

accurate.

Submitted by:

#### MILWAUKIE PLANNING

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

# Application for Land Use Action

Master File #: <u>ADU-2019-003</u>

Review type\*: □ | ■ | □ | | □ | | □ | | V □ | V CHECK ALL APPLICATION TYPES ☐ Land Division: ☐ Planned Development THAT APPLY: ☐ Final Plat Residential Dwelling: □ Lot Consolidation ☐ Amendment to Maps and/or Accessory Dwelling Unit Ordinances: ☐ Comprehensive Plan Text Amendment □ Partition ☐ Comprehensive Plan Map ☐ Property Line Adjustment ■ Manufactured Dwelling Park Amendment ☐ Zoning Text Amendment □ Replat ☐ Temporary Dwelling Unit ☐ Zoning Map Amendment ■ Subdivision ☐ Sign Review ☐ Miscellaneous: □ Code Interpretation ☐ Transportation Facilities Review □ Community Service Use ■ Barbed Wire Fencing ■ Variance: □ Conditional Use ☐ Bee Colony ☐ Use Exception ☐ Development Review ☐ Mixed Use Overlay Review ■ Variance ☐ Director Determination ☐ Modification to Existing Approval ☐ Willamette Greenway Review □ Downtown Design Review □ Natural Resource Review Other: ■ Nonconforming Use Alteration Use separate application forms for: ☐ Extension to Expiring Approval ☐ Historic Resource: □ Parking: Annexation and/or Boundary Change Compensation for Reduction in Property □ Alteration Quantity Determination □ Demolition Quantity Modification Value (Measure 37) ■ Status Designation ☐ Shared Parking Daily Display Sign ☐ Status Deletion ☐ Structured Parking Appeal **RESPONSIBLE PARTIES: APPLICANT** (owner or other eligible applicant—see reverse): TACOMA Mailing address: Phone(s): 208 APPLICANT'S REPRESENTATIVE (if different than above): SAMA O Mailing address: Zip: Phone(s): Email: SITE INFORMATION: MILWAUKIEUK SE BOSS Size of property: Comprehensive Plan Designation: Zoning: PROPOSAL (describe briefly): accessory dwelling unit with a 200 sq patco 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. If required, I have attached written authorization to submit this application. To

IMPORTANT INFORMATION ON REVERSE SIDE

the best of my knowledge, the information provided within this application package is complete and

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

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

Type V applications may be initiated by any individual.

#### PREAPPLICATION CONFERENCE:

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

#### **REVIEW TYPES:**

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

• Type I: Section 19.1004

• Type II: Section 19.1005

• Type III: Section 19.1006

• Type IV: Section 19.1007

• Type V: Section 19.1008

#### THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	FEE AMOUNT*	PERCENT DISCOUNT	DISCOUNT TYPE	DEPOSIT AMOUNT	DATE STAMP
Master file	404-2019-003	\$ 1,000			\$	
Concurrent application files		\$		*	\$	RECEIVED
		\$			\$	MAR 2 9 2019
		\$			\$	CITY OF MILWAUKIE
		\$			\$	LANNING DEPARTMENT
SUBTOTALS \$ 1,000		\$ 1,000		,	\$	
TOTAL AMOU	NT RECEIVED: \$		RECEIPT #:			RCD BY:

Associated application file #s	(appeals	modifications.	previous	approvals.	etc ):	
Associated application file #s	(appeais,	modifications,	DIC VICUS	approvais,	010./.	ŕ

Neighborhood District Association(s):	Lake Road	

*After	discount	(if	any	)

Notes:



MILWAUKIE PLANNING
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Milwaukie OR 97206
503-786-7630
planning@milwaukieoregon.gov

# Submittal Requirements

For all Land Use Applications (except Annexations and Development Review)

All land use applications must be accompanied by a <u>signed</u> copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the proposal to allow for adequate review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or <u>planning@milwaukieoregon.gov</u> for assistance with Milwaukie's land use application requirements.

- All required land use application forms and fees, including any deposits.
   Applications without the required application forms and fees will not be accepted.
- 2. **Proof of ownership or eligibility to initiate application** per MMC Subsection 19.1001.6.A. Where written authorization is required, applications without written authorization will not be accepted.
- 3. **Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.

Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, 3-D models, photo simulations, etc. Where subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary onsite "story pole" installations, and photographic representations thereof, may be required at the time of application submittal or prior to the public hearing.

