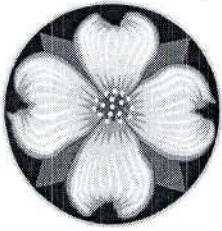


Question #1

App submitted on 4/19/21  
Fee paid on 4/22/19



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

# Application for Land Use Action

Master File #: VR-2021-008

Review type\*:  I  II  III  IV  V

**CHECK ALL APPLICATION TYPES THAT APPLY:**

- Amendment to Maps and/or Ordinances:
  - Comprehensive Plan Text Amendment
  - Comprehensive Plan Map Amendment
  - Zoning Text Amendment
  - Zoning Map Amendment
- Code Interpretation
- Community Service Use
- Conditional Use
- Development Review
- Director Determination
- Downtown Design Review
- Extension to Expiring Approval
- Historic Resource:
  - Alteration
  - Demolition
  - Status Designation
  - Status Deletion
- Land Division:
  - Final Plat
  - Lot Consolidation
  - Partition
  - Property Line Adjustment
  - Replat
  - Subdivision
- Miscellaneous:
  - Barbed Wire Fencing
  - Mixed Use Overlay Review
  - Modification to Existing Approval
  - Natural Resource Review\*\*
  - Nonconforming Use Alteration
- Parking:
  - Quantity Determination
  - Quantity Modification
  - Shared Parking
  - Structured Parking
  - Planned Development
- Residential Dwelling:
  - Accessory Dwelling Unit
  - Duplex
  - Manufactured Dwelling Park
  - Temporary Dwelling Unit
  - Sign Review
- Transportation Facilities Review
- Variance:
  - Use Exception
  - Variance
  - Willamette Greenway Review
- Other: \_\_\_\_\_
- Use separate application forms for:
  - Annexation and/or Boundary Change
  - Compensation for Reduction in Property Value (Measure 37)
  - Daily Display Sign
  - Appeal
  - Appeal

**RESPONSIBLE PARTIES:**

**APPLICANT** (owner or other eligible applicant—see reverse): RANDOLPH + CHERYL FORD

Mailing address: 11503 SE WOOD AVE, MILWAUKIE State/Zip: OR 97222

Phone(s): 503-522-9162, 503-708-9162 Email: cheryl.ford@comcast.net

Please note: The information submitted in this application may be subject to public records law.

**APPLICANT'S REPRESENTATIVE** (if different than above): Mary Tongue, Construction Manager

Mailing address: SAME State/Zip: \_\_\_\_\_

Phone(s): \_\_\_\_\_ Email: mary@homemakersoforegon.com

**SITE INFORMATION:**

Address: SAME Map & Tax Lot(s): 12E31AC02600

Comprehensive Plan Designation: \_\_\_\_\_ Zoning: R-7 Size of property: .89ac

**PROPOSAL (describe briefly):**

Build a 42' x 40' SHOP/RV STORAGE WITH 3/4 BATH

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

Submitted by: Cheryl Ford Date: 4/15/21

**IMPORTANT INFORMATION ON REVERSE SIDE**

\*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1

**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:**

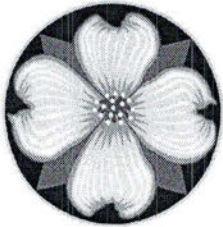
This application will be processed per the assigned review type, as described in the following sections of the Milwaukie Municipal Code:

- 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

**\*\*Note:** Natural Resource Review applications **may require a refundable deposit**. Deposits require completion of a Deposit Authorization Form, found at [www.milwaukieoregon.gov/building/deposit-authorization-form](http://www.milwaukieoregon.gov/building/deposit-authorization-form).

**THIS SECTION FOR OFFICE USE ONLY:**

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Master file	VR-2021-008	\$ 2,000			
Concurrent application files		\$			
		\$			
		\$			
		\$			
Deposit (NR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:	RCD BY:	
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s): Hector Campbell, Linwood					
Notes:					



**MILWAUKIE PLANNING**  
6101 SE Johnson Creek Blvd  
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 signed 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 [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov) for assistance with Milwaukie's land use application requirements.

