

Regular Session

RS

Milwaukie City Council

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

REVISED AGENDA

May 6, 2025

(Revised May 2, 2025)

Council will hold this meeting in-person and by video conference. The public may come to City Hall, join the Zoom webinar, or watch on the [city's YouTube channel](#) or Comcast Cable channel 30 in city limits. For Zoom login visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-6>. Written comments may be delivered to City Hall or emailed to ocr@milwaukieoregon.gov.

Note: agenda item times are estimates and are subject to change.

Page #

1. **CALL TO ORDER** (6:30 p.m.)
 - A. **Pledge of Allegiance**
 - B. **Native Lands Acknowledgment**
2. **ANNOUNCEMENTS** (6:31 p.m.) 1
3. **PROCLAMATIONS AND AWARDS**
 - A. **Outstanding Milwaukie High School (MHS) Student – Award**
(removed from the agenda)
 - B. **Volunteer of the Year 2024 – Award** (6:35 p.m.)
Staff: Jason Wachs, Community Engagement Coordinator
 - C. **Mental Health Awareness Month – Proclamation** (6:50 p.m.) 6
Staff: Tony Cereghino, Police Captain
 - D. **National Law Enforcement Week – Proclamation** (7:00 p.m.) 7
Staff: Tony Cereghino, Police Captain
 - E. **Asian American Pacific Islander (AAPI) Heritage Month – Proclamation** (7:05 p.m.) 8
Presenters: Lisa Batey, Mayor, and
Adam Khosroabadi, City Councilor
 - F. **Public Service Recognition Week – Proclamation** (7:10 p.m.) 9
Presenters: Lisa Batey, Mayor
4. **SPECIAL REPORTS**
 - A. **None Scheduled.**
5. **COMMUNITY COMMENTS** (7:15 p.m.) 10
To speak to Council, please submit a comment card to staff. Comments must be limited to city business topics that are not on the agenda. A topic may not be discussed if the topic record has been closed. All remarks should be directed at the whole Council. The presiding officer may refuse to recognize speakers, limit the time permitted for comments, and ask groups to select a spokesperson. **Comments may also be submitted in writing before the meeting, by mail, e-mail (to ocr@milwaukieoregon.gov), or in person to city staff.**

6. **CONSENT AGENDA (7:20 p.m.)**

Consent items are not discussed during the meeting; they are approved in one motion and any Council member may remove an item for separate consideration.

- | | |
|--|-----------|
| A. Approval of Council Meeting Minutes of: | 55 |
| 1. March 11, 2025, study session, | |
| 2. March 18, 2025, work session, | |
| 3. March 18, 2025, regular session, | |
| 4. April 1, 2025, work session, and | |
| 5. April 1, 2025, regular session. (removed from the agenda) | |
| B. Authorization of a funding increase for the Washington-Monroe Greenway Regional Flexible Funding Allocation (RFFA) – Resolution | 64 |
| C. Authorization of a Microsoft Enterprise Agreement – Resolution | 83 |
| D. Approval of an Oregon Liquor and Cannabis Commission (OLCC) Application for Waverly Green Apartments, 1611 SE Lave Drive – New License | 86 |

7. **BUSINESS ITEMS**

- | | |
|---|------------|
| A. Annexation of 4920 SE Lake Road – Ordinance (7:25 p.m.) | 88 |
| Staff: Vera Kolias, Senior Planner | |
| B. Code Section 19.505 Table Correction – Ordinance (7:35 p.m.) | 120 |
| Staff: Vera Kolias, Senior Planner | |
| C. Affordable Housing Code Incentives – Discussion (cont.) (7:45 p.m.) | 127 |
| Staff: Laura Weigel, Planning Manager, and
Vera Kolias, Senior Planner | |
| D. Consolidated Fee Schedule Review – Discussion (8:15 p.m.) | 133 |
| Staff: Michael Osborne, Finance Director | |

8. **PUBLIC HEARINGS**

- A. None Scheduled.**

9. **COUNCIL REPORTS** **200**

- A. Legislative and Regional Issues – Discussion (9:15 p.m.)**
- Staff: Scott Stauffer, City Recorder

10. **ADJOURNMENT (9:30 p.m.)**

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice

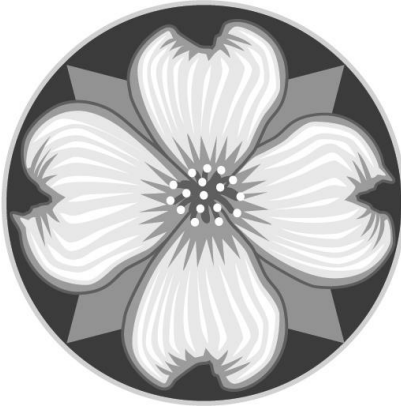
The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation services email espanol@milwaukieoregon.gov at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the [city's YouTube channel](#) and Comcast Channel 30 in city limits.

Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a ocr@milwaukieoregon.gov o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a espanol@milwaukieoregon.gov al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el [canal de YouTube de la ciudad](#) y el Canal 30 de Comcast dentro de los límites de la ciudad.

Executive Sessions

The City Council may meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2); all discussions are confidential; news media representatives may attend but may not disclose any information discussed. Final decisions and actions may not be taken in executive sessions.



RS Agenda Item

2

Announcements

Native Lands Acknowledgment

The City of Milwaukie respectfully acknowledges that our community is located on the ancestral homeland of the Clackamas people. In 1855, the surviving members of the Clackamas signed the Willamette Valley Treaty also known as the Kalapuya etc. Treaty with the federal government in good faith. We offer our respect and gratitude to the indigenous people of this land.

Mayor's Announcements – May 6, 2025



Friends of the Ledding Library 22nd Annual

PLANT SALE

Saturday, May 10th 9AM – 4PM

Sunday, May 11th 9AM – 4PM

Saturday, May 17th 1PM–4PM

Milwaukie Floral

3306 SE Lake Road in Milwaukie

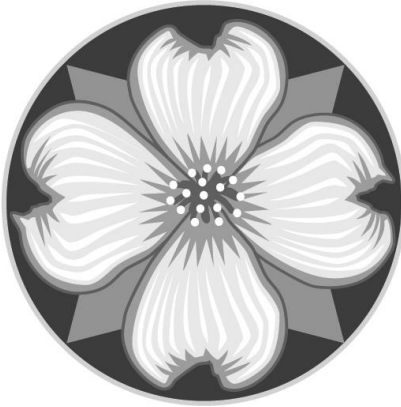


- **Neighborhood District Association (NDA) Annual Elections – May Meetings**
 - All who live, own property or a business, or represent a non-profit in an NDA is a member and can participate in the voting process.
 - Positions include chair, vice-chair, secretary, treasurer, land use committee members, and others.
 - Visit NEIGHBORHOODS tab on top of page at milwaukieoregon.gov to learn more!
- **Friends of the Library Plant Sale – Sat., May 10 (9 AM – 4 PM), Sun., May 11 (9 AM – 4 PM), & Sat., May 17 (1–4 PM)**
 - Come shop a selection of perennials, native plants, vegetables, trees, shrubs, and more!
 - Milwaukie Floral & Garden, 3306 SE Lake Rd.
- **Minthorn Springs Volunteer Restoration Event (American Wetlands Month) – Sat., May 10 (9:30 AM – 12 PM)**
 - Volunteers will work on extending the trail and keeping back the thorns.
 - Minthorn Springs is located at SE 37th Ave. and SE Railroad Ave.
 - Tools, gloves, and snacks provided.
- **2025 Corporal Diffie Veterans Fund Pancake Breakfast – Sat., May 17 (9 AM – 1 PM)**
 - Help provide emergency resources to veterans and their families!
 - Breakfast is \$10 per person. \$4 for those 12 and under.
 - American Legion Post 180, 2146 SE Monroe St.
- **Kellogg Creek Bioblitz – Sat., May 17 (9:30 AM – 1 PM)**
 - Help document the plants, birds, insects, and other wildlife currently present in and around the soon to be restored Kellogg Creek.
 - Open to everyone! Local experts there to help!
 - Learn more and register at ncurbanwatershed.wordpress.com/
- **LEARN MORE AT MILWAUKIEOREGON.GOV OR CALL 503-786-7555**

The cold breeze
The autumn leaves falling
I dance in the rain

-Izzy Nelson-

Share your Milwaukie Haiku!
Email yours to bateyl@milwaukieoregon.gov



RS Agenda Item

3

Proclamations & Awards

PROCLAMATION

WHEREAS mental health is part of everyone's overall health and wellbeing, and mental illnesses are prevalent in our county, state, and nation, with one in five adults experiencing a mental health issue every year, and

WHEREAS stigma and the resulting discrimination is a primary obstacle to early identification and effective treatment of individuals with mental illness and their ability to recover to lead full, productive lives, and

WHEREAS approximately half of chronic mental illness begins by the age of 14 and suicide is the second leading cause of death of people ages 10 to 24, and

WHEREAS long delays of sometimes decades often occur between the time symptoms first appear and when individuals get help, and it is important to maintain mental health, learn the symptoms of mental illness to get help, and cure the stigma and discrimination that too often interferes, and

WHEREAS every citizen and community can make a difference in helping cure the stigma and discrimination that for too long has surrounded mental illness and discouraged people from getting help, and

WHEREAS public education and civic activities can encourage mental health and help improve the lives of individuals and families affected by mental illness.

NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 2025** to be **MENTAL HEALTH AWARENESS MONTH** in Milwaukie to increase public understanding of the importance of mental health, to promote identification and treatment of mental illnesses, and to cure the resulting stigma and discrimination.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 6th day of May 2025.

Lisa M. Batey, Mayor

ATTEST:

Scott S. Stauffer, City Recorder

PROCLAMATION

WHEREAS since the first recorded death in 1791, more than 20,000 Law Enforcement Officers in the United States have made the ultimate sacrifice in the line of duty, and

WHEREAS nationally, gunfire continues to be the number one cause of line of duty death for police officers, and

WHEREAS the Oregon Fallen Officer Memorial contains over 180 names of fallen Oregon officers including Sgt. James Worell of the Milwaukie Police Department who died on December 31st, 1953, and

WHEREAS there were 147 officers killed in the line of duty across the United States in 2024, and

WHEREAS the People of Milwaukie wish to express their greatest appreciation for the sacrifice and service of those officers.

NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 15th through MAY 21st, 2025**, to be **NATIONAL LAW ENFORCEMENT WEEK** in Milwaukie.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 6th day of May 2025.

Lisa M. Batey, Mayor

ATTEST:

Scott S. Stauffer, City Recorder



PROCLAMATION

WHEREAS Asian American Pacific Islander Heritage Month was first observed by the United States Congress in 1977 and has been observed annually since then; and

WHEREAS the City of Milwaukie wishes to pay tribute to the generations of Asian Americans, Native Hawaiians, and Pacific Islanders in our community; this month provides us an opportunity to reflect on the vibrant culture and innumerable contributions AAPI residents make to our community; and

WHEREAS the national theme for AAPI Heritage Month 2025 is “A Legacy of Leadership and Resilience,” Milwaukie encourages greater participation, inclusion, and leadership training for our AAPI residents, acknowledging they will be instrumental to the future success of our city; and

WHEREAS the history of Asian Americans and Pacific Islanders is filled with stories of resilience, persistence, and determination, we value AAPI residents as an integral part of the fabric of our community; and

WHEREAS as we celebrate AAPI Heritage Month, we must remain vigilant to prevent anti-Asian hate crimes in our community and must be a welcoming and safe place for AAPI residents.

NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 2025** to be **ASIAN AMERICAN PACIFIC ISLANDER HERITAGE MONTH** in Milwaukie and do hereby encourage our community to explore AAPI history, culture, and accomplishments and to support local events commemorating this rich heritage.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 6th day of May 2025.

Lisa M. Batey, Mayor

ATTEST:

Scott S. Stauffer, City Recorder

PROCLAMATION

WHEREAS the first full week of May has been designated as “Public Service Recognition Week” around the nation since 1985, to recognize and promote the important contributions of the diverse people who meet the needs of our country through service at federal, state, and local government levels; and

WHEREAS the delivery of essential services at all levels of government only happens because of the efforts of dedicated public servants; and

WHEREAS public service is a noble calling involving a variety of challenging and rewarding professions, and Milwaukie’s approximately 150 employees year after year provide a range of essential functions to our community, from public safety to ensuring safe water and public sanitation, to planning, engineering, and building services, to libraries and maintaining transportation routes; and

WHEREAS public servants have much to offer the Milwaukie community, as demonstrated by their dedication, expertise, and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants.

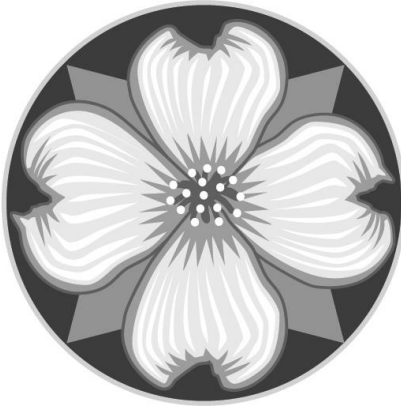
NOW, THEREFORE, I, Lisa Batey, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **MAY 4th through MAY 10th, 2025**, to be **PUBLIC SERVICE RECOGNITION WEEK** and commend Milwaukie’s public servants for their outstanding contributions during Public Service Recognition Week and throughout the year, and I call upon a new generation to consider a career in public service.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 6th day of May 2025.

Lisa M. Batey, Mayor

ATTEST:

Scott S. Stauffer, City Recorder



RS Agenda Item

5

Community Comments

RS 5. 5/6/25
Correspondence

[illegible]

Please do not reply all

Scott, please include this in the packet for our next meeting.

From: Cameron McKillop <cameron.mckillop17@gmail.com>

Sent: Monday, April 21, 2025 8:00 AM

Ta: Brett Kelver <KelverB@mlwaakieoregon.gov>; Adam Thorsrud <ThorsrudA@mlwaakieoregon.gov>; Robert Mauney <MauneyR@mlwaakieoregon.gov>; William Anderson <AndersonW@mlwaakieoregon.gov>; Rebecca Staverjord <StaverjordR@mlwaakieoregon.gov>; Lisa Bailey <BaileyL@mlwaakieoregon.gov>;
 For Sandy: Zeeba <zeeba@rediffmail.com>; Tanaya Wilscham <tanaya.wilscham@comcast.net>; Allison McMahon <mcmahonall@rediffmail.com>; Asvin VJ <avj@rediffmail.com>; Balena Stafford <balena.stafford@rediffmail.com>; boazsm@rediffmail.com; dms123@rediffmail.com; WAVE 107.5 <wave1075@rediffmail.com>; Heather Buchanan <h

David Tordy, fordy.coleen@comcast.net; Tamara Wisniewski caubantam@comcast.net; Alison McManus amcmanus@gmail.com; Aimin13@gmail.com; Ruleria Stafford csleria.stafford@gmail.com; leguennet@comcast.net; droussid@gmail.com; WAYNE HOGGE whogge45@gmail.com; Heather Buchanan hbuchanan.heathere@gmail.com; philm313135@gmail.com; stephan.stephan@yahoo.com; victoriajstall@gmail.com; corinn@duponttheatermuseums.com; optinoo@gmail.com; debraeun@broadcom.com; rebeccapd55@gmail.com; sarahharris@gmail.com; waugh.eg@gmail.com; mgyaharris@gmail.com; rsharsh@comcast.net; Davis McKelby davis.mckelby@gmail.com; amyablers@gmail.com; Christopher McKibbin cjmckibbin@gmail.com; Lauren Lussell lussellaw@gmail.com; amyrb@khsd.com; Greg Hemmer greghemmerda@gmail.com; Adam Thurnwald adam.thurnwald@gmail.com; Robert Massey rmassmy@gmail.com; Jeremy Looney jlooney@natural.com; Emma Sagar esagar@nwidaho.org; Joseph Bright jbright@nwidaho.org

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This Message originated outside your organization.

Hi Brett,

I've attached your prior email for reference, especially for the benefit of the City Council members I've added to this thread.

This project was first introduced over three years ago, and at the time, public comment was taken. However, there have been significant changes to the original plan since then, with little to no opportunity for community feedback on those revisions. This has only deepened residents' concerns about the transparency, consistency, and oversight of the process.

In your response to concerned neighbors, you noted: "There is a push to have the state revise this Type II review and notice requirement, since it creates an inaccurate sense of opportunity to block or significantly affect the decision." That line unfortunately sums up how many of us have felt the City has handled this process, treating community input as an afterthought rather than a meaningful part of the review.

I believe our elected officials, who are meant to represent the voice of their constituents, should be aware of how inconsistencies in code enforcement and administrative oversight are directly impacting our neighborhood

Contractor Status & Compliance Issues

Did you know that the builder contracted for this project, Shah Housing Solutions LLC, has been listed under **Administrative Dissolution** with the Oregon Secretary of State **since January 30, 2025**? It's unclear how work has begun on this project without the company first returning to good standing.

Here is the link to their status, along with a screenshot:

https://agov.sos.state.or.us/efiling_web_name_srch_inq_show_detail?b_rsn=2170033&o_srce=BR_INQ&o_print=FALSE

[illegible]

This is not an isolated issue. As you'll see in the attached screenshots, this contractor has a documented pattern of non-compliance, including

- **Two license suspensions** for failure to provide proof of liability insurance
- **Eight penalties** for hiring unlicensed subcontractors

* Eight penalties for hiring unlicensed subcontractors	
CCB ADMINISTRATIVE LICENSE ACTION HISTORY FOR SHAH HOUSING SOLUTIONS LLC License: 253986 Current License Status: Active	
ADMINISTRATIVE LICENSE SUSPENSIONS	
<p>These actions are not disciplinary actions punishing the contractor for improper behavior. These are administrative actions required by law to ensure contractors demonstrate the proper proof of financial security to protect the public. Suspensions of this kind are commonly corrected quickly and the license is reinstated upon receipt of proper proof of bonding or insurance.</p>	
Suspensions for lack of proof of liability insurance:	2
Suspensions for lack of proof of surety bond:	0
NAC:	

[illegible]

Safety Concerns

As mentioned previously, I've already sent photos showing vehicles **parked on the newly designed sidewalk**, but here's another example from today involving one of the subcontractors. We continue to observe drivers going the **wrong way down the one-way street**, despite clear signage. This behavior has become routine, not occasional.



Your repeated response has been to "read and see", but this ongoing pattern is exactly what neighbors warned about from the beginning. It's especially frustrating that the **original drawings called for a bollard**, yet the City waived that requirement based on a technicality.

We're also concerned about being the **test case for a sidewalk design** that's clearly confusing to both drivers and pedestrians—and already causing safety issues. These problems will only worsen with the addition of eight homes on this lot, and potentially eight more across the street if that parcel is developed as expected.

Additionally, the **sidewalk creating a dangerous visual obstruction** is still in place, as shown in the photo below. When code enforcement was contacted, we were told that if the property owner chose not to comply, **resolution could take months** (screenshot of that response is also attached). It seems we'll be "waiting and seeing" on this issue as well. Seems like something you should require resolution on prior to green lighting any future steps on this project.



----- Forwarded message -----
From: **Mossack Code** <adam@mossock.com>
Date: Mon, Apr 1, 2024 at 7:11 AM
Subject: RE: Resident Visibility to Street
To: Heather Buchanan <heather.buchanan@gmail.com>

It could be months if they don't comply.
The first deadline for compliance has come and gone.
I haven't been able to do a follow-up inspection, but it sounds like it is still there.
I will give another 10 day notice this week and hopefully I will proceed without duhah.

Tim Soyars, CEP
Code Compliance Coordinator
c/o 300 7th Ave
City of Milwaukee
300 S. Jackson St. • Milwaukee, WI 53204

Lack of Adherence to Codes

Current city code mandates a specific number of parking spaces for townhomes, which has been diminished in this case as an "apparent architects' error". It's concerning that the City can **subjectively determine** this kind of requirement, particularly when it has a major impact on residents.

Furthermore, you stated that the parking requirement doesn't apply to quadplexes, but there is **no reference in the code** that clearly distinguishes this difference. That ambiguity, paired with inconsistent enforcement, leaves neighbors wondering whether the rules are being applied equitably.

Not Having the Impact You Think You Are

You've stated that this development aligns with statewide goals to expand affordable housing and promote eco-friendly neighborhoods. These are admirable goals in theory, but the execution in our neighborhood tells a different story.

The City is removing parking options while increasing the number of residents who own cars. While we are near a bus stop and not far from a MAX station, that doesn't reflect where people actually work, or the existing public transit infrastructure between those points. Most residents who can afford these homes will need a car to reach their jobs.

Unless there's a plan to **require a percentage of these units to be Section 8 or truly affordable**, the affordability goal isn't being met, it's simply displacing the parking and access needs of current and future residents. Current state of the plan is only set to profit the developer, not the community you state that you are trying to help.

Additionally, there are **engaging accessibility concerns** across Milwaukee. Many sidewalks are unusable for people with disabilities or families with strollers. And in places where street parking is allowed, **streets are becoming too narrow** to safely accommodate two-way traffic, adding yet another safety issue to the growing list.

Best regards,
Cameron McKillop

On Fri, Apr 4, 2025 at 8:58 PM Brett Kallner <brett.kallner@milwaukee.gov> wrote:

Hello,

Immediately upon sending the message below I received a host of notifications indicating that some system settings may have removed several of the images that were included in the body of the email. In case that means some of you were not able to receive and see the figures that I had included in the response, I am attaching a PDF document that includes the text and images. I believe the various links to other reference documents that were in the body of the message are still accessible in the PDF document. Please let me know if you do not receive some form of this response that includes figures and links.

Apologies in advance for double-covering on this, but I wanted to be sure the info went out. I will abbreviate the body of the original message below to avoid the same error message that came back to me the first time.

BRETT KALLNER, AICP, CFM
City Engineer
300 7th Ave

From: Brett Kallner

Sent: Friday, April 4, 2025 6:40 PM

To: Sarah Cyster <sarah.cyster@milwaukee.gov>; Carmen Windham <carmen.windham@milwaukee.gov>; Allison McManis <allison.mcmanis@milwaukee.gov>; Rebecca Dufford <rebecca.dufford@milwaukee.gov>; James Dufford <james.dufford@milwaukee.gov>; David Dufford <david.dufford@milwaukee.gov>; WAYNE MOSEY <wayne.mosey@milwaukee.gov>; Cameron McKillop <cameron.mckillop@milwaukee.gov>; Heather Buchanan <heather.buchanan@gmail.com>; Adam Mossock <adam@mossock.com>; Robert Heuser <robert.heuser@milwaukee.gov>; Joseph Briggs <joseph.briggs@milwaukee.gov>; Shere McKinley <shere.mckinley@milwaukee.gov>; Christopher McKillop <christopher.mckillop@milwaukee.gov>; Lauren Lovinsold <lauren.lovinsold@milwaukee.gov>; Greg Terner <greg.terner@milwaukee.gov>; Adam Thornsbush <adam.thornsbush@milwaukee.gov>

Cc: Emma Seger <emma.seger@milwaukee.gov>

Subject: Information overview in response to comments on MRLD-2025-003 and -002

Chris, Sandy, Amanda, et al.,

I appreciate the comments you provided in response to the public notice posted and mailed for the middle housing/land division applications MRLD-2025-003 and MRLD-2025-002, which relate to the development happening at 5036 and 5038 SE Harrison St. It's an opportunity to explain the background and context for the regulations that are allowing the project.

(body of original response removed to avoid system conflicts... The attached PDF includes the entire text of the response.)

Conclusion

The increase in residential units that the proposed MRLD development brings will obviously be a change for residents in the area. I have attempted to provide the background and context for the new rules that have set the stage for this and other similar developments in the future.

I understand that new policies that increase the use of public streets for resident parking—thereby reducing the on-street parking available to existing residents—is a change from what has occurred in the past. I also recognize that current residents may be surprised at the number of units being added to the neighborhood, which is also a change. The state of Oregon has recognized that we are facing a large housing crisis. More units are needed to both accommodate folks that need housing and folks that need a variety of housing choices. These new policies help to accomplish the goals.

I expect to issue the notice of decision for both MRLD applications early next week (the week of April 7). That will start a 30-day period for filing an appeal. I have attempted to explain why I don't believe the MRLD process is a viable avenue for challenging the quadplex developments themselves. These units are allowed outright, and there is no land use application for needed for the units to be built. The MRLD application meets the provisions in the code.

Please let me know if you have any questions. Those who have submitted comments to date will receive an email when the notice of decision is issued—if you have not submitted comments and would like to receive an email about the notice of decision, send me a note directly to let me know (please do not reply to the entire group).

Thank you for your attention and patience.

BRETT KALLNER, AICP, CFM
City Engineer
300 7th Ave
City of Milwaukee
300 S. Jackson St. • Milwaukee, WI 53204

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Chris, Sandy, Amanda, et al—

I appreciate the comments you provided in response to the public notice posted and mailed for the middle housing land division applications MHL-2025-001 and MHL-2025-002, which relate to the development happening at 5026 and 5036 SE Harrison St. It's an opportunity to explain the background and context for the regulations that are allowing the project.

Middle Housing

In 2019, the Oregon Legislature passed House Bill 2001, aimed at helping provide more housing choices. The bill required cities across Oregon to allow duplexes, triplexes, quadplexes, cottage clusters, and townhouses in areas that had previously been zoned for single-unit houses. These housing types referred to as “middle housing” in part because they fall between single-unit houses and multi-unit apartments. (See a [1-page handout](#) from the Oregon Department of Land Conservation & Development (DLCD) for a summary of HB 2001.)

This change was required by June 30, 2022—Milwaukie adopted amendments to the zoning code to meet that deadline (adopted in May 2022, effective in June 2022). See the [project webpage](#) for an overview of the effort to comply with HB 2001. *(Note that a minimum requirement for off-street parking remained in the code at that time—see the next section for info on a subsequent update to the parking requirements.)* The most common residential zone in Milwaukie is the Moderate Density Residential (R-MD) zone, with uses and development standards established in [Section 19.301](#) of the zoning code. Middle housing can now be developed on any R-MD lot in Milwaukie.

In Milwaukie, plex units (duplex/triplex/quadplex) can be attached or detached (or a combination) and can be built on lots as small as 3,000 sq ft (single-unit houses have a minimum lot size of 5,000 sq ft). Townhouses are distinct from plexes, as they are always attached (shared walls, with a maximum of four townhouse units per structure) and must be on their own lots (from 1,500 sq ft to 2,999 sq ft in lot size). Plexes and townhouses have different standards for design and siting—the plex standards are in [Subsection 19.505.1](#) and the townhouse standards are in [Subsection 19.505.5](#).

Off-Street Parking Requirements

In March 2020, Oregon Governor Kate Brown signed an executive order directing state agencies to take action to reduce greenhouse gas emissions (see [Executive Order No. 20-04](#)). This led to DLCD initiating a rulemaking process that included significant parking reform for cities within the state's metropolitan areas (see a summary [here](#)). This included an end to the City's ability to require a minimum number of off-street parking spaces for any form of development where within ¾ miles of a light rail station or ½ mile of a frequent transit corridor—defined as bus service with a scheduled frequency of at least four times per hour during peak service, and other transit corridors with a scheduled frequency of at least once per hour during peak service—which is approximately 80% of the city.

When the City Council adopted the new parking requirements in May 2024, they opted to remove the parking mandate for the entire city and instituted a maximum parking limit for

many uses as well. The adopting ordinance for these changes includes a ~~strikeout~~/underline version of the code that shows where changes were made—view or download [Ordinance 2243](#). Although separate from the middle housing legislation discussed above, the parking reforms are related through the recognition that parking mandates contribute to increasing costs for housing and the unnecessary commitment of land to parking instead of housing and other uses.

Chris’s citation of the two footnotes that appear below [Table 19.605.1](#) in the current version of the code online (related to middle housing and townhouse development) has brought to our attention an apparent scrivener’s error by the code publisher, as those footnotes were clearly deleted in the adopted ordinance (see Figure 1, below). Staff will contact the code publisher and have them correct the error to avoid future confusion. This issue is not relevant to the development in question, since the new units are detached quadplexes on two lots and not townhouses.

Figure 1. Page 18 of 47 from Exhibit B of Ord. 2243.

G. Industrial Uses		
1. Manufacturing.	1 space per 1,000 sq ft of floor area.	2 spaces per 1,000 sq ft of floor area.
2. Storage, warehouse, wholesale establishment less than 150,000 sq ft.	0.5 spaces per 1,000 sq ft of floor area.	1 space per 1,000 sq ft of floor area.
3. Storage, warehouse, wholesale establishment 150,000 sq ft or greater.	0.3 spaces per 1,000 sq ft of floor area.	0.4 spaces per 1,000 sq ft of floor area.
4. Mini-warehouse; self-service storage.	1 space per 45 storage units, plus 1 space per employee of the largest shift.	1 space per 20 storage units, plus 1 space per employee of the largest shift.

~~1 For middle housing developments located on streets classified as Arterials or Collectors in the Transportation System Plan, 0.5 off-street parking spaces per dwelling unit are required.~~
~~2 For townhouse developments of 8 or more townhouses, 0.5 off-street parking spaces per dwelling unit are required. Successive or phased townhouse developments to avoid this requirement are not permitted.~~

19.605.2 Maximum Quantity Modifications and ~~Required~~ Parking Determinations

Subsection 19.605.2 allows for the modification of ~~minimum and~~ maximum parking ratios from Table 19.605.1 as well as the determination of ~~minimum and~~ maximum parking requirements.

I believe that Amaya’s citation of what she thought were minimum parking figures for middle housing were in fact the maximum parking allowances for those middle housing types. And her references to a parking-related application are related to the request an applicant can make to amend the maximum parking quantity. In this case, the developer is not proposing to exceed the maximum parking quantity allowed, so the data and analysis mechanism of [Subsection 19.605.2](#) is not engaged. The City Council set the maximum parking limits when they adopted the parking code amendments, so any challenge of that policy will need to be addressed directly to the Council.

Where on-street parking is allowed, it will likely be used, which is what it is designed for. When nearby spaces are full, people will likely flow to other streets to park. Parallel parking is allowed on Home Avenue—if Sandy’s reference to “horizontal parking” on Home is a request for head-

in parking, I don't believe there is room on Home for anything but parallel parking along the curb or shoulder. If vehicles park where parking is not allowed, there are enforcement measures that can be taken.

MHLD Process

In conjunction with the new middle housing rules, the state has authorized a middle housing land division (MHLD) process to place individual housing units from one lot on their own sellable sublots. This will broaden the prospects of home ownership for new residents of middle housing. The concept is similar to the existing condominium process (which is overseen by the state instead of local jurisdictions), with one difference being that MHLD sublots include at least some portion of the land underneath each unit. Each unit must include a ground floor—the MHLD process is not available where one unit is above another.

Especially where the middle housing development includes detached units, it is important to note that, although each individual unit goes onto a separate sellable tax lot, the project remains a collective development for zoning purposes—no further land division is allowed for the overall lot. Easements are established to ensure access and utility connections. See the [MHLD handout](#) for more information.

As per the zoning code and current state rules, the MHLD process requires Type II review, with public notice and an opportunity for comment provided. However, the fact that the MHLD review is about drawing property lines around units that are allowed outright means that the public notice is primarily a means to notify neighbors of the coming development. The approval criteria for MHLD (in [Subsection 17.26.010.D](#)) do not include parking or density or specific aspects of the development's design, they relate only to the act drawing of new subplot lines around the approved units. (Note: There is a push to have the state revise this Type II review and notice requirement, since it creates an inaccurate sense of opportunity to block or significantly affect the decision.)

An MHLD decision, like any Type II decision, can be appealed to the Planning Commission by any party that feels “adversely affected or aggrieved” (as per [Subsection 19.1010.5.A](#)). However, I think it's fair to say that even the appeal process is essentially a formality in the case of MHLD applications, since the MHLD proposal is about dividing the “parent lot” to create sub-lots for units that are approvable. The development itself is allowed outright (subject to the applicable standards for development, design, and siting)—to be successful, an appeal would need to make the case that the applicable standards were in fact not met (i.e., staff error in the review and assessment of compliance).

MHLD-2025-001 and MHLD-2025-002

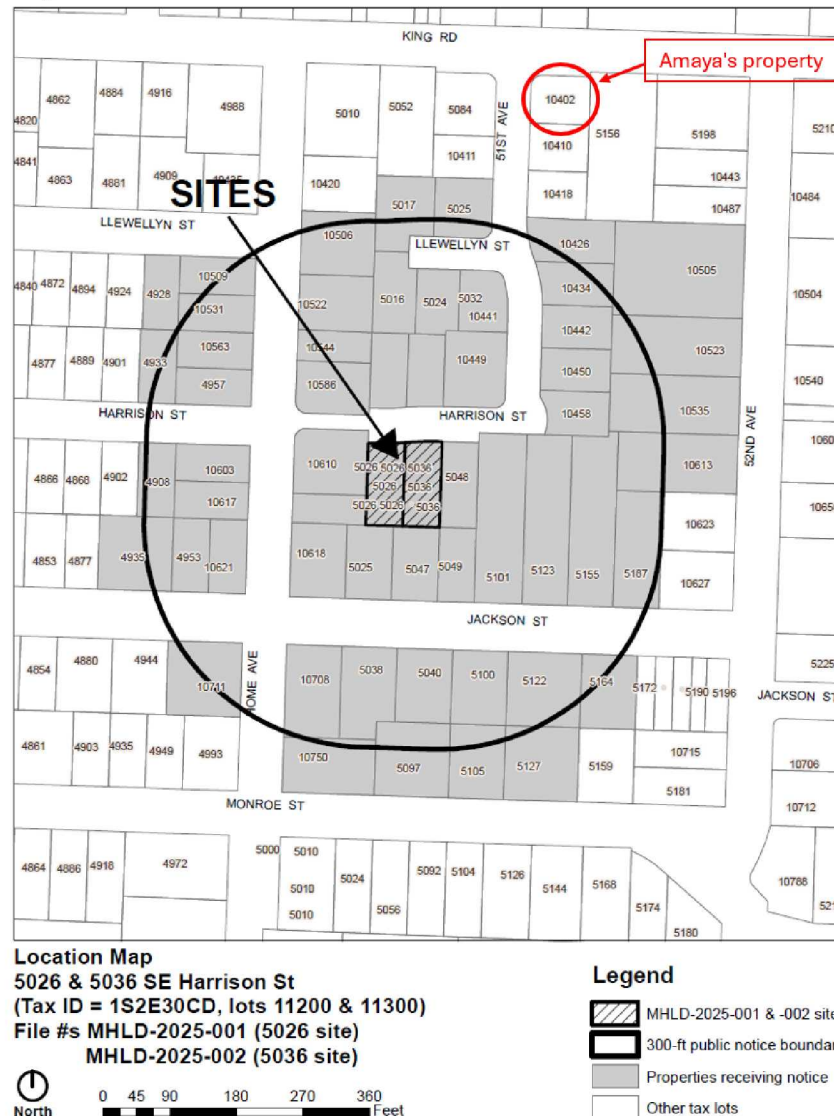
With that background in mind, I'll return to summarize and address the project at hand.

- The project involves two lots owned by the same developer.
- The developer has proposed a quadplex on each lot, which is allowed outright in the underlying R-MD zone.

- As allowed by the code, the quadplex units are all detached, with two units close to the street on each lot and the other two units behind.
- By definition, this is not a townhouse development. The units are not attached in a single structure with four units max and are not on individual lots that each have street frontage.
- The developer has submitted building permits for the units, and the permits have been deemed approvable.
- Off-street parking is not required. The design includes one off-street parking space for each of the four units that are closest to the street.
- The Type II process requires that public notice be sent to property owners within 300 ft of the subject property. In this case, because the notification areas for the two lots overlapped considerably, I chose to combine the notification areas and send a single mailing to save postage and materials. That meant that a few addresses that would have only gotten notice of one MHL application or another received the single notice for both.

- Amaya's property (10402 SE 51st Ave) fell outside the 300-ft radius of the combined notification area (see Figure 2, below), so she did not receive the notice.

Figure 2. 300-ft notification area.



Roadway Improvements (Harrison St & Home Ave)

The extension of Harrison Street west from its previous terminus near 51st Avenue to intersect with Home Avenue, which was included with the 2022 subdivision approval (primary file #R-2021-004) has been built as required. The street configuration is not a typical one in Milwaukee, as Harrison Street narrows to one-way for west-bound vehicle traffic but allows bicycle and pedestrian movements in both directions. The 6-ft sidewalk on the south side of Harrison is at-grade instead of constructed with a curb, so that it can be used along with the 14-ft asphalt roadway as an access point for fire trucks and other emergency vehicles if needed.

A version of the improvement plan that circulated during the subdivision process showed a bollard near the western end of the sidewalk at Home Avenue, but a bollard was not described in the conditions of approval. Instead, “Type III barricades” were required at the end of the sidewalks by the two new westernmost vacant lots on either side of the new street extension (see Figures 3 & 4, below).

Figure 3. From conditions of approval of R-2021-004

- i. Install all underground utilities, including stubs for utility service, prior to surfacing any streets.
- j. As per Finding 9-e, construct public improvements along the extension of Harrison Street along the frontage of Lots 5-8. Construction includes, but is not limited to, 5-ft setback sidewalks, 4-ft landscape strips, curb and gutter, 26-ft paved asphalt travel way, and driveways. Approved street trees must also be planted at a minimum 40-ft spacing.
- k. Install Type III barricades at the end of sidewalks by Lots 5 and 7 and install asphalt transition ramps to connect the pedestrian route to the Harrison Street fire-lane

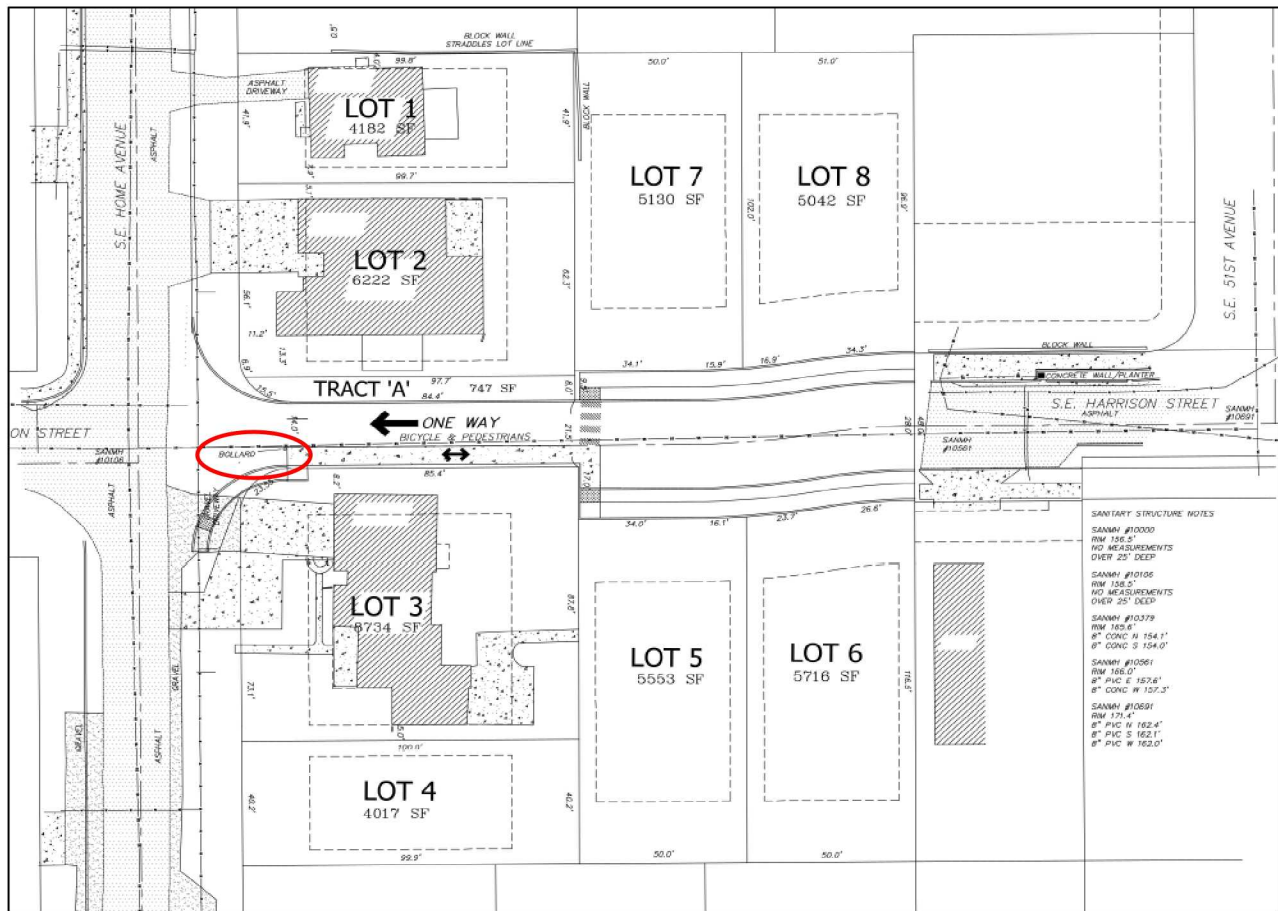
Notice of Decision—Rystadt 8-lot subdivision replat
Primary File #R-2021-004—10586 & 10610 SE Home Ave

Page 4 of 5
April 26, 2022

segment between Lots 2 and 3. The southern asphalt transition ramp is subject to reimbursement by the City.

- l. As per Finding 9-e, construct “woonerf”-style “Complete Street” improvements along the Harrison Street fire-lane segment between Lots 2 and 3. Construction includes, but is not limited to, a minimum 5-ft water quality facility with curb and gutter on the north side; and a 20-ft paved asphalt travel lane, with a tactile warning strip along the full length delineating a 6-ft pedestrian route and a 14-ft vehicle lane, pavement markings for pedestrians on the 6-ft portion, and sharrow pavement markings on the 14-ft portion. Tactile warning strip and pavement markings are subject to reimbursement by the City.
- m. Construct one Americans with Disabilities Act (ADA) compliant ramp at the northeast corner of Harrison Street and Home Avenue. The western connection will be installed by the City as part of an upcoming Capital Improvement Plan project. Install an asphalt transition ramp connecting the pedestrian route from the southeast corner of Harrison Street and Home Avenue to the narrow portion of the Harrison Street extension between Lots 2 and 3. ADA ramp and asphalt transition ramp are subject to reimbursement by the City.

Figure 4. Improvement plan from R-2021-004



On the north side of the street, a barricade was not necessary because of how the required stormwater swale, sidewalk, and ADA ramp were constructed, and a Type III barricade was installed at the eastern end of the sidewalk on the south side (see Figure 5, below). A bollard at the western end of the sidewalk (circled in red in Figure 4, above) would reduce or eliminate the width necessary for fire truck access and is not a needed safety feature. As constructed, the new street improvements, with the accompanying signage and pavement markings, meet the applicable requirements for safety and should function as designed.

Figure 5. Harrison St westbound toward Home Ave



Conclusion

The increase in residential units that the proposed MHL development brings will obviously be a change for residents in the area. I have attempted to provide the background and context for the new rules that have set the stage for this and other similar developments in the future.

I understand that new policies that increase the use of public streets for resident parking—thereby reducing the on-street parking available to existing residents—is a change from what has occurred in the past. I also recognize that current residents may be surprised at the number of units being added to the neighborhood, which is also a change. The state of Oregon has recognized that we are facing a large housing crisis. More units are needed to both accommodate folks that need housing and folks that need a variety of housing choices. These new policies help to accomplish the goals.

I expect to issue the notice of decision for both MHL applications early next week (the week of April 7). That will start a 15-day period for filing an appeal. I have attempted to explain why I don't believe the MHL process is a viable avenue for challenging the quadplex developments themselves. These units are allowed outright, and there is no land use application for needed for the units to be built. The MHL application meets the provisions in the code.

Please let me know if you have any questions. Those who have submitted comments to date will receive an email when the notice of decision is issued—if you have not submitted comments and would like to receive an email about the notice of decision, send me a note directly to let me know (please do not reply to the entire group).

Thank you for your attention and patience.

From: [Lisa Batey](#)
To: [Scott Stauffer](#); [Emma Sagor](#); [Joseph Briglio](#)
Subject: FW: re-send RE: information overview in response to comments on MHL-2025-001 and -002
Date: Wednesday, April 23, 2025 10:36:59 AM
Attachments: [Screenshot 2025-04-19 165448.png](#)
[Screenshot 2025-04-19 144514.png](#)
[Screenshot 2025-04-19 141938.png](#)
[Screenshot 2025-04-19 144738.png](#)

Scott – another for the record

Emma and Joseph – I had not heard anything about this until last week. It seems council ought to have a discussion of this project and the neighbors' concerns. There's reference to public meetings below – is this something that had a Planning Commission hearing?

I'm tempted to suggest some of these folks come comment at the next Council meeting, but if you want to get something on an agenda in May, then I'll resist that temptation.

