-of-way. The purpose of these requirements includes providing adequate space for off-street parking, minimizing parking impacts to adjacent properties, and minimizing environmental impacts of parking areas. (*Note: Amendments to MMC 19.600 were adopted by City Council on May 24, 2024, (Or.2243) and became effective 30 days later, on June 24. This application was submitted on May 14, prior to the adoption and effective date of the amendments and so is subject to the version of MMC Chapter 19.600 that was in place at the time of submittal, as presented in these findings.*)

a. MMC Section 19.602 Applicability

MMC 19.602 establishes the applicability of the provisions of MMC 19.600. MMC Subsection 19.602.2 requires that existing off-street parking and loading areas remain in conformance with the requirements of Chapter 19.600 with respect to their ongoing maintenance, operations, and use.

Per Oregon Administrative Rules (OAR) 660-012-0012 and 660-12-0440, which relate to Climate-Friendly and Equitable Communities (CFEC) rulemaking, the City is prohibited from mandating minimum off-street vehicular parking quantity requirements because of the subject property's proximity to frequent transit provided by TriMet (MAX Orange light-rail line, with various bus lines in the downtown core). However, all other provisions of MMC 19.600 may still apply.

The applicant is proposing a small addition (1,360 sq ft) to the existing admin building at the wastewater treatment plant, with no changes to existing off-street parking. Although the CFEC-related limitations noted above prevent the implementation of minimum off-street vehicular parking quantity requirements, the Planning Commission finds that maintaining compliance with the other applicable sections of MMC 19.600 is required.

The Planning Commission finds that the general provisions of MMC 19.600 are applicable to the proposed development.

b. MMC Section 19.605 Vehicle Parking Quantity Requirements

MMC 19.605 establishes standards to ensure that development provides adequate vehicle parking (off-street) based on estimated parking demand. As per the CFEC-related limitations noted above, the City is prohibited from mandating minimum off-street vehicular parking quantity requirements. However, maximum off-street vehicular parking limitations still apply. Additionally, off-street vehicular parking minimums are used to determine the required quantity of off-street bicycle parking per MMC Section 19.609 and for that reason are addressed below.

MMC Table 19.605.1 does not provide a parking standard for wastewater treatment plants, but it does establish minimum and maximum quantity requirements for general office uses, which is an appropriate measure of activity for this kind of site, as office spaces represent the

base of employee operations. For office uses, the minimum parking requirement is 2 spaces per 1,000 sq ft of floor area, with a maximum of 3.4 spaces per 1,000 sq ft.

The existing admin building is approximately 3,600 sq ft; the proposed addition will add 1,360 sq ft to the admin building, for a total of 4,960 sq ft. The minimum required parking (used for calculating bicycle and other parking requirements) is 9 spaces; the maximum allowed is 17. The site is developed with 6 off-street parking spaces and so is not over the maximum allowed (the minimum standard no longer applies for vehicle parking, as noted above). No changes to the existing vehicle parking configuration are proposed.

The Planning Commission finds that the existing parking configuration is conforming with respect to the maximum off-street parking allowed for the site. This standard is met.

c. MMC Section 19.609 Bicycle Parking

MMC 19.609 establishes standards for bicycle parking. Unless otherwise specified, the number of bicycle parking spaces is at least 10% of the minimum required vehicle parking for the use (CFEC limitations aside). In no case will fewer than two (2) bicycle spaces be provided.

MMC Subsection 19.609.3.A requires that each bicycle parking space have minimum dimensions of 2 ft by 6 ft, with 5-ft-wide aisles for maneuvering. MMC Subsection 19.609.4 requires bike racks to be securely anchored and designed to allow the frame and one wheel to be locked to the rack with a U-shaped lock. Bicycle parking must be located within 50 ft of a main building entrance, closer to the entrance than the nearest non-ADA-designated vehicle parking space, designed to provide access to a public right-of-way, in a location that is visible from the main parking lot, designed not to impede pedestrians along sidewalks, and separated from vehicle parking areas by curbing or other similar physical barriers.

As noted above in Finding 11-b, the minimum required vehicle parking quantity for the site is technically 9 spaces (CFEC limitations aside), which results in a minimum bicycle parking requirement of 2 spaces. There are currently no bicycle spaces on the site. A condition has been established to require the installation of at least 2 bicycle parking spaces, with racks that meet the standards of this section.