1. **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 development standards (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: [www.qcode.us/codes/milwaukie/](http://www.qcode.us/codes/milwaukie/)*
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 8½ 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: [www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association](http://www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association).
- 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) CHERYL FORD, attest that all required application 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 for 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 deemed incomplete.

Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will be required to post signs on the site for a specified period of time. I also understand that I will be required to provide the City with an affidavit of posting prior to issuance of any decision on this application.

Applicant Signature: Cheryl Ford.

Date: 4/15/21

**Official Use Only**

Date Received (date stamp below):

Received by: \_\_\_\_\_



After recording return to:  
Cheryl L.K. Ford and Randolph W.G. Ford  
11503 SE Wood Avenue  
Milwaukie, OR 97222

Until a change is requested all tax statements shall be sent to the following address:  
Cheryl L.K. Ford and Randolph W.G. Ford  
11503 SE Wood Avenue  
Milwaukie, OR 97222

File No.: 7072-2974294 (cdj)  
Date: November 21, 2017

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records **2017-083572**  
Sherry Hall, County Clerk  
12/12/2017 10:15:01 AM  
D-D Cnt=1 Stn=75 CONNIE  
\$15.00 \$16.00 \$10.00 \$22.00 **\$63.00**

2974294-SS

FIRST AMERICAN

### STATUTORY WARRANTY DEED

**Samuel Peia**, Grantor, conveys and warrants to **Cheryl L.K. Ford and Randolph W.G. Ford, as tenants by the entirety**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**LEGAL DESCRIPTION:** Real property in the County of Clackamas, State of Oregon, described as follows:

**See attached legal**

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is [REDACTED] (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.

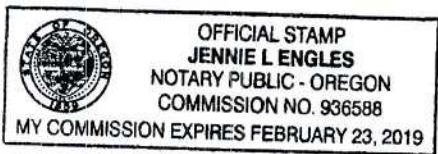
Dated this 18 day of December, 2017.

*Samuel Peia*  
Samuel Peia

STATE OF Oregon )  
County of Clackamas )ss.  
)

This instrument was acknowledged before me on this 11 day of Dec, 2017  
by **Samuel Peia**.

*Jennie Engles*  
~~Christine Jensen~~ Jennie Engles  
Notary Public for Oregon  
My commission expires: 2/23/19



**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Clackamas, State of Oregon, described as follows:

**THE NORTH ONE-HALF OF THE FOLLOWING DESCRIBED PROPERTY:**

**PART OF THE JOHN D. GARRETT DONATION LAND CLAIM NO. 38, IN SECTION 31, TOWNSHIP 1 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, DESCRIBED AS:**

**BEGINNING AT THE SOUTHEAST CORNER OF LOT 6, BLOCK 2, HOMEWOOD PARK, A DULY RECORDED PLAT THEREOF AND RUNNING THENCE SOUTH 0° 48' WEST 450.00 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE CONVEYED; THENCE SOUTH 0° 48' WEST ON AN EXTENSION OF THE EAST LINE OF SAID BLOCK 200.00 FEET; THENCE NORTH 89° 17' WEST PARALLEL TO THE SOUTH LINE AT SAID BLOCK 385.87 FEET; THENCE NORTH 0° 31' 20" EAST 200 FEET; THENCE SOUTH 89° 17' EAST 386.82 FEET TO THE POINT OF BEGINNING.**

**NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 1, 2008.**

### Land Use Application Question 3.

Main house (1850sqft), front 1 car garage, older barn and assorted sheds are existing on the property. Please see existing site plan.

The proposed plan, please see proposed site plan, leaves the house and front garage alone. The north driveway will be moved 7' southward to comply with right of way permit and 20' will be surfaced according to that same permit. A 42' front by 40' deep RV shop will be built with the western edge being approximately 60' from the west boundary of the property and 296' from the street frontage. Per code it will be 5' from the southern boundary. There will be a 5' concrete pad poured along the north face, with gravel driveway accessing the roll up doors.

The existing old barn will be left in place to be used as a garden shed and artist's studio. There are two sheds, a large tarp shed and a camper port, all to be taken down as they will no longer be needed once the shop is in place.