Thanks,
Lisa

From: Sandy Conley <slconley@msn.com>
Sent: Wednesday, April 23, 2025 9:47 AM
To: Cameron McKillop <cameron.mckillop17@gmail.com>; Brett Kelter <KelterB@milwaukieoregon.gov>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>
Cc: Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmmanus@gmail.com>; Axisrn13@gmail.com; Rolanne Stafford <rolanne.stafford@gmail.com>; leygarrett@comcast.net; dkruse8@gmail.com; WAYNE HOUCK <whouck65@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; philmc333335@gmail.com; stephan_tripp@yahoo.com; victoriarystadt@gmail.com; corinn@chapeltheatremilwaukie.com; optisoo@gmail.com; doncourson@hotmail.com; robreynolds567@gmail.com; sararhianabee@gmail.com; waugh.eg@gmail.com; mypalvalmal@gmail.com; zaharie@comcast.net; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyerd@icloud.com; Greg Hemer <greghemermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy.Lorence@nwnatural.com; Emma Sagor <SagorE@milwaukieoregon.gov>; Joseph Briglio <BriglioJ@milwaukieoregon.gov>
Subject: Re: re-send RE: information overview in response to comments on MHL-2025-001 and -002

This Message originated outside your organization.

Brett,

I believe I speak for all of the members of our community impacted by this project when I say thank you to Cameron for investigating this particular builder as it appears the City has not looked into this yet or, worse yet, has not informed the community of its findings. We request you provide this email chain with confirmation this builder is meeting all of his legal requirements before he moves forward with the project.

We understand that the City was not required to include the community when the initial project changed to this multi-housing development. It is our hope, however, that you will be more inclusive of the communities impacted by proposals prior to approving developer's plans. Many of us lived in Portland prior to moving to Milwaukie and we left there hoping to find more livability in Milwaukie. We want to be involved in decisions involving our community going forward. The developers do not live in our neighborhoods, and they do not know our needs or accessibility. Your best resource is the people who live here and yet those of us who have spoken up at the meetings have felt more patronized than respectfully listened to when we expressed concerns. We are not allowed ample time to present our concerns, and it is quite obvious the decision has already been made. Several of our community have moved since the first proposal (5 families in total out of a community of 14 homes) was approved by you and many are expressing their desire to leave the neighborhood now too. This is an unfortunate outcome for the city of Milwaukie. If we are included, our voices heard and common ground reached, there is a better outcome for all and perhaps a higher retention of residents who want to contribute to Milwaukie's growth.

Sandy Conley

From: Cameron McKillop <cameron.mckillop17@gmail.com>
Sent: Monday, April 21, 2025 8:00 AM
To: Brett Kelter <KelterB@milwaukieoregon.gov>; KhosroabadiA@milwaukieoregon.gov <KhosroabadiA@milwaukieoregon.gov>; masseyr@milwaukieoregon.gov <masseyr@milwaukieoregon.gov>; andersonw@milwaukieoregon.gov <andersonw@milwaukieoregon.gov>; stavenjordr@milwaukieoregon.gov <stavenjordr@milwaukieoregon.gov>; bateyl@milwaukieoregon.gov <bateyl@milwaukieoregon.gov>

Cc: Sandy Conley <sconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Axisrn13@gmail.com <Axisrn13@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; levgarnett@comcast.net <levgarnett@comcast.net>; dkruse8@gmail.com <dkruse8@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; philmc333335@gmail.com <philmc333335@gmail.com>; stephan_tripp@yahoo.com <stephan_tripp@yahoo.com>; victoriarystadt@gmail.com <victoriarystadt@gmail.com>; corinn@chapeltheatremilwaukie.com <corinn@chapeltheatremilwaukie.com>; optisoo@gmail.com <optisoo@gmail.com>; doncourson@hotmail.com <doncourson@hotmail.com>; robreynolds567@gmail.com <robreynolds567@gmail.com>; sarahhianabee@gmail.com <sarahhianabee@gmail.com>; waugh.eg@gmail.com <waugh.eg@gmail.com>; mypalvalmal@gmail.com <mypalvalmal@gmail.com>; zaharie@comcast.net <zaharie@comcast.net>; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com <amayablanc@gmail.com>; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyverdt@icloud.com <amyverdt@icloud.com>; Greg Hemer <greghemermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy.Lorence@nwnatural.com <Jeremy.Lorence@nwnatural.com>; Emma Sagor <SagorE@milwaukieoregon.gov>; Joseph Briglio <BriglioJ@milwaukieoregon.gov>

Subject: Re: re-send RE: information overview in response to comments on MHL-2025-001 and -002

Hi Brett,

I've attached your prior email for reference, especially for the benefit of the City Council members I've added to this thread.

This project was first introduced over three years ago, and at the time, public comment was taken. However, there have been significant changes to the original plan since then, with little to no opportunity for community feedback on those revisions. This has only deepened residents' concerns about the transparency, consistency, and oversight of the process.

In your response to concerned neighbors, you noted: *"There is a push to have the state revise this Type II review and notice requirement, since it creates an inaccurate sense of opportunity to block or significantly affect the decision."* That line unfortunately sums up how many of us have felt the City has handled this process, treating community input as an afterthought rather than a meaningful part of the review.

I believe our elected officials, who are meant to represent the voice of their constituents, should be aware of how inconsistencies in code enforcement and administrative oversight are directly impacting our neighborhood.

Contractor Status & Compliance Issues

Did you know that the builder contracted for this project, Shah Housing Solutions LLC, has been listed under **Administrative Dissolution** with the Oregon Secretary of State **since January 30, 2025**? It's unclear how work has begun on this project without the company first returning to good standing.

Here is the link to their status, along with a screenshot:

https://egov.sos.state.or.us/br/pkg_web_name_srch_inq.show_det?p_be_rsn=2176933&p_srce=BR_INQ&p_print=FALSE

Please read before ordering Copies.

New Search		Printer Friendly		Summary History		
Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ADMINISTRATIVE DISSOLUTION	01-30-2025		SYS		
	REINSTATEMENT AMENDED	02-26-2024		F1		
	ADMINISTRATIVE DISSOLUTION	02-01-2024		SYS		
	AMENDMT TO ANNUAL RPT/INFO STATEMENT	08-31-2023		F1		
	REINSTATEMENT AMENDED	01-13-2023		F1		
	ADMINISTRATIVE DISSOLUTION	02-03-2022		SYS		
	ARTICLES OF ORGANIZATION	12-03-2020		F1	Agent	

This is not an isolated issue. As you'll see in the attached screenshots, this contractor has a documented pattern of non-compliance, including:

- **Two license suspensions** for failure to provide proof of liability insurance
- **Eight penalties** for hiring unlicensed subcontractors

CCB ADMINISTRATIVE LICENSE ACTIONS HISTORY FOR: SHAH HOUSING SOLUTIONS LLC License: 233986 Current License Status: Active	
ADMINISTRATIVE LICENSE SUSPENSIONS	
These actions are not disciplinary actions punishing the contractor for improper behavior. These are administrative actions required by law to ensure contractors demonstrate the proper proof of financial security to protect the public. Suspensions of this kind are commonly corrected quickly and the license is reinstated upon receipt of proper proof of bonding or insurance.	
Suspensions for lack of proof of liability insurance:	2
Suspensions for lack of proof of surety bond:	0
BACK	

CCB DISCIPLINARY ACTIONS HISTORY FOR:	
BHAH HOU BING SOLUTION S LLC	
License: 233988	
Current License Status: Active	
The CCB Disciplinary Actions are enforcement actions taken against a contractor for violating state laws resulting in a license revocation, suspension or refusal to reissue or a civil penalty. This information covers the past 10 years.	
ENFORCEMENT CIVIL PENALTIES	
Investigation Number:	127436
Type of Violation:	Hired an unlicensed subcontractor
Final Order Date:	3/15/2021
Penalty Amount:	\$1,000.00
Outstanding Amount:	\$0.00
Investigation Number:	127437
Type of Violation:	Hired an unlicensed subcontractor
Final Order Date:	3/15/2021
Penalty Amount:	\$1,000.00
Outstanding Amount:	\$0.00
Investigation Number:	127438
Type of Violation:	Hired an unlicensed subcontractor
Final Order Date:	3/15/2021
Penalty Amount:	\$1,000.00
Outstanding Amount:	\$0.00
Investigation Number:	127439
Type of Violation:	Hired an unlicensed subcontractor
Final Order Date:	3/15/2021
Penalty Amount:	\$1,000.00
Outstanding Amount:	\$0.00
Investigation Number:	127440
Type of Violation:	Hired an unlicensed subcontractor
Final Order Date:	3/15/2021
Penalty Amount:	\$1,000.00
Outstanding Amount:	\$0.00
Investigation Number:	127441
Type of Violation:	Hired an unlicensed subcontractor
Final Order Date:	3/15/2021
Penalty Amount:	\$1,000.00
Outstanding Amount:	\$0.00
Investigation Number:	127581
Type of Violation:	Hired an unlicensed subcontractor
Final Order Date:	4/16/2021
Penalty Amount:	\$1,000.00
Outstanding Amount:	\$0.00
Investigation Number:	133674
Type of Violation:	Hired an unlicensed subcontractor
Final Order Date:	1/12/2024
Penalty Amount:	\$1,000.00
Outstanding Amount:	\$0.00

Safety Concerns

As mentioned previously, I've already sent photos showing vehicles **parked on the newly designed sidewalk**, but here's another example from today involving one of the subcontractors. We continue to observe drivers going the **wrong way down the one-way street**, despite clear signage. This behavior has become routine, not occasional.



Your repeated response has been to “*wait and see*”, but this ongoing pattern is exactly what neighbors warned about from the beginning. It’s especially frustrating that the **original drawings called for a bollard**, yet the City waived that requirement based on a technicality.

We’re also concerned about being the **test case for a sidewalk design** that’s clearly confusing to both drivers and pedestrians—and already causing safety issues. These problems will only worsen with the addition of eight homes on this lot, and potentially eight more across the street if that parcel is developed as expected.

Additionally, the **arborvitae creating a dangerous visual obstruction** is still in place, as shown in the photo below. When code enforcement was contacted, we were told that if the property owner chose not to comply, **resolution could take months** (screenshot of that response is also attached). It seems we’ll be “*waiting and seeing*” on this issue as well. Seems like something you should require resolution on prior to green lighting any future steps on this project.



----- Forwarded message -----

From: Milwaukie Code <code@milwaukieoregon.gov>

Date: Mon, Apr 7, 2025 at 7:01 AM

Subject: RE: Blocked Visibility to Street

To: Heather Buchanan <buchanan.heathera@gmail.com>

It could be months if they don't comply.

The first deadline for compliance has come and gone.

I haven't been able to do a follow up inspection, but it sounds like it is still there.

I will give another 10 day notice this week and hopefully it will proceed without citation.

Tim Salyers, CEP

Code Compliance Coordinator

o: 503.786.7409

City of Milwaukie

[3200 SE Harrison St • Milwaukie, OR 97222](#)

Lack of Adherence to Codes

Current city code mandates a specific number of parking spaces for townhomes, which has been dismissed in this case as an “*apparent strivers’ error*”. It’s concerning that the City can **subjectively dismiss** this kind of requirement, particularly when it has a major impact on residents.

Furthermore, you stated that the parking requirement doesn’t apply to quadplexes, but there is **no reference in the code** that clearly

distinguishes this difference. That ambiguity, paired with inconsistent enforcement, leaves neighbors wondering whether the rules are being applied equitably.

Not Having the Impact You Think You Are

You've shared that this development aligns with statewide goals to expand affordable housing and promote eco-friendly neighborhoods. These are admirable goals in theory, but the execution in our neighborhood tells a different story.

The City is removing parking options while increasing the number of residents who own cars. While we are near a bus stop and not far from a MAX station, that doesn't reflect where people actually work, or the existing public transit infrastructure between those points. Most residents who can afford these homes will need a car to reach their jobs.

Unless there's a plan to **require a percentage of these units to be Section 8 or truly affordable**, the affordability goal isn't being met, it's simply displacing the parking and access needs of current and future residents. Current state of the plan is only set to profit the developer, not the community you state that you are trying to help.

Additionally, there are **ongoing accessibility concerns** across Milwaukie. Many sidewalks are unusable for people with disabilities or families with strollers. And in places where street parking is allowed, **streets are becoming too narrow** to safely accommodate two-way traffic, adding yet another safety issue to the growing list.

Best regards,
Cameron McKillop

On Fri, Apr 4, 2025 at 6:56 PM Brett Kelter <KelterB@milwaukieoregon.gov> wrote:

Hello,

Immediately upon sending the message below I received a host of notifications indicating that some system settings may have removed several of the images that were included in the body of the email. In case that means some of you were not able to receive and see the figures that I had included in the response, I am attaching a PDF document that includes the text and images. I believe the various links to other reference documents that were in the body of the message are still accessible in the PDF document. Please let me know if you do not receive some form of this response that includes figures and links.

Apologies in advance for double-covering on this, but I wanted to be sure the info went out. I will abbreviate the body of the original message below to avoid the same error message that came back to me the first time.

BRETT KELVER, AICP, CFM

Senior Planner

he • him • his

From: Brett Kelter

Sent: Friday, April 4, 2025 6:40 PM

To: Sandy Conley <slconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Axisrn13@gmail.com; Rolanne Stafford <rolanne.stafford@gmail.com>; levgarnett@comcast.net; dkruse8@gmail.com; WAYNE HOUCK <whouck65@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; philmc333335@gmail.com; stephan_tripp@yahoo.com; victoriarystadt@gmail.com; corinn@chapeltheatremilwaukie.com; optisoo@gmail.com; doncourson@hotmail.com; robrenolds567@gmail.com; sarahhianabee@gmail.com; waugh.eg@gmail.com; mypalvalmal@gmail.com; zaharie@comcast.net; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyverdt@icloud.com; Greg Hemer <greghemermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy.Lorence@nwnatural.com

Cc: Emma Sagor <SagorE@milwaukieoregon.gov>; Joseph Briglio <BriglioJ@milwaukieoregon.gov>

Subject: information overview in response to comments on MHL-2025-001 and -002

Chris, Sandy, Amanda, et al—

I appreciate the comments you provided in response to the public notice posted and mailed for the middle housing land division applications MHL-2025-001 and MHL-2025-002, which relate to the development happening at 5026 and 5036 SE Harrison St. It's an opportunity to explain the background and context for the regulations that are allowing the project.

(Body of original response removed to avoid system conflicts . . . The attached PDF includes the entire text of the response.)

Conclusion

The increase in residential units that the proposed MHL development brings will obviously be a change for residents in the area. I have attempted to provide the background and context for the new rules that have set the stage for this and other similar developments in the future.

I understand that new policies that increase the use of public streets for resident parking— thereby reducing the on-street parking available to existing residents—is a change from what has occurred in the past. I also recognize that current residents may be surprised at the number of units being added to the neighborhood, which is also a change. The state of Oregon has recognized that we are facing a large housing crisis. More units are needed to both accommodate folks that need housing and folks that need a variety of housing choices. These new policies help to accomplish the goals.

I expect to issue the notice of decision for both MHL applications early next week (the week of April 7). That will start a 15-day period for filing an appeal. I have attempted to explain why I don't believe the MHL process is a viable avenue for challenging the quadplex developments themselves. These units are allowed outright, and there is no land use application for needed for the units to be built. The MHL application meets the provisions in the code.

Please let me know if you have any questions. Those who have submitted comments to date will receive an email when the notice of decision is issued—if you have not submitted comments and would like to receive an email about the notice of decision, send me a note directly to let me know (please do not reply to the entire group).

Thank you for your attention and patience.

BRETT KELVER, AICP, CFM

Senior Planner

he • him • his

City of Milwaukie

503.786.7657

10501 SE Main St • Milwaukie, OR 97222

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From: [Lisa Batey](#)
To: [City Council](#)
Subject: FW: re-send RE: information overview in response to comments on MHL-2025-001 and -002
Date: Wednesday, April 23, 2025 12:23:27 PM
Attachments: [Screenshot 2025-04-19 165448.png](#)
[Screenshot 2025-04-19 144514.png](#)
[Screenshot 2025-04-19 144738.png](#)
[Screenshot 2025-04-19 141938.png](#)

Scott – another for the record.

From: Tamara Wissbaum <wissbaumtam@comcast.net>
Sent: Wednesday, April 23, 2025 11:39 AM
To: Sandy Conley <slconley@msn.com>
Cc: Cameron McKillop <cameron.mckillop17@gmail.com>; Brett Kelter <KelterB@milwaukieoregon.gov>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; Allison McManus <mcmanusal@gmail.com>; Axisrn13@gmail.com; Rolanne Stafford <rolanne.stafford@gmail.com>; leygarnett@comcast.net; dkruse8@gmail.com; WAYNE HOUCK <whouck65@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; philmc333335@gmail.com; stephan_tripp@yahoo.com; victoriarystadt@gmail.com; corinn@chapeltheatremilwaukie.com; thomas@wizzcpa.com; optisoo@gmail.com; doncourson@hotmail.com; robreynolds567@gmail.com; sararhianabee@gmail.com; waugh.eg@gmail.com; mypalvalmal@gmail.com; zaharie@comcast.net; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyerd@icloud.com; Greg Hemer <greghemermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy Lorence <nwnatural.com>; Emma Sagor <SagorE@milwaukieoregon.gov>; Joseph Briglio <BriglioJ@milwaukieoregon.gov>
Subject: Re: re-send RE: information overview in response to comments on MHL-2025-001 and -002

This Message originated outside your organization.

Thank you, Sandy and Cameron for your detailed feedback and findings on this unfortunate project happening in our neighborhood.

Tom and I agree that the lack of transparency regarding this project is very concerning and disappointing. We have also considered moving.

We, too moved to Milwaukie, and this specific neighborhood, for better livability.

At the inception of this project, before it began, the current homeowners expressed their concerns to the city. Providing detailed feedback for the reasons for their concerns. Then to have the City of Milwaukie not follow through with their promises and/or compromises, shows me that their word, written or spoken, has no value and they don't care if they retain their current residents.

Since the City of Milwaukie didn't take the time to properly vet the chosen builder/contractor, who has numerous legal issues and has been fined for hiring unlicensed subcontractors, then didn't inform the community, only reinforces their lack of transparency, and lack of care and concern for their current residents. If they are not honest and transparent about this important matter, what else they are hiding?

The amount of congestion, noise, and the potential of erroneous activity possibly coming into our neighborhood, is also a big concern.

Cramming 8 homes, not of the same size, type and quality, into that small proposed area, will only bring down the value of the existing properties.

This entire project is one big disappointment.

Tamara Wissbaum
Tom Wissbaum
10450 SE 51st Ave

Sent from my iPhone

On Apr 23, 2025, at 9:47 AM, Sandy Conley <slconley@msn.com> wrote:

Brett,

I believe I speak for all of the members of our community impacted by this project when I say thank you to Cameron for investigating this particular builder as it appears the City has not looked into this yet or, worse yet, has not informed the community of its findings. We request you provide this email chain with confirmation this builder is meeting all of his legal requirements before he moves forward with the project.

We understand that the City was not required to include the community when the initial project changed to this multi-housing development. It is our hope, however, that you will be more inclusive of the communities impacted by proposals prior to approving developer's plans. Many of us lived in Portland prior to moving to Milwaukie and we left there hoping to find more livability in Milwaukie. We want to be involved in decisions involving our community going forward. The developers do not live in our neighborhoods, and they do not know our needs or accessibility. Your best resource is the people who live here and yet those of us who have spoken up at the meetings have felt more patronized than respectfully listened to when we expressed concerns. We are not allowed ample time to present our concerns, and it is quite obvious the decision has already been made. Several of our community have moved since the first proposal (5 families in total out of a community of 14 homes) was approved by you and many are expressing their desire to

leave the neighborhood now too. This is an unfortunate outcome for the city of Milwaukie. If we are included, our voices heard and common ground reached, there is a better outcome for all and perhaps a higher retention of residents who want to contribute to Milwaukie's growth.

Sandy Conley

From: Cameron McKillop <cameron.mckillop17@gmail.com>
Sent: Monday, April 21, 2025 8:00 AM
To: Brett Kelter <KelterB@milwaukieoregon.gov>; khosroabadia@milwaukieoregon.gov <khosroabadia@milwaukieoregon.gov>; masseyr@milwaukieoregon.gov <masseyr@milwaukieoregon.gov>; andersonw@milwaukieoregon.gov <andersonw@milwaukieoregon.gov>; stavenjdr@milwaukieoregon.gov <stavenjdr@milwaukieoregon.gov>; bateyl@milwaukieoregon.gov <bateyl@milwaukieoregon.gov>
Cc: Sandy Conley <slconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmnusal@gmail.com>; Axisrn13@gmail.com <Axisrn13@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; levgarrett@comcast.net <levgarrett@comcast.net>; dkruse8@gmail.com <dkruse8@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; philmc333335@gmail.com <philmc333335@gmail.com>; stephan_tripp@yahoo.com <stephan_tripp@yahoo.com>; victoriarystadt@gmail.com <victoriarystadt@gmail.com>; corinn@chapeltheatremilwaukie.com <corinn@chapeltheatremilwaukie.com>; optisoo@gmail.com <optisoo@gmail.com>; doncourson@hotmail.com <doncourson@hotmail.com>; robreynolds567@gmail.com <robreynolds567@gmail.com>; sararhianabee@gmail.com <sararhianabee@gmail.com>; waugh.eg@gmail.com <waugh.eg@gmail.com>; mypalvalmal@gmail.com <mypalvalmal@gmail.com>; zaharie@comcast.net <zaharie@comcast.net>; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com <amayablanc@gmail.com>; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyerdt@icloud.com <amyerdt@icloud.com>; Greg Hemer <grehemermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy Lorence <nwnatural.com> <Jeremy.Lorence@nwnatural.com>; Emma Sagor <SagorF@milwaukieoregon.gov>; Joseph Briglio <BriglioJ@milwaukieoregon.gov>
Subject: Re: re-send RE: information overview in response to comments on MHL-2025-001 and -002

Hi Brett,

I've attached your prior email for reference, especially for the benefit of the City Council members I've added to this thread.

This project was first introduced over three years ago, and at the time, public comment was taken. However, there have been significant changes to the original plan since then, with little to no opportunity for community feedback on those revisions. This has only deepened residents' concerns about the transparency, consistency, and oversight of the process.

In your response to concerned neighbors, you noted: "There is a push to have the state revise this Type II review and notice requirement, since it creates an inaccurate sense of opportunity to block or significantly affect the decision." That line unfortunately sums up how many of us have felt the City has handled this process, treating community input as an afterthought rather than a meaningful part of the review.








I believe our elected officials, who are meant to represent the voice of their constituents, should be aware of how inconsistencies in code enforcement and administrative oversight are directly impacting our neighborhood.

Contractor Status & Compliance Issues

Did you know that the builder contracted for this project, Shah Housing Solutions LLC, has been listed under **Administrative Dissolution** with the Oregon Secretary of State **since January 30, 2025**? It's unclear how work has begun on this project without the company first returning to good standing.

Here is the link to their status, along with a screenshot:
https://egov.sos.state.or.us/br/pkg_web_name_srch_inq.show_det?p_be_rsn=2176933&p_srce=BR_INQ&p_print=FALSE

Please read before ordering Copies.

New Search		Private Profile		Summary History		
Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Disallowed By
	ADMINISTRATIVE DISSOLUTION	01-30-2025		SYS		
	REINSTATEMENT AMENDED	02-26-2024		FI		
	ADMINISTRATIVE DISSOLUTION	02-01-2024		SYS		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	08-31-2023		FI		
	REINSTATEMENT AMENDED	01-13-2023		FI		
	ADMINISTRATIVE DISSOLUTION	02-03-2022		SYS		
	ARTICLES OF ORGANIZATION	12-03-2020		FI	Agent	

This is not an isolated issue. As you'll see in the attached screenshots, this contractor has a documented pattern of non-compliance, including:

- **Two license suspensions** for failure to provide proof of liability insurance
- **Eight penalties** for hiring unlicensed subcontractors

CCB ADMINISTRATIVE LICENSE ACTIONS HISTORY FOR:
SHAH HOUSING SOLUTIONS LLC
License: 233986
Current License Status: Active

ADMINISTRATIVE LICENSE SUSPENSIONS

These actions are not disciplinary actions punishing the contractor for improper behavior. These are administrative actions required by law to ensure contractors demonstrate the proper proof of financial security to protect the public. Suspensions of this kind are commonly corrected quickly and the license is reinstated upon receipt of proper proof of bonding or insurance.

Suspensions for lack of proof of liability insurance: 2
Suspensions for lack of proof of surety bond: 0

[BACK](#)

CCB DISCIPLINARY ACTIONS HISTORY FOR:	
BHAI HOU BING SOLUTION 8 LLC	
License: 255988	
Current License Status: Active	
The CCB Disciplinary Actions are enforcement actions taken against a contractor for violating state laws resulting in a license revocation, suspension or refusal to renew or a civil penalty. This information covers the past 10 years.	
ENFORCEMENT CIVIL PENALTIES	
Investigation Number: 127436	Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021	Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00	
Investigation Number: 127437	Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021	Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00	
Investigation Number: 127438	Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021	Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00	
Investigation Number: 127439	Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021	Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00	
Investigation Number: 127440	Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021	Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00	
Investigation Number: 127441	Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021	Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00	
Investigation Number: 127581	Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 4/16/2021	Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00	
Investigation Number: 133674	Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 1/12/2024	Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00	

Safety Concerns

As mentioned previously, I've already sent photos showing vehicles **parked on the newly designed sidewalk**, but here's another example from today involving one of the subcontractors. We continue to observe drivers going the **wrong way down the one-way street**, despite clear signage. This behavior has become routine, not occasional.

<image_67508737.JPG>

Your repeated response has been to “*wait and see*”, but this ongoing pattern is exactly what neighbors warned about from the beginning. It’s especially frustrating that the **original drawings called for a bollard**, yet the City waived that requirement based on a technicality.

We’re also concerned about being the **test case for a sidewalk design** that’s clearly confusing to both drivers and pedestrians—and already causing safety issues. These problems will only worsen with the addition of eight homes on this lot, and potentially eight more across the street if that parcel is developed as expected.

Additionally, the **arborvitae creating a dangerous visual obstruction** is still in place, as shown in the photo below. When code enforcement was contacted, we were told that if the property owner chose not to comply, **resolution could take months** (screenshot of that response is also attached). It seems we’ll be “*waiting and seeing*” on this issue as well. Seems like something you should require resolution on prior to green lighting any future steps on this project.



----- Forwarded message -----

From: Milwaukie Code <code@milwaukieoregon.gov>
Date: Mon, Apr 7, 2025 at 7:01 AM
Subject: RE: Blocked Visibility to Street
To: Heather Buchanan <buchanan.heathera@gmail.com>

It could be months if they don't comply.

The first deadline for compliance has come and gone.

I haven't been able to do a follow up inspection, but it sounds like it is still there.

I will give another 10 day notice this week and hopefully it will proceed without citation.

Tim Salyers, CEP

Code Compliance Coordinator
o: 503.786.7409
City of Milwaukie
[3200 SE Harrison St • Milwaukie, OR 97222](#)

Lack of Adherence to Codes

Current city code mandates a specific number of parking spaces for townhomes, which has been dismissed in this case as an “*apparent strivers’ error*”. It’s concerning that the City can **subjectively dismiss** this kind of requirement, particularly when it has a major impact on residents.

Furthermore, you stated that the parking requirement doesn’t apply to quadplexes, but there is **no reference in the code** that clearly distinguishes this difference. That ambiguity, paired with inconsistent enforcement, leaves neighbors wondering whether the rules are being applied equitably.

Not Having the Impact You Think You Are

You’ve shared that this development aligns with statewide goals to expand affordable housing and promote eco-friendly neighborhoods. These are admirable goals in theory, but the execution in our neighborhood tells a different story.

The City is removing parking options while increasing the number of residents who own cars. While we are near a bus stop and not far from a MAX station, that doesn’t reflect where people actually work, or the existing public transit infrastructure between those points. Most residents who can afford these homes will need a car to reach their jobs.

Unless there’s a plan to **require a percentage of these units to be Section 8 or truly affordable**, the affordability goal isn’t being met, it’s simply displacing the parking and access needs of current and future residents. Current state of the plan is only set to profit the developer, not the community you state that you are trying to help.

Additionally, there are **ongoing accessibility concerns** across Milwaukie. Many sidewalks are unusable for people with disabilities or families with strollers. And in places where street parking is allowed, **streets are becoming too narrow** to safely accommodate two-way traffic, adding yet another safety issue to the growing list.

Best regards,
Cameron McKillop

On Fri, Apr 4, 2025 at 6:56 PM Brett Kelter <KelterB@milwaukieoregon.gov> wrote:

Hello,

Immediately upon sending the message below I received a host of notifications indicating that some system settings may have removed several of the images that were included in the body of the email. In case that means some of you were not able to receive and see the figures that I had included in the response, I am attaching a PDF document that includes the text and images. I believe the various links to other reference documents that were in the body of the message are still accessible in the PDF document. Please let me know if you do not receive some form of this response that includes figures and links.

Apologies in advance for double-covering on this, but I wanted to be sure the info went out. I will abbreviate the body of the original message below to avoid the same error message that came back to me the first time.

BRETT KELVER, AICP, CFM

Senior Planner

he • him • his

From: Brett Kelter
Sent: Friday, April 4, 2025 6:40 PM

To: Sandy Conley <slconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Axisrn13@gmail.com; Rolanne Stafford <rolanne.stafford@gmail.com>; levgarnett@comcast.net; dkruse8@gmail.com; WAYNE HOUCK <whouck65@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; philmc333335@gmail.com; stephan_tripp@yahoo.com; victoriarystadt@gmail.com; corinn@chapeltheatretilwaukie.com; optisoo@gmail.com; doncourson@hotmail.com; robrenolds567@gmail.com; sararhianabee@gmail.com; waugh.eg@gmail.com; mypalvalmal@gmail.com; zaharie@comcast.net; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyverdt@icloud.com; Greg Hemer <greghemermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy.Lorence@nwnatural.com
Cc: Emma Sagor <SagorE@milwaukieoregon.gov>; Joseph Briglio <BriglioJ@milwaukieoregon.gov>
Subject: information overview in response to comments on MHL-2025-001 and -002

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(Body of original response removed to avoid system conflicts . . . The attached PDF includes the entire text of the response.)

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Please let me know if you have any questions. Those who have submitted comments to date will receive an email when the notice of decision is issued—if you have not submitted comments and would like to receive an email about the notice of decision, send me a note directly to let me know (please do not reply to the entire group).

Thank you for your attention and patience.

BRETT KELVER, AICP, CFM

Senior Planner

he • him • his

City of Milwaukie

503.786.7657

10501 SE Main St • Milwaukie, OR 97222

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From: [Lisa Batey](#)
To: [City Council](#)
Subject: FW: Inventory historical properties in Milwaukie and two other topics
Date: Friday, April 25, 2025 10:34:41 AM

Scott, for the record

From: Kelly H <hudsons1az@gmail.com>
Sent: Thursday, April 24, 2025 1:42 PM
To: Lisa Batey <BateyL@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Emma Sagor <SagorE@milwaukieoregon.gov>; Joseph Briglio <BriglioJ@milwaukieoregon.gov>
Subject: Inventory historical properties in Milwaukie and two other topics

This Message originated outside your organization.

Good day to you all!

I've been debating with myself about this topic of older/historical homes in Milwaukee being inventoried since I saw the topic discussed in a council meeting. My knee jerk reaction was of course you need to take stock of these awesome older properties! After pondering it for a few weeks I have come to the conclusion that - of course you need to inventory these!!!

Here's why I think that way and I'd like you to put a higher priority on getting this done.

Once these homes are gone, they are gone and so goes the unique charm of the area. The charm that sealed the deal for us to move here.

We come from the southwest, Phoenix area of Arizona and southern California. Over my 65 years on this planet I've seen lovely areas bulldozed in favor of cookie-cutter tract homes. They are so close together that if you held your arms out to the side you could touch each house when standing between them. They all look the same. I have noticed as more people are crammed into a space that tempers go up and patience goes down. Density breeds discontent, not vitality or neighborhood unity. At least, that's been my experience.

Maybe it's because a lot of you have grown up around this type of architecture, but those out of the area have not and are craving it. Please don't take for granted what you have because it does have value and can be easily lost. It's worth the time, energy and money to do the inventory. Maybe start with the really older homes pre-WWII.

One more thing on a slightly different topic - density. I heard this in a planning meeting that you were all surprised that properties along King haven't been developed the way you thought they would. I wasn't surprised, back to density doesn't equate with vitality. People like space and calmer areas to relax with their families. Have your hubs, but keep the density down. We have a little market down on Monroe. I've been in it once and have no need to go back. I don't smoke or drink. The other items seem old and the overall feel was run down. There were a few small stores like this in Phoenix that sold very fresh baked goods, fine cheese and wine, etc. They were very popular. If you want these to be hubs, they need major overhauls.

Please, no more apartment buildings with no parking provided. I agree with Adam that home building projects should work toward homeownership. Condos and townhomes are great ways for people to enter the path to homeownership. Personally, I prefer the less dense approach of townhomes, with attached parking. It's the only way I can reconcile myself to higher density is if those folks could start building equity.

Okay, a third thing: Bike paths are nice, but when you have kids that need to go to the doctor, dentist, practice, various lessons and going to the grocery store it is really more realistic to do all that with a car. Also, taking your disabled parents or other family members to their various appointments. I think it's naive to think traffic can be solved with bike paths. There are so many people trying to juggle very busy lives or have mobility issues, but listening to these conversations in your meetings I think their needs are pushed to the side in favor of the very abled-body single folks who can zip around on a bike through hilly terrain. I'd like your plans to be more sensitive to others not so athletic. As I recall, someone mentioned Amsterdam. It's a wonderful city that I highly recommend visiting. I have, twice. Bikes

are all around - and it's flat. There are no hills.

Okay, that's three topics, more than enough for one letter. I bring this all up out of a sense of really loving our new community. There is a LOT going for it, but nothing is perfect. Love the revitalization of downtown. More shops and better parking so folks can shop longer. Sorry, that's another topic that I will leave for later.

All the best to all of you!

Kelly Hudson,
Linwood

From: [Greg Hemer](#)
To: [Martha Germany](#); [Pam Husband](#); [City Council](#)
Subject: Re: Proposed Picnic Shelter in Furnberg Park
Date: Wednesday, April 30, 2025 2:21:31 PM

Martha...below is the standard answer we have been sending...I have included a note at the end.

Thank you so much for your comments. The project team wants to satisfy the neighbors issues so the project is successful for everyone!

I am including Pam Husband, the project co-team leader, on this email as well.

The project team will record your concerns. As we gather more information from your neighbors, our next steps are to look at the position and placement of the shelter, address the neighbors concerns with mitigation measures, and create a concept plan. The concept plan will be a scale drawing with all the project placement, plantings, and amenities.

Our goal is to have you and your neighbors involved in these steps.

We hope you will continue to be engaged and are open to our team contacting you in the future. Please feel free to share the flier or information with your neighbors or share my contact information with them.

Thank you again for being a great neighbor!

Furnberg Park Picnic Shelter Project Team
Pam Husband and Greg Hemer
Linwood NDA representatives.

We received your other email and we will respond to the ideas and questions you presented during a nearby neighbors meeting in May. This Thursday we are distributing fliers to the neighbors that have yet to respond. The project is in "due diligence" phase and you and your neighbors are going to drive this project forward if we can find satisfying mitigation measures.

We will have a meeting soon with an explanation of how the project came about and a "mock up" of shelter placement. Hopefully we all can accomplish something out of this process. I know this sounds silly, but a shelter with mitigation (trees, landscape, fencing, and so forth) may make the current situation better.

So far nothing is set in stone...just trying to see if it can happen.

Good hearing from you and we will include you and all your nearby neighbors in next steps.
Thanks

Greg "Frank" Hemer
5822 SE Harrison St.
Milwaukie, OR 97222
971-202-6100

On Wed, Apr 30, 2025, 9:36 AM Martha Germany <msg_henry@msn.com> wrote:

Furnberg Park has a proposal for building a shelter. Neighbors with adjoining property were never informed of this project before it started. Not until Friday April 25 had I heard from a neighbor that this project was well underway. One of the neighbors, Meagan, had a flyer indicating the proposed building and location — she informed Ed and Sarah Soderberg who

stopped by and spoke to me and my neighbor Amy. None of us had been asked our opinion of a building in our backyards. I then heard from Steve Tallman — he also was not informed — All of us wrote emails to Greg Hemer, and all got the exact same canned response. We then took to the streets. Steve made copies of Meagan's flyer and we canvassed the neighborhood on Monday. Neighbors do not want a shelter in the park — and the Soderberg's and the Metteers who would be most affected by the shelter are in complete opposition to this proposal. I am forwarding Paul Metteer's email.

There are other, more beneficial uses of the NDA's money to improve Furnberg Park --- as I outlined those in my email to Greg Hemer which I will forward to you as well. Let's work together to make our community better without negatively impacting our neighbors' property.

Thank you,

Martha Germany

From: pmetteer@gmail.com <pmetteer@gmail.com>
Sent: Tuesday, April 29, 2025 8:32 PM
To: Greg Hemer <greghemermilw@gmail.com>
Cc: Pam Husband <ultracairn@gmail.com>; Adam Khosroabadi <khosroabadia@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; Robert Massey <masseyr@milwaukieoregon.gov>; William Anderson <andersonw@milwaukieoregon.gov>; Rebecca Stavenjord <stavenjordr@milwaukieoregon.gov>; Linwood NDA <linwoodnda@gmail.com>; Stephen Tallman <s.j.tallman@att.net>; Martha Germany <msg_henry@msn.com>; Luke Miller <luke.miller54@yahoo.com>
Subject: Re: COMPLETE OPPOSITION to Picnic Shelter in Furnberg Park

Greg,

Are you willing to end this project? We are not asking for the project team to record comments and neighbors to be included as an empty response. We need you to suspend/end the project. The team should begin again and provide a community meeting facilitated by the city with proper notification letter provided to all residences directly surrounding Furnberg Park and streets leading to it about a community meeting with Milwaukie council members present so they may accountably take a position now that is controversial as a matter of common sense governance.

This project needs ended & begun properly again. This is not how local neighborhood associations & Milwaukie city government should operate.

Again, are you willing to end this project? Council members are on this message. I'm now asking for all of their positions to be expressed in writing in addition to a meeting as well as each member of the project team.

I was never informed of this notion, something to happen directly over my back fence. This is not neighborly.

Paul Metteer

[11956 SE 67th Ave](#)
[Milwaukie, OR 97222](#)

Sent from my iPhone

On Apr 29, 2025, at 8:00 AM, Greg Hemer <greghemermilw@gmail.com> wrote:

Thank you so much for your comments. The project team wants to satisfy the neighbors issues so the project is successful for everyone!

I am including Pam Husband, the project co-team leader, on this email as well. The project team will record your concerns. As we gather more information from your neighbors, our next steps are to look at the position and placement of the shelter, address the neighbors concerns with mitigation measures, and create a concept plan. The concept plan will be a scale drawing with all the project placement, plantings, and amenities.

Our goal is to have you and your neighbors involved in these steps.

We hope you will continue to be engaged and are open to our team contacting you in the future. Please feel free to share the flier or information with your neighbors or share my contact information with them.

Thank you again for being a great neighbor!

Furnberg Park Picnic Shelter Project Team
Pam Husband and Greg Hemer
Linwood NDA representatives.

Greg "Frank" Hemer
[5822 SE Harrison St.](#)
[Milwaukie, OR 97222](#)
971-202-6100

On Mon, Apr 28, 2025, 8:18 PM Paul Metteer <pmetteer@gmail.com> wrote:

After dark when the park is supposed to be emptied the city is already not keeping people from entering the park and making noise. Also, I am already tired of finding people peering over my fence to see what is in my yard or looking in the back window of my house.

The last thing we need directly on the other side of the fence is a picnic shelter for people to be able to hang out in at any time.

Before any neighborhood association decides to do anything they should have written formally to the property owners most affected before issuing fliers in

support and sought the guidance of the most affected people. No effective effort was made to contact my husband and me.

Also that area is NOT a wetlands. When this neighborhood was created and with the farm above that area was a created low point for drainage for the new neighborhood when Mr. Furnberg developed the area and offered it to the city. I remember as I grew up here and it has always been hard to hear this alternative history about it being a wetlands. It never was.

I LIVE IN THE HOUSE DIRECTLY ON THE OTHER SIDE OF THE FENCE WHERE THIS SHELTER WOULD BE PLACED. I AM IN COMPLETE AND TOTAL OPPOSITION TO A PICNIC SHELTER BEING BUILT IN FURNBERG PARK.

Paul Metteer
11956 SE 67th Ave, Milwaukie, OR 97222

greghemermilw@gmail.com

Tue 4/29/2025 4:38 PM

Greg --I just became aware of a proposal for a legacy project in Furnberg Park and thought I would send along a few questions and ideas:

- 1 Why haven't **all** the adjoining park neighbors been informed of this project ?
- 2 What is the problem in the park that having a shelter is trying to solve?
- 3 Is this best for this park or would updating the play structure and the boardwalk be better use of funds?
- 4 What is the purpose of providing electricity?
- 5 What is the purpose of providing water?
- 6 Will the electric and water require trench through neighbor yards to accommodate the connections??
- 7 Will the shelter block or impact the view from neighbor's

yards?

- 8 Has the environmental impact been studied?
- 9 How did the committee come up with this particular placement of a shelter?
- 10 What is the purpose for this shelter ??

The park is supposed to be open from dawn to dusk but not everyone abides by those rules, and putting in a shelter will be a magnet for after-hours activities. There are plenty of trees for shade to keep the park cool --- A shelter seems only useful if it rains — and common sense says that people do not go to the park in the rain. Utilities, are a recipe for problems in the park -- who actually needs electricity or water in the park???

If the NDA wants to do a legacy project to update Furnberg Park, there are other, more useful ideas and ways to spend time and money. For instance:

- 1 Updating / repairing the play structure — adding swings
- 2 Repairing the boardwalk
- 3 Building a boardwalk or a path on the west-side of the park, as it gets muddy in the winter time.
- 4 Adding a few more picnic tables
- 5 Adding a basketball area/hoop in the park - something for the kids to play.
- 6 Adding a place for volleyball or cornhole
- 7 Signage indicating information about protecting the wildlife in the wooded area and the rules of the park

This park is approximately 3 acres ---- probably 2/3 of that being the wooded area, leaving the open ground to about one acre. It is a quiet neighborhood park where families bring their children to run and play, neighbors bring their dogs to romp. The families who surround the park purchased their property knowing that the park would always be there and there would be no building in

their back-yards. The Soderbergs and Metteers who would be most impacted by this proposal HAD NEVER BEEN CONSULTED about this project.

I hope that the NDA will reconsider the project — it is a great opportunity to make other improvements to Furnberg Park as a legacy project that will enrich the community and not diminish property values or the serenity of the neighborhood.

Thank you

Martha Germany

From: Scott Stauffer
To: Heather Buchanan; Emma Sagor
Cc: Allison McKenney; Brett Kelter; Tamara Wissbaum; Sandy Conley; Cameron McKillop; Lisa Batey; Axirn13@gmail.com; Rolanne Stafford; leygarnett@comcast.net; dkruse8@gmail.com; WAYNE HOUCK; philmc333335@gmail.com; stephan_tripp@yahoo.com; victoriarystadt@gmail.com; corinn@chapeltheatremilwaukie.com; thomas@wizzcpa.com; optisoo@gmail.com; doncourson@hotmail.com; robreynolds567@gmail.com; sararhianabee@gmail.com; waugh.eg@gmail.com; mypalvalmal@gmail.com; zaharie@comcast.net; Diane McKillop; amayablanc@gmail.com; Christopher McKillop; Lauren Loosveldt; amyverdt@icloud.com; Greg Hemer; Jeremy Lorence@nwnatural.com; Joseph Briglio; Laura Weigel
Subject: RE: re-send RE: information overview in response to comments on MHL-2025-001 and -002
Date: Wednesday, April 30, 2025 3:50:00 PM
Attachments: image001.png
image002.png
image003.png
image005.png

INFORMATIONAL – **DO NOT REPLY ALL.**

Heather – regarding your questions about the May 6, 2025, City Council regular session where the city manager will provide a city response to the comments included in this email chain, please see the **responses below in red.**

If you have additional questions – please email city staff directly.

SCOTT STAUFFER, CMC
Administrative Services Director
& City Recorder (he • him • his)
City of Milwaukie
p: 503.786.7502

From: Heather Buchanan <buchanan.heathera@gmail.com>
Sent: Wednesday, April 30, 2025 10:41 AM
To: Emma Sagor <SagorE@milwaukieoregon.gov>
Cc: Allison McManus <mcmansual@gmail.com>; Brett Kelter <KelterB@milwaukieoregon.gov>; Tamara Wissbaum <wissbaumtam@comcast.net>; Sandy Conley <slconley@msn.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Lisa Batey <BateyL@milwaukieoregon.gov>; Axirn13@gmail.com; Rolanne Stafford <rolanne.stafford@gmail.com>; leygarnett@comcast.net; dkruse8@gmail.com; WAYNE HOUCK <whouck65@gmail.com>; philmc333335@gmail.com; stephan_tripp@yahoo.com; victoriarystadt@gmail.com; corinn@chapeltheatremilwaukie.com; thomas@wizzcpa.com; optisoo@gmail.com; doncourson@hotmail.com; robreynolds567@gmail.com; sararhianabee@gmail.com; waugh.eg@gmail.com; mypalvalmal@gmail.com; zaharie@comcast.net; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyverdt@icloud.com; Greg Hemer <greghemermilw@gmail.com>; Jeremy Lorence@nwnatural.com; Joseph Briglio <BriglioJ@milwaukieoregon.gov>; Laura Weigel <WeigelL@milwaukieoregon.gov>; Scott Stauffer <StaufferS@milwaukieoregon.gov>
Subject: Re: re-send RE: information overview in response to comments on MHL-2025-001 and -002

This Message originated outside your organization.