As conditioned, the standards of MMC 19.609 are met.

As proposed and conditioned, the Planning Commission finds that the applicable standards of MMC 19.600 are met.

12. MMC Chapter 19.700 Public Facility Improvements

MMC 19.700 is intended to ensure that development, including redevelopment, provides public facilities that are safe, convenient, and adequate in rough proportion to their public facility impacts.

a. MMC Section 19.702 Applicability

MMC 19.702 establishes the applicability of the provisions of MMC 19.700, including new construction and any increase in gross floor area.

The applicant proposes a small addition to an existing building. The proposed new construction triggers the requirements of MMC 19.700.

b. MMC Section 19.703 Review Process

MMC 19.703 establishes the review process for development that is subject to MMC 19.700, including requiring a preapplication conference, establishing the type of application required, and providing approval criteria.

The applicant had a preapplication conference with City staff on March 14, 2024, prior to application submittal. As addressed in Finding 12-c, the proposed development does not trigger a transportation impact study. As discussed in Finding 12-f, the proposed addition does not trigger a requirement for any transportation facility improvements.

c. MMC Section 19.704 Transportation Impact Evaluation

MMC 19.704 establishes the process and requirements for evaluating development impacts on the surrounding transportation system, including determining when a formal transportation impact study (TIS) is necessary and what mitigation measures will be required.

The proposed addition represents a minor modification to the operation and use of the overall site and does not trigger a significant increase in trip generation above the existing use on the site; therefore, a TIS is not required.

The proposed development is consistent with the applicable provisions of MMC 19.704.

d. MMC Section 19.705 Rough Proportionality

MMC 19.705 requires that transportation impacts of the proposed development be mitigated in proportion to its potential impacts.

As discussed in Finding 12-f, no transportation facility improvements are required, as the impacts of the proposed development are minimal and the subject property has no frontage to a public street. No further mitigation is required.

The proposed development is consistent with the applicable provisions of MMC 19.705.

e. MMC Section 19.707 Agency Notification and Coordinated Review

MMC 19.707 establishes provisions for coordinating land use application review with other agencies that may have some interest in a project that is in proximity to facilities they manage.

As per the requirements of MMC 19.707, the application was referred to ODOT, Clackamas County Department of Transportation and Development (DTD), TriMet, and Metro for review and comment.

The proposed development is consistent with the applicable provisions of MMC 19.707.

f. MMC Section 19.708 Transportation Facility Requirements

MMC 19.708 establishes the City's requirements and standards for improvements to public streets, including pedestrian, bicycle, and transit facilities.

The proposed development is a small addition to the existing admin building on the wastewater treatment plant campus. The project involves some consolidation of existing facilities located elsewhere on the site (in the chemical building) and represents no significant change in the current level of activity on the site and no increase in vehicle trips. No changes are proposed to the site's existing access from McLoughlin Boulevard across the Trolley Trail and the subject property has no direct frontage on a public street.

The proposed development is consistent with the applicable provisions of MMC 19.708.

g. MMC Section 19.709 Public Utility Requirements

MMC 19.709 establishes the City's requirements and standards to ensure the adequacy of public utilities to serve development.

The proposed modification does not present new impacts to existing public utilities, which are adequate to serve the proposed use.

The proposed development is consistent with the applicable standards of MMC 19.709.

As proposed, the Planning Commission finds that the proposed addition meets the applicable public facility improvement standards of MMC 19.700.

13. MMC Section 19.804 Alteration of Nonconforming Uses and Development

MMC Chapter 19.800 establishes requirements for the continuation, alteration, and rebuilding of nonconforming uses and development. 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 regulations' enactment or because they conformed when they were established but the applicable 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 must be brought into conformance with applicable land use and development regulations when redevelopment occurs.

MMC Section 19.804 establishes provisions related to the alteration of nonconforming uses and development, with MMC Subsection 19.804.2 specifically applicable to nonconforming development. Alterations or expansions that increase or extend the nonconformity are not allowed unless a variance is approved pursuant to Section 19.911. Alterations or expansions that conform to Title 19 are allowed.