### Land Use Application Question 4.

- A. The residential property meets base zone standards, however, the size of the shop, 1680 sf exceeds the size for an auxiliary building under R7 zoning. The proposed and existing house and garage comply with other zone standards and development regulations, off street parking and loading standards and requirements.
- B. Regarding the public facility standards and requirements, a right of way permit is being submitted and the driveway is being moved and upgraded to comply with current requirements. A FILOC is being paid that replaces required street improvements of Ch 19.700.
- C. Please see the separate approval criteria being submitted with the request for a Type III variance.



## Variance MMC 19.911 Discretionary Relief Criteria per PreApplication Report

1. The existing improvements are historic, quite ramshackle mixture of sheds, barn with lean to's off each end, a 12x20' tarp shed and a 20x24 camper port. None match and are some quite aged. We hope to build a Monitor style barn with residential siding, that will allow us to remove these old mismatched buildings and house the RV, equipment, tools, hobby machines and boats enclosed away from the elements. The two story old barn is in good shape and will remain, but the two lean-to's will be removed.
2. The baseline code requirements do not allow for a 1680sqft outbuilding, but this will protect all our personal stuff and make it less of an eyesore for the neighbors. Photos have been taken of the shops that surround us on Wood Ave, which are very common. It is the reason that these families have purchased ½ to 1 acre sites, to allow for hobby outbuildings.
3. The shop will be 296' back from the street with no line of sight. The neighbor to the immediate north, has two large outbuildings. The neighbor directly to the west, has 50' of our backyard, which is planned for vegetable gardens and 10' in from the boundary line, we have planted four Leland Cypress trees which will occlude view considerably. The neighbor to the south, has a duplicate acre site and the whole back area is in garden with a well house and another small outbuilding. There are no other houses abutting the back portion of the property.
4. The desirable public benefits are the fact that currently the hodgepodge of old buildings are unsightly with failing roofs and are not aesthetically attractive. It would be a considerable improvement to have everything taken care of under one matching well built Monitor style shop.
5. We are responding to the current natural environment by not removing trees. There is a massive walnut tree on the northern side of the shop which will be left. It has already been pruned in an appealing manner to allow for a driveway and shop construction. Immediately to the west of the shop is an approximate 75-100' tall Douglas Fir on our property which will remain. We have planted two more deciduous trees that are currently around 15' tall. In the front yard a 125' tall and 100' wide cottonwood tree is being left in the middle of the circular driveway.

These are our neighbor over the north side of our fence's two outbuildings.





These are two shops within a few houses of us.