Thank you for the outline of the meeting. I have a couple of clarifying questions ahead of the meeting.

1. Community comments are slated to last 5 minutes. Will this be lengthened to accommodate public comments from all neighbors who would like to comment? **The times noted on City Council meeting agenda items are just estimates; agenda items often take more (or less) than the suggested time. For the May 6 community comments, based on the feedback in this email chain, city staff anticipate that comment time will take more than 5 minutes.**
2. Are we required to submit written comments ahead of the meeting or can we speak at the meeting without submitting written comments? **You are welcome to submit written comments before the meeting (email to ocr@milwaukieoregon.gov or drop them off at City Hall at 10501 SE Main Street, Milwaukie) and you are also welcome to attend the meeting – either in-person at City Hall or via Zoom, and provide oral comments as well. You are not required to do either and you don't have to do one to do the other. If you plan to speak in-person, please be sure to submit a yellow comment card available in Council Chambers – if you plan to speak via Zoom it is helpful to email ocr@milwaukieoregon.gov so we can capture our contact information for the record.**
3. Will submitted written comments be read at the meeting if someone is unable to attend the meeting? **No. Written comments are not read out loud during public meetings; written materials are included in the record and shared with the City Council and city staff.**

Thank you!
Heather

On Mon, Apr 28, 2025 at 4:47 PM Emma Sagor <SagorE@milwaukieoregon.gov> wrote:

Greetings Heather, Allison, and all,

Thanks again for the continued correspondence on this. As I noted previously, I will address the range of issues brought up in this thread during the May 6 Council meeting. This will include:

- **Clarification re: the land use decisions and state regulations that got us to where we are today, and a response to the overlay idea proposed below:**
While I truly appreciate the frustrations raised and the ideas proposed, the city is limited in many ways due to new state laws and can't adopt code that contradicts what is mandated under House Bill 2001 (Middle-Housing Bill) or the state's Climate-Friendly and Equitable Communities (CFEC) rules.
- **Clarification re: city authority regarding contractor license review and approval:** I also appreciate the questions raised on this topic. We are consulting with state building code staff to confirm our understanding of what cities can and can't consider in terms of approving a building permit.
- **Update on code enforcement re: arborvitae:** Please know we agree with the need for these shrubs to come out for visibility reasons. Code enforcement has communicated a deadline of May 4 to the property owner, and I believe they may be coming down today.
- **Response to feedback on the Harrison Street connection**

Allison, to your question about what you and other neighbors can do, I recommend you tune in or attend that May 6 meeting to hear my full response and, if you'd like, provide further public comment at that time for staff and Council to consider.

To clarify how that May 6 meeting will look: When we get to the community comments portion of the meeting, the Mayor will ask me if there is any response to comments submitted at or since the last meeting. That is where I will provide my full response. Then members of the public are welcome to testify and provide further comment (up to three minutes each). Council and staff do not respond to newly received comments at the meeting; any new comments provided will be responded to (if they require a response) at the following meeting. Council can also consider putting an agenda item on a future meeting if they so choose.

Thanks again for including us in this thread. Staff will likely limit our responses until that May 6 meeting just so we can ensure a full, complete, robust response to all points raised. I also have again removed all Councilmembers except the Mayor to avoid violations of the public meeting law but will be forwarding this to all Council for their awareness.

Best wishes,
Emma

Emma Sagor
City Manager
she • her • hers
503.786.7573 (o) • 360.852.2014 (m)
City of Milwaukie
[10501 SE Main St. • Milwaukie, OR 97222](#)

From: Heather Buchanan <buchanan.heathera@gmail.com>

Sent: Saturday, April 26, 2025 11:18 AM

To: Allison McManus <mcmanusal@gmail.com>

Cc: Emma Sagor <SagorE@milwaukieoregon.gov>; Brett Kelter <KelterB@milwaukieoregon.gov>; Tamara Wissbaum <wissbaumtam@comcast.net>; Sandy Conley <sconley@msn.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Lisa Batey <BateyL@milwaukieoregon.gov>; Axisrn13@gmail.com; Rolanne Stafford <rolanne.stafford@gmail.com>; levgarnett@comcast.net; dkruse8@gmail.com; WAYNE HOUCK <whouck65@gmail.com>; philmc333335@gmail.com; stephan_tripp@yahoo.com; victoriarystadt@gmail.com; corinn@chapeltheatremilwaukie.com; thomas@wizzcpa.com; optisoo@gmail.com; doncoursion@hotmail.com; robreynolds567@gmail.com; sarahianabee@gmail.com; waugh.eg@gmail.com; mypalvalmal@gmail.com; zaharie@comcast.net; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <loosvel.pnw@gmail.com>; amyerd@icloud.com; Greg Hemer <greghermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy.Lorence@nwnatural.com; Joseph Briglio <BriglioJ@milwaukieoregon.gov>; Laura Weigel <Weigell@milwaukieoregon.gov>; Scott Stauffer <StaufferS@milwaukieoregon.gov>

Subject: Re: re-send RE: information overview in response to comments on MHLD-2025-001 and -002

This Message originated outside your organization.

Hello everyone,

I would like to voice my support for Allison's proposal to reconsider the extension of Harrison St. and would also like to know the next steps to try to make this happen. As construction has moved forward, we have already experienced frequent issues with work crews parking illegally as there are simply not enough places for them to park their vehicles. I anticipate that as the houses are built and occupied, these problems with parking will continue due to the increased number of cars in the neighborhood. I would like to see the Harrison St. extension revised to be a two way street with curbed sidewalks on both sides. This would also likely eliminate the problem of cars parking on the sidewalk while allowing emergency vehicles to easily enter the area. Additionally, building the street out would provide more on street parking to whoever would be living in the new houses, which would do a lot to address one of the primary concerns that I have (not enough parking and unsafe and illegal driving and parking of vehicles near our house).

I would also like to note again that the arborvitae are still creating a significant safety concern that I have repeatedly contacted code enforcement about, with no resolution of the issue. It was my understanding that removing vegetation over 3 feet high that blocked visibility was a condition of approval for the development and I would like to see this addressed as soon as possible, preferably before construction continues as warnings alone clearly are not working to resolve the issue. It is difficult both to see cars when crossing Home Ave in a car and to be seen by cars when using the crosswalk as a pedestrian. We have had cars not see us until the last minute while walking our two young children in their stroller. It is extremely frustrating to have public amenities be difficult and unsafe to use because of one person's refusal to follow regulations. For reference, I've attached a photo of the arborvitae and the responses I have received from code enforcement.

Thank you,
Heather

On Sat, Apr 26, 2025 at 9:24 AM Allison McManus <mcmanusal@gmail.com> wrote:

Hi Everyone,

I want to thank everyone for being engaged with the development happening on Harrison Street. Engagement whether in opposition or support is what being part of a community is and shows people are passionate about making this a lasting and vibrant place to live.

I want to lay out some information that I think gets to the heart of some of the opposition to development on Harrison Street:

- The Mission Park neighborhood and surrounding area was zoned R5 until June 2022.
- The proposal to continue Harrison street and divide the existing lots facing Home St. into additional new lots on Harrison was approved in March 2022, while zoned R5.
 - I know this led me to believe there would be no more than four new homes in the neighborhood. I think many of us in the neighborhood were very surprised, and feel a bit tricked, about the exponential change in allowed density.
 - The timing of these changes further feels like we were purposefully deceived about what was going to happen in the neighborhood.

Proposals

There are two things I would like to see examined regarding the neighborhood:

1. I would like to propose an overlay zone that limits density building to 50% of the maximum allowed by city code when there is an existing parent lot that has maximized density building within 100 feet.
 - a. This is in line with the spirit of density housing while maintaining the character of a neighborhood. Duplexes, etc. could still be built within 100ft of the maximized parent lot, but it would prevent one single area from being oversaturated with one single type of dense housing.
 - i. Ex. The parent lots at 5026 and 5036 Harrison Street are being built to maximum density currently. My lot, which is within the 100 ft, would be limited to 50% of the allowed maximum.
 - ii. Additionally, if something like this had been in place prior to construction, only 5026 or 5036 Harrison Street would have been allowed to build to

- maximum density, in this case four small homes. The neighboring lot would have been limited to two homes or a duplex.
- b. I'm proposing this specifically for our neighborhood, although I would encourage the city to look at this at a larger scale. Adopting a compromise policy like this will likely prevent many future situations similar to this one in other neighborhoods.
2. I would like to propose the extension of Harrison street is re-evaluated and takes the new increased population of the neighborhood into account.
- a. The decision to make it a one way was made when the assumption was R5 compliant homes would be built on the new lots. Now under MD zoning, the one way status, width of the street, visibility, number of cars entering the neighborhood from 51st, etc. may no longer be appropriate or safe.

Next steps

What are the appropriate steps I can take as a citizen to request these two proposals?

- From the other emails on the chain I've learned there is a City Council meeting on May 6th.
 - I will plan on attending.
- I can provide public comment [here](#).
 - Is this how I can ensure my concerns are addressed at the May 6th city council meeting?
- Emma, Brett- What else can I or the community do to follow the processes in place to express our concerns and work with the city towards a mutually agreeable solution?

Best,
Allison Kruse

On Wed, Apr 23, 2025 at 4:34 PM Emma Sagor <SagorE@milwaukieoregon.gov> wrote:

Good afternoon all,

Thank you for including me on this thread. For those that I haven't met yet, my name is Emma Sagor and I'm Milwaukie's City Manager. I've been following along with the emails from neighbors as well as speaking with our various departments to obtain a better grasp of all the issues at hand. I've read a lot of genuine concerns from the neighborhood and respectful replies from our staff (thank you, Brett).

As myriad issues, concerns, and questions have been raised, I plan to respond fully during the City Council's [next regular session](#) (May 6th). I will do so during the Community Comments portion of the meeting, where we hold time for the City Manager to respond to correspondence that has been received since the last regular session. While some of the issues/concerns that have been raised are beyond the city's purview and relate to state statute that we are required to implement, I will do my best to respond to all the topics raised and to help clarify roles, responsibilities, and opportunities in my response.

I also want to note that I removed all Councilmembers except the Mayor from this thread to avoid any violations of the public meeting law—I will provide my email to the full Council separately, however, so they are aware of my response and plan to address these topics on May 6th. If you want to listen to my response, either in person or online, you are more than welcome—details on how to join meetings and provide public comment, if you are so inclined, can be [found here](#). If you are unable to make the meeting, I also plan on submitting my responses in writing so that they can be part of the record and shareable with the neighborhood.

Again, I want to thank you for taking the time to write in and share your concerns. I appreciate the frustrations expressed and look forward to sharing more information about how we got here and the path forward in a couple weeks.

Best wishes,
Emma

Emma Sagor

City Manager
she • her • hers
503.786.7573 (o) • 360.852.2014 (m)
City of Milwaukie
[10501 SE Main St. • Milwaukie, OR 97222](#)

From: Tamara Wissbaum <wissbaumtam@comcast.net>

Sent: Wednesday, April 23, 2025 11:39 AM

To: Sandy Conley <slconley@msn.com>

Cc: Cameron McKillop <cameron.mckillop17@gmail.com>; Brett Kelter <KelterB@milwaukieoregon.gov>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; Allison McManus <mcmanusal@gmail.com>; Axism13@gmail.com; Rolanne Stafford <rolanne.stafford@gmail.com>; leygarnett@comcast.net; dkruse8@gmail.com; WAYNE HOUCK <whouck65@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; philmc333335@gmail.com; stephan_tripp@yahoo.com; victoriarystadt@gmail.com; corinn@chapeltheatremilwaukie.com; thomas@wjzcpa.com; optisoo@gmail.com; doncourson@hotmail.com; robrenolds567@gmail.com; sarahhianabee@gmail.com; waugh.eg@gmail.com; mypalvalmal@gmail.com; zaharie@comcast.net; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyverdt@icloud.com; Greg Hemer <greghemermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy.Lorence@nwnatural.com; Emma Sagor <SagorE@milwaukieoregon.gov>; Joseph Briglio <Briglijol@milwaukieoregon.gov>

Subject: Re: re-send RE: information overview in response to comments on MHL-2025-001 and -002

This Message originated outside your organization.

Thank you, Sandy and Cameron for your detailed feedback and findings on this unfortunate project happening in our neighborhood.

Tom and I agree that the lack of transparency regarding this project is very concerning and disappointing. We have also considered moving.

We, too moved to Milwaukie, and this specific neighborhood, for better livability.

At the inception of this project, before it began, the current homeowners expressed their concerns to the city. Providing detailed feedback for the reasons for their concerns. Then to have the City of Milwaukie not follow through with their promises and/or compromises, shows me that their word, written or spoken, has no value and they don't care if they retain their current residents.

Since the City of Milwaukie didn't take the time to properly vet the chosen builder/contractor, who has numerous legal issues and has been fined for hiring unlicensed subcontractors, then didn't inform the community, only reinforces their lack of transparency, and lack of care and concern for their current

residents. If they are not honest and transparent about this important matter, what else they are hiding?

The amount of congestion, noise, and the potential of erroneous activity possibly coming into our neighborhood, is also a big concern.

Cramming 8 homes, not of the same size, type and quality, into that small proposed area, will only bring down the value of the existing properties.

This entire project is one big disappointment.

Tamara Wissbaum
Tom Wissbaum
10450 SE 51st Ave

Sent from my iPhone

On Apr 23, 2025, at 9:47 AM, Sandy Conley <slconley@msn.com> wrote:

Brett,

I believe I speak for all of the members of our community impacted by this project when I say thank you to Cameron for investigating this particular builder as it appears the City has not looked into this yet or, worse yet, has not informed the community of its findings. We request you provide this email chain with confirmation this builder is meeting all of his legal requirements before he moves forward with the project.

We understand that the City was not required to include the community when the initial project changed to this multi-housing development. It is our hope, however, that you will be more inclusive of the communities impacted by proposals prior to approving developer's plans. Many of us lived in Portland prior to moving to Milwaukie and we left there hoping to find more livability in Milwaukie. We want to be involved in decisions involving our community going forward. The developers do not live in our neighborhoods, and they do not know our needs or accessibility. Your best resource is the people who live here and yet those of us who have spoken up at the meetings have felt more patronized than respectfully listened to when we expressed concerns. We are not allowed ample time to present our concerns, and it is quite obvious the decision has already been made. Several of our community have moved since the first proposal (5 families in total out of a community of 14 homes) was approved by you and many are expressing their desire to leave the neighborhood now too. This is an unfortunate outcome for the city of Milwaukie. If we are included, our voices heard and common ground reached, there is a better outcome for all and perhaps a higher retention of residents who want to contribute to Milwaukie's growth.

Sandy Conley

From: Cameron McKillop <cameron.mckillop17@gmail.com>
Sent: Monday, April 21, 2025 8:00 AM
To: Brett Kelter <KelterB@milwaukieoregon.gov>; khosroabadia@milwaukieoregon.gov <khosroabadia@milwaukieoregon.gov>; masseyr@milwaukieoregon.gov <masseyr@milwaukieoregon.gov>; andersonw@milwaukieoregon.gov <andersonw@milwaukieoregon.gov>; stavenjdr@milwaukieoregon.gov <stavenjdr@milwaukieoregon.gov>; bateyl@milwaukieoregon.gov <bateyl@milwaukieoregon.gov>
Cc: Sandy Conley <slconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Axisrn13@gmail.com <Axisrn13@gmail.com>; Rolanne Stafford <rolanne.stafford@gmail.com>; levygarnett@comcast.net <levygarnett@comcast.net>; dkruse8@gmail.com <dkruse8@gmail.com>; WAYNE HOUCK <whouck65@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; philmc333335@gmail.com <philmc333335@gmail.com>; stephan_tripp@yahoo.com <stephan_tripp@yahoo.com>; victoriarystadt@gmail.com <victoriarystadt@gmail.com>; corinn@chapeltheatremilwaukie.com <corinn@chapeltheatremilwaukie.com>; optisoo@gmail.com <optisoo@gmail.com>; doncourson@hotmail.com <doncourson@hotmail.com>; robreynolds567@gmail.com <robreynolds567@gmail.com>; sararhianabee@gmail.com <sararhianabee@gmail.com>; waugh.eg@gmail.com <waugh.eg@gmail.com>; mypalvalmal@gmail.com <mpalvalmal@gmail.com>; zaharie@comcast.net <zaharie@comcast.net>; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com <amayablanc@gmail.com>; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyverdt@icloud.com <amyverdt@icloud.com>; Greg Hemer <greghemermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy Lorence <jeremy.lorence@nwnatural.com>; Jeremy Lorence <jeremy.lorence@nwnatural.com>; Emma Sagor <SagorE@milwaukieoregon.gov>; Joseph Briglio <BriglioJ@milwaukieoregon.gov>
Subject: Re: re-send RE: information overview in response to comments on MHL-2025-001 and -002

Hi Brett,

I've attached your prior email for reference, especially for the benefit of the City Council members I've added to this thread.

This project was first introduced over three years ago, and at the time, public comment was taken. However, there have been significant changes to the original plan since then, with little to no opportunity for community feedback on those revisions. This has only deepened residents' concerns about the transparency, consistency, and oversight of the process.

In your response to concerned neighbors, you noted: "There is a push to have the state revise this Type II review and notice requirement, since it creates an inaccurate sense of opportunity to block or significantly affect the decision." That line unfortunately sums up how many of us have felt the City has handled this process, treating community input as an afterthought rather than a meaningful part of the review.

I believe our elected officials, who are meant to represent the voice of their constituents, should be aware of how inconsistencies in code enforcement and administrative oversight are directly impacting our neighborhood.

Contractor Status & Compliance Issues

Did you know that the builder contracted for this project, Shah Housing Solutions LLC, has been listed under **Administrative Dissolution** with the Oregon Secretary of State **since January 30, 2025**? It's unclear how work has begun on this project without the company first returning to good standing.

Here is the link to their status, along with a screenshot:
https://egov.sos.state.or.us/br/pkg_web_name_srch_inq_show_det?p_be_rsn=2176933&p_srce=BR_INQ&p_print=FALSE

Please read before ordering Copies.

Summary History					
Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change
	ADMINISTRATIVE DISSOLUTION	01-30-2025		SYS	
	REINSTATEMENT AMENDED	02-26-2024		F1	
	ADMINISTRATIVE DISSOLUTION	02-01-2024		SYS	
	AMNDMT TO ANNUAL RPT INFO STATEMENT	08-31-2023		F1	
	REINSTATEMENT AMENDED	01-13-2023		F1	
	ADMINISTRATIVE DISSOLUTION	02-03-2022		SYS	
	ARTICLES OF ORGANIZATION	12-03-2020		F1	Agent

This is not an isolated issue. As you'll see in the attached screenshots, this contractor has a documented pattern of non-compliance, including:

- **Two license suspensions** for failure to provide proof of liability insurance
- **Eight penalties** for hiring unlicensed subcontractors

CCB ADMINISTRATIVE LICENSE ACTIONS HISTORY FOR:
SHAH HOUSING SOLUTIONS LLC
License: 233986
Current License Status: Active

ADMINISTRATIVE LICENSE SUSPENSIONS

These actions are not disciplinary actions punishing the contractor for improper behavior. These are administrative actions required by law to ensure contractors demonstrate the proper proof of financial security to protect the public. Suspensions of this kind are commonly corrected quickly and the license is reinstated upon receipt of proper proof of bonding or insurance.

Suspensions for lack of proof of liability insurance: 2

Suspensions for lack of proof of surety bond: 0

[BACK](#)

CCB DISCIPLINARY ACTIONS HISTORY FOR:
SHAH HOUSING SOLUTIONS LLC
License: 233986
Current License Status: Active

The CCB Disciplinary Actions are enforcement actions taken against a contractor for violating state laws resulting in a license revocation, suspension or refusal to renew or a civil penalty. This information covers the past 10 years.

ENFORCEMENT CIVIL PENALTIES

Investigation Number: 127436
Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021
Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00

Investigation Number: 127437
Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021
Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00

Investigation Number: 127438
Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021
Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00

Investigation Number: 127439
Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021
Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00

Investigation Number: 127440
Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021
Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00

Investigation Number: 127441
Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 3/15/2021
Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00

Investigation Number: 127581
Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 4/16/2021
Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00

Investigation Number: 133674
Type of Violation: Hired an unlicensed subcontractor
Final Order Date: 1/12/2024
Penalty Amount: \$1,000.00
Outstanding Amount: \$0.00

Safety Concerns

As mentioned previously, I've already sent photos showing vehicles **parked on the newly designed sidewalk**, but here's another example from today involving one of the subcontractors. We continue to observe drivers going the **wrong way down the one-way street**, despite clear signage. This behavior has become routine, not occasional.

<image_67508737.JPG>

Your repeated response has been to “*wait and see*”, but this ongoing pattern is exactly what neighbors warned about from the beginning. It’s especially frustrating that the **original drawings called for a bollard**, yet the City waived that requirement based on a technicality.

We’re also concerned about being the **test case for a sidewalk design** that’s clearly confusing to both drivers and pedestrians—and already causing safety issues. These problems will only worsen with the addition of eight homes on this lot, and potentially eight more across the street if that parcel is developed as expected.

Additionally, the **arborvitae creating a dangerous visual obstruction** is still in place, as shown in the photo below. When code enforcement was contacted, we were told that if the property owner chose not to comply, **resolution could take months** (screenshot of that response is also attached). It seems we’ll be “*waiting and seeing*” on this issue as well. Seems like something you should require resolution on prior to green lighting any future steps on this project.



----- Forwarded message -----

From: Milwaukie Code <code@milwaukieoregon.gov>
Date: Mon, Apr 7, 2025 at 7:01 AM
Subject: RE: Blocked Visibility to Street
To: Heather Buchanan <buchanan.heathera@gmail.com>

It could be months if they don't comply.

The first deadline for compliance has come and gone.

I haven't been able to do a follow up inspection, but it sounds like it is still there.

I will give another 10 day notice this week and hopefully it will proceed without citation.

Tim Salyers, CEP

Code Compliance Coordinator
o: 503.786.7409
City of Milwaukie
[3200 SE Harrison St • Milwaukie, OR 97222](https://www.milwaukieoregon.gov/3200-SE-Harrison-St-Milwaukie-OR-97222)

Lack of Adherence to Codes

Current city code mandates a specific number of parking spaces for townhomes, which has been dismissed in this case as an “*apparent strivers’ error*”. It’s concerning that the City can **subjectively dismiss** this kind of requirement, particularly when it has a major impact on residents.

Furthermore, you stated that the parking requirement doesn’t apply to quadplexes, but there is **no reference in the code** that clearly distinguishes this difference. That ambiguity, paired with inconsistent enforcement, leaves neighbors wondering whether the rules are being applied equitably.

Not Having the Impact You Think You Are

You’ve shared that this development aligns with statewide goals to expand affordable housing and promote eco-friendly neighborhoods. These are admirable goals in theory, but the execution in our neighborhood tells a different story.

The City is removing parking options while increasing the number of residents who own cars. While we are near a bus stop and not far from a MAX station, that doesn’t reflect where people actually work, or the existing public transit infrastructure between those points. Most residents who can afford these homes will need a car to reach their jobs.

Unless there’s a plan to **require a percentage of these units to be Section 8 or truly affordable**, the affordability goal isn’t being met, it’s simply displacing the parking and access needs of current and future residents. Current state of the plan is only set to profit the developer, not the community you state that you are trying to help.

Additionally, there are **ongoing accessibility concerns** across Milwaukie. Many sidewalks are unusable for people with disabilities or families with strollers. And in places where street parking is allowed, **streets are becoming too narrow** to safely accommodate two-way traffic, adding yet another safety issue to the growing list.

Best regards,
Cameron McKillop

On Fri, Apr 4, 2025 at 6:56 PM Brett Kelver <KelverB@milwaukieoregon.gov> wrote:

Hello,

Immediately upon sending the message below I received a host of notifications indicating that some system settings may have removed several of the images that were included in the body of the email. In case that means some of you were not able to receive and see the figures that I had included in the response, I am attaching a PDF document that includes the text and images. I believe the various links to other reference documents that were in the body of the message are still accessible in the PDF document. Please let me know if you do not receive some form of this response that includes figures and links.

Apologies in advance for double-covering on this, but I wanted to be sure the info went out. I will abbreviate the body of the original message below to avoid the same error message that came back to me the first time.

BRETT KELVER, AICP, CFM

Senior Planner

he • him • his

From: Brett Kelter

Sent: Friday, April 4, 2025 6:40 PM

To: Sandy Conley <sconley@msn.com>; Tamara Wissbaum <wissbaumtam@comcast.net>; Allison McManus <mcmanusal@gmail.com>; Axisrn13@gmail.com; Rolanne Stafford <rolanne.stafford@gmail.com>; levgarnett@comcast.net; dkruse8@gmail.com; WAYNE HOUCK <whouck65@gmail.com>; Cameron McKillop <cameron.mckillop17@gmail.com>; Heather Buchanan <Buchanan.heathera@gmail.com>; philmc333335@gmail.com; stephan_tripp@yahoo.com; victoriastadt@gmail.com; corinn@chapeltheatremilwaukie.com; optisoo@gmail.com; doncourson@hotmail.com; robrenolds567@gmail.com; sararhianabee@gmail.com; waugh.eg@gmail.com; mypalvalmal@gmail.com; zaharie@comcast.net; Diane McKillop <dianemckillop5@gmail.com>; amayablanc@gmail.com; Christopher McKillop <cjmckillop5@gmail.com>; Lauren Loosveldt <lloosvel.pnw@gmail.com>; amyerdt@icloud.com; Greg Hemer <greghemermilw@gmail.com>; Adam Khosroabadi <adam.khosro@gmail.com>; Robert Massey <rcmassey@gmail.com>; Jeremy.Lorence@nwnatural.com
Cc: Emma Sagor <SagorF@milwaukieoregon.gov>; Joseph Briglio <BriglioJ@milwaukieoregon.gov>
Subject: information overview in response to comments on MHL-2025-001 and -002

Chris, Sandy, Amanda, et al—

I appreciate the comments you provided in response to the public notice posted and mailed for the middle housing land division applications MHL-2025-001 and MHL-2025-002, which relate to the development happening at 5026 and 5036 SE Harrison St. It's an opportunity to explain the background and context for the regulations that are allowing the project.

(Body of original response removed to avoid system conflicts . . . The attached PDF includes the entire text of the response.)

Conclusion

The increase in residential units that the proposed MHL development brings will obviously be a change for residents in the area. I have attempted to provide the background and context for the new rules that have set the stage for this and other similar developments in the future.

I understand that new policies that increase the use of public streets for resident parking—thereby reducing the on-street parking available to existing residents—is a change from what has occurred in the past. I also recognize that current residents may be surprised at the number of units being added to the neighborhood, which is also a change. The state of Oregon has recognized that we are facing a large housing crisis. More units are needed to both accommodate folks that need housing and folks that need a variety of housing choices. These new policies help to accomplish the goals.

I expect to issue the notice of decision for both MHL applications early next week (the week of April 7). That will start a 15-day period for filing an appeal. I have attempted to explain why I don't believe the MHL process is a viable avenue for challenging the quadplex developments themselves. These units are allowed outright, and there is no land use application for needed for the units to be built. The MHL application meets the provisions in the code.

Please let me know if you have any questions. Those who have submitted comments to date will receive an email when the notice of decision is issued—if you have not submitted comments and would like to receive an email about the notice of decision, send me a note directly to let me know (please do not reply to the entire group).

Thank you for your attention and patience.

BRETT KELVER, AICP, CFM

Senior Planner

he • him • his

City of Milwaukie

503.786.7657

[10501 SE Main St • Milwaukie, OR 97222](#)

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From: [Lisa Batey](#)
To: [City Council](#); [Peter Passarelli](#); [Adam Moore](#)
Subject: FW: COMPLETE OPPOSITION to Picnic Shelter in Furnberg Park
Date: Tuesday, April 29, 2025 10:34:31 PM

For the record and for staff awareness

From: Greg Hemer <greghemermilw@gmail.com>
Sent: Tuesday, April 29, 2025 10:25 PM
To: pmetteer@gmail.com
Cc: Pam Husband <ultracairn@gmail.com>; Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Linwood NDA <linwoodnda@gmail.com>; Stephen Tallman <s.j.tallman@att.net>; Martha Germany <msg_henry@msn.com>; Luke Miller <luke.miller54@yahoo.com>
Subject: Re: COMPLETE OPPOSITION to Picnic Shelter in Furnberg Park

This Message originated outside your organization.

Paul,

I really appreciate your feedback.

You and your neighbors concerns are the next step to either finding solutions or doing something else.

I want you to know that nothing has been set in stone and the project team is in "due dillgence" phase. Nothing has been formalized, no taxpayers money has been spent, and nothing has been presented as a formal plan for any review. The only has been spent is Pam and mine volunteer time.

Beside the Linwood NDA voting for the project and a few questions about land use, the neighbors are all being informed for your feedback before moving forward.

We are happy that you are engaged at this point. If you would allow the team to set up a meeting with you and your neighbors to discuss you and your neighbors concerns and how the project may relieve some of them, that would be great. At least the meeting which we hope will have a Milwaukie Police officer (a lot of concerns centralize around bad behavior after hours at the park) and a few other people including hopefully a city councilor as well will raise awareness of the activity and problems that cause uncomfortable situations for the nearby neighbors.

Even at this point in the project, we are uncertain if it is a perfect fit.

If you would allow us to work together to find some solutions, then maybe everyone can be satisfied.

Thank you again for your response and we look forward to talking again.

Thanks

Greg "Frank" Hemer
5822 SE Harrison St.
Milwaukie, OR 97222
971-202-6100

On Tue, Apr 29, 2025, 8:33 PM <pmetteer@gmail.com> wrote:

Greg,
Are you willing to end this project? We are not asking for the project team to record comments and neighbors to be included as an empty response. We need you to suspend/end the project. The team should begin again and provide a community meeting facilitated by the city with proper notification letter provided to all residences directly surrounding Furnberg Park and streets leading to it about a community meeting with Milwaukie council members present so they may accountably take a position now that is controversial as a matter of common sense governance. This project needs ended & begun properly again. This is not how local neighborhood associations & Milwaukie city government should operate. Again, are you willing to end this project? Council members are on this message. I'm now asking for all of their positions to be expressed in writing in addition to a meeting as well as each member of the project team.

I was never informed of this notion, something to happen directly over my back fence. This is not neighborly.

Paul Metteer
[11956 SE 67th Ave](#)
[Milwaukie, OR 97222](#)

Sent from my iPhone

On Apr 29, 2025, at 8:00 AM, Greg Hemer <greghemermilw@gmail.com> wrote:

Thank you so much for your comments. The project team wants to satisfy the neighbors issues so the project is successful for everyone!

I am including Pam Husband, the project co-team leader, on this email as well.

The project team will record your concerns. As we gather more information

from your neighbors, our next steps are to look at the position and placement of the shelter, address the neighbors concerns with mitigation measures, and create a concept plan. The concept plan will be a scale drawing with all the project placement, plantings, and amenities. Our goal is to have you and your neighbors involved in these steps. We hope you will continue to be engaged and are open to our team contacting you in the future. Please feel free to share the flier or information with your neighbors or share my contact information with them.

Thank you again for being a great neighbor!

Furnberg Park Picnic Shelter Project Team
Pam Husband and Greg Hemer
Linwood NDA representatives.

Greg "Frank" Hemer
[5822 SE Harrison St.](#)
[Milwaukie, OR 97222](#)
971-202-6100

On Mon, Apr 28, 2025, 8:18 PM Paul Metteer <pmetteer@gmail.com> wrote:

After dark when the park is supposed to be emptied the city is already not keeping people from entering the park and making noise. Also, I am already tired of finding people peering over my fence to see what is in my yard or looking in the back window of my house.

The last thing we need directly on the other side of the fence is a picnic shelter for people to be able to hang out in at any time.

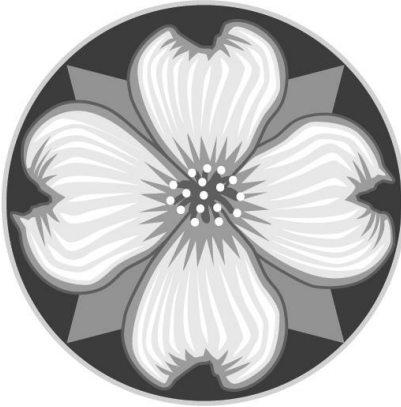
Before any neighborhood association decides to do anything they should have written formally to the property owners most affected before issuing fliers in support and sought the guidance of the most affected people. No effective effort was made to contact my husband and me.

Also that area is NOT a wetlands. When this neighborhood was created and with the farm above that area was a created low point for drainage for the new neighborhood when Mr. Furnberg developed the area and offered it to the city. I remember as I grew up here and it has always been hard to hear this alternative history about it being a wetlands. It never was.

I LIVE IN THE HOUSE DIRECTLY ON THE OTHER SIDE OF THE FENCE WHERE THIS SHELTER WOULD BE PLACED. I AM IN COMPLETE AND TOTAL OPPOSITION TO A PICNIC SHELTER BEING BUILT IN FURNBERG PARK.

Paul Metteer

11956 SE 67th Ave, Milwaukie, OR 97222



RS Agenda Item

6

Consent Agenda

COUNCIL STUDY SESSION

City Hall Community Room, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

March 11, 2025

Council Present: Councilors Robert Massey, Rebecca Stavenjord, and Council President Will Anderson, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Assistant City Manager
Ben Green, Engineering Technician II
Brent Husher, Library Director
Jordan Imlah, Communication Program Manager
Nicole Madigan, Deputy City Recorder
Adam Moore, Parks Development Coordinator

Peter Passarelli, Public Works Director
Emma Sagor, City Manager
Gabriela Santoyo Gutierrez, Equity and Inclusion Coordinator
Jeff Tolentino, Assistant City Engineer
Courtney Wilson, Urban Forester

Mayor Batey called the meeting to order at 5:19 p.m. Councilor Massey and Council President Anderson joined the meeting via Zoom, Councilor Stavenjord was absent.

1. A. Arts Committee Update – Annual Report

Imlah provided the annual Arts Committee update, highlighting the Porchfest concert series' continued growth across neighborhoods, a new "Trash-ion Show" collaboration with the Milwaukie Environmental Stewards Group (MESG), and the committee's support of public art installations, including sculptures and mural projects. Upcoming efforts included a student-led mural at Milwaukie High School (MHS), expanded art exhibits in the Ledding Library community room, and a new "Sphere of Spheres" sculpture. The group also discussed a potential sculpture donation from the late Lee Kelly's family, explored installation options, including partnerships with neighborhood district associations (NDAs), and interest in artwork that reflects equity, diversity, and local history, and expanding the use of creative mediums like vinyl wraps and utility box art.

1. B. Equity Steering Committee (ESC) Update – Annual Report

Santoyo Gutierrez provided the annual ESC update, noting the group's continued work to improve city communications, support inclusive storytelling, and develop equity performance metrics aligned with the Milwaukie Community Vision. In partnership with staff, ESC helped launch the Milwaukie Community Events Fund (MCEF), awarding grants to culturally focused events such as a Latinx heritage celebration and a spoken word author series.

Santoyo Gutierrez identified the ESC's two priorities for 2025: enhancing digital accessibility and, developing equity-focused outreach materials and community partnerships. **Sagor** added that the ESC recently began refining its ideas into actionable goals, with strong interest in reviving a community forum on fair and impartial policing in collaboration with the Milwaukie Police Department (MPD).

The group discussed opportunities to expand localized social media engagement, while balancing citywide messaging consistency and shared interest in ESC's involvement with urban forest planning and other climate-related work.

1. C. Library Board – Annual Report

Husher and Library Board members **Karla Branson**, **Bea Perkins**, **Maryruth Storer**, **Krystina Thomas**, and **Shawnee Smith** provided an update on the Library Board's work and each member's appreciation of specific library services.

The group highlighted the Ledding Library's impact on early literacy, the accessibility of resources like the Library of Things, the library's role as a welcoming third space for youth, and progress on the Library Strategic Plan. They also shared enthusiasm for expanding outreach through book lockers, deepened partnerships, and new intergenerational programming. The update closed with news of a major donation and progress revitalizing the Ledding Library Foundation.

1. D. Park and Recreation Board (PARB) Update – Annual Report

Moore and Board chair **Ali Feuerstein** provided an update on PARB activities highlighting recent accomplishments including design feedback for three remodeled parks, ongoing advocacy for the completion of Milwaukie Bay Park, and partnerships with the ESC, Arts Committee, Lewelling NDA, and external organizations in support of Milwaukie's Bee City USA designation.

The group reflected on the changing roster of the Board. **Feuerstein** and **Moore** presented PARB's goals for 2025 and 2026 and asked for Council feedback on the direction they would like to see the Board take.

The group discussed the completion of Milwaukie Bay Park, followed by inclusive community outreach, sustainable landscaping education, and implementing Council's newly adopted goal to expand equal access to green space.

1. E. Public Safety Advisory Committee (PSAC) – Annual Report

Tolentino presented the PSAC update, which highlighted procedural refinements and the Committee's new role administering the Spot Program which focuses on public safety-related improvements. **Tolentino** detailed how the Spot program functioned by sharing the amount of funds available, what the funds were used for, and how proposals were vetted involving PSAC review, staff analysis, and cross-departmental coordination.

The group discussed projects that were advancing, long-term bundling of sustainability and equity for efficiency, how Spot investments align with city maintenance responsibilities, data collection, project prioritization, and future budgeting. The need for balance between community responsiveness and capacity was acknowledged.

Mayor Batey and PSAC's Linwood NDA representative **Shimron Tubman** noted the committee received regular updates from Clackamas Fire District #1 (CFD1) and the Community Emergency Response Team (CERT).

1. F. Tree Board – Annual Report

Passarelli provided the Tree Board's annual update, beginning with an overview of current Tree Board members and the Board's 2024 activities. **Passarelli** highlighted that the city had earned its ninth consecutive Tree City USA designation and sixth Tree Growth Award. The group discussed the Tree City USA program and its performance metrics.

Wilson shared updates on ongoing projects, including right-of-way (ROW) replanting efforts downtown, improvements to the city's tree permitting systems, and updates to

community outreach materials. The group discussed the need for a more user-friendly and accessible tree list and strategies to expand the urban tree canopy.

Passarelli recapped the 2024 Arbor Day activities and introduced the Board's 2025 priorities, which included continuing work on the Urban Forest Equity Plan, evaluating the city's tree code and fee schedule, and exploring invasive species management. The group discussed the invasive tree list and the city's potential role in supporting residents interested in native plant propagation and exchange.

2. Council Reports

Mayor Batey previewed the upcoming North Clackamas Parks and Recreation District (NCPRD) District Advisory Committee (DAC) meeting and the anticipated parks system plan presentation. **Batey** noted that while survey results showed limited demand for active recreation amenities like ballfields and skateparks, community comments have continued to highlight the need for additional soccer fields.

Planning Commission Chair Jacob Sherman added that both the North Clackamas Soccer Club (NCSC) and Clackamas United Soccer Club had submitted letters to NCPRD requesting dedicated turf soccer fields.

Councilor Stavenjord, Sherman, and Mayor Batey discussed the opportunity for partnerships between the parks district, schools, and user groups—highlighting underutilized spaces such as the North Clackamas Park equestrian center and the importance of adequate parking access for field use.

Madigan informed Council of the upcoming Council photoshoot, and the group shared ideas for outfit coordination. They also reflected on the cheerful Council photo featured in the March Pilot newsletter.

3. Adjourn

Mayor Batey adjourned the meeting at 8:26 p.m.

Respectfully submitted,

Nicole Madigan, Deputy City Recorder

COUNCIL WORK SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

MARCH 18, 2025

Council Present: Councilors Adam Khosroabadi, Robert Massey, Rebecca Stavenjord, and Council President Will Anderson, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Assistant City Manager	Emma Sagor, City Manager
Ryan Dyar, Assistant Planner	Scott Stauffer, City Recorder
Jennifer Garbely, City Engineer	Laura Weigel, Planning Manager
Justin Gericke, City Attorney	

Before the meeting Council participated in a group photo shoot starting at 4:00 p.m.

Mayor Batey called the meeting to order at 5:00 p.m.

1. Transportation System Plan (TSP) Update, Part 1 – Report

Garbely, Weigel, and Dyar, along with consultant **Matt Hughart** of Kittelson and Associates, provided an update on the city's Transportation System Plan (TSP). The presentation began with a review of existing conditions, including pedestrian and bicycle facility completeness, sidewalk inventory, and key destinations mapping.

The group discussed the use of Bicycle Level of Traffic Stress (BLTS) and Pedestrian Level of Traffic Stress (PLTS) as new performance measures to help prioritize projects. Concerns were raised and discussed about how shared streets without sidewalks were classified under the PLTS methodology and Americans with Disabilities Act (ADA) compliance considerations. Staff noted the limitations of current Oregon Department of Transportation (ODOT) methodology and affirmed that project prioritization would include qualitative considerations alongside quantitative data.

Hughart explained how BLTS was calculated, and **Councilor Stavenjord** explained the need for greater equity analysis in future TSP efforts to account for the subjective experience of riders. The group discussed plans for engagement including with the Equity Steering Committee (ESC) and staff outlined a forthcoming public outreach campaign scheduled for May and June. Staff provided examples of different BLTS and PLTS levels.

Councilor Massey left the meeting at 5:38 p.m. and returned at 5:41 p.m.

Hughart reviewed draft priority areas for project focus, including town centers, schools, parks, grocery and retail centers, transit hubs, and areas serving underserved populations. The group discussed the areas illustrated as pedestrian and bicycle gaps, walksheds, and priority focus zones, the importance of not over-prioritizing areas solely based on technical deficiency scores and stressed the need for community-specific context when prioritizing projects.

Hughart reviewed unbuilt but previously identified projects from the existing TSP, including freight mobility and intersection improvements. **Mayor Batey** raised concerns about capacity deficiencies at the Harrison Street railroad crossing and emphasized the importance of considering future grade separation. **Councilor Massey** inquired as to whether the impacts of ODOT maintenance operations vehicles had been considered

like freight traffic. Past freight planning efforts were noted regarding the long-identified need for grade separation at the Harmony Road/Linwood Avenue crossing. **Garbely** added that staff was coordinating with the county on a potential study to explore solutions.

The group discussed existing gaps in transit service to employment centers like those on International Way and the Milwaukie Community Center and expressed interest in using the TSP process to advocate for future transit improvements.

Staff noted that the TSP discussion would continue at a future work session.

2. Adjourn

Mayor Batey adjourned the meeting at 6:08 p.m.

Respectfully submitted,

Nicole Madigan, Deputy City Recorder

COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES**MARCH 18, 2025**

Council Present: Councilors Adam Khosroabadi, Robert Massey, Rebecca Stavenjord, and
Council President Will Anderson, and Mayor Lisa Batey

Staff Present: Joseph Briglio, Assistant City Manager
Justin Gericke, City Attorney
Vera Kolias, Senior Planner

Emma Sagor, City Manager
Scott Stauffer, City Recorder
Laura Weigel, Planning Manager

Mayor Batey called the meeting to order at 6:34 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Batey announced upcoming activities, including the annual board and committee recruitment, events at the Ledding Library, a city manager open door session, a Vietnam War Remembrance Event, and a watershed clean-up event along Kellogg Lake.

Mayor Batey read a food cart themed Haiku poem.

3. PROCLAMATIONS AND AWARDS

A. Outstanding Milwaukie High School (MHS) Students for February and March – Awards

Kim Kellogg, MHS principal, introduced Nayana Garcia, the February award recipient, and Fern Moore-Tong, the March award recipient. Council congratulated them on their academic and extracurricular activities.

4. SPECIAL REPORTS

C. New Business Introduction: Circus Upcycled (added and moved up the agenda)

Liz Start, Circus Upcycled owner, provided an overview of the new business to be located at the old city hall building. Council welcomed Circus to Milwaukie.

A. ~~New Business Introduction: Good Measure, PDX~~ (removed from the agenda)

B. New Business Introduction: B-Side Records & Vintage

Councilor Stavenjord and **Jeff Paramchuk**, B-Side Records owners, provided an overview of the new business to be located on Main Street in downtown Milwaukie. Council welcomed B-Side Records to Milwaukie.

5. COMMUNITY COMMENTS

Mayor Batey reviewed the comment procedures. **Sagor** reported there was no follow-up from the March 4 comments. No audience member wished to address Council.

Pam Husbands and **Greg Hemer**, Linwood Neighborhood District Association (NDA) members, reported on a Linwood NDA proposal to build a covered picnic shelter at Furnberg Park. They asked Council to support the proposal and for city staff to help the NDA connect with North Clackamas Parks and Recreation District (NCPRD) staff. **Mayor Batey** noted the NDA had met with the Milwaukie Parks Foundation. **Batey** and **Council President Anderson** suggested staff and Council would respond to the NDA later.

Dave Ehrenkranz, Milwaukie resident, thanked Council for their statement on Milwaukie's community values in response to recent federal government actions.

6. CONSENT AGENDA

It was moved by **Councilor Massey** and seconded by **Council President Anderson** to approve the Consent Agenda as presented.