- 4. Detailed statement that demonstrates how the proposal meets the following:
  - A. All applicable <u>development standards</u> (listed below):
    - 1. Base zone standards in Chapter 19.300.
    - 2. Overlay zone standards in Chapter 19.400.
    - 3. **Supplementary development regulations** in Chapter 19.500.
    - 4. Off-street parking and loading standards and requirements in Chapter 19.600.
    - 5. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.
  - B. All applicable application-specific approval criteria (check with staff).

These standards can be found in the MMC, here: <a href="www.qcode.us/codes/milwaukie/">www.qcode.us/codes/milwaukie/</a>

- 5. Site plan(s), preliminary plat, or final plat as appropriate.
  - See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.
- 6. Copy of valid preapplication conference report, when a conference was required.

#### **APPLICATION PREPARATION REQUIREMENTS:**

- Five hard copies of all application materials are required at the time of submittal. Staff will determine how many additional hard copies are required, if any, once the application has been reviewed for completeness. Provide an electronic version, if available.
- All hard copy application materials larger than  $8\frac{1}{2}$  x 11 in. must be folded and be able to fit into a 10- x 13-in. or 12- x 16-in. mailing envelope.
- All hard copy application materials must be collated, including large format plans or graphics.

#### **ADDITIONAL INFORMATION:**

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: <a href="https://www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association">www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association</a>.
- By submitting the application, the applicant agrees that City of Milwaukie employees, and appointed or elected City Officials, have authority to enter the project site for the purpose of inspecting project site conditions and gathering information related specifically to the project site.
- Submittal of a full or partial electronic copy of all application materials is strongly encouraged.

As the authorized applicant I, (print name), attest that all requapplication materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds a determination that the application is incomplete per MMC Subsection 19.1003.3 and Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is deer incomplete.	l s for
Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will required to post signs on the site for a specified period of time. I also understand that I will be required the City with an affidavit of posting prior to issuance of any decision on this application Applicant Signature:	uired
Official Use Only	
Date Received (date stamp below):	

MAR 2 9 2019

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CITY OF MILWAUKIE PLANNING DEPARTMENT

Received by:			
Received by:	D :	la	
	Received	DV.	



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

MAR 29 2019

CITY OF MILWAUKIE Accessory
PLANNING DEPARTMENT Accessory
Dwelling Units:
Detached

This handout summarizes the accessory dwelling unit (ADU) regulations for residential properties in the City of Milwaukie. Please refer to Milwaukie Municipal Code (MMC) Subsection 19.910.1. ADUs are allowed in all residential zones except the Downtown Residential Zone. ADUs must follow all of the zoning requirements of the residential zone they are located in, as well as the additional requirements in MMC Subsection 19.910.1.

### **Definition of Accessory Dwelling Unit (ADU)**

- An "accessory dwelling unit" is a second dwelling unit on a lot with a single-family detached dwelling. An ADU is incidental to, and smaller than, the main dwelling unit. An ADU can either be part of the main structure, attached to the main structure, or detached.
- 2. The City has different regulations based on whether it is attached or not.
- 3. An "accessory dwelling unit" includes areas and equipment for sleeping, cooking, and sanitation (bathrooms and toilets). A structure without these areas and equipment is an "accessory structure," not an ADU, and is subject to the provisions of MMC Section 19.502 Accessory Structures.

#### Standards for All ADUs

- The primary use on the property must be a single-family detached house, and it must be used as a dwelling.
- 2. Either the primary or accessory dwelling must be owner-occupied; the owner must record this deed restriction with the County (i.e., the property owner must live in one of the dwellings).
- 3. One ADU is allowed per lot.
- 4. An ADU is limited to the lesser of 800 sq ft or 75% of the floor area of the main structure.
- 5. A new ADU requires a preapplication conference with City staff.

## Review and Approval of Detached ADUs

There are two review processes for ADUs, depending on the size of the unit.

Footprint, Height, and	Required Yards for Deta	ached Accessory Dwelling Units		
Level of Review Type I Type II				
<b>Maximum Structure Footprint</b>	600 sq ft	800 sq ft		
Maximum Structure Height	15', limited to 1 story	25', limited to 2 stories		
Required Side and Rear Yard	Base zone requirement for side and rear yard	5'		
Required Front Yard	10' behind front yard as defined in Section 19.201, unless located at least 40' from the front lot line.			
Required Street Side Yard	Base zone requirement for street side yard			

Accessory Dwelling Units: Detached

Page 2 of 5

Type I review is a staff-level review to ensure that the proposal meets all applicable codes and requirements. This is often called an "as-of-right" or "permitted outright" type of review. The review time and cost is less than what is required for a Type II review.