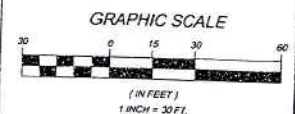
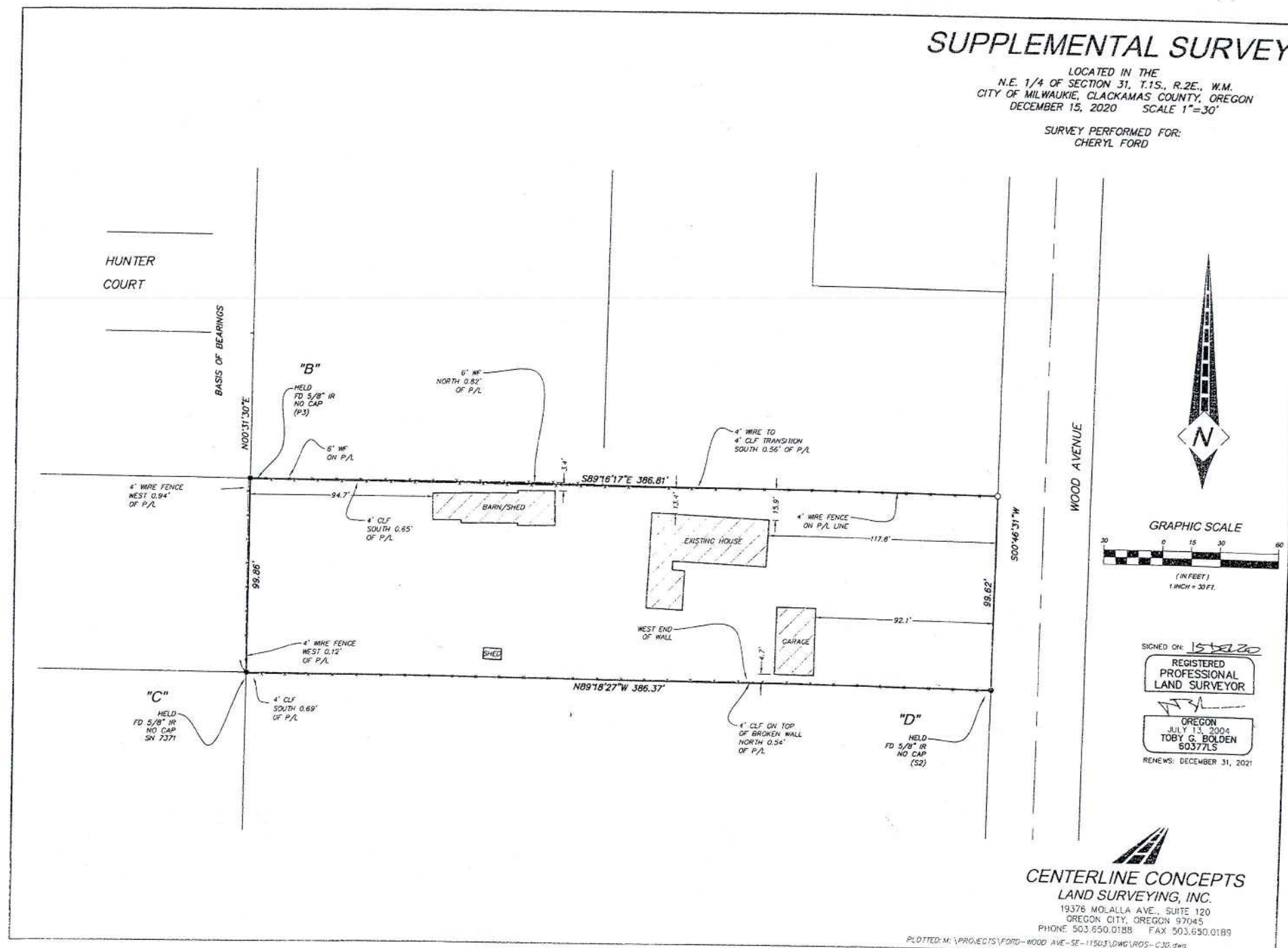


# SUPPLEMENTAL SURVEY

LOCATED IN THE  
N.E. 1/4 OF SECTION 31, T.1S., R.2E., W.M.  
CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON  
DECEMBER 15, 2020 SCALE 1"=30'

SURVEY PERFORMED FOR:  
CHERYL FORD

Question # 5.



SIGNED ON: 12/15/2020

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 13, 2004  
TOBY G. BOLDEN  
60377LS

RENEWS: DECEMBER 31, 2021

**CENTERLINE CONCEPTS**  
LAND SURVEYING, INC.  
19376 MOLALLA AVE., SUITE 120  
OREGON CITY, OREGON 97045  
PHONE 503.650.0188 FAX 503.650.0189