The wastewater treatment plant, including the admin building, was developed in 1974, well before the City established downtown zoning regulations in 2000 and a downtown design review process

in 2003. With the adoption of downtown standards for both development and design, the admin building became nonconforming with respect to at least some of both. As discussed in Finding 7-b, the existing admin building does not meet the floor area ratio (FAR) standard, but the proposed addition will not cause it to go farther out of conformance and in fact will bring it slightly closer to conformance. Such alterations or expansions of nonconforming development are allowed as per MMC 19.804.2.

The Planning Commission finds that the proposed development is consistent with the applicable provisions of MMC 19.804.

14. MMC Section 19.904 Community Service Uses

MMC 19.904 provides standards and procedures for review of applications for community service uses (CSUs), including minor modifications to existing CSUs. These are uses that are not specifically allowed outright in most zoning districts but that address a public necessity or otherwise provide some public benefit. CSUs include utilities like sewage pumping stations.

a. MMC Subsection 19.904.2 Applicability

MMC 19.904.2 establishes applicability of the CSU regulations, including a requirement for review to establish or modify a CSU.

The application is for a minor modification to the operation of an existing CSU.

The Planning Commission finds that the standards of MMC 19.904 are applicable to the proposed development.

b. MMC Subsection 19.904.3 Review Process

MMC 19.904.3 establishes the review process for CSUs. Applications for minor modifications to existing CSUs are subject to Type I review (MMC 19.1004).

The proposal is to modify an existing CSU. As discussed in Finding 14-c, the proposed change qualifies as a minor modification by meeting the criteria established in MMC Subsection 19.904.5.C.

The Planning Commission finds that the proposed development is subject to Type I review. Because the modification is part of a larger application that requires Type III review it is also being processed with Type III review, but it is still subject to the minor modification approval criteria of MMC Subsection 19.904.5.C, discussed in Finding 14-c.

c. MMC Subsection 19.904.5 Procedures for Reviewing a Community Service Use

MMC Subsection 19.904.5 establishes procedures for reviewing CSUs, including the authorization established in MMC Subsection 19.904.5.C for the Planning Manager to approve minor modifications to an approved CSU with Type I review, provided that such modification:

- (1) Does not increase the intensity of any use.

The proposed addition does not increase the capacity or functionality of the wastewater treatment plant, as treatment volumes will remain the same. The addition does not increase the capacity of the admin building to support an increased number of staff, and no new staff will be added as a result of this project. Vehicular traffic to and from the site will not increase because of the proposal. The proposed modification will not increase the intensity of use.

This standard is met.

- (2) Meets all requirements of the underlying zone relating to building size and location and off-street parking and the standards of Title 19.

As addressed in various other parts of these findings, the proposed addition meets the applicable requirements of Title 19. As noted in Finding 7-b, the site is currently nonconforming with respect to the floor area requirement (FAR) standard, but the proposed addition will bring the property closer to conformance. As noted in Finding 11, the site is consistent with the applicable off-street parking standards (with a condition for bike parking). Other findings address other applicable aspects of Title 19, with which the proposed addition is consistent.

This standard is met.

- (3) Does not result in deterioration or loss of any protected natural feature or open space and does not negatively affect nearby properties.

The subject property includes a significant area of mapped WQR and HCA resources (over 150,000 sq ft). A small percentage (less than 2%) of the HCA will be permanently displaced by the proposed addition. As discussed in Finding 9-d, the provisions of MMC Section 19.402 allow a nondiscretionary review track for limited HCA disturbance for nonresidential uses (up to 10% of the HCA), with a prescribed mitigation planting ratio that the applicant has proposed to follow. The proposed addition will not result in the deterioration or loss of the overall HCA resource on the subject property.

The southern portion of Milwaukie Bay Park is the property nearest the admin building, which is separated by at least 900 ft from the nearest residential properties in Island Station. As discussed throughout these findings, the proposed addition will not negatively impact nearby properties.

This standard is met.

- (4) Does not alter or contravene any conditions specifically placed on the development by the Planning Commission or City Council.