ADUs greater than the Type I review thresholds will be reviewed through a Type II review process. In addition to a staff-level review, to ensure that the proposal meets all relevant codes and requirements, this type of application requires a public posting on the site and notification to all properties within 300 ft of the subject property and a comment period. The final decision on the application is made by the Planning Director.

### **Development Standards for Detached ADUs**

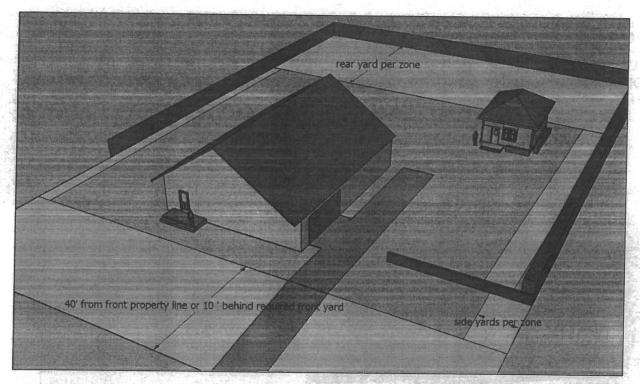
ADUs that are detached (a separate structure) from the primary residence must meet the development standards outlined in Table 1, below.

TARLE 1 DEVELOPMENT STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS

	Allowed by Co	ode	Subject Property		Comments
Requirement	Туре І	Type II	Requirements	Proposed	Staff Use Only
Maximum Lot Coverage			Lot coverage:	18.817.	And the second
and Minimum Landscaped Area See note 1	Same as base zone		Landscaped area:	65.96%	
Setbacks: Front Property Line		equired front om front lot line	RIO 20 FIMIN	100#	
Setbacks: Street Side Property Line	Same as	base zone	10 Ft MIN	NO STREET	
Setbacks:  Rear and Side Property Lines	Same as base zone	5' min.	5'MIN	5'MN	
Maximum Allowed Floor Area		75% of main ichever is less	800 sqf7	800 sq.ft	
Building Height (detached ADU) See note 2	15' 1-story max.	25' 2-story max.		13'	

<sup>1.</sup> See Zoning Worksheets for requirements.

<sup>2.</sup> See page 4 of this handout for how to measure building height.



## Required Design Elements for Detached ADUs

Detached ADUs must include at least 2 of the design details from Table 2, below. Yurts are allowed as detached ADUs and are exempt from this requirement, but they must meet all other ADU regulations and building codes (see MMC Subsection 19.910.4.b).

TABLE 2. DESIGN STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS

Requirement	Required by Code	Existing	Proposed	Comments Staff Use Only
Minimum roof pitch if floor- to-celling height is 9' or more See note 3	4" rise for every 12" of run (4/12 pitch)	N/A	4/12	
Privacy standard (for walls within 20' of adjacent residential property line)	All windows placed on upper 1/3 of wall, OR 6' visual screening	N/A	NOWINDOWS ON PROP. SIDE	
All detached ADUs shall includ	le at least 2 of the following	ng (check at lea	ast 2):	
Covered porch	5 min. depth	N/A	a postantant	
Recessed entry	2' min. from exterior wall to door	N/A		
Roof eaves	12" min. projection	-N/A	/	
Horizontal lap siding	Siding between 3" and 7" wide	N/A		
Window trim at all windows	3" wide and 5/8" deep	N/A	<b>✓</b>	

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MAR 2 9 2019

Accessory Dwelling Unit

Milwaukie, OR 97222

## PROJECT DESCRIPTION

New 800 sq. ft. accessory dwelling unit with a 200 sq. ft. patio.

## **OWNER**

ARLEN AND LINDLEY BYNUM LINDLEYBYNUM@GMAIL.COM (208) 697-1775

## SITE AND BUILDING INFORMATION

MAIN UNIT (NEW) 800 sq.ft. PATIO (NEW) 200 sq. ft.