A. City Council Meeting Minutes:

1. **February 4, 2025, regular session,**
2. ~~February 11, 2025, study session,~~
3. ~~February 18, 2025, work session, and~~
4. ~~February 18, 2025, regular session.~~ (removed from the agenda)

Motion passed with the following vote: **Councilors Anderson, Khosroabadi, Massey, and Stavenjord** and **Mayor Batey** voting "aye." [5:0]

7. BUSINESS ITEMS

A. Clackamas County Stabilization Center Update – Report

Sagor and **Mary Rumbaugh**, Clackamas County Health, Housing, and Human Services (H3S) Director, provided an update on the county's stabilization center project in the North Milwaukie Innovation Area (NMIA). They explained that the center was a multi-agency project involving H3S, the city, Clackamas County Sheriff's Office (CCSO), and health care and social services providers. They described how individuals would get help from the center and how security and transportation concerns had been addressed through a good neighbor agreement between the city and county.

Councilor Stavenjord and **Rumbaugh** remarked on how the center would support residents from across the county and not leave people without a way to return to their home community. They also remarked on how H3S would respond to and continue to operate the center if there were cuts in supportive housing services (SHS) funding.

Councilor Massey asked about the next steps in opening the center. **Rumbaugh** and **Sagor** explained what H3S and city staff had been doing to get the center open.

Council President Anderson commented on the Milwaukie community's interest in having such supportive services available.

Councilor Khosroabadi remarked on the importance of having a plan for follow-up services for individuals who were released from the center. **Rumbaugh** explained how the center's referral process would work for discharged individuals.

Mayor Batey and **Rumbaugh** noted that individuals brought to the center would need to agree to receive the services. They discussed how the center would handle times when there were not enough beds and how individuals' medical benefits would cover costs.

Mayor Batey recessed the meeting at 8:09 p.m. and reconvened at 8:15 p.m.

B. Affordable Housing Code Incentives – Discussion

Weigel and **Kolias** provided an overview of the affordable housing code updates tied to the city's Housing Production Strategy (HPS), noting previous Council discussions on the topic. The group discussed incentivizing home ownership opportunities versus affordable rental units; they noted possible changes in state law that would affect home ownership programs and reviewed the work of community land trust (CLT) models, and discussed differences in administrative support requirements between ownership and rental monitoring programs. **Sagor** and **Briglio** summarized home ownership incentives staff would look at and bring back to Council.

Kolias reviewed housing code incentives meant to encourage middle housing for different area median income (AMI) levels. The group remarked on what AMI really meant in terms of incomes in Milwaukie versus other parts of the region.

Kolias discussed code proposals that would set the number of years a property would need to remain affordable at 99 or 60 years. The group remarked on whether a 99-year affordability timeframe would deter developers from building affordable housing and suggested the city might need to re-evaluate the timeframe after the code was adopted. It was Council consensus to set the duration of properties remaining affordable at 60 years.

Kolias reviewed proposed incentivized housing codes variances related to maximum building height bonuses and allowing residential units on the ground floor of a building in downtown. The group remarked on how many stories an affordable housing development with height bonuses could be in downtown.

The group discussed whether developers would be interested in building affordable housing at 60% or 80% of AMI, with building height bonuses, and whether Milwaukie families could afford housing at those AMI levels.

Briglio noted that the city would hit its target number of affordable housing units, as outlined in the HPS, with the completion of the county's Hillside Park redevelopment project. The group discussed developing code with tiered AMI percentages for different housing types and the impact of 60- or 99-year rent-controlled housing.

It was Council consensus that the code should not incentivize affordable housing units for occupants making more than 80% AMI and that the code should allow affordable housing residential units on the ground floor in the downtown multi-use (DMU) zone and get to additional height bonuses if the housing was for occupants making 60% of AMI. The group clarified that the 60% AMI incentive would be for multi-family housing buildings.

Kolias continued with the overview of the proposed housing incentives code, which included discretionary review criteria and an expedited review process. The group discussed different land use application timeframes that were set by state law and other parts of the Milwaukie Municipal Code (MMC).

Kolias presented and discussed housing projects currently being built that reflected the application of affordable housing incentives. The group discussed how the incentives would be applied, noting smaller green spaces, the amount of parking included in the projects, and how developers were reacting to the incentives.

Council President Anderson asked for clarification that Council consensus was to adopt one standard code for all affordable housing types at 80% AMI and the group confirmed that was the Council consensus.

Mayor Batey asked about how the city would manage the affordability covenants. **Briglio** explained that property management companies usually managed such covenants and remarked on the how the city was continuing to investigate.

The group remarked on outstanding issues for Council to consider in the proposed affordable housing incentives code package.

Sagor noted that if the meeting went beyond 10:00 p.m. Council would need to vote to continue the meeting.

8. PUBLIC HEARING

A. None Scheduled.

9. COUNCIL REPORTS

A. Legislative and Regional Issues – Discussion

Stauffer and **Sagor** noted that Council needed to identify an alternate representative to the Clackamas County Coordinating Committee (C4). The group discussed who should be the C4 alternate. It was Council consensus that Mayor Batey would serve as Council's C4 alternate representative.

Council Reports

Mayor Batey noted the possible end of the printed version of the Milwaukie Review.

The group discussed the Linwood NDA's request for Council support for building a picnic shelter at Furnberg Park and how the city should handle such community requests. **Sagor** suggested staff would bring the support request back to Council at a future meeting.

Council President Anderson appreciated Council and the code incentives discussion.

Councilor Massey noted an upcoming North Clackamas Watersheds Council meeting.

Councilor Khosroabadi reported on a Clackamas County Water Environment Services (WES) Advisory Board vote to increase system development charges (SDCs).

Councilor Stavenjord suggested Milwaukie find a Canadian city to become sister cities with and **Sagor** noted there was a town in Wisconsin named Oregon.

10. ADJOURNMENT

It was moved by Councilor Massey and seconded by Council President Anderson to adjourn the Regular Session. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting "aye." [5:0]

Mayor Batey adjourned the meeting at 9:58 p.m.

Respectfully submitted,

Scott Stauffer, City Recorder

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Reviewed: Jennifer Garbely, City Engineer, and
Kelli Tucker, Accounting and Contracts Specialist

From: Tanya Battye, Civil Engineer

Subject: **Additional Federal Funding for Washington/Monroe Street Greenway**

Date Written: Apr. 23, 2025

ACTION REQUESTED

Council is asked to authorize a project change request with the Oregon Department of Transportation (ODOT) to acknowledge additional federal funding for the Washington/Monroe Street Greenway Design and Construction project, and receive an update to the project funding for the segment between 37th Avenue and Linwood Avenue.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

July 6, 2010: The city pursued a grant to construct a “bike boulevard” along Monroe Street from 21st Avenue to Linwood Avenue.

June 4, 2013: The city applied for grant funding for the design of the Monroe Street Bicycle Boulevard/Neighborhood Greenway.

June 17, 2014: An intergovernmental agreement (IGA) with the State of Oregon to prepare a Monroe Street Neighborhood Greenway Concept Plan was signed.

December 1, 2015: Council adopted the Monroe Street Neighborhood Greenway Concept Plan.

June 5, 2018: The Washington Street alignment was adopted.

June 21, 2019: The city applied for grant funding through the Metro Regional Flexible Fund Allocation (RFFA) program for the 2022-2024 funding cycle for construction of segments D and E, or the portion of the greenway between 37th Avenue and Linwood Avenue.

March 26, 2020: The city was awarded \$3,860,788 RFFA funds for segments D and E of the Monroe Street Greenway.

October 20, 2020: A development agreement for Monroe Apartments (Seven Acres Apartments) was executed contingent on the developer completing a portion of the Monroe Street Greenway.

July 1, 2022: An IGA between the city and ODOT was executed for the delivery of the Washington/Monroe Street Greenway project between 37th Avenue and Linwood Avenue. The IGA provided a total project cost estimate of \$5,834,906 and limited Federal funds for the project to \$3,860,788. ODOT contracted with a design firm to complete final design and construction of the Washington/Monroe Street Greenway between 37th Avenue and Linwood Avenue. The design consultant reached approximately 60 percent design.

October 11, 2024: The city applied for RFFA redistribution funding made available to select projects that were impacted by inflation.

March 2025: Metro Council approved 80.6 percent of RFFA redistribution funding requested by the city and awarded \$1,455,253 RFFA redistribution funds toward the project.

ANALYSIS

Project costs have increased as ODOT's design consultant progresses with the design process. In fall 2024, at the 30 percent completion mark of the design phase, the design consultant provided an updated project cost of \$8,506,083. This was significantly higher than the 2020 estimated total project cost of \$5,834,906 and did not include ODOT's project administration costs (estimated at 2 percent of the total project cost).

The Washington/Monroe Street Greenway project is currently at 60 percent design completion and the current projected total cost (including ODOT's estimated administration fees and additional contingencies) is \$9,242,014. Reasons for project cost increase include:

Inflation: This cost increase was the basis for the RFFA redistribution funds request by the city, in which the city was awarded \$1,455,253.

ODOT Process: ODOT project delivery requirements are more involved than what was originally scoped for the project. ODOT requirements include additional environmental assessments, testing for contaminated soils, historical reviews, and additional stormwater infrastructure along Washington Street that was not previously identified.

Scope Changes and Reductions: ODOT's standard construction process requires a temporary construction easement for any construction within one foot of private property. This would have required the city to negotiate more than 20 temporary construction easements with property owners and evaluate the potential condemnation of private property, as well as present significant project delays. However, in coordination with ODOT and their design consultant, city staff determined it was preferable to instead perform all construction, including a 1-foot access buffer, within the right-of-way. This scope change triggered additional surveying work to shift the road south at the Monroe Street curve and additional design of driveway tie-ins along the route. There were also additional design costs to address stormwater management and flooding issues along the route as identified by the city's public works department during design review.

In fall 2024, recognizing the budget shortfall, staff requested a revised cost estimate from ODOT's design consultant based on a reduced scope that prioritized the primary route, removing Monroe Street sidewalk infill between GracePointe Church and Garrett Drive, removing the enhanced crossing at the intersection of 37th Avenue and Washington Street, removing sidewalk infill and Americans with Disabilities Act (ADA)-compliant pedestrian crossing updates on Ada Lane, and including repaving the road along the route (which was not included in earlier cost estimates).

At this same time, Metro notified the city that redistribution funds were available due to the project's in-design status, and that the project could apply for additional funding to cover increased project costs due to inflation. However, additional funding only applied to cost increases due to inflation between project scoping and construction, and did not include changes to project scope. Therefore, staff applied for \$1,805,526 RFFA redistribution funds and were awarded \$1,455,253 in March 2025. This brought the total RFFA funding available to \$5,316,041.

Based on the additional project funding awarded by the RFFA program, staff asked ODOT's design consultant to add the Monroe sidewalk infill (\$192,000) and enhanced pedestrian crossing at 37th Avenue and Washington Street (\$125,000) back into the project scope.

Current Project Scope

Staff have reduced and adjusted the scope to meet the primary intent of the greenway project. The current scope includes:

- Pedestrian improvements on Washington Street from 37th Avenue to Garrett Drive
- Pedestrian improvements on Garrett Drive
- Pedestrian improvements on Monroe Street from GracePointe Church to Linwood Avenue
- Enhanced pedestrian crossing (Rectangular Rapid Flashing Beacon [RRFB]) at Washington and 37th Avenue Intersection
- Stormwater management improvements (conveyance and infiltration)
- Grind and inlay on Washington, Garrett, and Monroe streets along primary greenway route

The project scope does not include right-of-way (ROW) phase (driveway connections removed) or sidewalk infill and ADA-compliant crossings on Ada Lane.

Project Costs Increases

Project costs have increased significantly since the Concept Plan was delivered in 2015. The estimated total project cost in 2020 based on the conceptual design was \$5,834,906. As staff works through the ODOT-required tasks and advances the design process, the current estimated total project cost is \$9,242,014.

Project Funding Breakdown

Project Phase	Estimated Total Cost	Funds Paid to Date		Remaining Funds Available		Estimated Funding Shortfall (to be paid by Milwaukie)
		Federal	Milwaukie	Federal	Milwaukie	
PE	\$ 1,974,156	\$ 712,387	\$ 942,769	\$ 286,239	\$ -	\$ 32,761
Construction	\$ 5,927,030	\$ -	\$ -	\$ 4,030,030	\$ 1,897,000	\$ -
Contingency	\$ 1,340,828	\$ -	\$ -	\$ 287,385	\$ -	\$ 1,053,443
Total	\$ 9,242,014	\$ 712,387	\$ 942,769	\$ 4,603,654	\$ 1,897,000	\$ 1,086,204

Included in the current estimated total cost for construction is:

- 3.5 percent contingency on biddable items (\$178,665),
- 20 percent contingency on design (\$1,162,163), and
- 15 percent contingency for construction engineering (\$696,098).

The contingency on design is expected to reduce to 10 percent when plans, specifications and estimates are provided to ODOT in late May 2025.

Construction Bidding Options

City staff are in communication with ODOT and their design consultant to reduce the risk of exceeding the construction budget when the project is bid in 2026. Options provided by the

design consultant include bidding multiple schedules, including optional tasks in the scope and reducing the scope preemptively. Some construction items could be removed from the project construction scope while maintaining delivery of the project, including:

- Sidewalk infill on Monroe Street, GracePointe Church to Garrett Drive (\$192,000)
- RRFB at intersection of 37th Avenue and Washington Street (\$125,000)
- Two-inch grind and inlay of project roadway (\$445,000)
- ODOT has not provided feedback on these options to prevent budget overrun.

IGA and Match Requirements

RFFA funding requires a minimum of 10.27 percent local match to federal funds. In March 2020 the city was awarded \$3,860,788 of the estimated \$5,834,906 total project cost for the 2022-2024 RFFA funding cycle, a 33.8 percent local match, meeting the requirement.

City has already paid \$942,769 to ODOT for this project and has budgeted an additional \$1,897,000. Total federal funds awarded for this project are \$5,316,041. This brings the total project budget to \$8,155,810, a 34.8 percent local match.

As stated in the IGA, the city will be responsible for all expenses more than the \$5,316,041 RFFA funds awarded to the project. Additionally, the IGA states that ODOT may award bids up to 10 percent over engineer's estimate. As shown in the table above, the city will be responsible for an estimate of \$1,086,204 more than the RFFA funds.

Project Timeline Changes

ODOT proposed changes to the project schedule based on the removal of the right-of-way phase and additional necessary design work. Summary of proposed changes incorporated in the Project Change Request are as follows:

Project Milestone	Original Completion Date	Revised Completion Date
Advance PS&E*	3/14/25	5/27/25
Final PS&E	9/5/25	8/25/25
PS&E Submittal	12/24/25	4/15/26
Bidding	February 2026	June 2026

**PS&E stands for plan, specification, and estimate.*

BUDGET IMPACT

To cover the estimated budget shortage for project expenses more than the RFFA funds, staff will continue to work with ODOT and their design consultant to consider whether some construction items could be removed from the project construction scope to reduce costs. Additionally, staff has identified the following potential funding options to support this increased project cost:

- Washington/Monroe Street Greenway project's schedule has ODOT going out to bid in June 2026, which means a contractor would likely not be under contract or start construction until FY 2027 and, therefore, these funds could be reconsidered in the next biennium budget.

CLIMATE IMPACT

The Washington/Monroe Street Greenway project aligns with the city's goal to reduce greenhouse gas emissions and increase opportunities for active transportation and multi-modal transportation. The project will provide a safer route for those walking, rolling, or cycling

between 37th Avenue and Linwood Avenue, and is a critical part of the larger greenway which connects the Trolley Trail downtown to the multi-use paths at Interstate Highway 205 (I-205).

The preservation of mature street trees maximizes the benefits that trees provide. Some of the benefits include sequestering carbon, improved air quality, managing stormwater runoff, and providing cooler temperatures of up to 6 to 10 degrees Fahrenheit according to the U.S. Forest Service Center for Urban Forest Research. Additional design costs have been incurred to protect tree cover along the route.

EQUITY IMPACT

The Washington/Monroe Street Greenway project will improve physical access across the city by reducing pedestrian and cyclist stress levels, updating current facilities for ADA compliance, and connecting sidewalk gaps along the route. The larger Monroe Greenway will ultimately connect the Trolley Trail and downtown Milwaukie to the multiuse paths at Linwood Avenue and beyond to the multiuse paths at I-205. Homewood and Wichita parks are located along the route.

WORKLOAD IMPACT

There are no impacts to engineering staff workload to complete the project. The Washington/Monroe Street Greenway project will increase the city's workload by adding city assets to maintain and include bioswale and planting strip maintenance; however, these impacts are expected to be minor.

COORDINATION, CONCURRENCE, OR DISSENT

The city is in coordination with Clackamas County and ODOT for delivery of the Monroe Street Greenway project. The county started construction on portions of the greenway east of Linwood Avenue, beyond city limits. ODOT is providing delivery of this segment of the project as a certified agency to deliver federal funding and is constructing the diverters and signal upgrades at the intersection of Monroe Street and Oregon Hwy 224 as part of the larger greenway project. City engineering staff coordinates with public works, community development, finance, and the city manager's office to ensure interdepartmental coordination.

STAFF RECOMMENDATION

Council is asked to approve a project change request with ODOT to incorporate additional federal funds and modified project scope.

ALTERNATIVES

Direct staff to remove some or all of the scope items listed in the construction bidding items section.

ATTACHMENTS

1. Resolution
2. Draft Project Change Request Form
3. Metropolitan Transportation Improvement Program (MTIP) Amendment

COUNCIL RESOLUTION No.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING A PROJECT CHANGE REQUEST INCORPORATING REDISTRIBUTED FUNDS FROM THE REGIONAL FLEXIBLE FUND ALLOCATION (RFFA) PROGRAM FOR THE WASHINGTON-MONROE STREET GREENWAY PROJECT.**

WHEREAS the City of Milwaukie and State of Oregon, acting by and through the Department of Transportation (ODOT), entered Intergovernmental Agreement (IGA) No. 73000-00004185 in 2022 for the delivery of the Washington-Monroe Street: SE 37th Avenue to SE Linwood Avenue project, and

WHEREAS the IGA provided for a total project cost estimate of \$5,834,906 and limited Federal funds for the project to \$3,860,788, and

WHEREAS city applied for RFFA redistribution funding made available to select projects that were impacted by inflation, and was subsequently awarded an additional \$1,455,253 through the RFFA program, and

WHEREAS city is responsible for all expenses more than the RFFA funds awarded to the project and additional costs are now expected to complete the project due to inflation, scope changes, and other impacts.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, accepts the additional RFFA and authorizes the city manager or their designee to sign the project change request for the Washington-Monroe Street Greenway project, and to administer the project budget (including future reductions or increases) until the project is completed, in accordance with the IGA.

Introduced and adopted by the City Council on **May 6, 2025**.

This resolution is effective on **immediately**.

Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney

Effective 11/1/2023, replaces all other PCR forms per project delivery bulletin PDB-05

Click the yellow "i" buttons to see guidance for that topic. Click the orange "i" button to hide the guidance. Narrative text fields will expand as you type.

Purpose

Project Details

PROJECT NAME (AS INDICATED IN THE STIP) Washington/Monroe Street: SE 37th - SE Linwood Ave		STIP KEY 22141	IGA NUMBER 73000-0000418	PCR NUMBER 1	BRIDGE NUMBER/S
RECIPIENT AGENCY (APPLICANT/S, LPA) City of Milwaukie		DELIVERY AGENCY (IF DIFFERENT THAN ODOT AND APPLICANT)			
RECIPIENT AGENCY ADDRESS (LPA) 10501 SE Main St		DELIVERY AGENCY ADDRESS			
CITY, STATE, ZIP (LPA) Milwaukie, OR 97222		CITY, STATE, ZIP			
RECIPIENT AGENCY EMAIL (LPA) battyet@milwaukieoregon.gov		PHONE (LPA) 503.786.7541	DELIVERY AGENCY CONTACT NAME AND EMAIL		PHONE
ODOT REGION 1	MPO? Yes	CERTIFIED AGENCY? No	ODOT FACILITY? No		

Funding

Select funding program from drop-down menu. Add another row by clicking the "+" button. A maximum of 13 rows may be added. Only use describe field if selecting "OTHER" to describe funding program.

ROW	FUNDING PROGRAMS	DESCRIBE
1	Surface Transportation Block Grant (STBG)	

Type of Change (select all that apply)

Scope

- ☒ Reduce Scope
- ☐ Expand Scope
- ☒ Change scope
- ☐ Other

Schedule

- ☒ Delay a Milestone > 90 days
- ☐ Delay the STIP year (slip)
- ☐ Advance a milestone or STIP year
- ☐ Other

Budget

- ☒ Cost Increase
- ☐ Cost Decrease
- ☒ Changes in fund plan
- ☐ Other

Other

- ☐ Add project or phase
- ☒ Remove project or phase
- ☐ Combine or split project
- ☐ Other

Change Justification and Details

Text fields below will expand as you type.

Scope

Purpose and need of the project:

SE Monroe St is a local street that provides a unique opportunity to establish an active transportation greenway. Because of its connectivity and central location, the route attracts a substantial number of cut-through auto trips in addition to serving local residents and businesses.

General Location:

SE Monroe St runs through the City of Milwaukie, Oregon connecting the Trolley Trail and the city's downtown district at the west end to the eastern city boundary at SE Linwood Avenue. This corridor has been split into multiple projects. This project address the east segment from SE 37th Ave and SE Washington St to SE Monroe St and SE Linwood Ave.

Solution:

This project will construct bicycle and pedestrian improvements to improve pedestrian and cyclist safety. Improvements include sidewalk infill, bicycle signage and markings, traffic calming measures, and paving.

Changes to the Scope:

The ROW phase of the project is removed which reduces the scope. The design requires revision to reflect improvements (see below), which is a change in the scope.

Schedule

project schedule is as follows:

DAP: 10/16/2024

Advance PS&E: 5/27/25

Final PS&E: 8/25/25

PS&E Submittal: 4/15/26

Bid Let Date: June 2026

Budget i

Original project funding (total) as listed and in the current STIP is \$5,934,906.00. City applied for additional funding through Metro FFY 2025 Redistribution Supplemental Funding Call and has received an additional \$1,455,253 federal dollars. ROW phase is no longer needed and cancelled. The new total project estimate is \$8,155,810.

STIP i

Does the STIP or MTIP need to be amended per the ODOT/FTA/FHWA STIP amendment matrix?... ☒ Yes* ☐ No

Does the IGA need to be amended?* ☒ Yes ☐ No

* If yes, revised estimates will be required and detailed documentation should be attached to this request.

Project Budget Table i

1. Expended To Date	2. Phase	3. Current FFY*	4. Proposed FFY	5. Current Phase Total Estimate	6. Budget Adjustment (+/-)	7. Proposed Phase Total Estimate
	Preliminary Engineering (PE)	2022		\$1,655,156.00	\$319,000.00	\$1,974,156.00
	Right-of-Way (RW)	2025		\$671,000.00	(\$671,000.00)	\$0.00
	Construction (CN)	2026		\$3,508,750.00	\$2,090,935.00	\$5,599,685.00
	Other (OT)					

*Federal Fiscal Year (FFY) is from Oct.1 to Sept. 30 of each year. From Oct.1 forward, the FFY is the following calendar year.

Approvals i

LOCAL AGENCY REPRESENTATIVE NAME	SIGNATURE	DATE
FUNDING PROGRAM MANAGER	SIGNATURE	DATE
ODOT PROJECT MANAGER	SIGNATURE	DATE

Additional Information

Fully fund the increase in PE phase at maximum federal participation. Place the remaining funds recieved on CN phase. Redistribution federal funds: \$1,455,253 (in Total dollars: \$1,621,813.22). Total project est.\$8,155,810.

Attachments (check if attached)

- ☐ Maps
- ☐ Cost estimate
- ☐ Other: _____

2024-2027 Constrained MTIP Formal Amendment: Exhibit A



Metro
2024-27 Metropolitan Transportation Improvement Program (MTIP)
PROJECT AMENDMENT DETAIL WORKSHEET
Federal Fiscal Year 2025

MTIP Formal Amendment
ADD FUNDS
Add FFY 2025 awarded
Redistribution funds

Project #3

Project Details Summary							
ODOT Key #	22141	RFFA ID:	50369	RTP ID:	10099	RTP Approval Date:	11/30/2023
MTIP ID:	71087	CDS ID:	N/A	Bridge #:	N/A	FTA Flex & Conversion Code	No
MTIP Amendment ID:		FB25-07-FEB3		STIP Amendment ID:		TBD	

Summary of Amendment Changes Occurring:
The formal amendment adds Metro awarded FFY 2025 Redistribution Funds to the project to offset inflationary cost increases to the project.

Project Name:	Washington/Monroe: SE 37th - SE Linwood Ave						
Lead Agency:	Milwaukie	Applicant:	Milwaukie	Administrator:	ODOT		
Certified Agency Delivery:	No	Non-Certified Agency Delivery:	Yes	Delivery as Direct Recipient:	No		

Short Description:
Construct bicycle and pedestrian improvements (segments D and E) on Washington and Monroe starting on Washington St/37th Ave east to Ada Lane to Home Ave to Monroe, and Monroe east to Linwood providing pedestrian/cyclist safety improvements.

MTIP Detailed Description (Internal Metro use only):
In Milwaukie on Monroe and Washington Streets, construct bicycle and pedestrian improvements (segments D & E) on Washington St and Monroe St starting at Washington St, and 37th Ave following Washington St east to Ada Lane to Home Ave, and on Home Ave to Monroe, and on Monroe east to Linwood Ave to provide safety improvements to pedestrians and cyclists.

STIP Description:
Construct bicycle and pedestrian improvements (segments D & E) on Washington & Monroe starting on Washington Street/37th Ave east to Ada Lane to Home Ave, Home Ave to Monroe, and Monroe east to Linwood providing pedestrian/cyclists safety

Project Classification Details			
Project Type	Category	Features	System Investment Type
Active Transportation/ Complete Streets ODOT Work Type:	Active Trans - Motor Vehicle	Preservation or Maintenance	Capital Improvement
	Active Trans - Bicycle	Shared Lanes	
	Active Trans - Pedestrian	Crossing Treatments	
		Sidewalks - New Sidewalks - Reconstruction	
	BIKPED		

Phase Funding and Programming									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation (UR)	Construction (Cons)	Other	Total
Federal Funds									
STBG-U	Z230	2022		\$ 712,387					\$ -
TA-U	Y301	2022		\$ 712,387					\$ 712,387
STBG-U	Y230	2026					\$ 3,148,401		\$ -
STBG-U	Y230	2026					\$ 4,603,654		\$ 4,603,654
Federal Totals:			\$ -	\$ 712,387	\$ -	\$ -	\$ 4,603,654	\$ -	\$ 5,316,041

Notes:

1. STBG original awarded and programmed for the PE. PE was obligated with TA-U funds to address a potential TA lapse issue. Obligation targets track based on original STBG award.
2. Added STBG funds in Construction of \$1,455,253 are new awarded FFY 2025 Redistribution funds. Together with the RFFASTBG amount of \$3,148,401 total a revised STBG authorization of \$4,603,654.

State Funds									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
									\$ -
									\$ -
State Totals:			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Local Funds									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Local (Y301)	Match	2022		\$ 81,536					\$ 81,536
Other	OTH0	2022		\$ 861,233					\$ 861,233
Other	OTH0	2025			\$ 671,000				\$ 671,000
Local (Y230)	Match	2026					\$ 360,349		\$ -
Local (Y230)	Match	2026					\$ 526,909		\$ 526,909
Other	OTH0	2026					\$ 949,364		\$ 949,364
Other	OTH0	2026						\$ 100,000	\$ 100,000
Local Totals:			\$ -	\$ 942,769	\$ 671,000	\$ -	\$ 1,476,273	\$ 100,000	\$ 3,190,042
Phase Totals			Planning	PE	ROW	UR	Cons	Other	Total
Existing Programming Totals:			\$ -	\$ 1,655,156	\$ 671,000	\$ -	\$ 3,508,750	\$ 100,000	\$ 5,934,905
Amended Programming Totals			\$ -	\$ 1,655,156	\$ 671,000	\$ -	\$ 6,079,927	\$ 100,000	\$ 8,506,083
Total Estimated Project Cost									\$ 8,506,083
Total Cost in Year of Expenditure:									\$ 8,506,083

Programming Summary	Yes/No	Reason if short Programmed					
Is the project short programmed?	Yes	The project is short programmed due to added ROW costs which will be addressed most likely with local funds via a future amendment					
Programming Adjustments Details	Planning	PE	ROW	UR	Cons	Other	Totals
Phase Programming Change:	\$ -	\$ -	\$ -	\$ -	\$ 2,571,177	\$ -	\$ 2,571,177
Phase Change Percent:	0.0%	0.0%	0.0%	0.0%	73.3%	0.0%	100.0%
Amended Phase Matching Funds:	\$ -	\$ 81,536	\$ -	\$ -	\$ 526,909	\$ -	\$ 608,445
Amended Phase Matching Percent:	N/A	10.27%	0.00%	N/A	10.27%	0.00%	10.27%
Phase Programming Summary Totals							
Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	\$ -	\$ 712,387	\$ -	\$ -	\$ 4,603,654	\$ -	\$ 5,316,041
State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local	\$ -	\$ 942,769	\$ 671,000	\$ -	\$ 1,476,273	\$ 100,000	\$ 3,190,042
Total	\$ -	\$ 1,655,156	\$ 671,000	\$ -	\$ 6,079,927	\$ 100,000	\$ 8,506,083
Phase Composition Percentages							
Fund Type	Planning	PE	ROW	UR	Cons	Other	Total
Federal	0.0%	43.04%	0.00%	0.0%	75.72%	0.0%	62.50%
State	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Local	0.0%	56.96%	100.00%	0.0%	24.28%	0.0%	37.50%
Total	0.0%	100.0%	100.0%	0.0%	100.0%	0.0%	100.0%
Phase Programming Percentage							
Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	0.0%	8.4%	0.0%	0.0%	54.1%	0.0%	62.50%
State	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Local	0.0%	11.1%	7.9%	0.0%	17.4%	1.2%	37.50%
Total	0.0%	19.5%	7.9%	0.0%	71.5%	1.2%	100.0%

Project Phase Obligation History							
Item	Planning	PE	ROW	UR	Cons	Other	Federal
Total Funds Obligated		\$ 1,655,156					Aid ID
Federal Funds Obligated:		\$ 712,387					
EA Number:		PE003419					FHWA or FTA
Initial Obligation Date:		7/21/2022					FHWA
EA End Date:		7/31/2028					FMIS or TRAMS
Known Expenditures:		\$ 827,133					FMIS
				Estimated Project Completion Date:			12/31/2029
Completion Date Notes:							
Are federal funds being flex transferred to FTA?		No	If yes, expected FTA conversion code:			N/A	

Fiscal Constraint Consistency Review							
1. What is the source of funding? FFY 2025 Metro awarded Redistribution Funds							
2. Does the amendment include changes or updates to the project funding? Yes. New Redistribution funds as STBG are being added to the MTIP.							
3. Was proof-of-funding documentation provided to verify the funding change? Yes, via the March 16, 2025 awards memo and Resolution 25-5464.							
4. Level of funding approval? Metro Council approval							
5. Has the fiscal constraint requirement been properly demonstrated and satisfied as part of the MTIP amendment? Yes.							

Project Location References					
On State Highway	Yes/No	Route	MP Begin	MP End	Length
	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Cross Streets	Route or Arterial		Cross Street		Cross Street
	SE Monroe St		SE Garret Dr		SE Linwood Ave
	SE Washington St		SE 37th Ave		SE Garret Dr
	SE Garret Dr		SE Washington St		SE Monroe

Summary of MTIP Programming and Last Formal/Full Amendment or Administrative Modification							
1st Year Programmed	2021	Years Active	5	Project Status	4	(PS&E) Planning Specifications, & Estimates (final design 30%, 60%,90% design activities initiated)	
Total Prior Amendments	3	Last Amendment	Administrative	Date of Last Amendment	February 2024	Last MTIP Amend Num	AM24-05-FEB1
Last Amendment Action	Slip ROW to 2025						

RTP Air Quality Conformity and Transportation Modeling Designations	
Is this a capacity enhancing or non-capacity enhancing project?	Non-capacity enhancing project
Is the project exempt from a conformity determination per 40 CFR 93.126, Table 2 or 40 CFR 93.127, Table 3?	Yes. The project is exempt per 40 CFR 93.126, Table 2
Exemption Reference:	Air Quality - Bicycle and Pedestrian Facilities.
Was an air analysis required as part of RTP inclusion?	No. Not Applicable
If capacity enhancing, was transportation modeling analysis completed as part of RTP inclusion?	No. Not applicable. The project is not capacity enhancing
RTP Constrained Project ID and Name:	RTP ID 10099 - Group 1--Monroe St Neighborhood Greenway
RTP Project Description:	Designate Monroe St as a Neighborhood Greenway and install traffic-calming improvements and fill sidewalk gaps on both sides of street. Traffic-calming improvements and completed sidewalk sections will increase bicycle and pedestrian safety. Intersection improvements to improve safety of crossing at Linwood Ave and Monroe St. Improves bicycle and pedestrian network in an equity priority area.
Additional RTP Consistency Check Areas	
1. Is the project designated as a Transportation Control Measure?	No.
2. Is the project identified on the Congestion Management Process (CMP) plan?	No.
3. Is the project included as part of the approved: UPWP?	No. Not applicable.
3a. If yes, is an amendment required to the UPWP?	No.
3b. Can the project MTIP amendment proceed before the UPWP amendment?	Yes.
3c. What is the UPWP category (Master Agreement, Metro funded stand-alone, Non-Metro funded Regionally Significant)?	Not applicable

4. Applicable RTP Goals:

Goal # 1 -Mobility Options:

Objective 1.1 - Travel Options: Plan communities and design and manage the transportation system to increase the proportion of trips made by walking, bicycling, shared rides and use of transit, and reduce per capita vehicle miles traveled.

Goal #2 - Safer System:

Objective 2.1 - Vision Zero: Eliminate fatal and severe injury crashes for all modes of travel by 2035.

Goal #3 - Equitable Transportation:

Objective 3 - Barrier Free Transportation: Eliminate barriers that people of color, low income people, youth, older adults, people with disabilities and other marginalized communities face to meeting their travel needs

Goal #4 - Thriving Economy:

Objective 4.1: Connected Region: Focus growth and transportation investment in designated 2040 growth areas to build an integrated system of throughways, arterial streets, freight routes and intermodal facilities, transit services and bicycle and pedestrian facilities, with efficient connections between modes and communities that provide access to jobs, markets and community places within and beyond the region.

Goal #5 - Climate Action and Resilience:

Objective 5.2 - Climate Friendly Communities: Increase the share of jobs and households in walkable, mixed-use areas served by current and planned frequent transit service.

5. Does the project require a special performance assessment evaluation as part of the MTIP amendment? **No. The project is not capacity enhancing nor does it exceed \$100 million in total project cost.**

Public Notification/Opportunity to Comment Consistency Requirement

1. Is a 30-day/opportunity to comment period required as part of the amendment? **Yes.**
2. What are the start and end dates for the comment period? **Complete - January 15, 2025 to February 13, 2025**
3. Was the comment period completed consistent with the Metro Public Participation Plan? **Yes.**
4. Was the comment period included on the Metro website allowing email submissions as comments? **Yes.**
5. Did the project amendment result in a significant number of comments? **Comments are not expected**
6. Did the comments require a comment log and submission plus review by Metro Communications staff and to Council Office? **No comments expected. If comments are received, they will be logged, reviewed, and sent on to Metro Council and Council staff for their assessment.**

Fund Codes References

Local	General Local funds committed by the lead agency that normally cover the minimum match requirement to the federal funds
Other	General local or state funds committed to the project above the required minimum match to the federal funds. Other funds may also represent the lead agency's ability to fund the entire phase with local funds.

STBG	Surface Transportation Block Grant funds. A federal funding source (FHWA based) appropriated to the State DOT. The Surface Transportation Block Grant Program (STBG) promotes flexibility in State and local transportation decisions and provides flexible funding to best address State and local transportation needs.
STBG-U	STBG funds that ODOT suballocates to Metro for use of eligible projects in urban areas
TA	Transportation Alternatives (TA) are a federal funding source (FHWA based). TA funds are set-aside from the Surface Transportation Block Grant (STBG) program. Eligible uses of the set-aside funds include all projects and activities that were previously eligible under the Transportation Alternatives Program under the Moving Ahead for Progress in the 21st Century Act (MAP-21). This encompasses a variety of smaller-scale transportation projects such as pedestrian and bicycle facilities, recreational trails, safe routes to school projects, community improvements such as historic preservation and vegetation management, and environmental mitigation related to stormwater and habitat connectivity. TA funds are apportioned to the State DOT. A portion of the TA funds are then suballocated to the MPOs.
TA-U	TA funds that are allocated to Metro and are generally used for eligible projects awarded federal funds through the Regional Flexible Fund Allocation (RFFA) funding call.


Recommended FFY 2025 Redistribution Funding Project Awards at the 80.6% Level				
Lead Agency	Key	Project Name	Original Request	Redistribution Award at 80.6%
Clackamas County	22131	Courtney Ave	\$2,421,841	\$1,952,003
Gresham	20808	Cleveland Ave	\$2,166,504	\$1,746,202
Milwaukie	22141	Washington/Monroe	\$1,805,526	\$1,455,253
Portland	18837	Columbia Blvd	\$ 471,027	\$379,647
Portland	20814	Jade and Montavilla	\$2,494,095	\$2,010,240
Portland	22134	NE 122 nd Ave	\$ 821,084	\$661,793
Portland	22135	NE MLK Blvd	\$412,758	\$332,682
Tigard	23253	Fanno Creek Trail	\$500,000	\$403,000
THPRD	19357	Beaverton Creek Trail	\$1,321,000	\$1,064,726
Total:				\$10,005,546



Modeling Network , NHS, and Performance Measure Designations


National Highway System and Functional Classification Designations			
System	Y/N	Route	Designation
NHS Project	No	Monroe St	No designation
	No	Washington Street	No designation
Functional	Yes	Monroe St	5= Urban Collector

Classification	Yes	Washington Street	No designation
Federal Aid	Yes	Monroe St	Major Collector
Eligible Facility	No	Washington Street	No designation

Anticipated Required Performance Measurements Monitoring								
Metro RTP Performance Measurements	Provides Congestion Mitigation	Provides Climate Change Reduction	Provides Economic Prosperity	Located in an Equity Focus Area (EFA)	Provides Mobility Improvement	Safety Upgrade Type Project	Safety High Injury Corridor	Notes
		X	X	X	X	X	X	
Added notes:								


2023 Regional Transportation Plan ~ Adopted Investment Priorities for 2023-2045



Group 1--Monroe St Neighborhood Greenway

Zoom to

This project (RTP # 10099) is in the **Walking + Biking** investment group. It will start at **McLoughlin Blvd** and end at **Linwood Ave**. It is owned by **Milwaukie** and is in **Clackamas County**.

Description: Designate Monroe St as a Neighborhood Greenway and install traffic-calming improvements and fill sidewalk gaps on both sides of street. Traffic-calming improvements and completed sidewalk sections will increase bicycle and pedestrian safety. Intersection improvements to improve safety of crossing at Linwood Ave and Monroe St. Improves bicycle and pedestrian network in an equity priority area.

Project Time Frame: 2023-2030

This project **is** located in an **equity focus area**.

This project **is** an **equity priority project**.

This project **will** reduce greenhouse gas emissions.

This project **does** have identified **safety benefits**.

This project **is** located in a **high injury corridor**.

This project **is not** located on the **regional emergency transportation/state seismic lifeline route**.

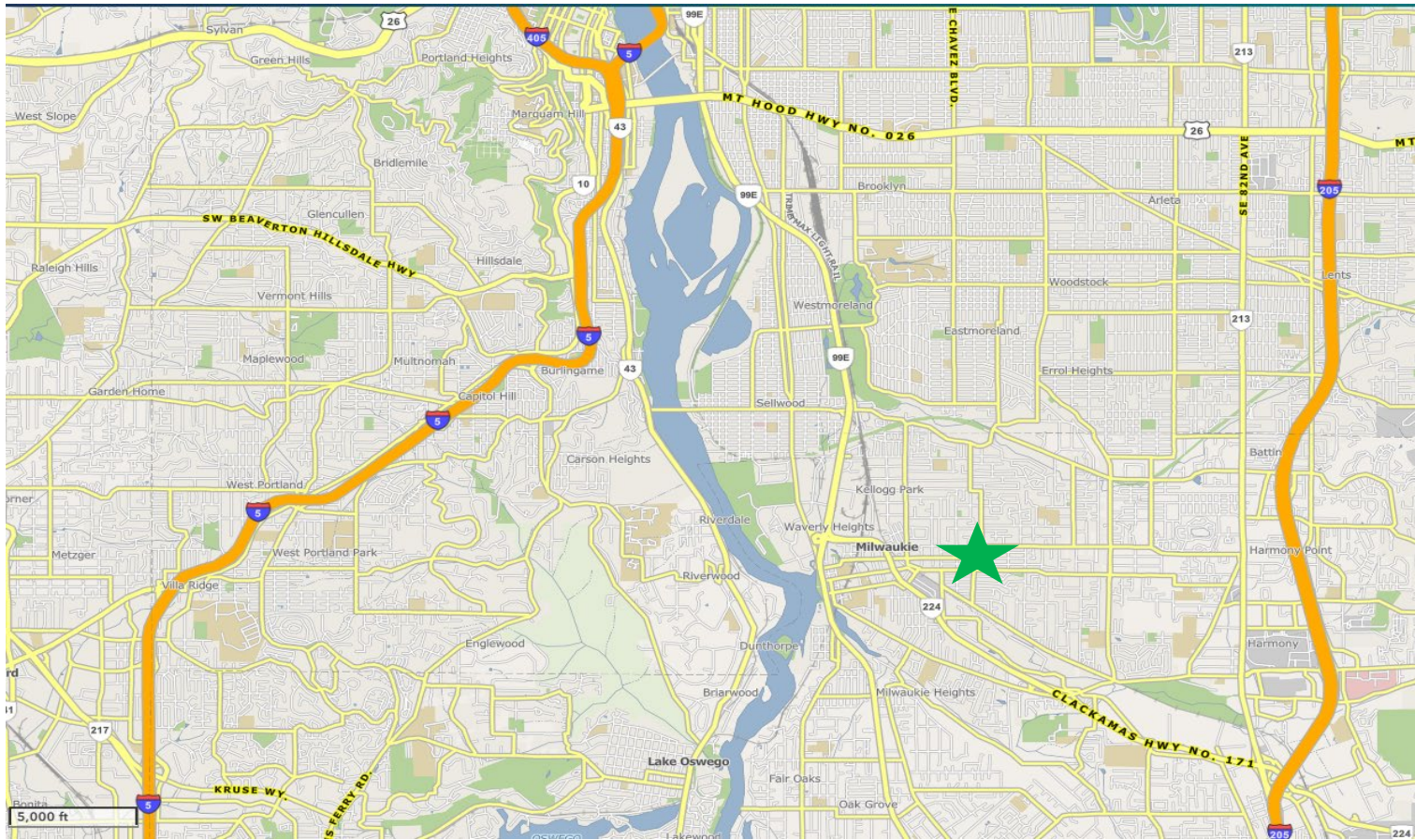
This project **is** located in a **current job center**.

This project **is** located in a **planned job center**.

This project **does** include **multimodal (non-motor vehicle) design elements**.

This project **does** address a **multimodal gap** in the transportation system.







COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Reviewed: Michael Osborne, Finance Director, and
Kelli Tucker, Accounting & Contracts Specialist

From: Joe Gardner, Information Technology (IT) Manager

Subject: **Authorization of Microsoft Enterprise Agreement**

Date Written: April 11, 2025

ACTION REQUESTED

Adopt a resolution authorizing the city manager to sign a Microsoft Enterprise Agreement and purchase software and support services through SHI International Corp.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

Since 2007, the city has entered into five Microsoft Enterprise Agreements and purchased the software and support services from an authorized reseller. Each agreement was for a three-year duration and was purchased under a competitively bid cooperative agreement.

[June 7, 2022](#): Council authorized by Resolution 42-2022 a new three-year agreement for continued use of Microsoft's software and support services that will expire on June 30, 2025.

ANALYSIS

Microsoft products are used by all city staff for daily business operations. The proposed agreement would ensure continued support and use of the Microsoft products for three years through June 30, 2028.

The city can purchase the Microsoft software services through a price agreement that was competitively awarded to SHI International Corp by the National Association of State Procurement Officials (NASPO) cooperative agreement #CTR060028 and State of Oregon Participating Addendum #PO-10700-00014971. This procurement method is compliant with sections 10.040 and 15.010 of the city's Public Contracting Rules (PCRs).

Since the software purchase amount exceeds \$250,000, staff will publish a public notice of intent to purchase off a price agreement in accordance with Oregon Revised Statute (ORS) 279A.215(2)(a-d).

BUDGET IMPACT

Over the three-year agreement, the cost to SHI International Corp will not exceed \$275,000. This cost increases by approximately 15% from the current agreement and is accounted for in the Information Technology department budget through fiscal year 2026.

CLIMATE, EQUITY, & WORKLOAD IMPACTS

None.

COORDINATION, CONCURRENCE, OR DISSENT

None.

STAFF RECOMMENDATION

Staff recommend that Council adopt a resolution authorizing the city manager to execute a three-year Microsoft Enterprise Agreement to be purchased through SHI International Corp.