The wastewater treatment plant was originally established on the site in 1974 and is considered a de facto CSU. A few major modifications have been approved by the Planning Commission since then, including in 1985 for the construction of two new anaerobic digesters, gas storage, and sludge loading facilities (file #CS-85-06)—conditions of approval related to lighting and landscaping plans to minimize visual

impacts of the digesters. In 1993, the Planning Commission approved additional odor control and landscaping improvements (CSO-93-05), with conditions related to landscaping details and lighting for the park area. A Planning Commission decision in 1999 (CSO-99-02) approved the construction of odor control improvements, with conditions related to noise impacts and lighting levels along the southern property line.

None of these decisions included any conditions that would be contravened by the proposed modification. The proposed addition will not remove any landscaping that screens the operational parts of the wastewater treatment plant, and no new building lighting will impact the park area or the adjacent neighborhood to the south.

This standard is met.

- (5) Does not cause any public facility, including transportation, water, sewer, and storm drainage, to fail to meet any applicable standards relating to adequacy of the public facility.

The proposed modification will not affect any public facilities or cause any to fail to meet applicable standards for adequacy.

This standard is met.

As proposed, the Planning Commission finds that the proposed modification meets the approval criteria for a minor modification to an existing CSU as established in MMC 19.904.5.C.

The Planning Commission finds that the proposed modification meets all applicable standards of MMC 19.904 for approval as a minor modification to an existing CSU.

15. MMC Section 19.905 Conditional Uses

MMC 19.905 establishes regulations for conditional uses, including standards for establishing or modifying uses identified as conditional uses in any overlay zones. As noted in Finding 8-a and as provided in MMC Subsection 19.401.5.A, activities within the Willamette Greenway zone that trigger Willamette Greenway review are subject to the provisions of Section 19.905 as conditional uses.

a. MMC Subsection 19.905.3 Review Process

MMC 19.905.3 establishes the process by which a new conditional use must be reviewed.

As noted in Finding 8-a, the proposed activity constitutes development as defined for the Willamette Greenway zone and so requires review as a conditional use. The proposed development is a small addition to an existing building and meets the approval criteria for a minor modification (as discussed in Finding 15-b).

MMC 19.905.3.B requires that minor modifications to existing conditional uses be evaluated through the Type I review process per MMC Section 19.1004.

b. MMC Subsection 19.905.4 Approval Criteria

MMC Subsection 19.905.4.B establishes the approval criteria for a minor modification to an existing conditional use.

- (1) The proposed modification will not significantly increase the intensity of the use at this location.

As noted above in Finding 14-c, the proposed addition does not increase the capacity or functionality of the wastewater treatment plant, as treatment volumes will remain the same. The addition does not increase the capacity of the admin building to support an increased number of staff, and no new staff will be added as a result of this project. Vehicular traffic to and from the site will not increase because of the proposal. The proposed modification will not increase the intensity of use.

This standard is met.

- (2) The proposed modification will comply with all applicable development standards and requirements of the base zone, any overlay zones or special areas, and the standards in Section 19.905.

As addressed in various other parts of these findings, the proposed addition meets the applicable requirements of Title 19. As noted in Finding 7-b, the site is currently nonconforming with respect to the floor area requirement (FAR) standard of the underlying DMU zone, but the proposed addition will bring the property closer to conformance. As noted in Findings 8 and 9, the proposed modification meets the applicable standards established for the Willamette Greenway and natural resource overlays, respectively. Finding 15 addresses the applicable conditional use requirements of MMC 19.905.

This standard is met.

- (3) The proposed modification will not negatively impact nearby uses, protected natural features, or public facilities more than the original conditional use.

The southern portion of Milwaukie Bay Park is the property nearest the admin building, which is separated by at least 900 ft from the nearest residential properties in Island Station. As discussed throughout these findings, the proposed addition will not negatively impact nearby properties.

As discussed in Finding 9, a small portion of the existing HCA resource on the site will be displaced by the proposed addition. A variety of native trees and shrubs will be planted elsewhere within the on-site HCA as mitigation.

The proposed modification will not affect any public facilities or cause any to fail to meet applicable standards for adequacy.

This standard is met.

- (4) The proposed modification will comply with any conditions of approval from the original conditional use approval.