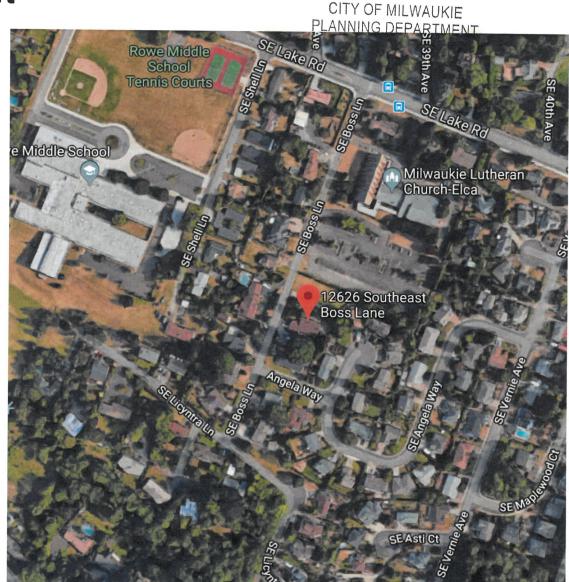
**NEW FOOTPRINT** 1,000 sq. ft. **EXISTING MAIN DWELLING FOOTPRINT** 1,545 sq. ft. **EXISTING GARAGE FOOTPRINT** 607 sq. ft. **TOTAL FOOTPRINT** 3,152 sq.ft. LOT AREA 16,749 sq. ft. LOT COVERAGE 18.81% **VEGETATION** 11,048 sq. ft = 65.96%

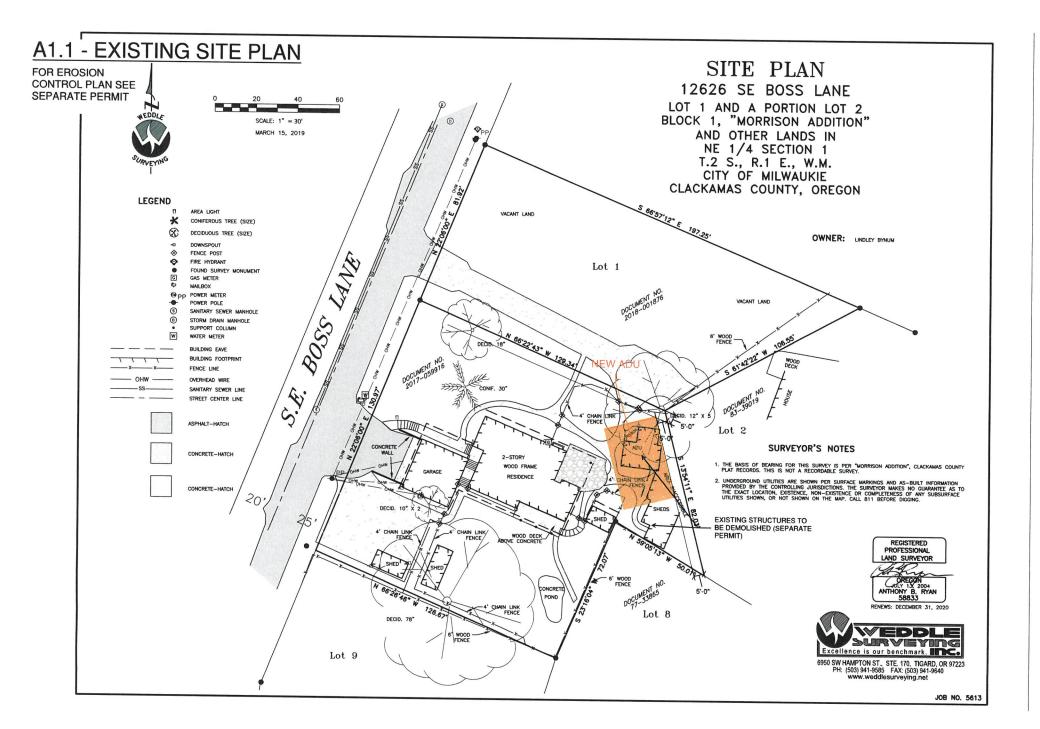
TAX #21E01AA01900 **ZONING R10** OVERLAY N/A

