



# CITY OF MILWAUKIE

## NOTICE OF PUBLIC HEARING

Date mailed: March 31, 2021

*Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email [espanol@milwaukieoregon.gov](mailto:espanol@milwaukieoregon.gov).*

You are receiving this notice because changes are proposed to land use regulations that are applicable to your property. The proposal requires a public hearing by the Milwaukie City Council and notice to affected property owners and neighborhood district associations. The proposal and information on how to respond to this notice are described below.

**The Milwaukie City Council will hold a public hearing on the proposal at a meeting beginning at 6:00 p.m. on Tuesday, April 20, 2021, at Milwaukie City Hall, 10722 SE Main Street.**

**Video Meeting: Due to the governor’s “Stay Home, Stay Healthy” order, the City Council will hold this meeting using the Zoom online platform. The public is invited to watch live on the city’s YouTube channel, Comcast Cable channel 30 in city limits, or by joining the Zoom webinar (visit <https://www.milwaukieoregon.gov/citycouncil/city-council-regular-session-298> for details).**

<b>File Number(s):</b>	ZA-2020-002
<b>Location:</b>	Approximately 250 properties throughout the city include areas that are formally identified as having some risk from flooding. <i>A map of the overall affected area is located on the last page of this notice.</i>
<b>Proposal:</b>	<p>Proposed amendments to Milwaukie Municipal Code (MMC) Title 18 (Flood Hazard Regulations):</p> <p><i>Amendments to MMC Title 18 were adopted by the City Council on March 2, 2021. The amendments were largely administrative in nature and were required by the Federal Emergency Management Agency to maintain the City’s eligibility for participation in the National Flood Insurance Program.</i></p> <p><i>The Oregon Department of Land Conservation and Development has informed City staff that two additional minor adjustments are required to maintain compliance with applicable federal standards. The changes are related to language that was in the original version of Title 18 but was removed from or changed in the amended version adopted by Council on March 2. The language to be restored addresses general standards for construction in flood hazard areas (MMC Section 18.20.040) — these are the only additional changes proposed:</i></p> <ul style="list-style-type: none"> <li>• <u>All new construction and substantial improvements must be constructed with materials and utility equipment resistant to flood damage.</u></li> <li>• <u>All new construction and substantial improvements must be constructed using methods and practices that minimize flood damage with flood resistant materials below the flood protection elevation.</u></li> </ul>
<b>Applicant:</b>	City of Milwaukie

<b>Staff contact:</b>	Brett Kelter, Associate Planner City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd, Milwaukie, OR 97206 Tel. 503-786-7657 Email kelterb@milwaukieoregon.gov
<b>Applicable Criteria:</b>	<ul style="list-style-type: none"> <li>• MMC Section 19.902 Amendments to Maps and Ordinances</li> <li>• MMC Chapter 19.1008 Type V Review</li> </ul> Copies of these criteria are available upon request and can also be found at <a href="http://www.qcode.us/codes/milwaukie/">www.qcode.us/codes/milwaukie/</a> .

**To learn more about a proposal:** Call the staff contact assigned to the proposal or visit the project webpage at [www.milwaukieoregon.gov/planning/za-2020-002](http://www.milwaukieoregon.gov/planning/za-2020-002). The staff report on the proposal will be available for viewing after 3 p.m. on **Tuesday, April 13, 2021**, at the meeting website noted above.

**Copies** of information in the file can be obtained for a reasonable fee. Copies of applicable City ordinances and the Comprehensive Plan are also available for review on the City’s website.

**To comment on a proposal:** You are invited to participate directly in the hearing, which will be conducted online only. You may send written comments to the staff contact listed below, either in advance or during the hearing itself. If you want to present verbal testimony — either pro, con, or to raise questions—you will be invited to speak following the staff presentation. Testimony and comments for this hearing must be directed towards the criteria identified and will all become part of the permanent record. Anyone who submits a written comment or testifies during the hearing will be sent a copy of the decision or recommendation.

**Recommendation:** The Planning Commission held a public hearing to consider the proposed amendments on January 12, 2021, and recommended approval. The City Council considered the recommendation and issued a decision to adopt the amendments on March 2, 2021; the hearing on April 20 is to consider two additional minor adjustments to the newly adopted amendments, as explained on the first page of this notice.

**To appeal a decision:** The City Council's decision may be appealed by a person with standing. In order to establish standing, you must do at least one of the following: (1) submit written comments to the staff contact before the hearing; or (2) attend the online hearing and present testimony. Any issue that is intended to provide a basis for appeal must be raised in writing on or before the hearing date with sufficient specificity to afford the responsible parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity and accompanied by statements or evidence sufficient to afford the responsible parties an opportunity to respond to the issue will preclude any appeal on that issue to the Land Use Board of Appeals (LUBA).

*The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities Act (ADA). If you need special accommodations, please call 503-786-7600 at least 48 hours prior to the meeting.*

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER:**  
 THE MILWAUKIE MUNICIPAL CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT SHALL BE PROMPTLY FORWARDED TO THE PURCHASER.

### Flood Hazard Areas in Milwaukie