The wastewater treatment plant was originally established on the site in 1974, before the City adopted regulations for development in the Willamette Greenway as a conditional use in 1995; the plant is considered a de facto community service use (CSU) and does not have an original conditional use approval. As noted in Finding 14-c, a few major modifications have been approved by the Planning Commission since then, most with conditions of approval related to limiting noise and lighting impacts and providing landscaping and screening. None of those conditions would be contravened by the proposed modification. The proposed addition will not remove any landscaping that screens the operational parts of the wastewater treatment plant, and no new building lighting will impact the park area or the adjacent neighborhood to the south.

The Planning Commission finds that this standard is met.

The Planning Commission finds that the proposed development meets the approval criteria outlined in MMC 19.905.4.B for a minor modification of a conditional use.

- c. MMC Subsection 19.905.5 Conditions of Approval

MMC 19.905.5 establishes the types of conditions that may be imposed on a conditional use to ensure compatibility with nearby uses. Conditions may be related to a number of issues, including access, landscaping, lighting, and tree preservation.

The Planning Commission finds that no conditions related to the proposed development are necessary to ensure compatibility with nearby uses.

- d. MMC Subsection 19.905.6 Conditional Use Permit

MMC 19.905.6 establishes standards for issuance of a conditional use permit, including upon approval of a major modification of an existing conditional use. The Planning Manager may decide if it is necessary to revise an existing conditional use permit after approval of a minor modification.

The proposed development is a minor modification of an existing conditional use. There is no record of an existing conditional use permit for the wastewater treatment plant. As the facility is primarily regarded as a de facto CSU and the conditional use aspect is associated with the accompanying Willamette Greenway overlay, the Planning Commission finds that a conditional use permit is not a critical identifier for the existing use and it is not necessary to establish a formal permit at this time.

The Planning Commission finds that the proposed development is consistent with the relevant standards established in MMC 19.905 for conditional uses.

16. MMC Section 19.907 Downtown Design Review

MMC 19.907 establishes the applicability, procedure, and approval criteria for design review of development downtown.

a. MMC Subsection 19.907.2 Applicability

In the DMU zone, building additions of 250 sq ft or more that are visible from streets, sidewalks, public parks, and/or pedestrian walkways, are subject to downtown design review. Development that can meet all of the applicable downtown design standards of MMC Section 19.508 can utilize the Type I review process. For development that cannot meet one or more of the applicable standards and must address the design guidelines, Type III review is required.

As addressed in Finding 10, the proposed design does not meet all of the downtown design standards of MMC 19.508. The proposed development is subject to Type III review.

b. MMC Subsection 19.907.5 Approval Criteria

MMC 19.907.5 establishes the approval criteria for Type I, II, and III downtown design review. For Type III review, projects must meet the following criteria:

- (1) Compliance with MMC Title 19.
- (2) Compliance with applicable design standards in MMC 19.508.
- (3) Substantial consistency with the purpose statement of the applicable design standard and the applicable Downtown Design Guideline(s) being utilized in place of the applicable design standard(s).

For the proposed addition, compliance with the applicable standards of MMC Title 19 is discussed throughout these findings. Since the proposed design does not meet most of the applicable design standards, Table 10 addresses the project's consistency with the purpose statements and design guidelines of the applicable design elements of MMC 19.508.

As discussed throughout these findings and particularly in Finding 10, the proposed addition satisfies the approval criteria for downtown design review.

As proposed, the Planning Commission finds that the proposed addition meets the approval criteria for Type III downtown design review.

17. The application was referred to the following departments and agencies on June 5, 2024:

- Milwaukie Engineering Department
- Milwaukie Building Department
- Milwaukie Public Works Department
- Milwaukie Police Department
- City Attorney
- Island Station Neighborhood District Association (NDA) Chairperson and Land Use Committee (LUC)

- Historic Milwaukie NDA and LUC
- Clackamas Fire District #1 (CFD)
- Clackamas County Department of Transportation & Development
- Metro
- Oregon Department of Transportation (ODOT)
- TriMet
- North Clackamas Parks and Recreation District (NCPRD)
- NW Natural

In addition, notice of the application and public hearing was sent to following agencies and entities:

- North Clackamas Watersheds Council (NCWC)
- Oregon Department of Parks and Recreation
- Oregon Department of State Lands (DSL)
- Oregon Department of Fish and Wildlife (ODFW)
- Oregon State Marine Board

No comments were received for this application.