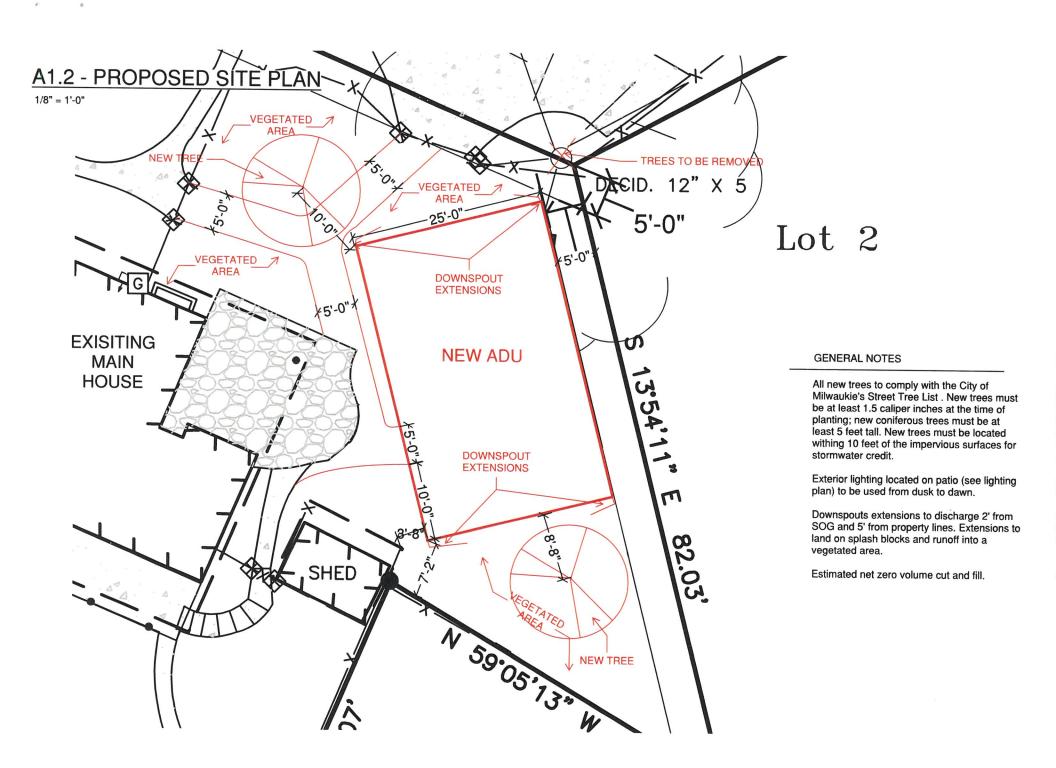
### SHEET INDEX

A1 1 - FXISTING SITE PLAN

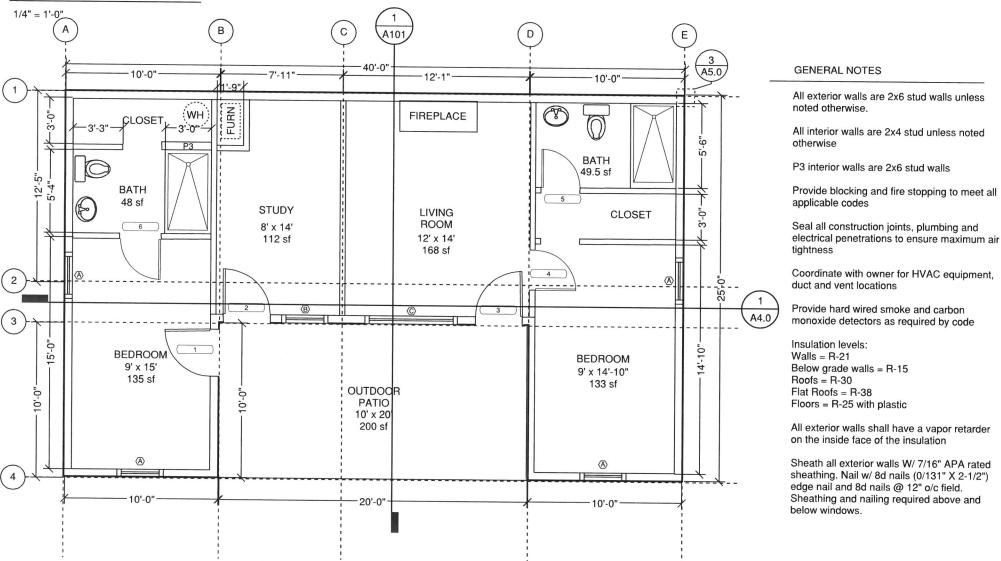
A1.1 - EXISTING SITE PLAN	A6.0 - ARCHITECTURAL DETAILS
A1.2 - PROPOSED SITRE PLAN	A7.0 - LIGHTING PLANS
A2.0 - FLOOR PLAN	S1.0 - STRUCTURAL FLOOR PLAN
A2.1 - ROOF PLAN AND SCHEDULES	S2.0 - STRUCTURAL ROOF PLAN
	S3.0 - STRUCTURAL DETAILS
	S3.1 - STRUCTURAL DETAILS
A4.0 - BUILDING SECTIONS	S3.2 - STRUCTURAL DETAILS