ALTERNATIVES

None.

ATTACHMENTS

1. Resolution

COUNCIL RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, AUTHORIZING A MICROSOFT ENTERPRISE AGREEMENT AND PURCHASE OF SOFTWARE SUPPORT SERVICES FROM SHI INTERNATIONAL CORP.

WHEREAS all city operations depend on Microsoft products and services, and

WHEREAS the city previously migrated to Microsoft 365 (M365) licensing to increase technology staff efficiency, and

WHEREAS in accordance with sections 10.040 and 15.010 of the city's Public Contracting Rules (PCRs), the city may purchase goods and services through established price agreements without following a subsequent competitive procurement, and

WHEREAS staff wishes to purchase the Microsoft products and services through the National Association of State Procurement Officials (NASPO) price agreement #CTR060028 with SHI International Corp.

Now, Therefore, be it Resolved by the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, that the city manager or designee is authorized to execute a Microsoft Enterprise Agreement and purchase software support services from SHI International Corp for a duration of three years.

Introduced and adopted by the City Council on **May 6, 2025**.

This resolution is effective immediately.

Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney



MILWAUKIE POLICE DEPARTMENT

Memorandum

To: Mayor Batey and Milwaukie City Council

From: Ryan Burdick, Police Chief *RB*

Through: Emma Sagor, City Manager

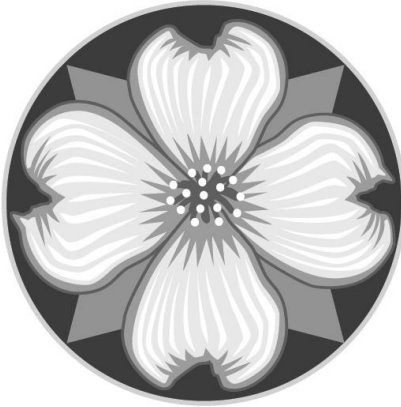
Date: April 21, 2025

Re: OLCC Application – Waverley Green Apartments

Action requested:

It is respectfully requested the council approve the OLCC application for Waverley Green Apartments located at 1611 SE Lava Dr. Milwaukie, 97222.

We have conducted a background check and find no reason to deny the request for the liquor license.



RS Agenda Item

7

Business Items

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Reviewed: Laura Weigel, Planning Manager

From: Vera Kolias, Senior Planner

Subject: **Annexation of Property at 4920 SE Lake Road**

Date Written: April 29, 2025

ACTION REQUESTED

Council is asked to approve application A-2025-001, an annexation petition, and adopt the attached ordinance and associated findings in support of approval (Attachment 1). Approval of this application would result in the following actions:

- Annexation into the city of 4920 SE Lake Road (Tax Lot 22E06BA00800), the “annexation property.”
- Application of a moderate density (MD) Comprehensive Plan land use designation and a residential-moderate density (R-MD) zoning designation to the annexation property.
- Amendments to the city’s Comprehensive Plan land use map and zoning map to reflect the city’s new boundary and the annexation property’s new land use and zoning designations.
- Withdrawal of the annexation property from the following urban service districts:
 - Clackamas County Service District for Enhanced Law Enforcement
 - Clackamas County Service District #5 for Street Lights

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

July 1990: Clackamas County Order No 90-726 established an urban growth management agreement (UGMA) in which the city and county agreed to coordinate the future delivery of services to the unincorporated areas of north Clackamas County. With respect to Dual Interest Area “A,” the agreement states: “The city shall assume a lead role in providing urbanizing services.”

January 2010: Council annexed the rights-of-way (ROW) in the Northeast Sewer Extension (NESE) project area making all properties in this area contiguous to the city limits and eligible for annexation (Ordinance 2010).

June 2010: Council approved the first annexation of property in the NESE project area (Ordinance 2016, land use file #A-10-01). Since then, Council has approved the annexation of approximately 172 additional properties in the NESE area. To date, there are approximately 87 properties within the NESE project area that have not yet been annexed.

February 2025: The property owner at 4920 SE Lake Road approached the city’s community development department to initiate the expedited annexation process. No NESE reimbursement fee was required because the city did not construct a sewer lateral for this

property. NESE construction focused on areas without existing sewer lines, and the annexation property has an accessible sewer line in Lake Road.

ANALYSIS

Proposal

The applicant, Eugene Monaco, has applied to annex the approximately 50,957-square-foot (1.17-acre) site to the city. The annexation property is developed with a single unit detached dwelling and an accessory structure. It has residential Clackamas County land use and zoning designations and will receive equivalent residential-moderate density city land use and zoning designations upon annexation.

Site and Vicinity

The annexation property is within the city's UGMA area and is contiguous to the existing city limits along the public right-of-way (ROW) of Barbara Lynn Way to the west and where adjacent to the neighboring properties on Barbara Lynn Way and Sprout Lane to the west (see Figure 1). The annexation property is currently developed with a single-unit house built in 1948; the immediate surrounding area consists primarily of single-unit houses in all directions.

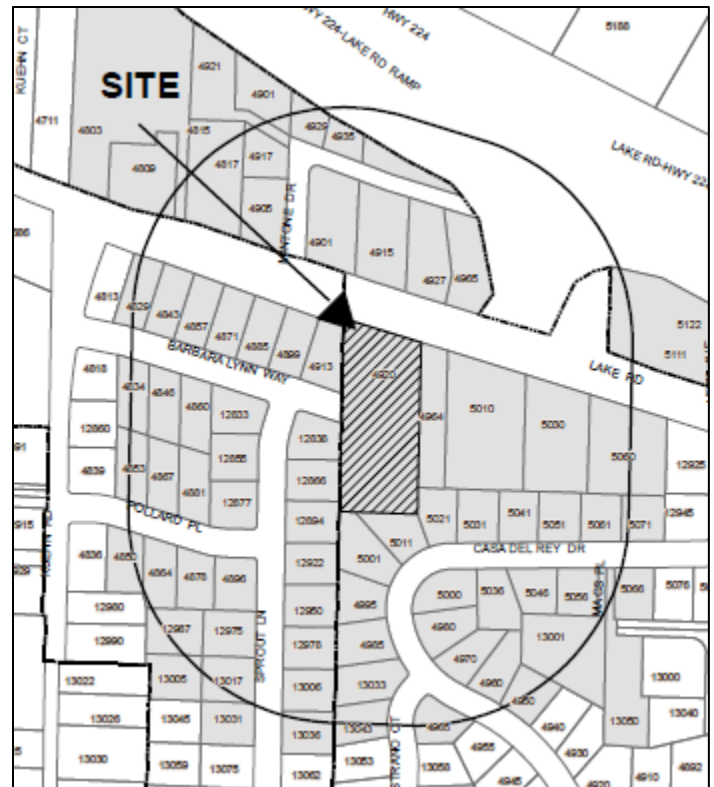


Figure 1. Site Map

Annexation Petition

The petition is being processed as an expedited annexation. Under the expedited process, a city land use and zoning designation is automatically applied to the annexation property upon annexation. Any property that is within the UGMA area and contiguous to the city boundary may apply for an expedited annexation so long as all property owners of the area to be annexed and at least 50% of registered voters within the area to be annexed consent to the annexation. Clackamas County has certified that these thresholds are met for the annexation property.

As set forth in Milwaukie Municipal Code (MMC) Table 19.1104.1.E, the expedited annexation process automatically assigns city land use and zoning designations to the annexation property based on the existing Clackamas County land use and zoning designations. The existing county Comprehensive Plan land use designation for the annexation property is low density residential (LDR), which corresponds to the city's moderate density (MD) Comprehensive Plan designation upon annexation. The current county zoning designation for the annexation property is R10, which corresponds to a city zoning designation of residential-moderate density (R-MD) upon annexation. The current residential land use of a single detached dwelling is permitted outright in the R-MD on lots 5,000 sq ft or larger.

Pursuant to city, regional, and state regulations on expedited annexations, all necessary parties, interested persons, and residents and property owners within 400 feet of the site were notified

of these proceedings under MMC 19.1103.4.1.C. A public hearing is not required for an expedited annexation; however, Council must adopt an ordinance to implement the annexation.

Annexation Approval Criteria

The annexation application is subject to Milwaukie Comprehensive Plan Section 12 Urban Growth Management, Oregon Revised Statutes (ORS) Chapter 222 City Boundary Changes, Metro Code Chapter 3.09 Local Government Boundary Changes, and MMC Chapter 19.1100 Annexations and Boundary Changes.

Expedited annexations must meet the approval criteria of MMC 19.1102.3. Compliance with the applicable criteria is detailed in Attachment 1 (Exhibit A, Findings).

Utilities, Service Providers, and Service Districts

The city is authorized by ORS 222.120(5) to withdraw the annexation property from non-city service providers and districts upon annexation to the city. This allows for a more unified and efficient delivery of urban services to the newly annexed property and is in keeping with the city's Comprehensive Plan policies relating to annexation.

- Wastewater: The existing home is currently served by Water and Environmental Services. The City is the identified sewer service provider in the area of the proposed annexation and maintains a public sewer system that can adequately serve the annexation property via an 8-inch sewer line accessible in Barbara Lynn Way for future development.
- Water: The annexation property is currently served by Clackamas River Water (CRW) through CRW's existing water line in Lake Road. Pursuant to the city's intergovernmental agreement (IGA) with CRW, water service will continue to be provided by CRW and the annexation property will not be withdrawn from this district at this time.
- Storm: The annexation property is not connected to a public stormwater system. Treatment and management of on-site stormwater will be required when new development occurs.
- Fire: The annexation property is currently served by Clackamas Fire District #1 (CFD1) and will continue to be served by this fire district upon annexation since the entire city is within this district.
- Police: The annexation property is currently served by the Clackamas County Sheriff's Office and is within the Clackamas County Service District for Enhanced Law Enforcement, which provides additional police protection to the area. To avoid duplication of services, the site will be withdrawn from this district upon annexation to the city. The city has its own police department, and this department can adequately serve the site.
- Street Lights: The annexation property is currently within Clackamas County Service District #5 for Street Lights. The annexation property will be withdrawn from the district upon annexation to the city.
- Other Services: Community development, public works, planning, building, engineering, code enforcement, and other municipal services are available through the city and will be available to the site upon annexation. The annexation property will continue to receive services and remain within the boundaries of certain regional and

county service providers, such as TriMet, North Clackamas School District (NCSD), Vector Control District, and North Clackamas Parks and Recreation District (NCPRD).

BUDGET IMPACTS

This annexation will have minimal fiscal impact on the city. As with most annexations of residential properties, the costs of providing governmental services will likely be offset by the collection of property taxes. According to Clackamas County Assessor data, the total current assessed value of the annexation property is \$257,157. Based on the latest information available (from the Clackamas County Rate Book for 2024; tax code 012-252), total property tax collection of approximately \$5,628 is anticipated for the annexation property. The city will be provided with approximately \$1,110 of this total.

WORKLOAD IMPACTS

For most city services, workload impacts from the annexation itself will be minimal and will likely include, but are not limited to, utility billing, provision of general governmental services, and the setting up and maintenance of property records.

CLIMATE IMPACTS

The annexation is not expected to have any impact on the climate. The property is currently occupied by a single-unit home and redevelopment is not anticipated in the short term.

EQUITY IMPACTS

The annexation is not expected to have any equity impacts.

COORDINATION, CONCURRENCE, OR DISSENT

All city departments, necessary parties, interested persons, and residents and property owners within 400 feet of the annexation property were notified of these proceedings as required by city, regional, and state regulations. The Lake Road Neighborhood District Association (NDA) also received notice of the annexation petition and the Council meeting.

The city did not receive comments from any necessary parties with objections to the proposed annexation.

STAFF RECOMMENDATION

Approve the application and adopt the ordinance and findings in support of approval.

ALTERNATIVES

Council has two decision-making options:

1. Approve the application and adopt the ordinance and findings in support of approval.
2. Deny the application and adopt findings in support of denial.

ATTACHMENTS

1. Annexation Ordinance
 - Exhibit A. Findings in Support of Approval
 - Exhibit B. Legal Description and Annexation Map
2. Annexation Site Map
3. Applicant's Annexation Application

COUNCIL ORDINANCE No.

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, ANNEXING A TRACT OF LAND IDENTIFIED AS TAX LOT 22E06BA00800 AND LOCATED AT 4920 SE LAKE ROAD INTO THE CITY LIMITS OF THE CITY OF MILWAUKIE (FILE #A-2025-001).

WHEREAS the territory proposed for annexation is contiguous to the city's boundary and is within the city's urban growth management area (UGMA); and

WHEREAS the requirements of the Oregon Revised Statutes (ORS) for initiation of the annexation were met by providing written consent from a majority of electors and all owners of land within the territory proposed for annexation; and

WHEREAS the territory proposed for annexation lies within the territory of the Clackamas County Service District for Enhanced Law Enforcement and Clackamas County Service District #5 for Street Lights; and

WHEREAS the annexation and withdrawals are not contested by any necessary party; and

WHEREAS the annexation will promote the timely, orderly, and economic provision of public facilities and services; and

WHEREAS Table 19.1104.1.E of the Milwaukie Municipal Code (MMC) provides for the automatic application of city zoning and comprehensive plan land use designations; and

WHEREAS the city conducted a public meeting and mailed notice of the public meeting as required by law; and

WHEREAS the city prepared and made available an annexation report that addressed all applicable criteria, and, upon consideration of such report, the City Council favors annexation of the tract of land and withdrawal from all applicable districts based on findings and conclusions attached as Exhibit A.

Now, Therefore, the City of Milwaukie does ordain as follows:

Section 1. The Findings in Support of Approval attached as Exhibit A are adopted.

Section 2. The tract of land described and depicted in Exhibit B is annexed to the City of Milwaukie.

Section 3. The tract of land annexed by this ordinance and described in Section 2 is withdrawn from the Clackamas County Service District for Enhanced Law Enforcement and Clackamas County Service District #5 for Street Lights.

Section 4. The tract of land annexed by this ordinance and described in Section 2 is assigned a Comprehensive Plan land use designation of moderate density (MD) and a municipal code zoning designation of residential-moderate density (R-MD).

Section 5. The city will immediately file a copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.030, ORS 222.005, and ORS 222.177. The annexation and withdrawal will become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

Read the first time on _____ and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Lisa Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney

EXHIBIT A

FINDINGS IN SUPPORT OF APPROVAL

Based on the staff report for the annexation of 4920 SE Lake Rd, the “annexation property,” the Milwaukie City Council finds:

1. The annexation property consists of one tax lot comprising 1.17 acres (tax lot 22E06BA00800). The annexation property is contiguous to the existing city limits where adjacent to the public right-of-way at Barbara Lynn Way and the neighboring properties at 4913 and 12838 SE Barbara Lynn Way to the west. The annexation property is within the regional urban growth boundary and also within the city’s urban growth management area (UGMA).

The annexation property is currently developed with a single-unit house built in 1948; the immediate surrounding area consists primarily of single-unit houses.

2. The annexation petition was initiated by consent of all owners of land on February 8, 2025, with an application for annexation submitted to the city on February 11, 2025. It meets the requirements for initiation set forth in ORS 222.125, Metro Code Section 3.09.040, and Milwaukie Municipal Code (MMC) Subsections 19.1104.1.A.3 and 19.1102.2.C.
3. The annexation petition was processed and public notice was provided in accordance with ORS Section 222.125, Metro Code Section 3.09.045, and MMC 19.1104. The annexation petition is being processed as an expedited annexation at the request of the property owner. It meets the expedited annexation procedural requirements set forth in MMC Section 19.1104.
4. The expedited annexation process provides for automatic application of city comprehensive plan land use and zoning designations to the annexation property based on their existing comprehensive plan land use and zoning designations in the county, which are urban low density residential (LDR) and (R10), respectively. Pursuant to MMC Table 19.1104.1.E, the automatic city comprehensive plan land use and zoning designations for the annexation property are moderate density (MD) and residential-moderate density (R-MD), respectively.
5. The applicable city approval criteria for expedited annexations are contained in MMC 19.1102.3. They are listed below with findings in italics.
 - A. The subject site must be located within the city’s urban growth boundary (UGB);
The annexation property is within the regional UGB and within the city’s UGMA.
 - B. The subject site must be contiguous to the existing city limits;
The annexation property is contiguous to the existing city limits along the public ROW of Barbara Lynn Way to the west and where adjacent to the neighboring properties at 4913 and 12838 SE Barbara Lynn Way to the west.
 - C. The requirements of Oregon Revised Statutes for initiation of the annexation process must be met;

Eugene Monaco, the current property owner, and Christy Juenemann, a registered voter, consented to the annexation by signing the petition. The current property owner is a registered voter for the annexation property. As submitted, the annexation petition meets the Oregon Revised Statutes requirements for initiation pursuant to the "Consent of All Owners of Land" initiation method, which requires consent by all property owners and a majority of the electors, if any, residing in the annexation territory.

- D. The proposal must be consistent with Milwaukie Comprehensive Plan policies;

Chapter 12 of the comprehensive plan contains the city's annexation policies. Applicable annexation policies include: (1) delivery of city services to annexing areas where the city has adequate services and (2) requiring annexation in order to receive a city service. With annexation, the city will take over urban service provision for the property. City services to be provided include wastewater collection, stormwater management, police protection, and general governmental services. As proposed, the annexation is consistent with Milwaukie Comprehensive Plan policies.

- E. The proposal must comply with the criteria of Metro Code Sections 3.09.045(d) and, if applicable, (e).

The annexation proposal is consistent with applicable Metro code sections for expedited annexations as detailed in Finding 6.

- F. The proposal must comply with the criteria of Section 19.902 for Zoning Map Amendments and Comprehensive Plan Map Amendments, if applicable.

The annexation would add new territory within the city limits, and the new territory must be designated on both the zoning map and the comprehensive plan map for land use. These additions effectively constitute amendments to the zoning and comprehensive plan land use maps.

The approval criteria for zoning map amendments and comprehensive plan amendments are provided in MMC 19.902.6.B and 19.902.4.B, respectively. Collectively, the criteria address issues such as compatibility with the surrounding area, being in the public interest and satisfying the public need, adequacy of public facilities, consistency with transportation system capacity, consistency with goals and policies of the Milwaukie Comprehensive Plan and relevant Metro plans and policies, and consistency with relevant State statutes and administrative rules.

MMC Table 19.1104.1.E establishes automatic zoning map and comprehensive plan land use map designations for expedited annexations. If a proposed designation is consistent with the table, it is consistent with the various applicable plans and policies.

In the case of the proposed annexation, the annexation property will assume the zoning and comprehensive plan designations provided in MMC Table 19.1104.1.E, which are residential-moderate density (R-MD) and moderate density (MD), respectively. The approval criteria for both proposed amendments are effectively met.

6. Prior to approving an expedited annexation, the city must apply the provisions contained in Section 3.09.045.D of the Metro Code. They are listed below with findings in italics.

A. Find that the change is consistent with expressly applicable provisions in:

(1) Any applicable urban service agreement adopted pursuant to ORS 195.065;

There is one applicable urban service agreement adopted pursuant to ORS 195 in the area of the proposed annexation (see Finding 7, Street lights). The City has an UGMA agreement with Clackamas County that states that the City will take the lead in providing urban services in the area of the proposed annexation. The proposed annexation is in keeping with the city's policy of encouraging properties within the UGMA to annex to the city.

The City has an intergovernmental agreement with Clackamas Water Environment Services (WES) regarding wholesale rates for wastewater treatment, but that agreement does not address issues related to annexations.

(2) Any applicable annexation plan adopted pursuant to ORS 195.205;

There are no applicable annexation plans adopted pursuant to ORS 195 in the area of the proposed annexation.

(3) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;

There are no applicable cooperative planning agreements adopted pursuant to ORS 195 in the area of the proposed annexation.

(4) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;

Clackamas County completed a North Clackamas Urban Area Public Facilities Plan in 1989 in compliance with Goal 11 of the Land Conservation and Development Commission for coordination of adequate public facilities and services. The city subsequently adopted this plan as an ancillary comprehensive plan document. The plan contains four elements:

- Sanitary Sewerage Services*
- Storm Drainage*
- Transportation Element*
- Water Systems*

The proposed annexation is consistent with the four elements of this plan as follows:

Wastewater: The existing home is currently served by Water and Environmental Services. For any future development, the City is the identified sewer service provider in the area of the proposed annexation and maintains a public sewer system that can adequately serve the annexation property via an 8-inch sewer line accessible in Barbara Lynn Way. The existing home will continue to be served by Water and Environmental Services.

Storm: The annexation property is not connected to a public storm water system. Treatment and management of on-site storm water will be required when new development occurs.

Transportation: Access is provided to the annexation property via the public ROW of Lake

Road and the public ROW of Barbara Lynn Way, an arterial and a local street, respectively, maintained by the city. The City may require public street improvements along the annexation property's frontages when new development occurs.

Water: Clackamas River Water (CRW) is the identified water service provider in this plan. However, the City's more recent UGMA agreement with the county identifies the City as the lead urban service provider in the area of the proposed annexation. The City's water service master plan for all of the territory within its UGMA addresses the need to prepare for future demand and coordinate service provision changes with CRW. As per the City's intergovernmental agreement (IGA) with CRW, CRW will continue to provide water service to the annexation property through its existing water lines in Lake Rd and Barbara Lynn Way.

Street Lights: The annexation property is currently within Clackamas County Service District #5 for Street Lights. The annexation property will be withdrawn from the district upon annexation to the city.

(5) Any applicable comprehensive plan.

The proposed annexation is consistent with the Milwaukie Comprehensive Plan, which is more fully described on the previous pages. The Clackamas County Comprehensive Plan contains no specific language regarding city annexations. The comprehensive plans, however, contain the city-county UGMA agreement, which identifies the area of the proposed annexation as being within the city's UGMA. The UGMA agreement requires that the City notify the County of proposed annexations, which the City has done. The agreement also calls for City assumption of jurisdiction of local streets that are adjacent to newly annexed areas. The City has already annexed and taken jurisdiction of the public ROW in Barbara Lynn Way adjacent to the property.

B. Consider whether the boundary change would:

(1) Promote the timely, orderly, and economic provision of public facilities and services;

With annexation, the City will be the primary urban service provider in the area of the proposed annexation, and the annexation will facilitate the timely, orderly, and economic provision of urban services to the annexation properties.

The City has public sewer service in this area in Barbara Lynn Way.

(2) Affect the quality and quantity of urban services; and

The annexation property consists of one tax lot developed with a single-unit detached dwelling. Annexation of the site is not expected to affect the quality or quantity of urban services in this area, given the surrounding level of urban development and the existing level of urban service provision in this area.

(3) Eliminate or avoid unnecessary duplication of facilities and services.

Upon annexation, the annexation property will be served by the Milwaukie Police Department. In order to avoid duplication of law enforcement services, the site will be

withdrawn from the Clackamas County Service District for Enhanced Law Enforcement upon annexation.

7. The City is authorized by ORS Section 222.120(5) to withdraw annexed territory from non-City service providers and districts upon annexation of the territory to the city. This allows for more unified and efficient delivery of urban services to newly annexed properties and is in keeping with the City's comprehensive plan policies relating to annexation.

Wastewater: *The existing home is currently served by Water and Environmental Services. For any future development, the City is the identified sewer service provider in the area of the proposed annexation and maintains a public sewer system that can adequately serve the annexation property via an 8-inch sewer line accessible in Barbara Lynn Way. The existing home will continue to be served by Water and Environmental Services.*

Water: *Clackamas River Water (CRW) is the identified water service provider in this plan. However, the City's more recent UGMA agreement with the county identifies the City as the lead urban service provider in the area of the proposed annexation. The City's water service master plan for all of the territory within its UGMA addresses the need to prepare for future demand and coordinate service provision changes with CRW. As per the City's intergovernmental agreement (IGA) with CRW, CRW will continue to provide water service to the annexation property through its existing water lines in Lake Rd and Barbara Lynn Way.*

Storm: *The annexation property is not connected to a public storm water system. Treatment and management of on-site storm water will be required when new development occurs.*

Fire: *The annexation property is currently served by Clackamas Fire District #1 and will continue to be served by this fire district upon annexation, since the entire city is within this district.*

Police: *The annexation property is currently served by the Clackamas County Sheriff's Department and is within the Clackamas County Service District for Enhanced Law Enforcement, which provides additional police protection to the area. The City has its own police department, and this department can adequately serve the site. In order to avoid duplication of services, the site will be withdrawn from this district upon annexation to the city.*

Street Lights: *As of July 1, 2011, an intergovernmental agreement between the City and Clackamas County Service District No. 5 for Street Lights (the "District") transferred operational responsibility to the City for the street lights and street light payments in the City's northeast sewer extension project area. The annexation property will be withdrawn from the District upon annexation to the city.*

Other Services: *Community development, public works, planning, building, engineering, code enforcement, and other municipal services are available through the City and will be available to the site upon annexation. The annexation property will continue to receive services and remain within the boundaries of certain regional and county service providers, such as TriMet, North Clackamas School District, Vector Control District, and North Clackamas Parks and Recreation District.*

Exhibit B

Annexation to the City of Milwaukie
LEGAL DESCRIPTION

Milwaukie Annexation File No. A-2025-001

Property Address: 4920 SE Lake Rd, Milwaukie, OR 97222

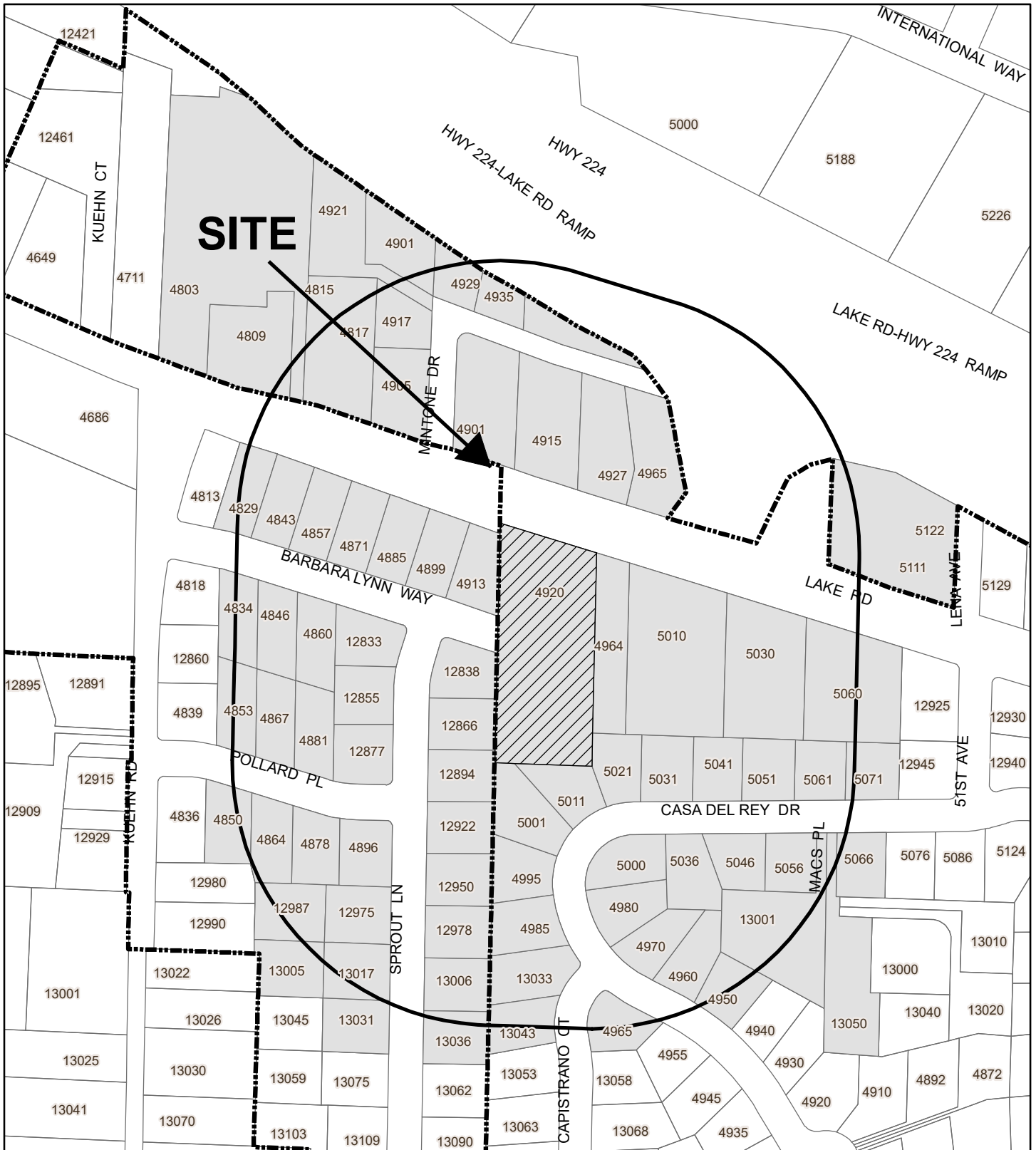
Tax Lot Description: 22E06BA00800

Legal Description: PARCEL I: Part of the John D. Garrett D.L.C. No. 61 and the Elisha Kellogg D.L.C. No. 54 in Township 2 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, bounded and described as follows:

Beginning at a basalt stone set at the Northwest corner of the Elisha Kellogg D.L.C. No. 54 in Township 2 South, Range 2 East, of the Willamette Meridian; running thence South 0°04' East, tracing the West boundary of said Claim 75.00 feet to a point; thence South 89°28' East parallel to the North boundary of said claim, 147.76 feet; thence North 0°04' West parallel to the West boundary of said claim and projection thereof, 305.88 feet to a point in the center of Lake Road; thence tracing the center of said road, North 74°11' West 153.62 feet to a point; thence South 0°04' East 271.30 feet to the place of beginning.

PARCEL II: Being a part of the Elisha Kellogg D.L.C. No. 54 in Township 2 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the West boundary of said Elisha Kellogg D.L.C. which is 75.00 feet distant Southerly from a basalt stone set at the Northwest corner of said claim; running thence South 0°04' East tracing the West boundary of said claim 50.00 feet to an iron pipe; thence South 89°28' East parallel with the North boundary of said claim 147.76 feet to an iron pipe; thence North 0°04' West parallel with West boundary of the said claim 50.00 feet; thence North 89°28' West parallel with the North boundary of said claim, 147.76 feet to the point of beginning.







Site Map
4920 SE Lake Rd
(Tax Lot ID 22E06BA00800)
File# A-2025-001

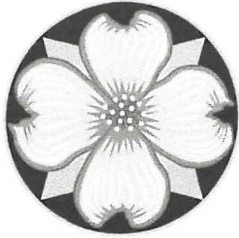


0 62.5 125 250 375 500 Feet

RS100

Legend

-  A-2025-001 property
-  400-ft buffer
-  Properties receiving notice
-  City Limit



MILWAUKIE PLANNING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503.786.7630
 planning@milwaukieoregon.gov

Expedited Annexation Application

File # A-2025-001

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant): Eugene John Monaco

Mailing address: 4920 SE Lake Road

Zip: 97222

Phone(s): 503-442-9173

Email: huskyhooligan@gmail.com

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address:

Zip:

Phone(s):

Email:

SITE INFORMATION:

Address(es): 4920 SE Lake Road

Map & Tax Lot(s): 22E06BA00800

Existing County zoning: R-10



Proposed City zoning: R-MD

Property size:

1.17 Acres



Existing County land use designation:

Medium Density Residential



Proposed City land use designation:

PROPOSAL (describe briefly):

Annex entire parcel.

LIST OF ALL CURRENT UTILITY PROVIDERS:

Check all that apply (do not list water or sewer service providers)

Cable, internet, and/or phone: ☒ Comcast

☒ CenturyLink

Energy: ☒ PGE

☒ NW Natural Gas

Garbage hauler: ☒ Waste Management

☐ Hoodview Disposal and Recycling

☐ Wichita Sanitary

☐ Oak Grove Disposal

☐ Clackamas Garbage

☐ Other (please list):

SIGNATURE:

ATTEST: I am the property owner, or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. I have attached all owners' and voters' authorizations to submit this application. I understand that uses or structures that were not legally established in the County are not made legal upon annexation to the City. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by:

Eugene John Monaco

Date:

2-8-2025

CONTINUED ON REVERSE

RESET

RS101

Application

An expedited annexation application includes the following documents. Check with the planning department for the number of copies you will need to submit. Documents marked with an asterisk (*) are attached.

Document	Notes (where applicable)
1. City of Milwaukie Expedited Annexation Application*	
2. Annexation petition*	
3. One <u>reduced</u> County Assessor quarter section map	The reduced map should be 8.5" x 11" in size, and the territory to be annexed should be outlined in red.
4. Legal Description	This description should be inserted in, or attached to, the Annexation Petition. A lot, block, and subdivision description may be submitted in lieu of the metes and bounds description if the area is platted and this is acceptable to the County Assessor. If the legal description contains any deed or book and page references, legible copies of these documents must be submitted with the legal description.
5. Clackamas County certification: a. Property ownership* b. Legal description and map* c. Registered voters*	
6. Notice list*	This list should contain all property owners and all registered voters in the territory to be annexed, including those that have not signed the Annexation Petition.
7. Code section narrative*	A list of all applicable code sections is provided on the next page. The actual code language that needs to be addressed is provided on the last page of this packet.
8. Census form*	This should be attached to the Annexation Petition.

Documents marked with an asterisk () are attached.

THIS SECTION FOR OFFICE USE ONLY:

File #: A-2025-001 Fee: \$ 150	Receipt #:	Recd. by:	Date stamp:
Associated application file #'s:			Application submitted on: February 11, 2025
Neighborhood District Association(s): Lake Road			
Notes (include discount if any):			

EXPEDITED ANNEXATION CODE EXCERPTS

MILWAUKIE MUNICIPAL CODE SECTIONS

19.1104.1 Expedited Process

- A. A petition for any type of minor boundary change may be processed through an expedited process as provided by Metro Code Chapter 3.09.
5. Approval criteria for annexations are found in subsection 19.1102.3.

19.1102.3 Annexation Approval Criteria. The city council shall approve or deny an annexation proposal based on findings and conclusions addressing the following criteria.

- A. The subject site must be located within the city urban growth boundary;
- B. The subject site must be contiguous to the existing city limits;
- C. The requirements of the Oregon Revised Statutes for initiation of the annexation process must be met;
- D. The proposal must be consistent with Milwaukie comprehensive plan policies;
- E. The proposal must comply with the criteria of Metro Code Sections 3.09.050(d) and, if applicable, (e).
- F. The proposal must comply with the criteria of Section 19.902 for Zoning Map Amendments and Comprehensive Plan Map Amendments, if applicable.

METRO CODE SECTIONS

3.09.050 Hearing & Decision Requirements for Decisions Other Than Expedited Decisions.

- (d) To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (d) and (e) of Section 3.09.045.

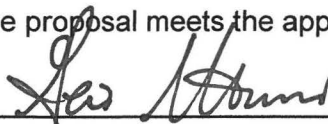
MILWAUKIE COMPREHENSIVE PLAN

Chapter 6: City Growth and Governmental Relationships; City Growth Element

Goal Statement: To identify the City's future planning and service area, establish the respective responsibilities for reviewing and coordinating land use regulations and actions within the area, and determine the most cost-effective means to provide the full range of urban services within the area.

Applicant Response

The proposal meets the applicable requirements listed above.

X 

(Applicant's Signature)

Grantor
Richard J. Mixer Revocable Trust Richard J. Mixer, Trustee 4920 SE Lake Road Milwaukie, OR 97222
Grantee
Eugene J. Monaco 4920 SE Lake Road Milwaukie, OR 97222
After recording return to
Eugene J. Monaco 4920 SE Lake Road Milwaukie, OR 97222
Until requested, all tax statements shall be sent to
Eugene J. Monaco 4920 SE Lake Road Milwaukie, OR 97222 Tax Acct No(s): 00437780

Clackamas County Official Records
Sherry Hall, County Clerk**2015-052983**

08/07/2015 10:18:32 AM

D-D Cnt=1 Stn=2 LESLIE
\$15.00 \$16.00 \$10.00 \$22.00**\$63.00**

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

Richard J. Mixer as Trustee under the Richard J. Mixer Revocable Trust, under Trust Agreement dated April 25, 2011, Grantor(s) convey and warrant to

Eugene J. Monaco

Grantee(s), the following described real property free of encumbrances except as specifically set forth herein:

SEE ATTACHED EXHIBIT "A"

This property is free of encumbrances, EXCEPT: Covenants, Conditions, Restrictions and Easements of record as of the date of this Deed, if any, including any real property taxes due, but not yet payable.

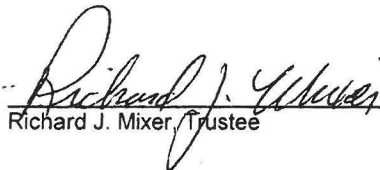
The true consideration for this conveyance is **\$375,000.00** (Here comply with requirements of ORS 93.030.)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

WFG Title 15011184 LC


Executed this 30 day of July, 2015

Richard J. Mixer Revocable Trust


Richard J. Mixer, Trustee

State of Oregon, County of Multnomah) ss.

This instrument was acknowledged before me on this 30 day of July, 2015 by Richard J. Mixer, Trustee, of Richard J. Mixer Revocable Trust, a Trust, on behalf of the Trust.


Notary Public for Oregon

My commission expires: 12-8-18

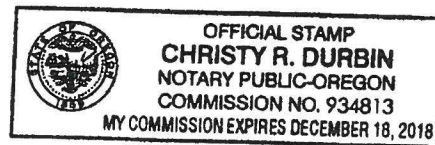


EXHIBIT "A"

PARCEL I: Part of the John D. Garrett D.L.C. No. 61 and the Elisha Kellogg D.L.C. No. 54 in Township 2 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, bounded and described as follows:

Beginning at a basalt stone set at the Northwest corner of the Elisha Kellogg D.L.C. No. 54 in Township 2 South, Range 2 East, of the Willamette Meridian; running thence South 0°04' East, tracing the West boundary of said Claim 75.00 feet to a point; thence South 89°28' East parallel to the North boundary of said claim, 147.76 feet; thence North 0°04' West parallel to the West boundary of said claim and projection thereof, 305.88 feet to a point in the center of Lake Road; thence tracing the center of said road, North 74°11' West 153.62 feet to a point; thence South 0°04' East 271.30 feet to the place of beginning.

PARCEL II: Being a part of the Elisha Kellogg D.L.C. No. 54 in Township 2 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the West boundary of said Elisha Kellogg D.L.C. which is 75.00 feet distant Southerly from a basalt stone set at the Northwest corner of said claim; running thence South 0°04' East tracing the West boundary of said claim 50.00 feet to an iron pipe; thence South 89°28' East parallel with the North boundary of said claim 147.76 feet to an iron pipe; thence North 0°04' West parallel with West boundary of the said claim 50.00 feet; thence North 89°28' West parallel with the North boundary of said claim, 147.76 feet to the point of beginning.

RECEIVED
CLACKAMAS

FEB 10 2025

COUNTY
ASSESSOR

MN



STATE OF OREGON }
COUNTY OF CLACKAMAS } ss.

I, CATHERINE MCMULLEN, County Clerk of the
State of Oregon for the County of Clackamas, do
hereby certify that the foregoing copy of
DEED RECORD 3 PGS
2015-052983

has been by me compared with the original,
and that is a correct transcript therefrom, and
the whole of such original, as the name
appears on file and of record in my office and
in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto
set my hand and affixed my official seal
this 10th day of February, 2025

CATHERINE MCMULLEN, Clerk

By: 

Alicia Howell, Deputy Clerk

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the territory included within the attached petition (located on Assessor's Map 22E 06BA) has been checked by me. It is a true and exact description of the territory under consideration and corresponds to the attached map indicating the territory under consideration.

Name Mary Neigel
Title GIS Cartographer 2
Department Assessment + Tax
County of Clackamas
Date 02.10.2025



MINTON

16 MINTONE HOMES

LAKE

ROAD

WAY

SOUTH LINE

N.W. Cor.
ELISHA KELLOGG
D.L.C. NO. 54

P. P. 1999 - 26

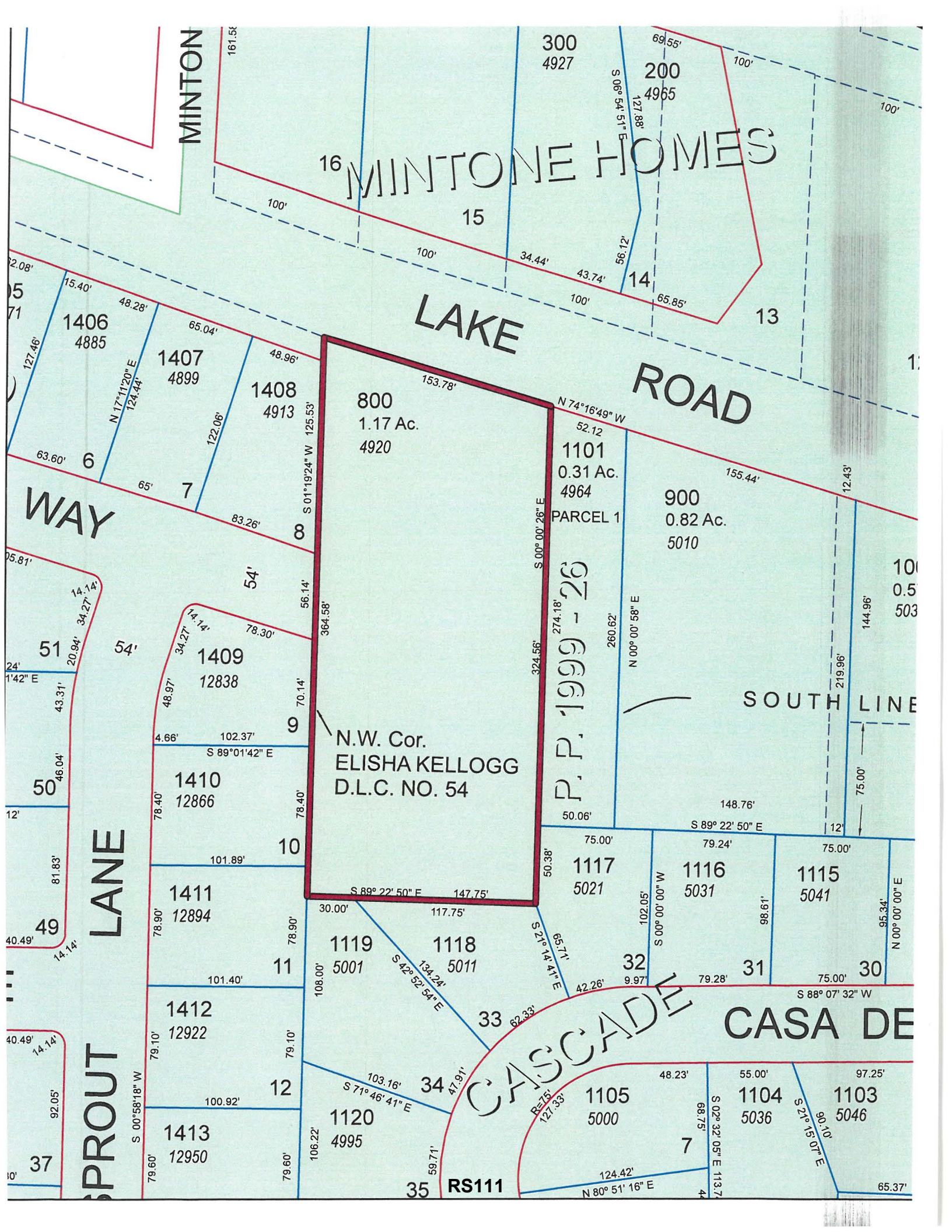
LANE

CASA DE

CASCADE

SPROUT

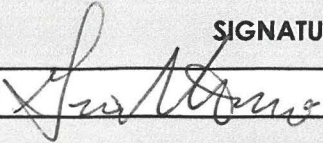
RS111

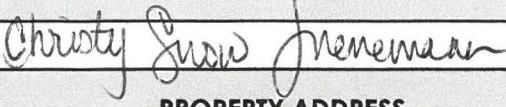


PETITION SIGNERS

NOTE: This petition may be signed by qualified persons even though they may not know their property description or voter precinct number.

*PO = Property Owner RV = Registered Voter OV = Owner and Registered Voter

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
	Eugene John Monaco	X	X		02/08/2025
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	
4920 SE Lake Road	2S	2E	06BA	800	420

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
	Christy Snow Juenemann		X		02/08/2025
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	
4920 SE Lake Road	2S	2E	06BA	800	420

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
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	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

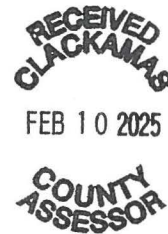
SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

**CERTIFICATION OF PROPERTY OWNERSHIP OF
100% OF LAND AREA**

I hereby certify that the attached petition contains the names of the owners¹ (as shown on the last available complete assessment roll) of 100% of the land area of the territory proposed for annexation as described in the attached petition.

Name Mary Neigel
Title GIS Cartographer 2
Department Assessment + Tax
County of Clackamas
Date 02.10.2025



¹ Owner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If a parcel of land has multiple owners, each consenting owner shall be counted as a percentage of their ownership interest in the land. That same percentage shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition contains the names of at least 50% of the electors registered in the territory proposed for annexation as described in the attached petition.