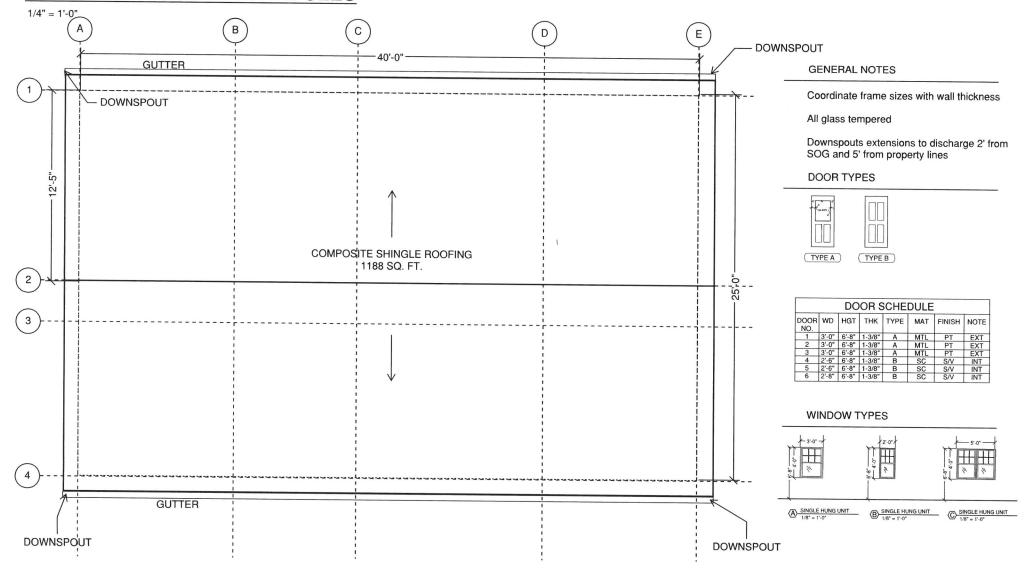




## A2.0 - FLOOR PLAN



# A2.1 - ROOF PLAN & SCHEDULES



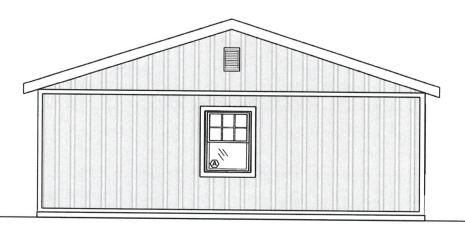
# A3.0 - EXTERIOR ELEVATIONS

1/4" = 1'-0"



#### WEST ELEVATION 1

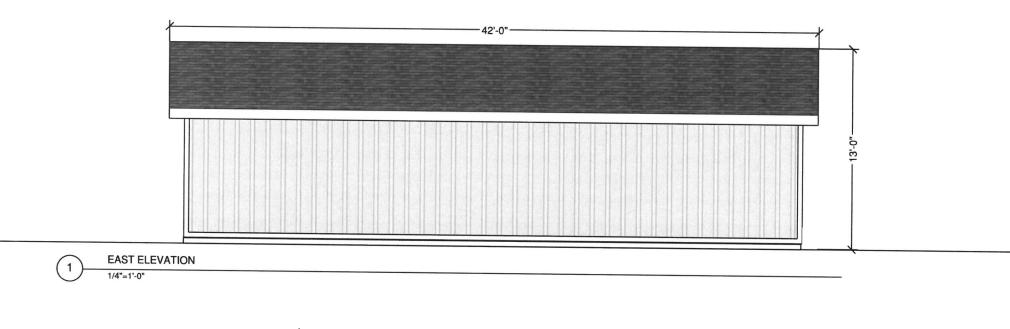
1/4"=1'-0"

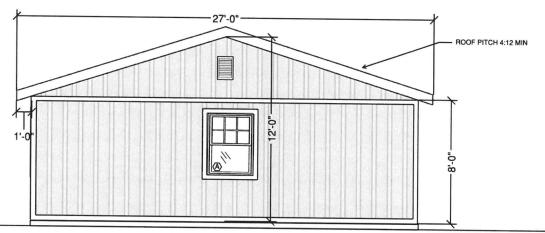


NORTH ELEVATION

2 1/4"=1'-0"

# **A3.1 - EXTERIOR ELEVATIONS**



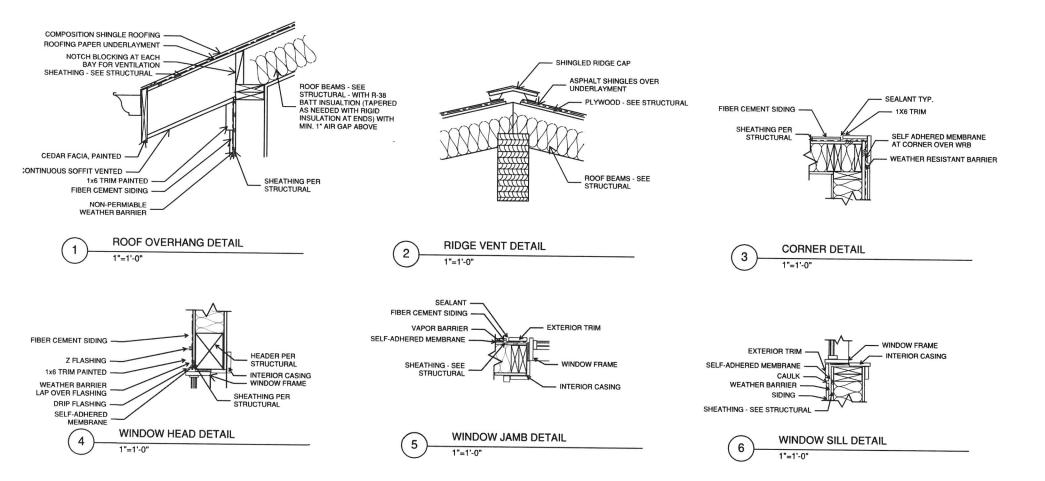


SOUTH ELEVATION

1/4"-1"

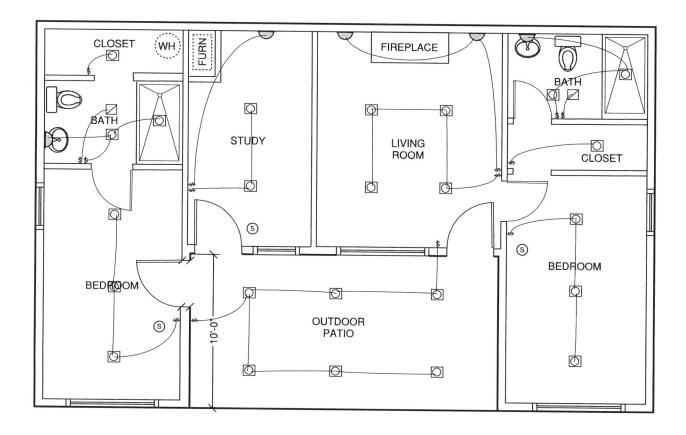
#### A4.0 - BUILDING SECTIONS **NEW ROOF ASSEMBLY** COMP. SHINGLE ROOFING **ROOFING PAPER** SHEATING 2x8 RAFTERS 42'-0" R-38 BATT INSULATION **NEW CEILING ASSEMBLY VAPOR BARRIER** WOOD CEILING JOISTS R-38 BATT INSULATION 5/8" GYPSUM BOARD TYPE A **BUILDING SECTION** 1/4"=1'-0" **NEW FLOOR ASSEMBLY** SLAB-ON-GRADE A5.0 R-38 RIGID INSULATION VAPOR BARRIER **COMPACTED ROCK** 2 A5.0 4 A5.0 **NEW WALL ASSEMBLY** COMPOSITE SIDING, PRIMED AND PAINTED WEATHER RESISTANT BARRIER SHEATHING PER STRUCTURAL 2x6 WOOD STUDS PER STRUCTURAL R-21 BATT INSULATION **VAPOR BARRIER GYPSUM BOARD BUILDING SECTION** 2 1/4"=1'-0"

## A5.0 - ARCHITECTURAL DETAILS



# A6.0 - LIGHTING PLANS

1/4" = 1'-0"