Name Tiffany Clark
Title deputy clerk
Department Elections Office
County of Clackamas
Date 2-10-2025



CERTIFIED COPY OF THE ORIGINAL
CATHERINE MCMULLEN, COUNTY CLERK

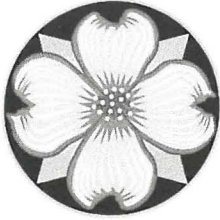
BY: Clark

NOTICE LIST

(This form is NOT the petition)

LIST THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS AND REGISTERED VOTERS IN THE TERRITORY PROPOSED FOR ANNEXATION.

	Name of Owner/Voter	Mailing Street Address	Property Address
		Mailing City/State/Zip	Property Description (township, range, ¼ section, and tax lot)
1	Eugene John Monaco	4920 SE Lake Road	2S,2E,06AB,800
		Milwaukie, OR, 97222-4748	
2	Christy Snow Juenemann		2S,2E,06AB,800
		Milwaukie, OR, 97222-4748	
3			
4			
5			
6			
7			
8			
9			
10			

**MILWAUKIE PLANNING DEPARTMENT**

6101 SE Johnson Creek Blvd
Milwaukie, OR 97206
503.786.7600
planning@milwaukieoregon.gov

Confidential Census Form

Date:	Street Address:	
Housing Type: (Use one form per housing unit)	<input checked="" type="checkbox"/> Single-Family Structure <input type="checkbox"/> Multi-Family Structure <input type="checkbox"/> Mobile Home <input type="checkbox"/> Group Housing <input type="checkbox"/> Other Housing	Occupancy: <input checked="" type="checkbox"/> Owner-Occupied <input type="checkbox"/> Renter-Occupied <input type="checkbox"/> Seasonal <input type="checkbox"/> Vacant
Number of Residents: 2		

If you indicated Group Housing or Other Housing above, please complete the appropriate table below.

Group Housing	Other Housing
Facility Type: <input type="checkbox"/> Adult Correctional Facility <input type="checkbox"/> Juvenile Facility e.g., group home, correctional or non-correctional <input type="checkbox"/> College/University Student Housing Includes off-campus housing owned by a college/university <input type="checkbox"/> Military Quarters <input type="checkbox"/> Other Institutional Facility e.g., psychiatric hospitals, inpatient hospice facilities <input type="checkbox"/> Nursing/Skilled-Nursing Facility e.g., assisted living and memory care <input type="checkbox"/> Non-Institutional Facility e.g., emergency and transitional shelters, residential treatment centers for adults, religious group quarters	Housing Unit Type: <input type="checkbox"/> Camper/RV <input type="checkbox"/> Car/Van <input type="checkbox"/> Tent <input type="checkbox"/> Motels/Hotels <input type="checkbox"/> Houseboat <input type="checkbox"/> Other Boat <input type="checkbox"/> Other, please specify: _____
Facility Name:	

The information you share on this form is being collected for use by the Portland State University Population Research Center. For questions about the way these census data are used, please contact the Population Research Center at 503-725-3922.

From: [Vera Kolias](#)
To: [Scott Stauffer](#)
Cc: [Laura Weigel](#)
Subject: FW: Subject: Concern Regarding Annexation Proposal – 4920 SE Lake Road (File# A-2025-001)
Date: Thursday, May 1, 2025 4:37:08 PM

Hello Scott,

See the comments below submitted for the annexation application and my response to them.

-Vera

VERA KOLIAS, AICP

Senior Planner
she • her
503.786.7653
City of Milwaukie
10501 SE Main St • Milwaukie, OR 97222

Please note that my work schedule is Monday – Thursday from 6 a.m. – 4:30 p.m.

From: Vera Kolias
Sent: Thursday, May 1, 2025 4:36 PM
To: D A <wcsocsi@gmail.com>
Cc: Laura Weigel <WeigelL@milwaukieoregon.gov>; Charles Olsen <gammeldanske55@gmail.com>
Subject: RE: Subject: Concern Regarding Annexation Proposal – 4920 SE Lake Road (File# A-2025-001)

Hello Dave,

Thank you for your comments.

However, please note that at this time, the only application under consideration is to annex the property into the city. We have no development proposals before us under review. I believe you may be referring to a November pre-application conference that discussed a possible land division of 5 lots. At the time, the proponent was considering single family homes, but again, no applications are under review, so I don't have any studies or reviews to share. Since you asked about parking, please note that parking concerns are not part of an annexation application, as no development is part of the annexation application.

Any future land division proposal will be reviewed against the city's development code for compliance and will include public notice as required by the code. When an

application is made to divide the property, or other proposal that requires public notice, you are invited to submit comments that relate to the approval criteria.

I will forward your comments to the City Recorder regarding the annexation so that they are made part of the record.

Please let me know if you have any questions.

-Vera

VERA KOLIAS, AICP

Senior Planner
she • her
503.786.7653
City of Milwaukie
10501 SE Main St • Milwaukie, OR 97222

Please note that my work schedule is Monday – Thursday from 6 a.m. – 4:30 p.m.

From: D A <wcsocsi@gmail.com>

Sent: Thursday, May 1, 2025 3:15 PM

To: Milwaukie Planning <Planning@milwaukieoregon.gov>

Cc: Laura Weigel <WeigelL@milwaukieoregon.gov>; Charles Olsen <gammeldanske55@gmail.com>

Subject: Subject: Concern Regarding Annexation Proposal – 4920 SE Lake Road (File# A-2025-001)

This Message originated outside your organization.

Dear Milwaukie Planning Department,

I am writing as a concerned nearby resident regarding the proposed annexation and development of 4920 SE Lake Road (File# A-2025-001). My understanding is that the property is being considered for division into as many as seven high-density residential lots.

After reviewing the initial plans for Phase 1, it appears that the homes may include single-width driveways. As a resident of the surrounding HOA neighborhood, I'm concerned that this design could result in significant overflow parking on adjacent streets such as SE Sprout Lane and SE Barbara Lynn Way. Many households have at least two vehicles, and multigenerational living situations can increase that number further.

Our HOA currently enforces residential parking restrictions through covenants, which have helped maintain accessibility and appearance in our neighborhood. The potential

increase in on-street parking due to this development raises questions about traffic flow, pedestrian safety, and emergency access.

I understand there may be planning materials or traffic studies already submitted that address these issues. If so, I would appreciate being pointed toward them. If not, I respectfully ask that parking impacts be given due consideration as the project moves forward.

Could you please let me know:

- Whether parking considerations were part of the original annexation or development application,
- Whether public comment is still being accepted for this project,
- And who the appropriate point of contact would be to engage further on this matter.

Thank you for your time and for your work supporting responsible neighborhood planning. I appreciate any direction you can provide.

Sincerely,

Dave Anderson

4843 SE Barbara Lynn Way

Milwaukie, OR 97222

971-762-5106

wcsocsi@gmail.com

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Reviewed: Laura Weigel, Planning Manager

From: Vera Kolias, Senior Planner

Subject: **Code Correction: Proposed Code Amendments**

Date Written: April 28, 2025

ACTION REQUESTED

Council is asked to adopt the proposed ordinance to correct a land use code error related to attached cottages in cottage clusters found in Attachment 1.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[October 17, 2023](#): Council adopted [Ordinance 2236](#) amending various sections of MMC Title 19 as part of a package of “variance” amendments to clarify and streamline processes.

[May 21, 2024](#): Council adopted [Ordinance 2243](#) amending Milwaukie Municipal Code (MMC) Title 19 related to the Climate Friendly and Equitable Communities (CFEC).

April 2025: staff discovered an error in the online version of the MMC.

ANALYSIS

Staff recently discovered that the online version of the municipal code does not include language related to the number of permitted attached cottages in [Table 19.505.4.C.1](#), despite being part of the code amendment package adopted under Ordinance 2236 in October 2023. In researching the error, it was found that this same table was also part of the CFEC amendments that were adopted after Ordinance 2243. However, because the CFEC code amendments took more than two years to finalize, staff had included an earlier version of the cottage cluster table of development standards without that new language. Although there was no formal underline/strikeout indication that this specific language was to be stricken from the CFEC package of amendments, the city’s codification services provider, General Code, relied on the clean version of the CFEC code package and removed the language from Table 19.505.4.C.1.

Since the removed table and language was never meant to be stricken from the code, but Ordinance 2243 contained the error, General Code has advised staff that the only way to correct the error is with a new ordinance to restore the full table as adopted in Ordinance 2236.

Restoring the lost parts of the table is not considered a simple scrivener’s error which the city recorder is authorized to make as outlined in MMC 1.01.060.

CONCLUSIONS

Staff recommend that Council, adopt the proposed ordinance (Attachment 1) which would correct the error and approve the previously approved amendments to MMC Title 19 (Zoning), presented in Attachments 1-a and 1-b.

BUDGET IMPACT

None.

CLIMATE IMPACT

This is a code correction. But, as previously presented, as with the middle housing code, implementation of regulations allowing a more efficient pattern of development through increased residential density provides opportunities for more walkability/bike-ability and compact development patterns. This can lead to less dependence on motor vehicles, more transit opportunities, and more efficient use of available infrastructure.

EQUITY IMPACT

This is a code correction. But, as previously presented, removing barriers to development of housing is a key component of the city's housing production strategy. More importantly, the city consistently looks for ways to incentivize development of housing to provide even more opportunities to make housing possible. Providing a streamlined process to exceed maximum density increases flexibility for developers. The entire city benefits from having a wide variety of housing types at many price levels.

WORKLOAD IMPACT

This is a code correction. But, as previously presented, while the proposed amendments may result in more variance applications, they can be absorbed into the department's current planning workplan.

COORDINATION, CONCURRENCE, OR DISSENT

None.

ALTERNATIVES

None.

ATTACHMENTS

1. Ordinance
 - a. Draft code amendment language (underline/strikeout)
 - b. Draft code amendment language (clean)



COUNCIL ORDINANCE No.

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MILWAUKIE MUNICIPAL CODE (MMC) TITLE 19 ZONING ORDINANCE FOR THE PURPOSE OF CORRECTING A PUBLISHING ERROR RELATED TO ATTACHED COTTAGES IN A COTTAGE CLUSTER.

WHEREAS, the proposed corrected code language was adopted by Council under Ordinance #2236; and

WHEREAS, the proposed code amendments were removed in error under Ordinance #2243; and

WHEREAS, the Milwaukie City Council finds that the proposed amendments are in the public interest of the City of Milwaukie.

Now, Therefore, the City of Milwaukie does ordain as follows:

Section 1. Findings. Findings of fact in support of the amendments were adopted by the City Council under Ordinance #2236.

Section 2. Amendments. The Milwaukie Municipal Code (MMC) is amended as described in Exhibit A (underline/strikeout version), and Exhibit B(clean version).

Section 3. Effective Date. The amendments shall become effective immediately on the date of adoption.

Read the first time on _____, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott S. Stauffer, City Recorder

Justin D. Gericke, City Attorney

Exhibit A**Underline/Strikeout Amendments****CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS****19.505 BUILDING DESIGN STANDARDS****19.505.4 Cottage Cluster Housing****C. Development Standards**

The standards listed below in Table 19.505.4.C.1 are the applicable development and design standards for cottage cluster housing. Additional design standards are provided in Subsection 19.505.1.

Table 19.505.4.C.1 Cottage Cluster Development Standards		
Standards	R-MD	R-HD
A. Structure Types		
1. Building types allowed, minimum and maximum number per cluster	Detached and Attached cottages 3 minimum 12 maximum dwelling units <u>Maximum number of attached units = 3</u>	Detached and Attached cottages 3 minimum 12 maximum dwelling units <u>Maximum number of attached units = 4</u>
B. Dwelling Unit Size		
1. Max building footprint per dwelling unit	900 sf	
2. Max average floor area per dwelling unit	1,400 sf	
C. Height		
1. Max height	25 ft or 2 stories, whichever is greater	
2. Max structure height between 5 & 10 ft of rear lot line	15 ft	
3. Max height to eaves facing common green	1.618 times the narrowest average width between two closest buildings	
D. Setbacks, Separations, and Encroachments		
1. Separation between structures (minimum)	6 ft	
2. Side and rear site setbacks	5 ft	

3. Front site setback (minimum)	10 ft	
4. Front site setback (Maximum)	20 ft	
5. Separation between clusters (minimum)	10 ft	
E. Impervious Area, Vegetated Area		
1. Impervious area (maximum)	60%	65%
2. Vegetated site area (minimum)	35%	35%
F. Community and Common Space		
1. Community building footprint (maximum) ¹	1,000 sf	1,000 sf
2. Common Space	19.505.4.E.2	19.505.4.E.2
G. Parking (see also 19.505.4.E.4)		
1. Automobile parking spaces per dwelling unit (maximum)	See MMC Section 19.605	See MMC Section 19.605
2. Bicycle Parking spaces per dwelling unit (minimum)	See MMC Section 19.609	

1 Use of an existing home, per Subsection 19.505.4.E.4, as the community building is exempt from this standard. Community buildings are not required in a cottage cluster development.

Exhibit B
Clean Amendments

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.505 BUILDING DESIGN STANDARDS

19.505.4 Cottage Cluster Housing

C. Development Standards

The standards listed below in Table 19.505.4.C.1 are the applicable development and design standards for cottage cluster housing. Additional design standards are provided in Subsection 19.505.1.

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1 Use of an existing home, per Subsection 19.505.4.E.4, as the community building is exempt from this standard. Community buildings are not required in a cottage cluster development.

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Date Written: April 23, 2025

Reviewed: Joseph Briglio, Assistant City Manager

From: Laura Weigel, Planning Manager, and
Vera Kolias, Senior Planner

Subject: **Affordable Housing Incentives Code – Continued**

ACTION REQUESTED

Council is asked to participate in a continued briefing for discussion prior to moving forward to a work session with the Planning Commission. Staff requests feedback from Council on final draft code amendments related to affordable housing incentives – see Attachment 1 for full text of revised proposed code amendments.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[October 15, 2024](#): Council discussed Oregon Senate Bill 1537 ([SB1537](#)) where staff introduced the idea of using the legislation’s language for the proposed affordable housing incentives.

[January 7, 2025](#): Council held a work session to discuss a draft package of code amendments for affordable housing incentives. Please refer to the staff report for this work session for detailed background information on the proposed approach.

[March 18, 2025](#): Council held a second work session to discuss a revised draft package of code amendments for affordable housing incentives. Please refer to the staff report for this work session for detailed background information on the proposed approach.

ANALYSIS

At the March 18, 2025, work session, detailed discussion continued related to the revised proposed code. This staff report will focus on these questions and the revised draft code (see Attachment 1).

Incentivizing Ownership Units

The proposed code language aims to use reductions in minimum development and design standards to incentivize the development of housing that is affordable to households meeting specific income requirements. While Staff supports this goal, the inclusion of a code section that links income-restricted housing (and the certification and monitoring requirements that entails) to code-based incentives, creates a situation that will require significant oversight to ensure compliance. Given the city’s staffing limitations, monitoring income-restricted dwellings through the community development department programs will be challenging.

When reviewing land use applications and permits, planning staff will depend on community development staff to confirm that program requirements have been met if developers are seeking incentives. Typically, smaller cities with affordable housing programs rely on developers who have the experience and expertise to navigate the complex housing programs

and funding requirements needed to ensure long-term compliance. These developers are often non-profit organizations with a proven track record in affordable housing development, such as community development corporations, community land trusts (CLTs), housing authorities, etc. Small and/or market-rate developers on the other hand, typically do not have the expertise to coordinate compliance with all the funding requirements, especially over the duration of 60 or 99 years. Given the size of the city's community development department, verification of code compliance will rely on applicants to provide a reasonable management plan and restrictive tool for how they will meet these requirements at the time of their land use application, but robust reverification to insure compliance over the restricted term, including purchase price calculation/setting, buyer/renters income verification, and other assurances, into the future will likely be limited and challenging.

Staff have also heard a strong desire from Council to incentivize the development of affordable home ownership units. Adding housing tenure (ownership or rental) to the land use or permit approval process inserts another layer of complexity for planning and code enforcement staff. The code does differentiate between ownership and rentals through the continued affordability requirements to prioritize ownership, and specific conditions of approval will require compliance but, as stated above, robust verification into the future will likely be limited. Focusing the code incentives on only a baseline level of affordability recognizes both the role of the development code and its limitations rather than adding more layers of tangential regulation. The city's funding sources for housing, primarily construction excise tax (CET) funds, can then be focused on home-ownership opportunities, rightly tying additional benefits to the city's expressed goals. A current example of this is the council directing staff to use CET funds to incentivize income-restricted home ownership units at the Sparrow property in Island Station.

Simply put, layering additional incentives for ownership units is better placed within the funding program objectives rather than in development code.

Summary of Code Revisions

The proposed code amendments in Attachment 1 include the following revisions reflecting the discussion from the March 18 work session:

- The building height bonus in the downtown mixed-use (DMU) zone has been clarified to state that the additional height bonus is available for developments where 50% of the units are affordable to those earning no more than 60% area median income (AMI).
- The incentive related to maximum density has been clarified to remove a maximum density limitation.
- The language related to ground-floor residential units in the DMU has been clarified.
- The language related to ground-floor, non-residential active uses in the DMU has been clarified.
- The language related to other incentives has been clarified.
- The language related to continued affordability has been revised to stipulate that the timeframe for affordability for homeownership units is 60 years and for rental units it is 99 years. Clarifying language related to ongoing monitoring and income verification was also included.

Key Question

1. Does Council agree with the revised proposed code and recommended incentives for affordable housing?

BUDGET IMPACT

None.

CLIMATE IMPACT

As with the middle housing code, implementation of regulations allowing a more efficient pattern of development provides opportunities for more walkability/bike-ability and compact development patterns. This can lead to less dependence on motor vehicles, more transit opportunities, and more efficient use of available infrastructure.

EQUITY IMPACT

Removing barriers to development of housing is a key component of the city's housing production strategy. More importantly, the city consistently looks for ways to incentivize development of housing that is income-restricted to provide even more opportunities to make affordable housing possible. Providing incentives for affordable housing like the ones suggested here – requiring approval of variances to many types of development and design standards – will streamline the land use review process while increasing flexibility for developers. The entire city benefits from having a wide variety of housing types at many price levels, but most importantly are those with fewer resources.

WORKLOAD IMPACT

While the proposed amendments may result in more variance applications, they can be absorbed into the department's current planning workplan.

COORDINATION, CONCURRENCE, OR DISSENT

None.

STAFF RECOMMENDATION

Direct staff to move forward with the adoption process for code amendments related to affordable housing incentives.

ALTERNATIVES

None.

ATTACHMENTS

1. Proposed code amendment - revised

CHAPTER 19.500 SUPPLEMENTARY DEVELOPMENT REGULATIONS

19.511 AFFORDABLE HOUSING INCENTIVES

A. Purpose. The purpose of this section is to offer incentives to developers for providing housing that is affordable to the types of households and qualifying residents identified in subsection B (Eligibility for Bonus and Incentives), below. Affordable housing incentive requests of this chapter can be made concurrently as part of a land use permit application, as applicable.

B. Eligibility for Incentives. To be eligible for an adjustment and other incentives provided by this section, a proposed residential project must meet the following requirements:

1. Development must be middle housing, mixed-use residential, or multi-unit residential;
2. Middle housing, multi-unit, and mixed-use residential development must be designed and constructed so that at least:
 - a. Fifty percent (50%) of the total number of proposed dwelling units are for low income households, as defined by HUD ((80% Area Median Income (AMI) or below)); and
 - b. Comply with all applicable provisions of this title.
4. Where the calculation of the number of affordable units does not result in a whole number, the result will be rounded up to the nearest whole number.
5. The income restricted units must be reasonably dispersed throughout the development, must contain on average the same number of bedrooms as the market rate units in the development, and must be compatible with the design of the market rate units in terms of size, appearance, materials, and finish quality.

C. Types of Variances and Incentives Allowed.

A residential project that satisfies all applicable provisions of this chapter is entitled to apply for the following incentives. A variance application may ask for no more than a total of 10 distinct variances between the development and design standards identified below. For the purposes of this section, multiple instances of the same variance type will be considered one distinct variance.

For housing developments where 100% of the total number of proposed dwelling units are for low-income households as defined by HUD (80% AMI or below), the incentives identified in this subsection are increased by an additional 10% (10 percentage points) over the stated amount. This increase does not apply to building height.

1. The following variances to development standards will be reviewed via an expedited Type II review process (MMC 19.1006):
 - a) Minimum side yard setbacks: 40% reduction
 - b) Minimum front, rear, street side yard setbacks: 25% reduction; 50% reduction for middle housing except cottage clusters.
 - c) Common area, minimum landscaping, or open space: reduction of up to 25%

- d) Minimum lot area: up to 25% reduction in lot area
 - e) Minimum lot width or depth: up to 10% reduction in lot width or depth
 - f) Maximum lot coverage: up to 10% (10 percentage points) over the base maximum
 - g) Bike parking: minimum number of spaces (0.5 spaces/dwelling required) and location of spaces
 - h) For multi-unit and mixed use residential developments, maximum building height: allows an additional maximum of 20 ft. This bonus is not in addition to allowable height bonuses in the General Mixed Use (GMU) zone. In the Downtown Mixed Use (DMU) zone, this bonus is in addition to allowable height bonuses for developments where fifty percent (50%) of the total number of proposed dwelling units are affordable to those earning no more than 60 percent (60%) of AMI
 - i) No maximum density
 - j) In the DMU: ground-floor residential units are allowed.
 - k) In the DMU Zone nonresidential active uses that support the residential use: such as lobbies, community rooms, exercise rooms, offices, day care, etc, are allowed on the ground floor.
 - l) Townhouse developments: the allowed number of consecutive townhouses that share a common wall is increased to six (6).
2. The following variances to design standards will be reviewed via an expedited Type II review process (MMC 19.1006):
- a) Façade articulation
 - b) Inclusion of a minimum of 3 detailed design features in MMC 19.505.1.C.4.
 - c) Total window area: up to 30% variance; minimum 12% required
3. Qualifying multi-unit residential-only developments (not mixed-use developments) proposed in the DMU zone will be reviewed for compliance with MMC 19.505.3 – Multi-Unit Housing.
4. Other Incentives. This section does not prohibit developers of qualifying affordable residential projects from requesting other regulatory incentives or concessions from the City.

D. Continued Affordability. The land use permit application for the residential project must include the procedures proposed by the developer to maintain the continued affordability of the income-restricted units. Developments receiving a direct financial contribution or other financial incentives from the city or utilizing any of the incentives provided in this subsection, must maintain the availability of income-restricted homeownership units for a minimum of sixty (60) years and of income-restricted rental units for a minimum of ninety-nine (99) years. Developers must enter into a development agreement or provide legal proof of restriction/affordability covenant with the City of Milwaukie to ensure retention. This should also include the monitoring and verification process that will be utilized throughout the duration of the affordability term to ensure the appropriate income levels are being certified for prospective renters or buyers.

E. Processing of Incentive Requests. Proposed incentive requests must be included as part of the land use application or permitting materials required for the residential project by this title, including the application of all relevant criteria.

1. Approval Criteria. The approval of the incentives by the review body or City designee must also comply with the following approval criteria:

- a. The approval criteria for Type II variances identified in MMC 19.911.4.A; and
- b. There are sufficient provisions to guarantee that the dwelling units will remain affordable in the future as required.

F. Priority Processing of Affordable Housing Projects. A residential project that satisfies all applicable provisions of this section will be given priority over other types of projects and permits by all City departments in the processing of land use permit and building permit applications, and in inspections of the project during the construction process.

CHAPTER 19.900 LAND USE APPLICATIONS

19.911 VARIANCES

19.911.3 Review Process.

B. Type II Variances

Type II variances allow for limited variations to numerical standards. The following types of variance requests ~~shall~~ will be evaluated through a Type II review per Section 19.1005:

~~11. For any middle housing development, except townhouses and cottage clusters, that includes at least one dwelling unit that is affordable that meets the exemption standards as defined in Section 3.60.050, the minimum setbacks in Table 19.301.4 may be reduced to the following:~~

- ~~a. Front yard: 10 ft~~
- ~~b. Rear yard: 10 ft~~
- ~~c. Side yard: 5 ft~~
- ~~d. Street side yard: 10 ft~~

COUNCIL STAFF REPORT

To: Mayor and City Council
Emma Sagor, City Manager

Reviewed: Matthew Deeds, Assistant Finance Director

From: Michael Osborne, Finance Director

Subject: **Fiscal Year (FY) 2026 Consolidated Fee Schedule Update**

Date Written: April 24, 2025

ACTION REQUESTED

Council is asked to review and provide feedback on the proposed updated Consolidated Fee Schedule for FY 2026

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[April 2, 2024](#): Council reviewed the proposed FY 2025-2026 Consolidated Fee Schedule.

[June 4, 2024](#): Council adopted the FY 2025-2026 Consolidated Fee Schedule.

ANALYSIS

The city's fiscal policies state that the city will periodically and systematically review user fees and charges as adopted in an updated Consolidated Fee Schedule. Presented here is an updated FY 26 fee schedule for the final year of the FY 25-26 biennium budget.

The Consolidated Fee Schedule, if adopted, will go into effect on July 1, 2025, for FY 2026. Each year departments review the fees and make changes as necessary. The suggested changes generally reflect either a new internal practice or a change in cost. The goal is to accurately recover costs incurred by the city, as stated below in the city's adopted fiscal policies:

The City will maximize the use of service and user charges in lieu of ad valorem taxes and subsidies from other city funds, for services that can be identified and where costs are directly related to the level of service provided. The Council may establish fees at less than "full cost recovery" when deemed in the public interest. The city will periodically and systematically review user fees and charges to take into account the effects of additional service costs and inflation.

The May 6 fee schedule discussion will focus on updates to existing fees, excluding solid waste rates, which will be discussed on May 20, 2025. Potential new proposed fees recommended as part of the city's financial stability strategy will be discussed with the Budget Committee on May 12 and are also not included in the May 6 report.

The significant changes in the FY 26 update are as follows:

- Building fees remained unchanged due to the health of the Building Fund.
- Business registration fees were unchanged due to fee revenue coming in higher than budgeted and the city's plan to undertake a comprehensive review of the business registration code and fee structure over the next year as part of the economic development Council goal.

- Downtown parking permit fees were reduced in FY 25 to ensure parity among downtown customers and to test whether a reduced quarterly rate would promote the purchase of more permits. For the current calendar year-to-date (YTD), the city has issued 135 permits and staff expect to exceed the 189 permits issued last calendar year (CY). Due to the success of this fee reduction on permit sales, staff have eliminated the 10% bulk discount.
- Engineering did a comprehensive review of its fees, increasing fees where needed to recover costs and bring the city more in line with other cities in our region.
- Downtown Parklet Use fees remained unchanged, but a quarterly option was added to help ease administrative work.
- Fees in lieu of construction (FILOC) have increased based on the Construction Cost Index (CCI).
- The library is proposing eliminating fines and moving to a replacement cost fee. Library fines were reduced in the latest FY 25-26 budget. Attached to this staff report is a memo from Library Director Brent Husher explaining the proposed change.
- Municipal Court fees for the cost of audio recording and trial cancellations were increased for FY 26 to better reflect actual costs of administrative time to provide those services.
- Police fees and charges remained unchanged.
- Planning updated the cost of annexation based on the size of the property, and added a deposit for appeal of middle housing land division.
- Section 11 “Trees in the City” added a programmatic permit application fee of \$3,000.
- System development charges (SDCs) increased based on the CCI.
- Utilities have several adjustments:
 - Water utility rates are scheduled to increase 3.0% but could change based on the current rate study and feedback from the Community Utility Advisory Committee (CUAC).
 - Wastewater and stormwater utility rates remain unchanged but could change based on the current rate study and feedback from the CUAC.
 - Street Surface Maintenance Program (SSMP) and Safe Access for Everyone (SAFE) fees increase 5.60% each year based on the Seattle, Washington CCI for FY 26.
- Right-of-way (ROW) utility license fee remains unchanged.
- If approved, increases in the solid waste rates, discussed separately at the May 20 Council regular session, will be added to this fee schedule.

The Consolidated Fee Schedule document is updated throughout the course of the year for changes or additions of fees approved by resolution or ordinance. Fees that are pass-through such as excise tax and others are also updated in the fee schedule once we are notified by the governing agency.

BUDGET IMPACTS

Overall, the fee schedule updates that are proposed reflect modest changes to improve clarity and more accurately cover costs for service. The updates proposed will support ongoing efforts to stabilize the city’s finances but are not expected to have a significant increase to revenues. More substantial, new revenue-generating fee options will be discussed at the May 12 budget committee.

WORKLOAD IMPACTS

Minimal impacts will occur city-wide to update the fees in the current systems used by staff. Several adjustments reflect the accurate cost of workload being performed by staff who provide fee-based services.

CLIMATE IMPACT

The fee schedule is designed to support the city's climate goals, including preserving tree canopy.

EQUITY IMPACT

Wherever possible, fees were held level or reduced to minimize the impact on people living on low or fixed incomes. Several parts of the fee schedule also have low-income discounts, including planning fees and utility fees.

COORDINATION, CONCURRENCE, OR DISSENT

Changes and updates were solicited from department heads and staff. Staff reviewed other cities fees and charges to determine market averages.

STAFF RECOMMENDATION

Staff recommends that Council review the updated FY 26 fee schedule and approve the changes at the June 3rd meeting.

ALTERNATIVES

A delay in adopting the Consolidated Fee Schedule will leave current fees in place.

ATTACHMENTS

1. FY 26 Consolidated Fee Schedule (DRAFT)
2. Library Fine Free Policy Memo

COVER PLACEHOLDER



City of Milwaukie, Oregon

The City of Milwaukie provides a full range of municipal services to the community, including police protection, traffic control and improvement, street maintenance and improvement, water, wastewater, and surface water management services, planning and zoning regulation, building inspection and regulation, and community library services. This Fee Schedule consolidates all City fees and charges adopted by City Council resolution for the various services that the city provides. Typically, it is updated annually and reflects all fee resolutions passed by Council during the year.

Fee Variance and Waiver Statement

Based upon an unusual circumstance or event, past practices, demonstrated hardship, or public benefit, the City Manager is authorized to waive or decrease a fee(s) or charge(s) in a matter or establish a fee not yet authorized in this schedule. When a new fee is established by the City Manager it shall be incorporated into this document, and it shall be included and specified during the next update to this document.

A waiver or reduction request must be in writing and communicated to Council to allow opportunity for comment. If the City Manager or their designee agrees to said waiver or reduction, he/she shall inform the City Council, in writing, of the request and his/her decision, except in minor matters (defined as waivers or reductions valued at \$1,000 or less).

Effective Dates and Resolutions

The FY 2025 and FY 2026 Fee Schedule fees are effective as of July 1, 2024 with the adoption of Resolution #R27-2024, adopted by City Council on June 4, 2024, unless otherwise noted.

1. ADMINISTRATION	1
2. BUILDING.....	2
3. BUSINESS REGISTRATION	10
4. DOWNTOWN PARKING.....	11
5. ENGINEERING	12
6. FEES IN LIEU OF CONSTRUCTION (FILOC)	17
7. LIBRARY	18
8. MISCELLANEOUS	19
9. MUNICIPAL COURT	20
10. PLANNING	22
11. TREES IN THE CITY.....	27
12. POLICE	32
13. SDC & CONSTRUCTION EXCISE TAX.....	34
14. UTILITIES.....	39
15. RIGHT-OF-WAY UTILITY LICENSE.....	45
16. VIOLATIONS OF THE MUNICIPAL CODE.....	46
17. SOLID WASTE RATES.....	50

1. ADMINISTRATION

a. Billable Hourly Rates

The City employee billable hourly rate shall be calculated as 2.5 times step 4 of the employee's job classification, to the nearest \$5 increment, unless otherwise specified. The classification schedule can be found on the City of Milwaukie website under Human Resources.

This calculation shall be used to recover costs for those services billed on an hourly basis, including, but not limited to professional services such as planning, engineering, public works, utility, financial, legal, police services, and public records requests. The use of a multiplier of 2.5 is intended to recover all overhead, training, benefits, and other costs associated with a city employee's time. Any work performed during overtime hours shall be billed as the calculated hourly rate multiplied by 125 percent. The City Manager and/or department directors are authorized to adjust calculated billings to reflect the impact of unusual circumstances or situations.

2. BUILDING

Building fees include structural, mechanical, plumbing, and electrical charges. Fees are applicable to residential, commercial, and industrial properties unless otherwise specified.

a. Structural Permits¹

Valuation will be calculated in accordance with OAR 918-050-0100.

Residential / Commercial / Industrial:

Permit Size	Fiscal Year 2025 Base Fee	Plus each additional \$1,000 over base fee	Fiscal Year 2026 Base Fee	Plus each additional \$1,000 over base fee
\$1 to \$5,000	\$150.75	\$0.00	\$150.75	\$0.00
\$5,001 to \$25,000	\$150.75	\$15.50	\$150.75	\$15.50
\$25,001 to \$50,000	\$460.75	\$11.50	\$460.75	\$11.50
\$50,000 to \$100,000	\$748.25	\$7.80	\$748.25	\$7.80
Over \$100,000	\$1,138.25	\$6.50	\$1,138.25	\$6.50
Minimum permit fee	\$150.75	\$0.00	\$150.75	\$0.00

Stand-alone Fire Suppression Systems (requires a backflow device when connected to potable water installed by licensed plumbing contractor or person exempt from licensing):

Permit Size	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
0 sq. ft. to 2,000 sq. ft.	\$157.80	\$157.80
2,001 sq. ft. to 3,600 sq. ft.	\$236.90	\$236.90
3,601 sq. ft. to 7,200 sq. ft.	\$296.15	\$296.15
7,201 sq. ft. and greater	\$551.45	\$551.45

Fire and Life Safety Plan Review Fee

Commercial properties only; 50% of the structural permit fee.

Essential Facilities Hazard Report Review

Commercial properties only; 1% of the structural and mechanical fees.

Initial Structural Plan Review Fees

75% of the permit fees.

Third-Party Plan Review

For transfer of a plan review to a third party; 10% of the permit fee, \$65 minimum.

¹ Permit fees are calculated based on the total valuation and square footage of the improvements.

BUILDING *continued***b. Mechanical Permits****Residential:**

Fees per current Mechanical Permit Application:

Permit	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
Minimum permit fee	\$155.90	\$155.90
HVAC – for the installation of air handling unit including ducts		
Up to 10,000 cfm	\$27.40	\$27.40
Over 10,000 cfm	\$32.45	\$32.45
Air conditioning/heat pump (site plan required)	\$50.35	\$50.35
Alteration of existing HVAC system	\$23.40	\$23.40
Mini split system	\$23.40	\$23.40
Furnace install/relocate/replace including ductwork and vent		
Up to 100,000 BTU/h	\$23.40	\$23.40
Over 100,000 BTU/h	\$27.60	\$27.60
Vent for other than furnace	\$23.40	\$23.40
Hydronic Piping System	\$23.40	\$23.40
Install/relocate/replace heaters (room, suspended, wall/floor-mounted)	\$23.40	\$23.40
Environmental Exhaust and Ventilation – for the installation of		
Appliance vent	\$19.15	\$19.15
Dryer exhaust	\$15.50	\$15.50
Range hood/ other kitchen equipment	\$13.15	\$13.15
Each hood that is served by a mechanical exhaust or air conditioning	\$13.15	\$13.15
Exhaust system and single duct (bath fan) each	\$10.75	\$10.75
Exhaust system apart from heating or air conditioning	\$15.50	\$15.50
Fuel Piping and Distribution/LPG-NG-Oil fuel piping		
Up to four outlets (including gas tag)	\$27.60	\$27.60
Each additional outlet over four	\$2.95	\$2.95
Other Listed Applications		
Decorative fireplace or insert	\$44.40	\$44.40
Woodstove/pellet stove	\$58.75	\$58.75
Water heater/flue vent	\$23.40	\$23.40
Chimney-liner-flue -vent w/o appliance	\$23.40	\$23.40
Oil tanks/gas/diesel generators	\$23.40	\$23.40
Barbeque	\$23.40	\$23.40
Radon mitigation	\$23.40	\$23.40
Pool or spa heater/kiln	\$23.40	\$23.40

BUILDING *continued***Mechanical Permits *continued*****Commercial/Industrial:**

Valuation shall be calculated on the value of the equipment and installation costs. Use this section for commercial installation, replacement or relocation of non-portable mechanical equipment, or mechanical work not covered previously. Indicate the value of all mechanical labor, materials, and equipment.

Permit	FY 2025 Base Fee	Plus each additional over the base fee	FY 2026 Base Fee	Plus each additional over the base fee
Minimum permit fee	\$155.90	\$0.00	\$155.90	\$0.00
\$1 to \$5,000	\$155.90	\$0.00	\$155.90	\$0.00
\$5,001 to \$10,000*	\$155.90	\$2.50	\$155.90	\$2.50
\$10,001 to \$100,000**	\$280.90	\$19.15	\$280.90	\$19.15
Over \$100,000**	\$2,004.40	\$13.00	\$2,004.40	\$13.00
*Permit category stipulates additional over each \$100.				
**Permit category stipulates additional over each \$1,000.				

Initial Mechanical Plan Review Fees for Residential and Commercial/Industrial

50% of the permit fees.

BUILDING *continued***c. Plumbing Permits**

Permit	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
Minimum permit fee (Residential/Commercial/Industrial)	\$155.90	\$155.90
Utilities per 100 feet (Residential/Commercial/Industrial)	\$120.00	\$120.00
Catch basin	\$52.75	\$52.75
Drywells, each	\$118.45	\$118.45
Rain drain connector	\$52.75	\$52.75
Manholes, each	\$103.20	\$103.20
Addition, alterations, and repairs for Residential/Commercial/Industrial (per fixture)	\$33.60	\$33.60

Residential:

Fees per current Plumbing Permit Application:

Permit	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
Total bathrooms per dwelling		
1 bath dwelling (includes 1 kitchen)	\$654.90	\$654.90
2 bath dwelling (includes 1 kitchen)	\$723.65	\$723.65
3 bath dwelling (includes 1 kitchen)	\$860.00	\$860.00
Additional bathroom/kitchen	\$342.35	\$342.35
Manufactured home utilities	\$135.65	\$135.65
*Includes the first 100 ft. of water piping, wastewater and storm water lines, hose bibs, icemakers, under floor low point drains, and rain drain packages that include the piping, gutters, downspouts, and perimeter system.		
Interior Piping (water or sewer) (per floor)		
First floor	\$103.20	\$103.20
Each additional floor	\$35.90	\$35.90
Multipurpose or Continuous Loop Suppression Systems		
0 sq. ft. to 2,000 sq. ft.	\$165.75	\$165.75
2,001 sq. ft. to 3,600 sq. ft.	\$248.85	\$248.85
3,601 sq. ft. to 7,200 sq. ft.	\$311.15	\$311.15
7,201 sq. ft. and greater	\$579.25	\$579.25

BUILDING *continued***Plumbing Permits *continued*****Commercial/Industrial:**

Valuation shall be calculated on the value of the equipment and installation costs. Fees per current Plumbing Permit Application:

Permit	Fiscal Year 2025 Base Fee	Plus each additional over the base fee	Fiscal Year 2026 Base Fee	Plus each additional over the base fee
Interior Piping (per fixture)	\$33.60	\$0.00	\$33.60	\$0.00
Initial plumbing plan review fees	30% of the plumbing permit fees			
Medical Gas permits				
\$1 to \$6,500	\$155.90	\$0.00	\$155.90	\$0.00
\$6,501 to \$10,000*	\$155.90	\$1.90	\$155.90	\$1.90
\$10,001 to \$100,000**	\$222.40	\$11.25	\$222.40	\$11.25
Over \$100,000**	\$1,234.90	\$7.80	\$1,234.90	\$7.80
Minimum permit fee	\$155.90	\$0.00	\$155.90	\$0.00
*Permit category stipulates additional over each \$100.				
**Permit category stipulates additional over each \$1,000.				

d. Electrical Permits**Residential/Commercial/Industrial:**

Fees per current Plumbing Permit Application:

Permit	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
Minimum permit fee	\$155.90	\$155.90
New Residential single or multifamily houses, includes attached garage:		
1,000 square feet or less	\$315.15	\$315.15
Each additional 500 square feet or portion	\$64.40	\$64.40
Limited energy - single family (per dwelling)	\$127.55	\$127.55
Limited energy - multi-family (per floor)	\$127.55	\$127.55
Protective Signaling-multi-family (per floor)	\$127.55	\$127.55

BUILDING, Electrical Permits *continued***Residential/Commercial/Industrial:**

Permit	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
Services or feeders installation, alterations, and/or relocation		
200 amps or less	\$188.45	\$188.45
201 amps to 400 amps	\$249.40	\$249.40
401 amps to 600 amps	\$378.85	\$378.85
601 amps to 1,000 amps	\$564.40	\$564.40
Over 1,000 amps or volts	\$1,032.15	\$1,032.15
Temporary services or feeders installation, alteration, and/or relocation		
200 amps or less	\$110.00	\$110.00
201 amps to 400 amps	\$234.10	\$234.10
401 amps to 600 amps	\$315.15	\$315.15
601 amps to 1,000 amps	\$463.05	\$463.05
Over 1,000 amps or volts	\$877.25	\$877.25
Branch circuits		
Branch circuits without service or feeder, 1 st circuit	\$105.35	\$105.35
Branch circuits without service, each additional circuit	\$14.45	\$14.45
Branch circuits with service, each circuit	\$14.45	\$14.45
Miscellaneous (service or feeder not included)		
Each manufactured or modular dwelling, service, and/or feeder	\$127.60	\$127.60
Reconnect only	\$127.60	\$127.60
Pump or irrigation circle	\$127.60	\$127.60
Sign or outline lighting	\$127.60	\$127.60
Signal circuit(s) or limited energy panel, alteration or extension (commercial/industrial only)	\$127.60	\$127.60
Each additional inspection over the allowable	\$99.45	\$99.45
Renewable Electrical Energy		
5 kva or less (2)	\$162.70	\$162.70
5.01 kva to 15 kva (2)	\$194.25	\$194.25
15.01 kva to 25 kva (2)	\$316.45	\$316.45
Greater than 25 kva – 25 kva + each add'l kva to 100 kva (max)	\$12.65	\$12.65
For Wind generation system		
25.01 kva to 50 kva (2)	\$632.95	\$632.95
50.01 kva to 100 kva	\$1,265.85	\$1,265.85
Master Electric Permit Application	\$100.00 one-time application fee	
Master Electric Permit Inspections	\$110.00 per hour	
Initial Electrical Plan Review Fees	25% of electrical permit fee	
Third-Party Plan Review	\$110.00	

BUILDING *continued***e. Manufactured Homes**

All jurisdictions in the Tri-County area shall charge a single fee for the installation and set-up of manufactured homes. This single fee shall include the concrete slab, runners, or foundations when they comply with the prescriptive requirements of the Oregon Manufactured Dwelling standard, electrical feeder and plumbing connections, and all cross-over connections.

Permit	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
Permit fee	\$445.00	\$445.00
Manufactured dwelling parks and mobile home parks fee ¹	Per current State Permit Fee	
Statewide Code Development, Training and Monitoring Fee	\$30.00	\$30.00

f. In-fill and Grading

Permit	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
In-fill and Grading Permit and Plan review fees for each		
1 to 50 cubic yards	\$100.00	\$100.00
51 to 100 cubic yards	\$150.00	\$150.00
101 to 1,000 cubic yards ⁵⁴	\$200.00	\$200.00
1,000 to 10,000 cubic yards	\$250.00	\$250.00
10,001 cubic yards or more	Total hourly cost ²	

¹ O.A.R. 918-600-0030.

² Costs include supervision, overhead, hourly wages and benefits of employees involved.

BUILDING *continued***g. Permit Related Fees**

Permit	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
State surcharge shall be collected in an amount as required by State law		
Building Moving/Demolition permits:		
2,000 square feet or less	\$110.00	\$110.00
Each additional 1,000 square feet or portion	\$40.00	\$40.00
Plan Review Fee	75% of the permit fee	75% of the permit fee
Prescriptive Solar PV Installation	\$100.00	\$100.00
Non-prescriptive Solar PV Installation per current structural fee by validation	See building valuation table	
Recreational Parks and Organizational Camps	Per current State Permit Fee	
Administrative fee for simple refunds	\$35.00	\$35.00
Administrative fee for simple refunds	\$250.00	\$250.00
Administrative fee for changing contracts simple	\$35.00	\$35.00
Administrative fee for changing contracts complex	\$250.00	\$250.00
Floating structure permit – follow the structural permit fee schedule		
Permit changes outside of normal scope	\$110.00 per hour	
Plan review fees required/requested changes, additions and revisions.	\$110.00 per hour	
Re-inspection fees	\$110.00	\$110.00
Replacement sheets (each)	\$23.00	\$23.00
Re-instatement fee	\$110.00	\$110.00
Investigation fee	\$110.00 per hour	
Inspections outside of normal business hours (min. 2 hours)	\$110.00 per hour	
Earthquake – restraint bracing	\$135.00	\$135.00
Plan reviews not designated elsewhere	30% of the permit fee	
Certificate of Occupancy	\$180.00	\$180.00
Temporary Certificate of Occupancy	\$180.00	\$180.00
Change of use/Occupancy	\$180.00	\$180.00
Technology fee – applies to all programs unless specified	5% of the permit fee	
Deferred Submittal fee (per Deferred Submittal)	70% of permit fee calculated using the value of the deferred portion with a minimum of \$300	
Phased permit fee (per phase)	\$300.00 + 10% of total project permit fee (not to exceed \$1,500.00 per phase)	

3. BUSINESS REGISTRATION

Business Registration is required annually for all businesses doing business in the City.

Permit	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Standard Base Fee	\$175.00	\$175.00
New Business Commencing between July 1 and December 31	\$88.00	\$88.00
Change in Business Ownership	\$15.00	\$15.00
Fee for each FTE	\$10.00	\$10.00
Temporary Business (2 weeks or less)	\$30.00	\$30.00
Delinquent Registration	10% of the original business tax plus interest at 9% per annum from the due date until full payment is received.	

Metro Business License versus City Business Registration or Both:

Instead of obtaining separate business licenses/registrations within each Portland-area city that you conduct business in, you can purchase a single license from Metro to construct, alter, and repair structures in 20 cities that have licensing/registration requirements in the metropolitan area, excluding Portland. The license covers all construction trades, both commercial and residential, as well as all landscape contractors. Exception: if your principal place of business is inside the City of Milwaukie, the business is required to apply for a City of Milwaukie Business Registration in addition to the Metro license.

For Metro applications, contact Metro at 503.797.1620 or visit their website at:

<https://www.oregonmetro.gov/tools-working/regional-contractors-business-license>

4. **DOWNTOWN PARKING**

Downtown employees can purchase a permit for designated permit spaces. Customers and visitors to downtown Milwaukie can use the short-term parking spaces.

Parking Permit Fees¹	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Daily	\$7.00	\$7.00
Monthly	\$100.00	\$100.00
Quarterly	\$150.00	\$150.00
Replacement Pass (each)	\$7.00	\$7.00

¹ For parking fines refer to Section 9.

² Does not apply to daily permits.

5. ENGINEERING

Engineering fees consist of plan review, inspections, permits, printed and electronic maps, and erosion control review.

Inspections and Permits	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Right-of-Way Permit Application¹		
Construction permit application	\$275.00	\$290.00
Sidewalk permit	\$55.00	\$90.00
Temporary street use	\$55.00	\$90.00
Use permit application	\$55.00	\$90.00
Parking closure downtown (per month, per space)	\$55.00	\$90.00
Lane closure (per week, per lane/block)	\$110.00	\$125.00
Road closure (per week, per block)	\$275.00	\$290.00
Major encroachment permit application	\$165.00	\$180.00
Minor encroachment permit application	\$55.00	\$90.00
Recording fee	\$113.00	\$120.00
Right-of-way re-inspection (beyond standard of 2)	\$105.00	\$115.00
Painted intersection permit	\$55.00	\$65.00
Subdivision construction inspection	5.5% of total construction cost (\$500.00 minimum)	
Public improvement construction inspection	5.5% of total construction cost (\$500.00 minimum)	
Street opening deposit	\$25.00 per sq. ft./\$1,500.00 minimum	
Street opening surcharge (under 5-year moratorium)	\$50.00 per sq. ft./\$3,000.00 minimum	
5-year moratorium surcharge		
1 st year of moratorium	\$250.00 per sq. ft.	\$275.00 per sq. ft.
2 nd year of moratorium	\$200.00 per sq. ft.	\$220.00 per sq. ft.
3 rd year of moratorium	\$150.00 per sq. ft.	\$165.00 per sq. ft.
4 th year of moratorium	\$100.00 per sq. ft.	\$110.00 per sq. ft.
5 th year of moratorium	\$50.00 per sq. ft.	\$55.00 per sq. ft.
Grading permit		
Minor (0 to 100 cy)	\$165.00	\$180.00
Major (100+ cy)	\$275.00	\$290.00
Flood plain review	Actual costs	
Flood plain inspection	Actual costs	
Building permit plan review – minor	\$85.00	\$95.00

ENGINEERING *continued*

Inspections and Permits	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Building permit plan review – major	\$165.00	\$180.00
Street vacation/rename request	\$2,750.00 deposit (actual cost billed per hourly rate)	
Request for stormwater rate reduction	\$75.00 deposit (actual cost billed per hourly rate)	
Franchise permit application	No charge	
Traffic control device request	No charge	
Engineering request	No charge	
ADA request for service	No charge	
Transportation fee review application	\$85.00 deposit (actual cost billed per hourly rate)	
Appeal to City council	\$330.00	\$330.00
Sewer dye test	\$110.00	\$125.00
Moving buildings	\$220.00 + \$85.00/hr. staff time + \$1,000.00 deposit	
Materials		
Public Works Standards	\$30.00	\$35.00
Sewer TV inspection tape	\$25.00	\$30.00
Electronic Drawing		
Paper – all sizes	\$6.00	\$8.00
Other format (plus \$45.00/hr. for additional work)	\$8.00	\$10.00
Reproduction charges (\$0.10 for additional pages)	\$1.00	\$1.25
Printed and electronic maps (GIS)		
Standard selection of GIS maps		
Full sheet (34" x 44")	\$50.00	\$55.00
½ sheet (22" x 34")	\$40.00	\$45.00
1/4 sheet (17" x 24")	\$30.00	\$35.00
1/8 sheet (11" x 17")	\$17.00	\$20.00
Electronic file (via electronic mail in PDF, JPG, GIF, or TIF formats)	\$17.00	\$20.00
Electronic file (for mailed media, which includes postage, handling, and media charges)	\$25.00	\$30.00
Aerial maps		
Full sheet (34" x 44")	\$55.00	\$60.00
½ sheet (22" x 34")	\$45.00	\$55.00
1/4 sheet (17" x 24")	\$35.00	\$40.00
1/8 sheet (11" x 17")	\$25.00	\$30.00
Electronic file (via electronic mail in PDF, JPG, GIF, or TIF formats)	\$17.00	\$20.00

ENGINEERING *continued*

Inspections and Permits	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
<i>Aerial Maps continued</i> Electronic file (for mailed media, which includes postage, handling, and media charges)	\$25.00	\$30.00
Custom Maps Flat charge per hour plus cost of materials Electronic file (for mailed media, which includes postage, handling, and media charges)	\$60.00 \$8.00	\$65.00 \$10.00
<u>Erosion Control:</u> Erosion Control permit required when disturbing over 500 sq. ft. of soil or as determined by MMC 16.28. Permit fees include one (1) plan review, one (1) initial inspection fee, and one (1) final inspection fee. Development sites may require more than one permit depending on project size, staging and requested phasing of occupancy. An erosion control permit may include demolition, clearing, grading and/or construction phases of development.		
<u>Permit Review Fees</u> – includes one (1) plan review, one (1) initial inspection and one (1) final inspection. Includes 12 months of routine inspections from effective date of initial permit approval.		
Erosion Control Permit Consultation Fee (up to 30 min consultation)	\$50.00	\$50.00
Discount for Certified Erosion and Sediment Control Lead (CESCL) assigned project staff	25% permit review fee reduction	25% permit review fee reduction
Discount for qualified affordable housing One or more units meeting MMC 3.60.050	25% permit review fee reduction	25% permit review fee reduction
Residential – Minor Site Disturbance: For small projects adding no additional building footprint. Must be less than 1000 sq. ft. total soil disturbance	\$100.00	\$110.00
Residential - Single Family Home For single detached units and/or detached additional dwelling units.	\$250.00	\$270.00
Residential – Duplex, Triplex, Quadplex	\$500.00	\$525.00
Residential - Townhouses Attached single units, one unit per taxlot	\$500.00	\$525.00

ENGINEERING *continued*

Inspections and Permits	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Residential - Cottage Cluster Three (3) to twelve (12) units per cluster, one cluster per permit	\$500.00	\$525.00
Residential – Multi-unit Housing Five (5) or more attached units in one building, fee applies per building	\$750.00	\$780.00
Residential – Multi-phase development Large site for phased development, including grading, subdivision, right-of-way improvements, and site utility work. Fee is in addition to phased individual site permits.	\$500.00	\$525.00
Residential 1200 CN plan review fee	\$50.00	\$50.00
Commercial/Industrial – Minor Site Disturbance For small projects adding no additional building footprint. Must be less than 1000 sq. ft. total soil disturbance	\$100.00	\$110.00
Commercial – Multiunit Housing Five (5) or more attached units in one building, fee applies per building	\$750.00	\$775.00
Commercial - < 30,000 sq. ft. disturbed	\$750.00	\$775.00
Commercial - ≥ 30,000 sq. ft. to < 1 acre	\$750.00	\$775.00
Commercial - ≥ 1 acre but < 5 acre	\$900.00	\$950.00
Commercial – > 5 acres	\$400.00	\$425.00
Industrial - < 30,000 sq. ft. disturbed	\$800.00	\$830.00
Industrial - ≥ 30,000 sq. ft. to < 1 acre	\$800.00	\$830.00
Industrial - ≥ 1 acre but < 5 acre	\$900.00	\$950.00
Industrial – > 5 acres	\$400.00	\$425.00
Permit reissuance fee (no significant site changes, no changes to submitted EC plan,)	\$50.00	\$50.00
Erosion Control Inspection Fees		
Residential Re-Inspection Fee (Initial, Final)	\$60.00	\$65.00
Residential Routine Inspection Fee	\$20.00	\$25.00

ENGINEERING *continued*

Inspections and Permits	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Commercial Re-Inspection Fee (Initial, Final)	\$80.00	\$90.00
Commercial Routine Inspection Fee	\$30.00	\$35.00
Industrial Re-Inspection Fee (Initial, Final)	\$80.00	\$90.00
Industrial Routine Inspection Fee	\$40.00	\$45.00
Non-compliance Inspection Fee	\$120.00	\$130.00
Erosion Control Violation Fees		
Erosion Control Violation (MMC 16.28)	\$300.00/day	\$300.00/day
Illicit Discharge Violation (MMC 13.14)	\$1,000.00/day	\$1,000.00/day

Downtown Parklet Use Fees

Downtown parklets are reviewed through Engineering. Additionally, Parklets incur a use fee for the parking spaces which are due upon application approval.

Engineering Fees	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
New parklet application fee	\$150.00	\$150.00
New parklet right-of-way fee	\$150.00	\$150.00
Parklet renewal application fee	\$50.00	\$50.00
Parklet renewal right-of-way fee	\$95.00	\$95.00
Parklet plan review	\$150.00	\$150.00
Monthly Use Fee Per Parking Space	\$0.00	\$50.00 Month \$150.00 Quarter
Public parklet	No fee for parking space use	
Additional incurred costs (if applicable)	TBD based on location	
Signage for public and hybrid parklets	\$95.00	

¹ Performance bond amount at discretion of City Engineer.

6. FEES IN LIEU OF CONSTRUCTION (FILOC)

FILOC (Residential/Commercial/Industrial)	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Transportation¹ maximum per lineal foot of site frontage. Actual fee may be less depending on site conditions and actual improvements required.	\$340.00	\$365.00
Collectors, arterials, and public area requirements	Actual cost + 50%	
Water² – per lineal foot of site frontage	\$375.00	\$380.00
Stormwater³ – per lineal foot of site frontage	\$265.00	\$285.00
Wastewater⁴ – per lineal foot of site frontage	\$250.00	\$270.00
Stormwater Management⁵ – per square foot of new or changed	\$14.00	\$16.00

FILOC may be available as an alternative to construction of minimum required improvements in accordance with MMC 13.32. FILOC for Transportation, Water, Stormwater, Wastewater, and Stormwater Management Facilities are established by City Council based on impact of development on the infrastructure serving the proposed use. FILOC for Transportation, Water, Stormwater, and Wastewater are based on historical costs to construct the facility per lineal foot of frontage. FILOC for Stormwater Management Facilities is based on historical costs to construct a facility per square foot of added or changed impervious area draining to the public system. FILOC is indexed for inflation annually using the Engineering News-Record Construction Cost Index (CCI) for Seattle, WA (Resolution #79-2016), based on a 5-yr. running average.

¹ Transportation FILOC is based on the historical cost to construct the minimum standard improvements for a local street.

² Water FILOC is based on the historical cost to construct the minimum standard water main.

³ Stormwater FILOC is based on the historical cost to construct the minimum standard storm main.

⁴ Wastewater FILOC is based on the historical cost to construct the minimum standard sanitary sewer main.

⁵ Storm Water Quality FILOC is based on the historical cost to construct the minimum required water quality facility for impervious surfaces created that drain to a public storm system without treatment.

7. **LIBRARY**

The Library collects replacement costs for lost or damaged items, and fees for photocopying services.

Overdue Fines	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee	Fiscal Year Maximum
Adult	\$0.10	none	\$1.00
Juvenile	\$0.10	none	\$1.00
Library of Things	\$1.00 per day	none	Replacement cost

Fees and Charges	Fiscal Year 2025 and 2026
Printing and Copies, per side	
8.5 by 11 or 14:	
Black and white	\$0.10
Color	\$0.50
11 by 17:	
Black and white	\$0.20
Color	\$1.00
Lost or damaged items	Up to Replacement Cost
Non-district citizen library use (annual pass)	\$95.00

8. MISCELLANEOUS

Fees and Charges	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Document printing and copying		
Black and white	\$0.10	\$0.10
Color	\$0.50	\$0.50
Lien docket searches	\$35.00	\$40.00
Filming permit – fee varies based upon production budget and time to review application. Fee may be waived under certain conditions.	\$2,400.00	\$2,400.00
South Downtown Plaza Reservations – Fee applies to full or partial closure of the South Downtown Plaza & festival street. Fee may vary based on size of event and staff involvement required. Fee may be waived at the discretion of the city manager or designee.	\$400.00	\$400.00
Temporary event permit – fee may be charged to cover costs incurred by the City for assisting with an event. Staff time will be based upon billable hourly rates.	No application fee	
Use of parking stall(s) in the right-of-way during a temporary event – City reserves the right to charge for required staff time if inspection is needed.	\$30.00	\$30.00
Maximum credit card transaction is \$10,000. All transactions greater than \$10,000 must be paid via cash, check, money order, or electronic funds transfer (EFT). This includes building permits, court fines, and other licensing or administrative services provided by the city.		

9. MUNICIPAL COURT

Milwaukie Municipal Court collects fines for traffic citations, parking violations, and miscellaneous programs approved by the Judge. Traffic fine amounts are set by State legislature based on the offense classification.

Fees and Charges	Fiscal Year 2025 Base Fee	Fiscal Year 2026 Base Fee
Payment plan installment fee	\$25.00	\$25.00
Failure to appear	\$40.00	\$40.00
Reinstatement fee	\$15.00	\$15.00
Suspension packet fee	\$15.00	\$15.00
Returned check fee	\$30.00	\$30.00
Boot release fee	\$50.00	\$50.00
Seat belt class fee	\$50.00	\$50.00
Collection processing fee	\$30.00	\$30.00
Audio recording – per court session	\$25.00	\$40.00
Trial cancellation fee	\$25.00	\$30.00
Young driver diversion fee		
Class B	\$200.00	\$200.00
Class C	\$100.00	\$100.00
Dismissal fee		
Class D	\$50.00	\$50.00
Deferred sentencing fee		
Class B	\$265.00	\$265.00
Class C	\$165.00	\$165.00
Class D	\$115.00	\$115.00

Traffic Fines				
Penalty	Presumptive Fine	Special Zone Fine ¹	Minimum Fine	Maximum Fine
Fiscal Year 2025 Fees				
Class A	\$440.00	\$875.00	\$225.00	\$2,000.00
Class B	\$265.00	\$525.00	\$135.00	\$1,000.00
Class C	\$165.00	\$165.00	\$85.00	\$500.00
Class D	\$115.00	\$115.00	\$65.00	\$250.00
Fiscal Year 2026 Fees				
Class A	\$440.00	\$875.00	\$225.00	\$2,000.00
Class B	\$265.00	\$525.00	\$135.00	\$1,000.00
Class C	\$165.00	\$165.00	\$85.00	\$500.00
Class D	\$115.00	\$115.00	\$65.00	\$250.00

¹ Special zones include highway work zones, school zones, and safety corridors.

MUNICIPAL COURT *continued***Parking Fines**

Per Milwaukie Municipal Code §10.20.090E, parking fine amounts may increase by 50% when a registered vehicle owner has received four (4) or more previous citations for the same parking violation within a rolling 365-day timeframe. If bail is not posted by the court date, the fine will be doubled. (Ord. #2005, adopted 2009, Ord. #1997, adopted 2009, Ord. #1728, adopted 1993, and Ord. #1361, adopted 1977).

Parking Fines	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Abandon vehicle	\$80.00	\$80.00
Angle parking	\$40.00	\$40.00
Bicycle lane	\$80.00	\$80.00
Blocking driveway	\$50.00	\$50.00
Block rule	\$40.00	\$40.00
Blocking disabled parking space	\$250.00	\$250.00
Bus zone/taxi zone	\$50.00	\$50.00
Double parking	\$50.00	\$50.00
During prohibited times	\$50.00	\$50.00
Emergency/safety zone	\$80.00	\$80.00
Fire hydrant	\$80.00	\$80.00
Five or more unpaid violations	\$60.00	\$60.00
Head-in only parking	\$50.00	\$50.00
Loading zone	\$50.00	\$50.00
No parking zone/tow away zone	\$80.00	\$80.00
On crosswalk/sidewalk	\$80.00	\$80.00
Over one foot from curb	\$60.00	\$60.00
Over space line	\$60.00	\$60.00
Overtime parking	\$60.00	\$60.00
Permit only parking ¹	\$60.00	\$60.00
Traffic hazard	\$80.00	\$80.00
Trucks – 2-hour limit	\$50.00	\$50.00
Disabled parking space	\$450.00	\$450.00
Wrong side of street	\$50.00	\$50.00
Where prohibited	\$80.00	\$80.00

¹ For parking permit fees see Section 4.

10. PLANNING

The City Planning Department oversees land use applications, annexations, special requests, and procurement of City maps and master plans.

Standard Land Use Applications

The following standard fees apply to all land use applications¹ not listed below. Some applications may require additional fees as described below under Additional Application Fees on page 22.

Review Type	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Type I Administrative review	\$200.00	\$200.00
Type II Administrative review	\$1,000.00	\$1,000.00
Type III Quasi-judicial review	\$2,000.00	\$2,000.00
Type IV Quasi-judicial review	\$5,000.00	\$5,000.00
Type V Legislative review	\$5,000.00	\$5,000.00

Other Land Use Applications

Applications	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Community service use – minor modification (Type I)	\$50.00	\$50.00
Final plat (Type I)	\$200.00	\$200.00
Historic resource designation (Type IV)	\$150.00	\$150.00
Lot consolidation (Type I)	\$200.00	\$200.00
Minor land partition, including Middle Housing or Expedited Land Division – preliminary plat review (Type II)	\$2,000.00	\$2,000.00
Natural Resource ²		
Boundary verification (Type I)	No charge	No charge
Construction management plan (Type I)	No charge	No charge
Natural resource management plan (Type I)	No charge	No charge
Tree removal request (Type I) ³	No charge	No charge
Tree removal request (Type III) ⁴	\$500.00	\$500.00
All other type I, II, or III Natural Resource applications ⁵	See fee for standard land use applications above	

¹ For a complete list of land use application types, see Milwaukie Municipal Code Table 19.901.

² Res. #77-2011, adopted August 16, 2011.

³ See MMC 19.402.6.A for Type I tree removal. For tree removal in the right of way see Section 5.

⁴ Required for any tree removal that is not Type I (MMC 19.402.8.A) or exempt (MMC 19.402.6.A). For tree removal in the right of way see Section 5.

⁵ Fees waived for applications that meet all three of the following criteria: (1) the application involves only a habitat conservation area (HCA) and not a water quality resource (WQR), (2) the property is used for residential purposes, and (3) the current owner was the owner prior to September 15, 2011.

PLANNING *continued*

Applications	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Planned development – preliminary plan review (Type III)	\$2,000.00	\$2,000.00
Planned development – final plan review (Type IV) ¹	\$5,000.00	\$5,000.00
Property line adjustment (Type I)	\$650.00	\$650.00
Property line adjustment (Type II)	\$1,000.00	\$1,000.00
Subdivision for Middle Housing or Expedited Land Division	\$2,000.00	\$2,000.00
Temporary structure (Type I)	\$50.00	\$50.00
Variance to fence height (Type II)	\$500.00	\$500.00
Annexations		
Annexation (expedited)		
Less than 1 acre	\$150.00	\$150.00
1.0 - 5.0 acres		\$250
5.1 - 40 acres		\$300
Greater than 40 acres		\$400
Annexation (Non-expedited: No zone change or comp plan amendment)	\$150.00	\$150.00
Annexation (Non-expedited: Zone change only)	\$500.00	\$500.00
Annexation (Non-expedited: Zone change and comp plan amendment)	\$3,500.00	\$3,500.00
Appeals		
Appeal to Planning Commission – per Oregon Statute (ORS 227.175 (10)(b)) ^{1,2}	\$250.00	\$250.00
Appeal to City Council ²	\$1,000.00	\$1,000.00
Appeal of Middle Housing Land Division	N/A	\$300 (deposit)

¹ Fee includes the zone change to apply the PD symbol to the zone map. Any change to the base zone requires an additional Type IV application and fee.

² A subdivision application fee is required for any subdivision that is being reviewed as part of a planned development.

3. [Pursuant to ORS 197.375](#)

PLANNING *continued***Additional Application Fees**

Fee Type	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Measure 56 Notice (for zoning map or text amendment)	Actual cost (\$1.00 per affected property, \$35.00 minimum)	
Reserve deposit	\$500.00	\$500.00
Technical report review ¹		
Scope of work preparation	Actual cost	Actual cost
Reserve deposit	\$1,500.00	\$1,500.00
Review of technical report (Res. #77-2011)	Actual cost	
Other reserve deposit		
Traffic	\$2,500.00	\$2,500.00
Natural resources	\$3,000.00	\$3,000.00
All other	\$1,000.00	\$1,000.00
Multifamily design review (Type I or II)	See fee for standard land use applications above.	
Downtown design review (Type I, II, or III)	See fee for standard land use applications above.	
Discounts for Land Use Applications		
Two or More Applications (no discount for most expensive application). This discount applies to applications which relate to the same unit of land and which will be reviewed and decided concurrently.	25%	25%
Seniors must be at least 65 years of age and must be the property owner. Applicant may only receive one discount; the senior discount or the low-income discount.	25%	25%
Low-Income Residents may qualify for reduced fees by filing the same application used to apply for reduced sewer and water rates.	25%	25%
NDA-sponsored Land Use Applications Related to Parks	Fees waived	

¹ Actual cost to be determined by Planning Manager or City Engineer by estimating the cost of city staff time and resources dedicated to the project. See more information under Deposit Information.

² Fees are waived for NDA-sponsored appeals, pursuant to Resolution #26-1999.

³ The cost of completing or correcting any improvements required by the title in question and incurred by the City may be assessed to persons as part of the civil infraction judgment. Each day a violation continues will be considered a separate violation.

PLANNING *continued*

Deposit Information

In some cases, reserve deposits are collected to ensure that the City's actual expenses are covered. Deposits will be refunded relative to actual costs, and additional money may be required if actual costs exceed the deposit amount. This applies only to reserve deposits—base fees are nonrefundable.

Early Assistance

Pre-application Assistance for Minor Applications	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Pre-application meetings ¹		
First meeting	No charge	No charge
Second meeting	\$50.00	\$50.00
Third and subsequent meetings (per meeting fee)	\$100.00	\$100.00
Pre-application conference ²	\$200.00	\$200.00
Pre-application assistance for major applications:		
Pre-application meetings ¹		
First meeting	No charge	No charge
Second meeting	\$100.00	\$100.00
Third and subsequent meetings (per meeting fee)	\$200.00	\$200.00
Pre-application conference ²	\$400	\$400

Minor Applications typically include:

- Type I applications
- Type II applications for projects that would result in;
 - four or fewer residential units, or
 - construction of 10,000 sq. ft. or less of new or additional floor area.
- Type III applications for variances on sites with four or fewer residential units.

Major Applications typically include:

- Multiple applications packaged together.
- Type II applications that result in:
 - more than four residential units, or
 - construction of more than 10,000 sq. ft. of new or additional floor area.
- Type III applications, except for variances on sites with four or fewer residential units.
- Type IV or V applications

¹ Applies to optional meetings attended by a maximum of two City staff. No written notes provided.

² Applies to required or optional meetings that require three or more City staff. Written summary notes provided two weeks after meeting.

PLANNING *continued*

Notes: Staff will use the above lists as a general guide for distinguishing minor and major applications and reserve the right to make a final determination. City Manager (or designee) may reduce the fee for Early Assistance for a major application where it can be demonstrated that the level of staff effort required will be similar to what would be required for a Minor Application.

Special Requests	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Claims (pertaining to Measures 37 or 49) ¹	\$1,515.00	\$1,515.00
Significant Modification of Complete Land Use Application	\$500.00	\$500.00
Reschedule of Public Hearing at Applicant's Request (when re-notification is required)	\$500.00	\$500.00
Temporary Occupancy Request	\$100.00	\$100.00
Time Extension of Previously Granted Land Use Approval (Title 17 only)	\$50.00	\$50.00
Zoning Confirmation (General)	\$50.00	\$50.00
Zoning Confirmation (DMV Permit, LUCS) ²	\$25.00	\$25.00

Permit Review and Inspections	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Zoning Confirmation (DMV Permit, LUCS) ² Building Permit Review and Inspections (Minor; e.g., Demolition or Erosion Control)	\$25.00	\$25.00
Building Permit Review and Inspections (Major)	\$200.00	\$200.00
Additional Planning Inspection Fee	\$50.00	\$50.00
Modifications to Building Permit during review ³	\$100.00	\$100.00
Original Art Mural	\$100.00	\$100.00
Sign Permit Review (per sign)	\$100.00	\$100.00
Sign Permit Review (daily display or "sandwich board" sign)	\$150.00	\$150.00

Materials

Most materials are available online for free or contact Planning for additional information:

<https://www.milwaukieoregon.gov/planning/planning-documents-ordinances-plans-and-guidelines>

The fee for a copy of any planning document (e.g. comprehensive plan, zoning ordinance, ancillary plans, etc.) shall be charged based on the number of copied pages. The standard City copy fee shall apply; refer to Section 8 of this document.

¹ Fee will be refunded if applicant prevails. If claim is denied, additional money may be required to cover contract-attorney or appraiser costs, as determined by city manager.

² Waived for LUCS for emergency sewer connection.

³ Fee applies to site plan revisions generated by applicant, not those required by staff during review process.

11. TREES IN THE CITY

Trees are considered valuable urban infrastructure that should be nurtured and protected as a community asset. The Milwaukie Municipal Code Chapter 16.32 Tree Code, Council Ordinance 2197 is to establish, maintain, and increase the quantity and quality of tree cover on land owned or maintained by the City and within rights-of-way, and to ensure our urban forest is healthy, abundant, and climate resilient.

Per the City of Milwaukie Tree Code, a public tree removal permit is required for all trees that are over 2" DBH (diameter at breast height) that are located in the right-of-way (ROW) or on city property. A tree is in the ROW if any portion of its trunk falls in the ROW. A pruning permit is required if more than 20% of the tree's live crown is going to be removed or if roots within a radial distance of six times the tree's DBH will be impacted. To prune or remove a tree that is in the ROW, a ROW permit application must be submitted along with a \$50.00 application processing fee. A permit application is typically approved if the tree is invasive, dead/dying, diseased, has significant infrastructure impacts that cannot be reasonably mitigated, or poses an unreasonable risk to public safety. Replanting a street tree from Milwaukie's approved Street Tree List is a condition of permit approval.

Public Trees	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Public Tree Removal or Major Pruning Application Fee	\$50.00	\$50.00
Public Tree Planting Permit	No charge	No charge
Healthy Public Tree Removal Fee		
Less than 2" DBH	\$40.00	\$40.00
2" to less than 4" DBH	\$60.00 per inch DBH	\$60.00 per inch DBH
4" to less than 8" DBH	\$80.00 per inch DBH	\$80.00 per inch DBH
8" to less than 14" DBH	\$100.00 per inch DBH	\$100.00 per inch DBH
14" to less than 20" DBH	\$150.00 per inch DBH	\$150.00 per inch DBH
20" or greater DBH	\$200.00 per inch DBH	\$200.00 per inch DBH
Public Tree Planting and Establishment Fee (in lieu of planting)	\$675.00 per tree	\$675.00 per tree
Public Tree Enforcement/Restoration Fee		
Failure to Replant	2X Planting and Establishment Fee	2X Planting and Establishment Fee
Damaged Tree	\$225.00 per inch DBH	\$225.00 per inch DBH
Removed Tree or Tree Topping	\$450.00 per inch DBH	\$450.00 per inch DBH
Programmatic Permit Application Fee	N/A	\$3,000.00

TREES IN THE CITY *continued*

On April 19th, 2022, residential tree code (Ord. 2216) was adopted unanimously by city council as a way to complement the comprehensive plan housing and parking code updates while preserving and enhancing tree canopy in Milwaukie. Being a primarily residentially zoned community, the majority of Milwaukie's tree canopy is located on private property. To meet the established canopy goals of 40% canopy cover by 2040, Milwaukie adopted residential tree protections as a way to preserve existing trees and require the replanting of trees if another is removed. Development sites must also meet robust tree standards to ensure that new housing units are constructed with the community's canopy goals in mind.

Effective May 19th, 2022, trees that are greater than 6" DBH on residentially zoned private properties are regulated by the Milwaukie Tree Code (MMC 16.32.042). Property owners looking to remove a tree in a non-development situation must apply for a Type A or Type B tree permit before removal. Type A tree permits are for removal circumstances where the tree is dead, dying, hazardous, or impacting infrastructure or public safety in ways that cannot be mitigated. Type A tree permit applications are available at no cost to the applicant, and no removal fees are required. Type B tree permits are for the elective removal of healthy trees. Type B tree permits incur a \$50.00 application fee and if approved, applicants must pay healthy tree removal fees. Replanting is a condition of approval for all permitted tree removals.

The development tree code applies when new or additional housing units are constructed on residentially zoned properties. The development tree code includes standards for tree preservation, tree planting, tree protection and soil volume requirements which must be met or mitigated for. Milwaukie's urban forest staff work with the city's community development department and engineering department, as well as the developers themselves, to meet the standards of the new tree code and integrate the requirements with the existing land use code and Public Works standards to create development sites that achieve the city's housing, parking and canopy goals.

TREES IN THE CITY *continued*

Private Non-Development Tree Fees	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Residential Tree Permit Application Fee (Type A)	\$0.00	\$0.00
Residential Tree Permit Application Fee (Type B)	\$50.00	\$50.00
Healthy private tree removal fee beyond one tree per 12-month period ¹ Measurements are in diameter at breast height (DBH).		
6 to <12" DBH (approx. 19" – 38" circumference)	\$60.00 per inch DBH	\$60.00 per inch DBH
12 to <18" DBH (approx. 38" -57" circumference)	\$60.00 per inch DBH	\$60.00 per inch DBH
18" to <24" DBH (approx. 57" -75" circumference)	\$60.00 per inch DBH	\$60.00 per inch DBH
24" to <30" DBH (approx. 75" -94" circumference)	\$60.00 per inch DBH	\$60.00 per inch DBH
30" to <36" DBH (approx. 94" -113" circumference)	\$150.00 per inch DBH	\$150.00 per inch DBH
36" or greater (greater than 113" circumference)	\$200.00 per inch DBH	\$200.00 per inch DBH
Rare or Threatened Tree Removal	\$250.00 per inch DBH	\$250.00 per inch DBH
Planting and Establishment Fee in lieu of Replanting for Non-Development Private Residential Trees	\$675.00 per tree	\$675.00 per tree

Private Enforcement and Restoration Fees	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Violation Review Fee (Development)	\$200.00	\$200.00
Damaged Private Tree	\$225.00 per inch DBH	\$225.00 per inch DBH
Tree Protection Violation Zone Fee	\$225.00 per inch DBH	\$225.00 per inch DBH
Unpermitted Private Tree Removal Fee (Development)		
6" to <12" DBH	\$2,000.00 per tree	\$2,000.00 per tree
12" to <18" DBH	\$167.00 per inch DBH	\$167.00 per inch DBH
18" to <24" DBH	\$200.00 per inch DBH	\$200.00 per inch DBH
24" to <36" DBH	\$250.00 per inch DBH	\$250.00 per inch DBH
36" or greater DBH	\$300.00 per inch DBH	\$300.00 per inch DBH
Unpermitted Private Tree Removal or Tree Topping (Non-Development)	2 x healthy private tree removal fee + \$250.00	2 x healthy private tree removal fee + \$250.00
Failure to Replant a Tree (Non-Development)	2 x Fee in Lieu	2 x Fee in Lieu

¹ No removal fee for 1st tree less than 12" DBH removed under type 1 permit.

TREES IN THE CITY *continued*

Private Development Tree Fees	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Residential Construction Tree Plan Review Fee	\$300.00	\$300.00
Site Inspection Fee	\$50.00	\$50.00
Site Re-inspection Fee	\$175.00	\$175.00
<p>Fee in lieu of preservation standard in residential development <i>Canopy percentage measurements are in sq ft canopy / total site sq ft</i></p>	<p>\$4,000.00 for each reduction of 7.5% site canopy coverage below 30% total site canopy. Fees are cumulative based on total canopy reduction.</p> <p>Remaining site canopy <30%-22.5%: \$4,000.00 <22.5%-15%: \$4,000.00 <15%-7.5%: \$4,000.00 <7.5%-0%: \$4,000.00</p>	<p>\$4,000.00 for each reduction of 7.5% site canopy coverage below 30% total site canopy. Fees are cumulative based on total canopy reduction.</p> <p>Remaining site canopy <30%-22.5%: \$4,000.00 <22.5%-15%: \$4,000.00 <15%-7.5%: \$4,000.00 <7.5%-0%: \$4,000.00</p>
<p>Fee in lieu of preservation standard for eligible residential affordable housing <i>Canopy percentage measurements are in sq ft canopy / total site sq ft</i></p>	<p>\$2,000.00 for each reduction of 7.5% site canopy coverage below 30% total site canopy. Fees are cumulative based on total canopy reduction.</p> <p>Remaining site canopy <30%-22.5%: \$2,000.00 <22.5%-15%: \$2,000.00 <15%-7.5%: \$2,000.00 <7.5%-0%: \$2,000.00</p>	<p>\$2,000.00 for each reduction of 7.5% site canopy coverage below 30% total site canopy. Fees are cumulative based on total canopy reduction.</p> <p>Remaining site canopy <30%-22.5%: \$2,000.00 <22.5%-15%: \$2,000.00 <15%-7.5%: \$2,000.00 <7.5%-0%: \$2,000.00</p>

TREES IN THE CITY *continued*

Other Tree Types	Fiscal Year 2025	Fiscal Year 2026
Significant Tree Credits <i>Retained significant trees in diameter at breast height (DBH)</i>		
Retained significant tree 12" to <20" DBH	125% existing or future canopy multiplier	125% existing or future canopy multiplier
Retained significant tree >20" DBH	150% existing or future canopy multiplier	150% existing or future canopy multiplier
Retained significant tree >36" DBH	175% existing or future canopy multiplier	175% existing or future canopy multiplier
Rare or Threatened Tree Removal Fee	\$250.00 per inch DBH	\$250.00 per inch DBH
Fees in Lieu of Planting Standard	\$5.00 per square foot of canopy necessary to meet 40% site coverage	\$5.00 per square foot of canopy necessary to meet 40% site coverage
Bonding Requirements		
Tree Protection	\$3,500 per protected tree held for 3 years	\$3,500 per protected tree held for 3 years
Post Development	\$3,500.00 per newly planted tree held for 5 years	\$3,500.00 per newly planted tree held for 5 years

12. POLICE

Milwaukie Police Department collects fees for permits, licenses, and other miscellaneous services listed below:

Fees and Charges	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Permits/Licenses		
Adult business	\$372.00	\$372.00
Alarm permit – residential	\$25.00	\$25.00
Alarm permit – (65+)	\$10.00	\$10.00
Alarm permit – business	\$50.00	\$50.00
Gun background check	\$100.00	\$100.00
Liquor license (Original application)	\$100.00	\$100.00
Liquor license (Name or other change)	\$100.00	\$100.00
Liquor license (Renewal application)	\$150.00	\$150.00
Liquor license (Temporary license)	\$35.00	\$35.00
Police Reports		
Body worn camera footage	\$50.00 for 1 st 15 minutes to pull footage, \$50.00 for each add'l hour to complete request	
Video copy	\$35.00	\$35.00
Police report	\$15.00	\$15.00
Photo CD	\$15.00	\$15.00
Traffic citation discovery	\$10.00	\$10.00
Additional research charges may apply for unusual/complex requests		

Police Services	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
First false alarm response	No charge	
Second false alarm response		
Residential	\$25.00	\$25.00
Commercial	\$50.00	\$50.00
Third false alarm response		
Residential	\$50.00	\$50.00
Commercial	\$150.00	\$150.00
Fourth false alarm response		
Residential	\$150.00	\$150.00
Commercial	\$250.00	\$250.00
Fifth false alarm response		
Residential	\$250.00	\$250.00
Commercial	\$500.00	\$500.00
False alarm past fifth	No response	

POLICE *continued*

Police Services <i>continued</i>	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Good conduct background letter	\$5.00	\$5.00
Vehicle impound	\$160.00	\$160.00
Loud party response – first response	Warning	
Loud party response – second response and/or each subsequent response in a 24-hr. period	\$50.00	\$50.00
Fire and emergency services fee (Ord. #1764, adopted 1994)	Actual cost	

13. SDC & CONSTRUCTION EXCISE TAX

System Development Charges (SDC) fees for Water, Stormwater, and Transportation shall be indexed for inflation annually using the Engineering-News Record Construction Cost Index (CCI) for Seattle (Resolution #40-2007). The CCI increase is 5.64%. Based on Oregon State Statute (ORS 223.304), the charges are broken down into three components; (1) reimbursement (to recover existing facility capacity available for growth), (2) improvement (to recover planned capacity improvements for growth), and (3) administration (to recover direct costs).

Water System Development Charges

Fiscal Year 2025 Fee				
Meter	Reimbursement	Improvement	Compliance	Total
5/8x3/4"		\$4,682.00	\$396.00	\$5,603.00
1"		\$7,804.00	\$661.00	\$9,339.00
1.5"		\$15,608.00	\$1,321.00	\$18,678.00
2"		\$24,972.00	\$2,114.00	\$29,885.00
3"		\$49,944.00	\$4,229.00	\$59,769.00
4"		\$78,038.00	\$6,607.00	\$93,389.00
6"		\$156,075.00	\$13,214.00	\$186,779.00
8"		\$249,721.00	\$21,143.00	\$298,846.00
10"	\$40,225.00	\$358,973.00	\$30,393.00	\$429,591.00
12"	\$554.61.00	\$790,132.00	\$66,898.00	\$945,567.00

Fiscal Year 2026 Fee				
Meter	Reimbursement	Improvement	Compliance	Total
5/8x3/4"	\$554.61	\$4,946.06	\$418.33	\$5,919.01
1"	\$923.29	\$8,244.15	\$698.28	\$9,865.72
1.5"	\$1,847.64	\$16,488.29	\$1,395.50	\$19,731.44
2"	\$2,955.81	\$26,380.42	\$2,233.23	\$31,570.51
3"	\$5,911.61	\$52,760.84	\$4,467.52	\$63,139.97
4"	\$9,237.16	\$91,946.94	\$6,979.63	\$98,656.14
6"	\$18,475.38	\$164,877.63	\$13,959.27	\$197,313.34
8"	\$29,560.18	\$263,805.26	\$22,335.47	\$315,700.91
10"	\$42,493.69	\$379,219.08	\$32,107.17	\$453,819.93
12"	\$93,531.54	\$834,695.44	\$70,671.05	\$998,896.98

SDC & CONSTRUCTION EXCISE TAX *continued***2025 Water Scalable SDC by House Size**

	EDUs	Max. Water SDC
Single-Family Residential		
<500 sq ft (use ADU rate)	0.60	\$3,362.00
500-800 sq ft	0.70	\$3,922.00
800-1,799 sq ft	0.90	\$5,043.00
1,800-2,999 sq ft	1.00	\$5,603.00
3,000- 3,799 sq ft	1.10	\$6,164.00
≥3,800 sq ft	1.20	\$6,724.00
Accessory Dwelling Unit	0.60	\$3,362.00

2026 Water Scalable SDC by House Size

	EDUs	Max. Water SDC
Single-Family Residential		
<500 sq ft (use ADU rate)	0.60	\$3,551.41
500-800 sq ft	0.70	\$4,143.31
800-1,799 sq ft	0.90	\$5,327.11
1,800-2,999 sq ft	1.00	\$5,919.01
3,000- 3,799 sq ft	1.10	\$6,510.91
≥3,800 sq ft	1.20	\$7,102.81
Accessory Dwelling Unit	0.60	\$3,551.41

Wastewater System Development Charges

A wastewater unit is equal to 16 fixture units derived from Table 7-3 of the Oregon Plumbing Specialty Code. Each residential dwelling unit is one (1) wastewater unit. Accessory Dwelling Units (ADU) and duplex units are assumed to have a lesser impact and will be charged at 65% of the EDU rate. Multi-family over (2) two units and all other development will be charged based on actual number of plumbing fixture units.

Fiscal Year 2025 Fee				
Wastewater SDC	Reimbursement	Improvement	Compliance	Total
Single-family dwelling	\$1,004.43	\$148.06	\$24.30	\$1,176.79
Duplex, ADU (per dwelling)	\$652.88	\$96.24	\$15.80	\$764.92
Other (per EDU)	\$1,004.43	\$148.06	\$24.30	\$1,176.79

Fiscal Year 2026 Fee				
Wastewater SDC	Reimbursement	Improvement	Compliance	Total
Single-family dwelling	\$1,061.07	\$156.41	\$25.67	\$1,243.15
Duplex, ADU (per dwelling)	\$689.70	\$101.66	\$16.69	\$808.05
Other (per EDU)	\$1,061.07	\$156.41	\$25.67	\$1,243.15

2026 Wastewater Scalable SDC by House Size

	EDUs	Max. Water SDC
Single-Family Residential		
<500 sq ft (use ADU rate)	0.60	\$745.89
500-800 sq ft	0.70	\$932.36
800-1,799 sq ft	0.90	\$1118.84
1,800-2,999 sq ft	1.00	\$1243.15
3,000- 3,799 sq ft	1.10	\$1367.47
≥3,800 sq ft	1.20	\$1491.78
Accessory Dwelling Unit	0.60	\$745.89

SDC & CONSTRUCTION EXCISE TAX *continued***Stormwater System Development Charges**

A stormwater unit is equal to 2,706 square feet of impervious surface on the property. Each single-family residential property is one (1) stormwater unit.

Fiscal Year 2025 Fee				
Stormwater SDC	Reimbursement	Improvement	Administration	Total
Single-family property (lot)	\$0.00	\$1,147.25	no charge	\$1,147.25
All other (per DRU)	\$0.00	\$1,147.25	no charge	\$1,147.25

Fiscal Year 2026 Fee				
Stormwater SDC	Reimbursement	Improvement	Administration	Total
Single-family property (lot)	\$0.00	\$1,211.95	no charge	\$1,211.95
All other (per DRU)	\$0.00	\$1,211.95	no charge	\$1,211.95

Transportation System Development Charge

Trip generation rates for each land use type are derived from the Institute of Transportation (ITE) report Trip Generation (10th Edition, 2017). Trip rates are expressed as vehicle trips entering and leaving a property during the p.m. peak travel period.

Fiscal Year 2025 and 2026 Fee				
Transportation SDC	Reimbursement	Improvement	Administration	Total
Single-family dwelling (per unit)	\$124.65	\$2,485.65	no charge	\$2,609.30
Duplex, ADU (per unit)	\$81.34	\$1,616.29	no charge	\$1,697.63
All other (per trip)	\$124.65	\$2,485.65	no charge	\$2,609.30

SDC & CONSTRUCTION EXCISE TAX *continued***Parks and Recreation System Development Charge**

This charge is set by the North Clackamas Parks and Recreation District (NCPRD). Rates are updated as changes are adopted by NCPRD's governing board. ADUs are charged half the rate of a single-family. Visit <https://ncprd.com/sdcs> for information on Parks SDC, including calculation of employees.

System Development Charge	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Single-Family Residential (fee per dwelling unit)	\$3,985.00	\$3,985.00
Multifamily Residential (fee per dwelling unit)	\$3,608.00	\$3,608.00
Nonresidential (fee per employee)	\$60.00	\$60.00

School Construction Excise Tax

This charge is set by the North Clackamas School District. Rates herein are updated as changes are adopted by their governing board.

School Construction Excise Tax	Fiscal Year 2025 Fee²	Fiscal Year 2026 Fee³
Residential (fee per sq. ft.)	\$1.45	\$1.45
Commercial ¹ (fee per sq. ft.)	\$0.72	\$0.72

Metro Construction Excise Tax

This charge is set by Metro. Rates are updated as changes are approved by their governing board.

Permits for construction projects valued at \$100,000 or less will be exempted from this tax as well as permits for development of affordable housing units and permits issued to 501(c)(3) nonprofit organizations for other projects aimed at serving low-income populations. Permits for construction valued at more than \$10 million will be assessed a flat \$12,000 fee (0.12 percent of \$10 million).