#### **GENERAL NOTES**

RECESSED DOWN-LIGHT

 ─ WALL SCONCE

- (\*) SURFACE MOUNTED FIXTURE
- S SMOKE / CARBON MONOXIDE DETECTOR
- ☑ RETURN

\$ WALL SWITCH

PROVIDE SMOKE AND CARBON MONOXIDE DETECTORS PER CODE, ALL DETECTORS TO BE HARD WIRED AND INTERCONNECTED

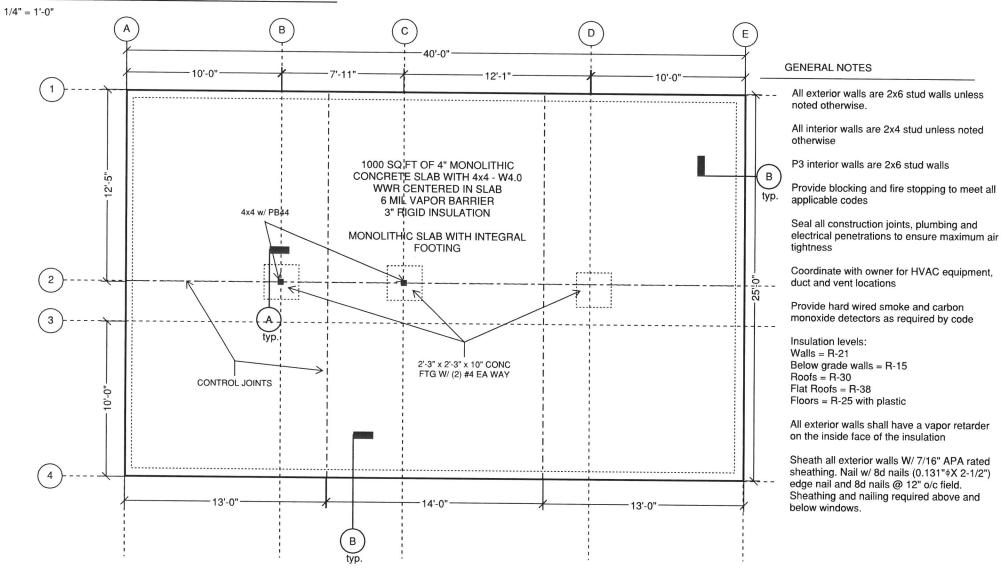
PROVIDE MECHANICAL VENTILATION IN FULL BATHROOMS PER ORSC, M1506.4

ALL EXTERIOR LIGHTS TO BE RATED FOR EXTERIOR USE

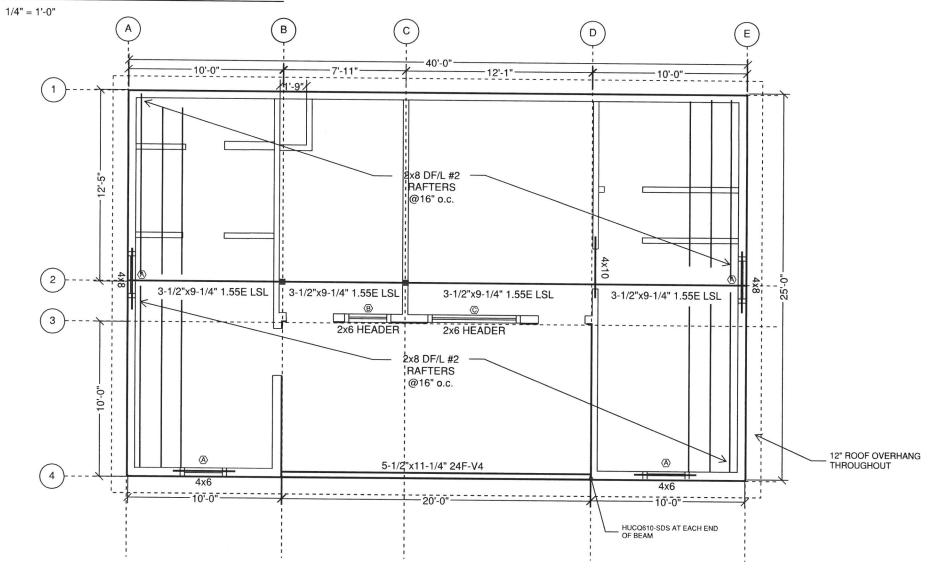
ALL EXTERIOR LIGHTS TO BE USED BETWEEN DUSK AND DAWN

ALL WET AREA LIGHTS TO BE RATED FOR WET AREA USE

## S1.0 - STRUCTURAL FLOOR PLAN



# S2.0 - ROOF FRAMING PLAN



# S3.0 - STRUCTURAL DETAILS