Metro Construction Excise Tax	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Metro Construction Excise Tax (fee per \$100.00 of permit value)	\$0.12	\$0.12

¹ Total commercial fee capped at \$36,100² per project. Private schools, public improvements, low-income (HUD) housing, hospitals, religious facilities, and agricultural buildings are exempt. Construction under 1,000 sq. ft. is exempt.

² Pending NCSD approval in June 2022. Subject to change.

³ Rates to be determined in 2023. Subject to change.

SDC & CONSTRUCTION EXCISE TAX *continued***Bancroft Financing for Commercial System Development Charges**

Bancroft Financing provides the opportunity for property owners of single family, multi-family, not-for-profit, public organizations, and commercial properties, to finance system development charge(s) over a ten-year period, or less at the desire of the property owner, subject to the following interest rate (Ordinance 2108, adopted November 17, 2015):

Commercial System Development Charges	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Bank Prime Rate	Subject to change as published by the Federal Reserve System ¹	Subject to change as published by the Federal Reserve System ¹
Administration	5.00%	5.00%
Total	Current prime rate plus administration	Current prime rate plus administration

Construction Excise Tax for Affordable Housing (CET-AH)

Construction Excise Tax for affordable housing will be assessed at 1 percent (1%) of permit value. Permits for construction projects valued at \$100,000 or less will be exempted from this tax as well as permits for development of affordable housing units at or below 80% Median Family Income (MFI), public Improvements under public contracting code, schools, hospitals, places of worship, agriculture, non-profit care, affordable for-sale single family housing—at or below 80 percent MFI, and Accessory Dwelling Units for five (5) years from time of adoption. (Ordinance 2154, adopted November 21, 2017)

¹ The bank prime rate established by the Federal Reserve is updated periodically as determined by the Federal Reserve Board. The current bank prime rate can be found on the Federal Reserve website under “bank prime loan.”

14. UTILITIES

City of Milwaukie provides water, wastewater, stormwater, and street maintenance service to residents. These services are billed monthly at the following rates¹:

Water

Water	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Water Volume Charge (per CCF of consumption)		
0-3 Units (residential only)	\$4.34	\$4.44
4 or more units (residential or all multi-family/commercial)	\$4.50	\$4.64
Low Use Discount		
Single Family Residential low use discount (3 or less CCF per month)	\$(5.00)	\$(5.00)

Residential & Commercial Meters – Fixed Charge ²		
Meter Size	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
5/8" – 3/4"	\$9.35	\$9.53
1"	\$14.60	\$16.06
1 1/2"	\$24.07	\$27.08
2"	\$38.23	\$43.96
3"	\$94.25	\$108.38
4"	\$162.01	\$186.31
6"	\$239.01	\$274.86
Standby Service for fire Flow Purposes – Fixed Charge		
Meter Size	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
2"	\$15.23	\$15.74
4"	\$58.67	\$67.47
6"	\$92.85	\$116.06
8"	\$151.23	\$226.84
10"	\$191.07	\$286.60
12"	\$230.91	\$346.36

¹ The Citizens Utility Advisory Board reviews the existing rate structure and capital improvement plan to advise City Council on utility rates.

² Customers participating in the City's Low-Income Utility Assistance program are exempt from the monthly fixed charge.

UTILITIES *continued***Wastewater**

Account Type	Treatment (per EDU)	Billing and Administration (per account)	Volume ¹ (per CCF of water consumption)
	Fiscal Year 2025 and 2026 Fee		
Residential	\$34.36	\$4.35	\$3.99
Low Income	\$17.18	\$2.18	\$1.99
Multi-family/Commercial – 3/4” ²	\$34.36/\$74.68	\$10.23	\$3.99
Multi-family/Commercial – 1”	\$34.36/\$74.68	\$18.74	\$3.99
Multi-family/Commercial – 1 1/2”	\$34.36/\$74.68	\$25.64	\$3.99
Multi-family/Commercial – 2”	\$34.36/\$74.68	\$32.54	\$3.99
Multi-family/Commercial – 3”	\$34.36/\$74.68	\$46.34	\$3.99
Multi-family/Commercial – 4”	\$34.36/\$74.68	\$60.14	\$3.99
Multi-family/Commercial – 6”	\$34.36/\$74.68	\$87.75	\$3.99

Stormwater

Fiscal Year 2025 Fee			
Account Type	Single Family Residential	Low Income	Commercial (per 2,706 sq. ft. of impervious area)
Stormwater	\$29.47	\$14.73	\$29.47
Fiscal Year 2026 Fee			
Account Type	Single Family Residential ³	Low Income	Commercial (per 2,706 sq. ft. of impervious area)
Stormwater	\$29.47	\$14.73	\$29.47

¹ Residential wastewater volume charges are determined by the average monthly water usage from November to February (winter average). The winter average is adjusted annually on March 31st.

² Based upon water meter size. Multi-family EDU is billed per unit. A commercial EDU is equivalent to 10 CCF of usage.

³ Where an ADU is on the property, fee is only charged to the primary residence.

UTILITIES *continued***Transportation - Street Maintenance & SAFE Rates for All Categories**

Account Type	Fiscal Year 2025 Fees SSMP	Fiscal Year 2026 Fees SSMP
Single Family Residential	\$6.06	\$6.40
Low Income	Exempt	
Commercial per daily trip generated ^{1,2}	\$0.62	\$0.66
Multi-Family Residential (per unit)	\$5.01	\$5.29
Elderly Housing/Mobile Homes (per unit)	\$2.49	\$2.63
Congregate Care (per unit)	\$1.24	\$1.32

Account Type	Fiscal Year 2025 Fees SAFE	Fiscal Year 2026 Fees SAFE
Single Family Residential	\$6.75	\$7.11
Low Income	Exempt	
Commercial per daily trip generated ^{1,2}	\$0.66	\$0.70
Multi-Family Residential (per unit)	\$5.41	\$5.71
Elderly Housing/Mobile Homes (per unit)	\$2.70	\$2.85
Congregate Care (per unit)	\$1.32	\$1.43

Other Charges

Water	Fiscal Year 2025 Fee	Fiscal year 2026 Fee
Connect Service 5/8" or 3/4" Residential Service	\$1,030.00 shortside / \$1,120.00 long side	\$1,030.00 shortside / \$1,120.00 long side
Connect Service 1"	\$1,237.00 shortside / \$1,312.00 long side	\$1,237.00 shortside / \$1,312.00 long side
Connect Service 1 1/2"	\$2,400.00 shortside / \$2,530.00 long side	\$2,400.00 shortside / \$2,530.00 long side
Connect Service 2"	\$4,175.00 shortside / \$4,750.00 long side	\$4,175.00 shortside / \$4,750.00 long side
3/4" Meter Equipment	\$300.00	\$300.00
1" Meter Equipment	\$450.00	\$450.00
1 1/2" Meter Equipment	\$700.00	\$700.00
2" Meter Equipment	\$1,500.00	\$1,500.00
Hydrant Meter Deposit (refundable less water usage)	\$2,500.00	\$2,500.00
Hydrant Meter usage Fee per CFF	\$9.25	\$9.75

¹ Cost per commercial account are determined by type of use. Visit www.milwaukieoregon.gov/commercialfee for a detailed breakdown.

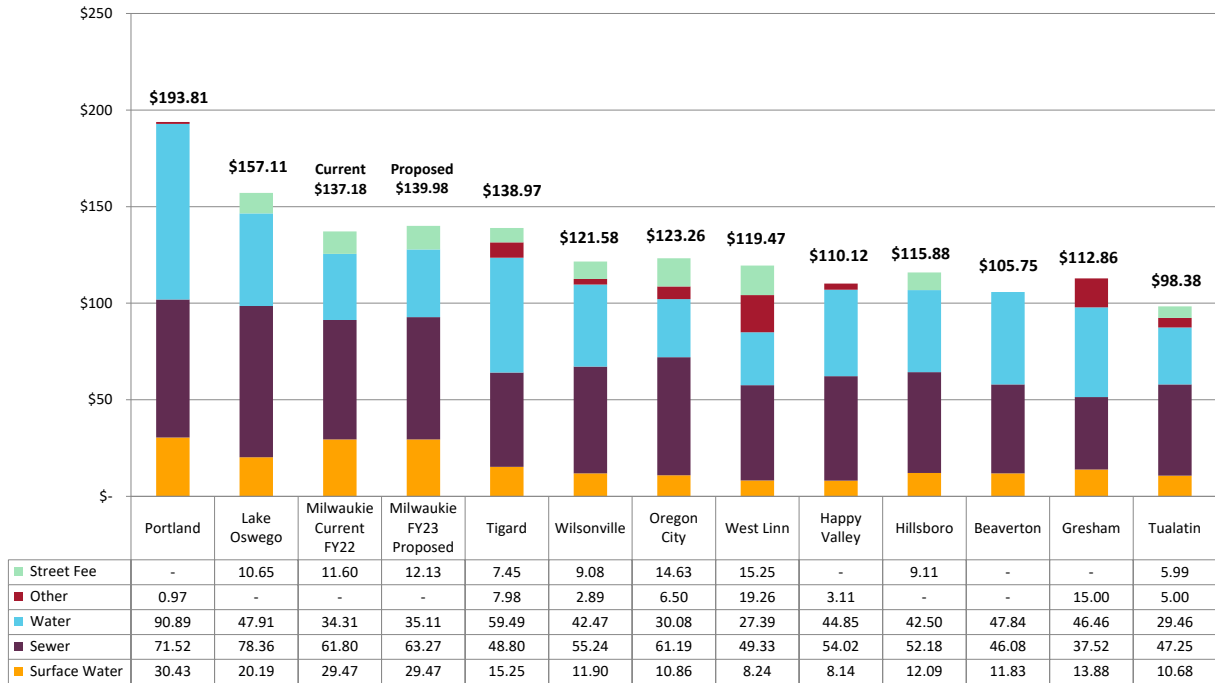
² Commercial daily trip generated is calculated based on type of use and building square feet. Some uses have monthly caps that are adjusted annually for CPI published by the Bureau of Labor Statistics. Current maximums are \$395.81 for the SSMP and \$520.21 for the SAFE programs as applicable. Visit www.milwaukieoregon.gov/commercialfee for more information.

UTILITIES, Other Charges *continued*

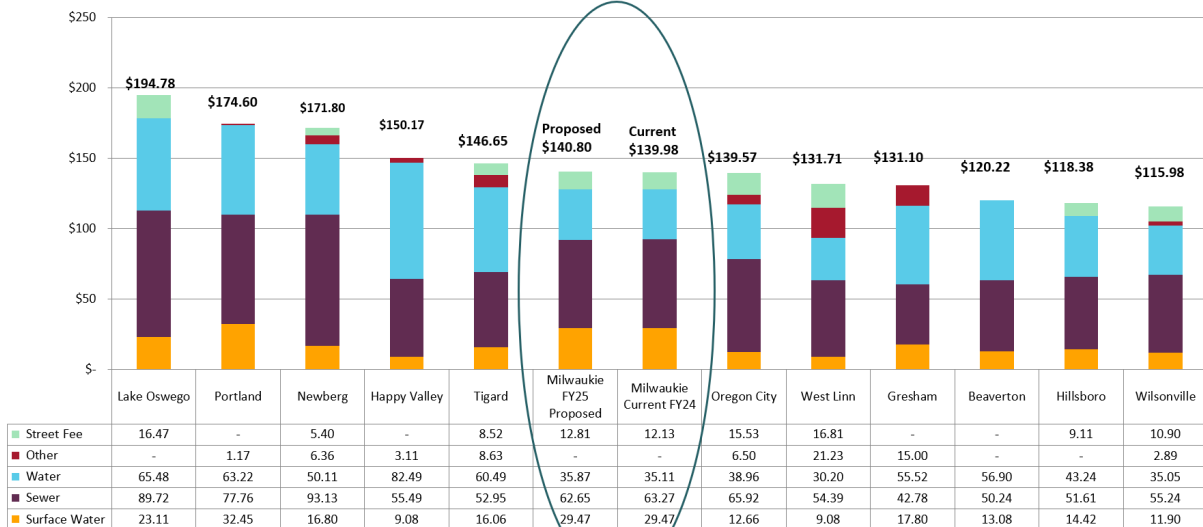
Sewer Connection	Fiscal Year 2025 Fee (per EDU)	Fiscal Year 2026 Fee (per EDU)
A fee charged to the City by Clackamas County and collected to recover invoiced costs for each new connection to the public sanitary sewer system.	\$9,100.00	\$9,100.00
A fee charged to the City by City of Portland and collected to recover invoiced costs for each new connection to the public sanitary sewer system.	Calculated on a tiered rate structure by multiplying the net new number of Drainage Fixture Units (DFU) by the rate published in City of Portland's annual rate ordinance for the appropriate occupancy tier.	
Miscellaneous	Fiscal Year 2025 Fee	Fiscal year 2026 Fee
Delinquent Account – Past Due Notice	\$8.00	\$8.00
Delinquent Account – Notice of Termination	\$15.00	\$15.00
Shut-off/Turn-on	\$35.00	\$35.00
Tamper Fee	n/a	\$150.00
After-hours Restoration of Service ²	\$110.00	\$110.00
Reimbursement District Fee	To be determined by the scope of project	

¹ An EDU or "equivalent dwelling unit" is a unit of measurement of sewer usage that is assumed to be equivalent to the usage of an average dwelling unit.

² After-hours service is Monday-Friday 3:00-8:00 p.m.; Saturday and Sunday 8:00 a.m.-8:00 p.m.

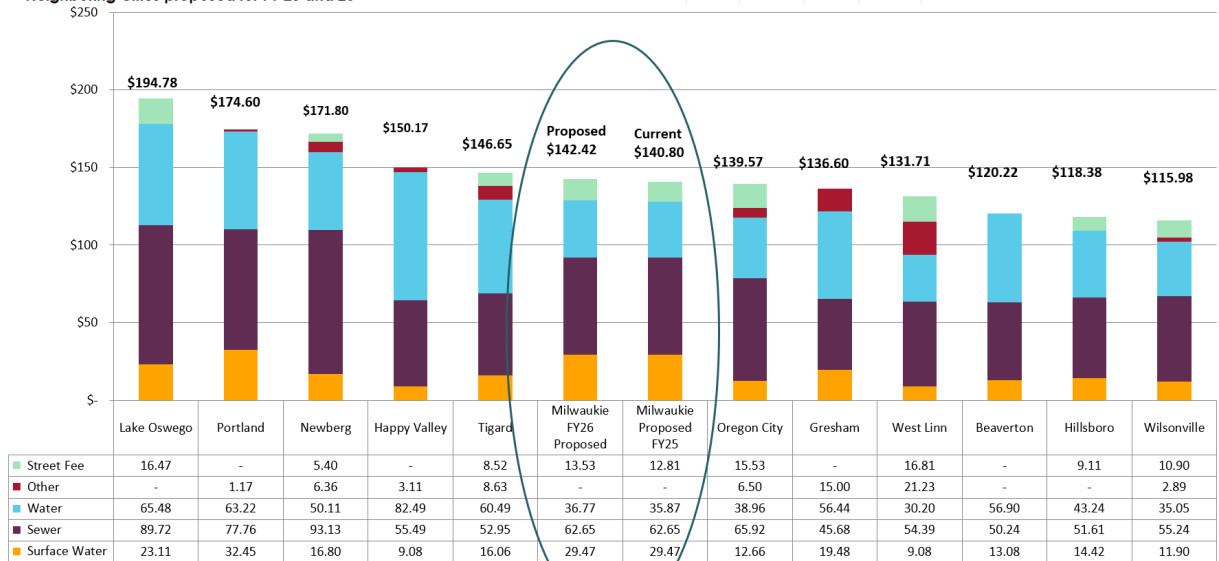
UTILITIES *continued***Comparison Graph – Single Family Residential for FY 2025 and FY 2026**

Comparison Graph of Average Utility Bills of Neighboring Cities (on a monthly basis)
Neighboring Cities proposed for July 1, 2024



UTILITIES *continued*

Comparison Graph of Average Utility Bills of Neighboring Cities (on a monthly basis)
Neighboring Cities proposed for FY 25 and 26



These graphs compare the average utility bills for the neighboring cities surrounding Milwaukie. As some cities bill monthly, some bill every two months, and some bill every three months, these amounts are converted to average monthly amounts, so they are comparable to Milwaukie. Also, cities increase different rates at different times during the year; therefore, this graph is simply a picture in time reflecting the rates at the time that the survey was conducted. And finally, cities have different average water consumption amounts per household; so for the sake of this comparison, these rates are computed using an average 6ccfs of water used per month to be comparable to Milwaukie's overall average. Below are Milwaukie's calculations:

	July 1 2023			July 1 2024			July 1 2025		
	Increased	avg. bill		Increased	avg. bill		Increased	avg. bill	
Water Service Fee									
Base	1.87%	0.17	\$ 9.25	1.08%	0.10	\$ 9.35	1.93%	0.18	\$ 9.53
Plus per 6ccf	2.50%	0.63	25.86	2.55%	0.66	26.52	2.71%	0.72	27.24
Avg water per house (6ccfs)			35.11			35.87			36.77
Sewer Service Fee									
Base fee	2.51%	0.84	34.36	0.00%	-	34.36	0.00%	-	34.36
Plus per 6ccf	2.23%	0.63	28.91	-2.14%	(0.62)	28.29	0.00%	-	28.29
Avg sewer per house			63.27			62.65			62.65
Storm Water Management Fee	0.00%	-	29.47	0.00%	-	29.47	0.00%	-	29.47
Street Maintenance Fee									
SSMP	4.55%	0.25	5.74	5.57%	0.32	6.06	5.61%	0.34	6.40
SAFE	4.58%	0.28	6.39	5.63%	0.36	6.75	5.63%	0.38	7.13
Avg street per house			12.13			12.81			13.53
Average bill per residence	2.04%	\$ 2.80	\$ 139.98	0.59%	\$ 0.82	\$ 140.80	1.15%	\$ 1.62	\$ 142.42
Maximum SSMP	0.046	16.48	374.68	0.0564	21.13	395.81	0.0564	22.32	418.14
Maximum SAFE	0.046	21.66	492.43	0.0564	27.77	520.21	0.0564	29.34	549.54

15. RIGHT-OF-WAY UTILITY LICENSE

The following fees apply to anyone using the City's Rights-of-way (ROW) in accordance with Resolution 3-2019.

Right-of-Way Licenses	Fiscal Year 2025 Fee	Fiscal year 2026 Fee
ROW application	\$50.00	\$50.00
ROW License (5 year)	\$250.00	\$250.00
Electric & Natural gas utility providers	8% of gross revenue	8% of gross revenue
Communications (other than Small Cell Wireless)	7% of gross revenue	7% of gross revenue
Cable Systems (franchise required)	5% of gross revenue	5% of gross revenue
Use of the City's ROW for any purpose other than generating revenue ¹	\$4.52 per linear foot or \$6,149.38 per year, whichever is greater	\$4.52 per linear foot or \$6,149.38 per year, whichever is greater
Attachments to facilities within the City's ROW other than Small Cell Wireless ¹	\$6,149.38 per attachment	\$6,149.38 per attachment
Small Cell Wireless Attachment	\$270.00 per attachment	\$270.00 per attachment
Small Cell Wireless ROW licensing and application fee	\$500+\$100 per site over 5 sites	\$500+\$100 per site over 5 sites

¹ This fee shall increase 3% annually on July 1 of each year beginning July 1, 2020.

16. VIOLATIONS OF THE MUNICIPAL CODE

Violation of the Milwaukie Municipal Code (MMC) may result in the following fees or penalties. Each day that a violation exists is a separate offense.

General Code Violations		Fiscal Year 2025	Fiscal Year 2026
General penalty (applies to any Municipal Code violation where no other penalty is specified) ¹		\$150.00 - \$500.00	\$150.00 - \$500.00
Third or subsequent violation (applies to any Municipal Code violation) ¹	Maximum	\$1,000.00	\$1,000.00
Nuisance violation ²		\$500.00	\$500.00
Shopping cart retrieval programmatic violation ³		\$500.00	\$500.00
Noise control violation ⁴		\$500.00	\$500.00
Adult business code violation ⁵		\$500.00	\$500.00
Public urination or defecation ⁶	Up to	\$750.00	\$750.00
Curfew violation ⁷	Up to	\$300.00	\$300.00
Failure to retrieve shopping cart within 72 hours ⁸		\$50.00	\$50.00
Solid waste regulation/un-franchised violation ⁹	Up to	\$500.00	\$500.00
Abatement ¹⁰ (applies to any Municipal Code violation citation) ¹¹		\$50.00	\$50.00
Building Penalties		Fiscal Year 2025	Fiscal Year 2026
Violation of vacant building standards ¹²	Up to	\$300.00	\$500.00
Interference with fire control device ¹³	Up to	\$750.00	\$750.00
Swimming pool barrier violation ^{14,18}	Up to/per week	\$100.00	\$100.00
Building relocation violation ¹⁵	Not less than	\$1,000.00	\$1,000.00
Failure to comply with stop work order ¹⁶	Up to	\$1,000.00	\$1,000.00
Any violation of Title 15 for which a specific penalty has not been expressly provided ¹⁷	Up to	\$1,000.00	\$1,000.00

¹ Ord. #1935, adopted 2004, Ord. #1758, adopted 1994, and Ord. #1591, adopted 1986.

² Ord. #1503, adopted 1981, and Ord. #1028, adopted 1964.

³ Ord. #1980, adopted 2008.

⁴ Ord. #1528, adopted 1982.

⁵ Ord. #1533, adopted 1982.

⁶ Ord. #1953, adopted 2005.

⁷ Ord. #1503, adopted 1981, and Ord. #995, adopted 1963.

⁸ Ord. #1980, adopted 2008.

⁹ Ord. #1955, adopted 2005, Ord. #2092 adopted 2015.

¹⁰ All MMC violations are additionally subject to Code Enforcement abatement fee, additional state and county assessments, and general penalty for third or subsequent violations.

¹¹ Ord. #1998, adopted 2009, Ord. #1758, adopted 1994, and Ord. #1659, adopted 1989.

¹² Ord. #1464, adopted 1980.

¹³ Ord. #1515, adopted 1982.

¹⁴ Ord. #1430, adopted 1979.

¹⁵ Ord. #1952, adopted 2005.

¹⁶ Ord. #1881, adopted 2000.

¹⁷ Ord. #2011, adopted 2010.

¹⁸ Each week that this violation exists is a separate offense.

VIOLATIONS OF THE MUNICIPAL CODE *continued*

Motor Vehicle Fuel Tax Penalties¹	Fiscal Year 2025	Fiscal year 2026
Failure to secure motor vehicle fuel sales permit	200% penalty on tax owed + \$250.00	200% penalty on tax owed + \$250.00
Failure to file monthly motor vehicle fuel sales report	10% penalty on tax owed + \$50.00	10% penalty on tax owed + \$50.00
Late payment of motor vehicle fuel sales tax (depending upon length of delinquency)	1% or 10% of tax	5% of gross revenue

Specialty Code Penalties		Fiscal Year 2025	Fiscal Year 2026
Violation of various Specialty Codes: building, plumbing, mechanical and electrical ²	Up to/per week	\$1,000.00	\$1,000.00
	Maximum	\$5,000.00	\$5,000.00
Appeal of Specialty Code violation ³	Up to	\$200.00	\$200.00

¹ Ord. #1970, adopted 2007.² Ord. #1814, adopted 1997, and Ord. #2011, adopted 2010.³ Ord. #2011, adopted 2010.

VIOLATIONS OF THE MUNICIPAL CODE *continued*

Engineering Penalties		Fiscal Year 2025	Fiscal Year 2026
Violation of capital improvement regulations ¹	Up to	\$500.00	\$500.00
Basketball hoop regulation violation ²	Up to	\$250.00	\$250.00
Vegetation too low in the right-of-way ³	Up to	\$100.00	\$100.00
Clear vision violation ⁴	Up to	\$250.00	\$250.00
Failure to repair sidewalk ⁵	Up to	\$250.00	\$250.00
Sidewalk bench violation ⁶	Up to	\$100.00	\$100.00
Failure to remove street bench after permit termination ⁷		\$25.00	\$25.00
Flood hazard violation ⁸	Up to	\$1,000.00	\$1,000.00
Access management violation ⁹	Up to	\$250.00	\$250.00
Right-of-way encroachment ¹⁰	Up to	\$250.00	\$250.00
Erosion control violation ¹¹	Up to	\$300.00	\$300.00
Unpermitted tree cutting in the public right-of-way ¹²		\$1,000.00	\$1,000.00

¹ Ord. #1707, adopted 1991.² Ord. #1503, adopted 1981, and Ord. #1405, adopted 1978.³ Ord. #1999, adopted 2009.⁴ Ord. #1679, adopted 1990.⁵ Ord. #1697, adopted 1991.⁶ Ord. #1503, adopted 1981, and Ord. #1289, adopted 1974.⁷ Ord. #1289, adopted 1974.⁸ Ord. #1983, adopted 2008, and Ord. #1899, adopted 2002.⁹ Ord. #2004 adopted 2009.¹⁰ Ord. #2004 adopted 2009, and Ord. #1866 adopted 2000.¹¹ Ord. #1899 adopted 2002.¹² (Title 16) Ord. #1836, adopted 1998.

VIOLATIONS OF THE MUNICIPAL CODE *continued*

Police Penalties		Fiscal Year 2025	Fiscal Year 2026
Weapon discharge violation ¹	Up to	\$750.00	\$750.00
Public consumption of alcohol ²	Up to	\$250.00	\$250.00
Failure to pay Fire and Emergency Services Fee ³	Up to	\$300.00	\$300.00
Security Alarm Violation ⁴	Maximum	\$500.00	\$500.00
Traffic violation penalty ⁵	At least 50% of maximum under Oregon Statute		

Planning Penalties		Fiscal Year 2025	Fiscal Year 2026
Violation of Sign Ordinance ⁶	Up to	\$100.00	\$100.00
Violation of land Division Ordinance ⁷		\$200.00	\$200.00
Violation of Zoning Ordinance ⁸	Up to	\$200.00	\$200.00

Utility Penalties		Fiscal Year 2025	Fiscal Year 2026
Low-income utility rate violation ⁹	Up to	\$200.00	\$200.00
Water, wastewater, or storm system regulation violation ¹⁰		\$25.00 - \$500.00	\$25.00 - \$500.00
Sewer violation ¹¹	Maximum	\$500.00	\$500.00
Fats, oils, and grease violation ¹²	Maximum	\$500.00	\$500.00

Business Registration Penalties		Fiscal Year 2025	Fiscal Year 2026
Violation of business registration requirements ¹³	Up to	\$200.00	\$200.00
Violation of "Milwaukie Junk Dealers, Secondhand Dealers, Pawnbrokers and Transient Merchants Ordinance" ¹⁴	Up to	\$300.00	\$300.00

¹ Ord. #1515, adopted 1982.² Ord. #1746, adopted 1993.³ Ord. #1767, adopted 1994, and Ord. #1764, adopted 1994.⁴ Ord. #1568, adopted 1984.⁵ Ord. #1922, adopted 2003.⁶ Ord. #1965, adopted 2006, and Ord. #1733, adopted 1993.⁷ Ord. #1907, adopted 2002.⁸ Ord. #2025, adopted 2011.⁹ Ord. #1424, adopted 1979.¹⁰ Ord. #1418, adopted 1978, Ord. #1548, adopted 1986 and Ord. #1755, adopted 1994.¹¹ Ord. #1548, adopted 1983.¹² Ord. #1990, adopted 2008, Ord. #1985, adopted 2008, and Ord. #1972, adopted 2007.¹³ Ord. #1863, adopted 1999, and Ord. #1349, adopted 1976.¹⁴ Ord. #1552, adopted 1983.

17. SOLID WASTE RATES

Weekly collection includes recycling and yard debris service. Recycling carts and bins and yard debris carts must be placed at the curb.

Uniform Monthly Residential Rates:	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
20-gallon can (mini-can): 1 can/cart (1 time/week) <i>Weekly collection includes recycling and yard debris service</i>	\$34.72	\$34.72
32/35-gallon can/cart: 1 can/cart (1 time/week) 2 cans/cart (1 time/week) Each additional can/cart Extra can of garbage (occasional)* Extra can of yard debris (occasional) Court apartments – recycling only (1 time/week) <i>Maximum weight for a 20 or 32 gal. can/cart is 60lbs. Additional stops per week are charged at 100% of the first stop per week rate.</i>	\$40.43 \$80.86 \$40.43 \$7.30 \$4.85 \$32.00	\$40.43 \$80.86 \$40.43 \$7.30 \$4.85 \$32.00
Roller carts: 60-gallon cart (1 time/week) 90-gallon cart (1 time/week) Extra can of yard debris (occasional) Redelivery charge (redelivery within one year, regardless of reason) <i>Additional stops per week are charged at 125% of the first stop per week rate. Maximum weight for 60 gal. cart is 100lbs and for 90 gal. cart is 120lbs.</i>	\$52.72 \$62.68 \$4.85 \$10.00	\$52.72 \$62.68 \$4.85 \$10.00
Monthly and On Call service: Monthly On call <i>Monthly service includes recycling but not yard debris service. Monthly and on call customers must subscribe for one year in advance for yard debris service. On call customers must provide hauler with 24 hours' notice.</i>	\$20.10 \$20.90	\$20.10 \$20.90

SOLID WASTE RATES *continued*

Weekly collection includes recycling and yard debris service. Recycling carts and bins and yard debris carts must be placed at the curb.

Uniform Monthly Commercial Rates	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
32-gallon can/cart: 1 can/cart (1 time/week) 2 cans/cart (1 time/week) Each additional can/cart Extra can of garbage (occasional)* <i>Additional stops per week are charged at 100% of the first stop per week rate.</i>	\$34.72 \$68.30 \$28.60 \$5.90	\$34.72 \$68.30 \$28.60 \$5.90
Roller carts: 60-gallon cart (1 time/week) 90-gallon cart (1 time/week) Redelivery charge (redelivery within one year, regardless of reason) <i>Additional stops per week are charged at 125% of the first stop per week rate.</i>	\$48.10 \$54.00 \$10.00	\$48.10 \$54.00 \$10.00
Compacted Containers: 2.2 times the loose container rate <i>Containers weighing in excess of 500 lbs. per cubic yard will be charged this rate plus disposal for the excess weight.</i> <i>Compactors furnished by the customers shall be compatible with the equipment of the collector. If the collector agrees to furnish the compactor, the collector may charge a reasonable rental rate based on the value of the compactor and the cost of repair and maintenance.</i>		

SOLID WASTE RATES *continued*

Uniform Monthly Drop Box Rates	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Loose material: 10/20 yards 30 yards 40 yards	\$177.00 \$187.00 \$197.00	\$177.00 \$187.00 \$197.00
Lidded/Specialized box that cannot be exchanged: 10/20 yards <i>*Plus disposal costs</i> <i>An additional \$45.00 per drop box may be charged for one-stop service (plus disposal costs).</i> <i>Deposits of no more than \$500.00 may be charged for each drop box.</i>	\$177.00	\$177.00
Compacted material: Under 25 cubic yards 26-34 cubic yards 34+ cubic yards <i>*Plus disposal costs</i> <i>Rental rate for permanent boxes hauled at least weekly is \$50.00 per month. Rental rate for occasional boxes after 48 hours on location is \$6.30 per day or \$63.00 a month, whichever is less, if less than one load per week is hauled. Monthly Equipment Fee of \$20.00 for Lidded/Specialty Drop Boxes. Mileage charge of \$4.70 per mile (over 18 miles round-trip from shop or Metro South). Deadhead round trip for boxes that cannot be exchanged: \$25.00.</i>	\$177.00 \$216.00 \$245.00	\$177.00 \$216.00 \$245.00
Special Wastes delivered to an appropriately permitted landfill 10/20 yards 30 yards <i>*Plus disposal, monthly rental, mileage and monthly specialty drop box fees.</i>	\$192.00 \$209.00	\$192.00 \$209.00

SOLID WASTE RATES *continued*

Uniform Rates for Misc. Services – Commercial and Residential	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Hourly fee:		
Truck + 1 person	\$95.00	\$95.00
Truck + 2 people	\$140.00	\$140.00
Other Miscellaneous:		
Furniture and recyclable appliance pick-up	\$6.00 to \$31.00	\$6.00 to \$31.00
Tire pick-up (off rim)	\$4.00**	\$4.00**
Tire pick-up (on rim)	\$7.00**	\$7.00**
Over 18 inches	Special handling rate	
<i>*Plus \$30.00 freon removal charge</i>		
<i>**Plus disposal</i>		
Clean-up Containers:		
1 st collection	33% of regular container rate + \$17.25 handling charge	33% of regular container rate + \$17.25 handling charge
Each additional collection	33% of regular container rate	33% of Regular Container Rate
Rent of container after 5 working days (M-F) with no collection:		
1-2 yards	\$4.00/day	\$4.00/day
3 yards	\$6.00/day	\$6.00/day
4 yards	\$7.00/day	\$7.00/day
<i>Rent not to exceed \$20.00 per container in a 30-day period.</i>		

Non-Customer Services	Fiscal Year 2025 Fee	Fiscal Year 2026 Fee
Recycling only:		
Weekly curbside collection of recyclables	\$8.15	\$8.15
Yard debris subscription service annual rate must be paid in full in advance of service		
60-gallon cart	\$7.50	\$7.50
Extra can of yard debris	\$5.70	\$5.70
2 nd yard debris cart	\$4.10	
<i>Monthly rates are for weekly service.</i>		
<i>This service is provided only within the Urban Growth Boundary.</i>		
<i>The subscriber is required to pay for one year of service in advance.</i>		

SOLID WASTE RATES *continued***ANY OTHER TYPE OF SERVICE**

If due to changes in technology or needs of residents and businesspeople of Milwaukie, additional or other types of services are needed, the charge for the service shall not be discriminatory, shall be reasonable by being commensurate with the fees above, and shall not exceed the fees most generally applicable in the Portland Metropolitan area.

Commercial container fees as of September 1, 2024, and effective through June 30, 2026. Fees include garbage and recycling services. Collector shall furnish the container. Overweight charge for containers over 300 lbs. per cubic yard determined through mutual agreement between hauler and customer. Container cleaning, if required more than twice in 12 months, will be charged the actual cost of cleaning.

Container Size	Stops per Week					
	1	2	3	4	5	6
1 yard	\$ 122.89	\$ 238.02	\$ 353.17	\$ 468.29	\$ 583.45	\$ 698.58
Add'l Cont.	108.45	210.79	311.71	415.48	516.40	619.36
1-1/3 yard	154.42	301.13	447.81	594.50	741.20	887.90
Add'l Cont.	136.26	267.40	397.52	528.25	658.38	787.82
1-1/2 yard	166.34	324.94	483.55	642.11	800.72	959.29
Add'l Cont.	148.19	288.95	430.24	570.73	714.89	854.78
2 yard	213.14	418.52	623.93	829.34	1,034.75	1,240.14
Add'l Cont.	190.04	374.25	557.68	738.77	927.23	1,108.88
3 yard	296.70	580.93	865.17	1,149.43	1,433.70	1,717.92
Add'l Cont.	265.76	521.60	778.08	1,036.64	1,291.55	1,543.14
4 yard	382.40	752.40	1,122.37	1,492.34	1,862.31	2,232.30
Add'l Cont.	344.86	678.62	1,011.51	1,341.80	1,678.66	2,011.84
5 yard	465.80	917.98	1,370.17	1,822.31	2,274.53	2,726.68
Add'l Cont.	441.05	869.19	1,295.18	1,722.82	2,153.46	2,586.63
6 yard	542.11	1,070.61	1,599.09	2,127.59	2,656.09	3,184.60
Add'l Cont.	513.64	1,015.80	1,511.66	2,014.05	2,516.05	3,011.88
8 yard	682.99	1,352.34	2,021.71	2,691.08	3,360.45	4,029.81
Add'l Cont.	649.98	1,286.99	1,924.23	2,559.47	3,187.73	3,828.93

SOLID WASTE RATES *continued*

Commercial container fees as of September 1, 2024, and effective through June 30, 2026. Fees include garbage and recycling services. Collector shall furnish the container. Overweight charge for containers over 300 lbs. per cubic yard determined through mutual agreement between hauler and customer. Container cleaning, if required more than twice in 12 months, will be charged the actual cost of cleaning.

Commercial Recycling for Drop Box and Roll Off Compactor Customers					
Stops/Week	1	2	3	4	5
1 to 4 yards	\$ 69.00	\$ 137.00	\$ 206.00	\$ 275.00	\$ 343.00
5 to 8 yards	95.00	191.00	285.00	380.00	475.00
Multi-Family Recycling for Roll Off Compactor Customers					
Rate per Unit	\$ 3.15				

SOLID WASTE RATES *continued*

Bio-Medical Services Fees	Fiscal Year 2025 & 2026 Fee	
Number of units:	Tub Rates per gallon	
	20/21	35/48
1	\$81.45	\$83.25
2	\$61.85	\$63.50
3	\$54.30	\$56.00
4	\$49.35	\$51.00
5	\$46.35	\$48.00
6	\$44.35	\$46.00
7	\$41.85	\$43.50
8	\$40.40	\$42.00
9	\$37.35	\$39.00
10	\$35.85	\$37.50
11	\$34.75	\$36.50
12	\$33.25	\$35.00
13	\$32.75	\$34.50
14	\$32.00	\$33.75
15	\$31.25	\$33.00
16	\$26.30	\$28.00
17	\$26.30	\$28.00
18	\$26.30	\$28.00
19	\$26.30	\$28.00
20	\$26.30	\$28.00
60	\$17.90	\$18.75
75	\$17.45	\$18.05
90	\$12.80	\$13.10



City of Milwaukie
10501 SE Main Street
Milwaukie, OR 97222

503.786.7555

milwaukieoregon.gov/finance



OCR USE ONLY

To: Mayor and City Council
Emma Sagor, City Manager

Date Written: Mar. 19, 2025

From: Brent Husher, Library Director

Subject: **Library Fine Free Policy**

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

In FY24, Council approved a change in the fee schedule that reduced the daily overdue rate (and maximum per item rate) of books and other materials in the adult library collection from \$.25 to \$.10 (maximum from \$3.00 to \$1.00). This brought the rates in line with materials in the children's collection, as well as that of most other libraries in Clackamas County.

On [June 10, 2024](#), the Library Advisory Board approved a new [Strategic Plan 2024-2024](#). In priority 1, *Improving Library Services at the Point of Need*, the plan specifically calls for Milwaukie's Ledding Library to eliminate daily overdue fines by FY26.

On [June 18, 2024](#), City Council discussed the new strategic plan, including eliminating daily overdue fines. Council expressed support for easing fee burdens on community members.

ANALYSIS

Through the FY 25-26 biennial budgeting process, the Finance Team reduced anticipated library revenues from library fines. As of February 2025, the library deposited over \$13,000, which covers the full biennium fine revenue of \$10,000.

The proposed revised FY26 fee schedule would eliminate daily overdue fines for FY26. Library materials not returned will continue to be billed to library users at replacement cost. Damaged materials will also be billed at replacement cost.

This change makes Milwaukie the first city to fully implement this change in Clackamas County, although it is expected that other cities will follow in the coming years. This fine-free approach aligns with libraries in Multnomah County, Washington County and Clark County in Washington state.

From: [Lisa Batey](#)
To: [City Council](#)
Subject: FW: Tree code and fee questions
Date: Friday, April 25, 2025 10:33:59 AM

Scott – for the record

From: stephen erving <scerving@gmail.com>
Sent: Thursday, April 24, 2025 2:14 PM
To: Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>
Subject: Tree code and fee questions

This Message originated outside your organization.

Good afternoon,

I am writing to inquire to gain some insight and information on how the City of Milwaukie determined the fees for tree removal on private property. In surveying all surrounding communities with tree removal codes it appears that Milwaukie has imposed the most expensive and punitive fees in the Portland metro area and I want to know how this came to be.

Milwaukie is historically one of the lower socioeconomic cities in the metro area with the lowest median income in the metro area - \$76,780 median income as compared to \$88,792 in Portland, \$120,324 in Happy Valley, \$100,360 in Clackamas, \$94,721 in Oregon City, \$127,252 in Lake Oswego and \$124,098 in West Linn.

That being the case, it is unconscionable that the fees for a property owner to remove a tree from their own property are higher in Milwaukie than they are in Lake Oswego, one of the wealthiest communities in the state. The fact that the Milwaukie tree code would impose a fee of over \$10,000 to remove a tree is predatory. This inequity appears to be deliberate and is an attempt to stifle the rights of property owners in Milwaukie to manage and maintain their properties. This appears to be a policy that is inequitable when compared to others in the area and I want to know what steps the council will be taking to ensure that the residents of Milwaukie are not being harmed by policies that appear to favor the very wealthy in the community or are part of some utopian ideal of former commissioners that is not based in reality.

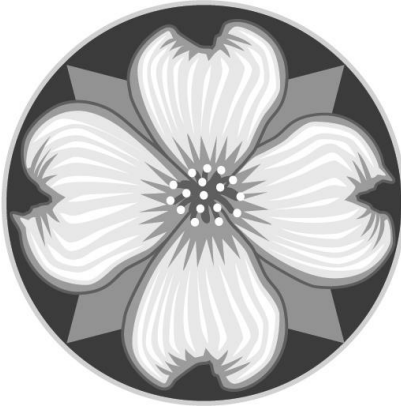
Recently, the City of Portland has changed their tree permitting processes and fees as

they found that they have become far too rigid and expensive - which has led to property damage, personal injury, and multi-million dollar lawsuit settlements to aggrieved property owners. If the City of Milwaukie does not make significant changes to the fee structure of the tree removal program it is only a matter of time before there will be a lawsuit that will result in millions of dollars being paid by the city.

I look forward to receiving the information I requested on how these fees were established. I also hope this email perhaps inspires at least one of you to decide to work for the people you represent and do a survey of surrounding communities and start the process of changing the unfair policies in Milwaukie to align with those of other, surrounding cities that have been doing this for longer.

Respectfully,

Stephen Erving



RS Agenda Item

9

Council Reports

From: [Lisa Batey](#)
To: [City Council](#)
Subject: FW: Brainstorming on affordable housing
Date: Friday, April 18, 2025 1:13:52 PM

RS 9. B. 5/6/25
Reports - Mayor Batey

Scott – please add these to the record for our next meeting. Thanks!

From: ITG Torres-Garner <contactitgc@gmail.com>
Sent: Friday, April 18, 2025 12:06 PM
To: Adam Khosroabadi <KhosroabadiA@milwaukieoregon.gov>; Robert Massey <MasseyR@milwaukieoregon.gov>; William Anderson <AndersonW@milwaukieoregon.gov>; Rebecca Stavenjord <StavenjordR@milwaukieoregon.gov>; Lisa Batey <BateyL@milwaukieoregon.gov>
Subject: Re: Brainstorming on affordable housing

This Message originated outside your organization.

My apologies.

A quick caveat to my last email.

I am in the process of selling my prototypes. If anyone is available for an in person walkthrough prior to selling them, I would be happy to host you at my NW Flex industrial space on SE Main street. It could be helpful to get some eyeballs on them to imagine these units as a possible solution. I can make this happen at your convenience. Thanks again for taking the time.

On Fri, Apr 18, 2025 at 12:01 PM ITG Torres-Garner <contactitgc@gmail.com> wrote:

Hello Mayor and Council,

Thank you for taking the time to read this email.

I was present via zoom for the last work and regular sessions.

It was clear to me that affordable housing and a lack of housing are a priority to this council. Thank you.

It is clear that this is an issue and that city council is taking it seriously.

A few things came up for me.

Sparrow site:

Please correct me if I'm wrong, but my understanding is that the city intends to use the CT (?) funds to aid in the development of the site.

And then wait for a developer to bid and build on the site. It seems to me that this would be a lengthy process and time is critical.

While Mark Gamba was mayor, we started to brainstorm on an idea that is now a continued conversation with Councilor Khosroabadi.

And that was to partially develop city properties and furnish them with mobile tiny rooms/homes.

This concept allows for people to get into affordable housing sooner, start building the community, and preparing the greater community for its presence. It can act as a sort of testing ground. It can be done for far less than full development.

In the meantime, bids, permits, and planning can take place. Again, a multi year process.

Then, once the site is ready for development, we move the mobile units to the next site.

My company develops these 'code compliant' and 'building standard conforming' units.

I don't intend to jump the line. I recognize that there are RFA's/RFP's in place for any city funded building project. I am just one of the many options.

Additional Housing/Supporting our Fixed Income Home Owners:

Another concept that has been developed with Councilor Khosroabadi and myself.

This concept would make these same mobile units available for grant-funded purchase by fixed income home owners to place in their driveways as a rentable unit.

We would need to team up with a non-profit management company to run this program.

This concept would allow for fixed income homeowners to make some much needed extra money as well as provide additional affordable housing for individuals looking for a small footprint option to living comfortably.

This concept would require some sewer connection development, but would be a much quicker option for individuals than waiting for full on developments to be built. Its a win/win situation.

In addition to the sewer connection development, we would need electrical and water connections. My units have been developed in a way to take advantage of existing dedicated circuits and water connections at the house. No other development of city systems would be needed.

I believe that both of these concepts are very achievable, affordable, and can be executed with the urgency that our current situation needs.

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Illya deTorres

General Contractor

ITG Construction

CCB#207897

info@itgconstructionpdx.com

(503) 593-3441

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CCB#207897

info@itgconstructionpdx.com

(503) 593-3441