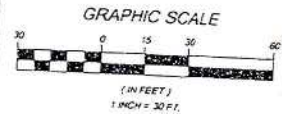
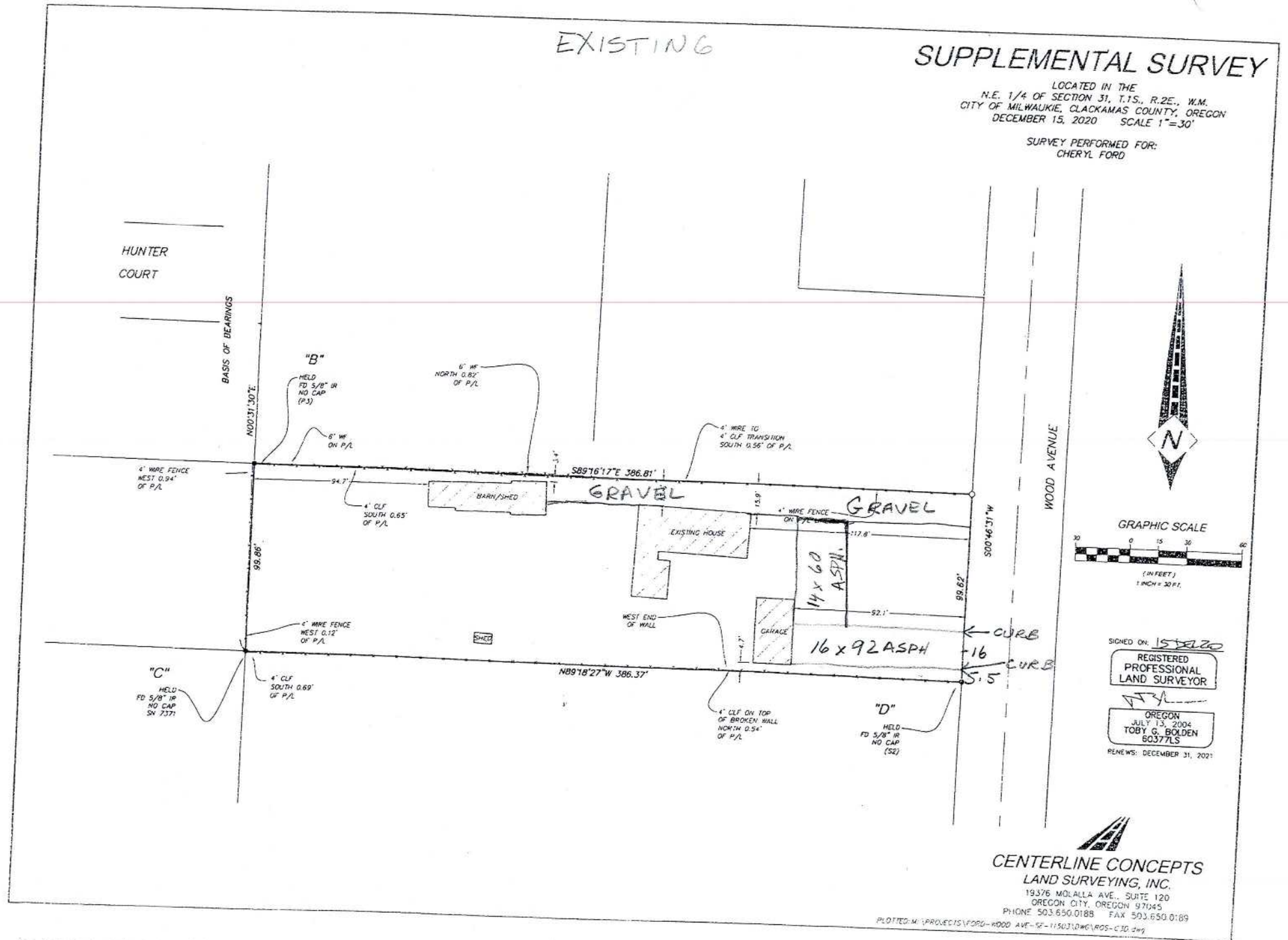
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EXISTING

# SUPPLEMENTAL SURVEY

LOCATED IN THE  
N.E. 1/4 OF SECTION 31, T.1S., R.2E., W.M.  
CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON  
DECEMBER 13, 2020 SCALE 1"=30'

SURVEY PERFORMED FOR:  
CHERYL FORD



SIGNED ON: 15 JUL 20  
 REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
 OREGON  
 JULY 13, 2006  
 TOBY G. BOLDEN  
 60377LS  
 RENEWS: DECEMBER 31, 2021

**CENTERLINE CONCEPTS**  
 LAND SURVEYING, INC.  
 19376 MOLALLA AVE., SUITE 120  
 OREGON CITY, OREGON 97045  
 PHONE 503.650.0188 FAX 503.650.0189

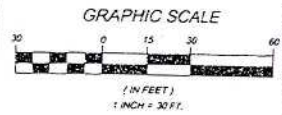
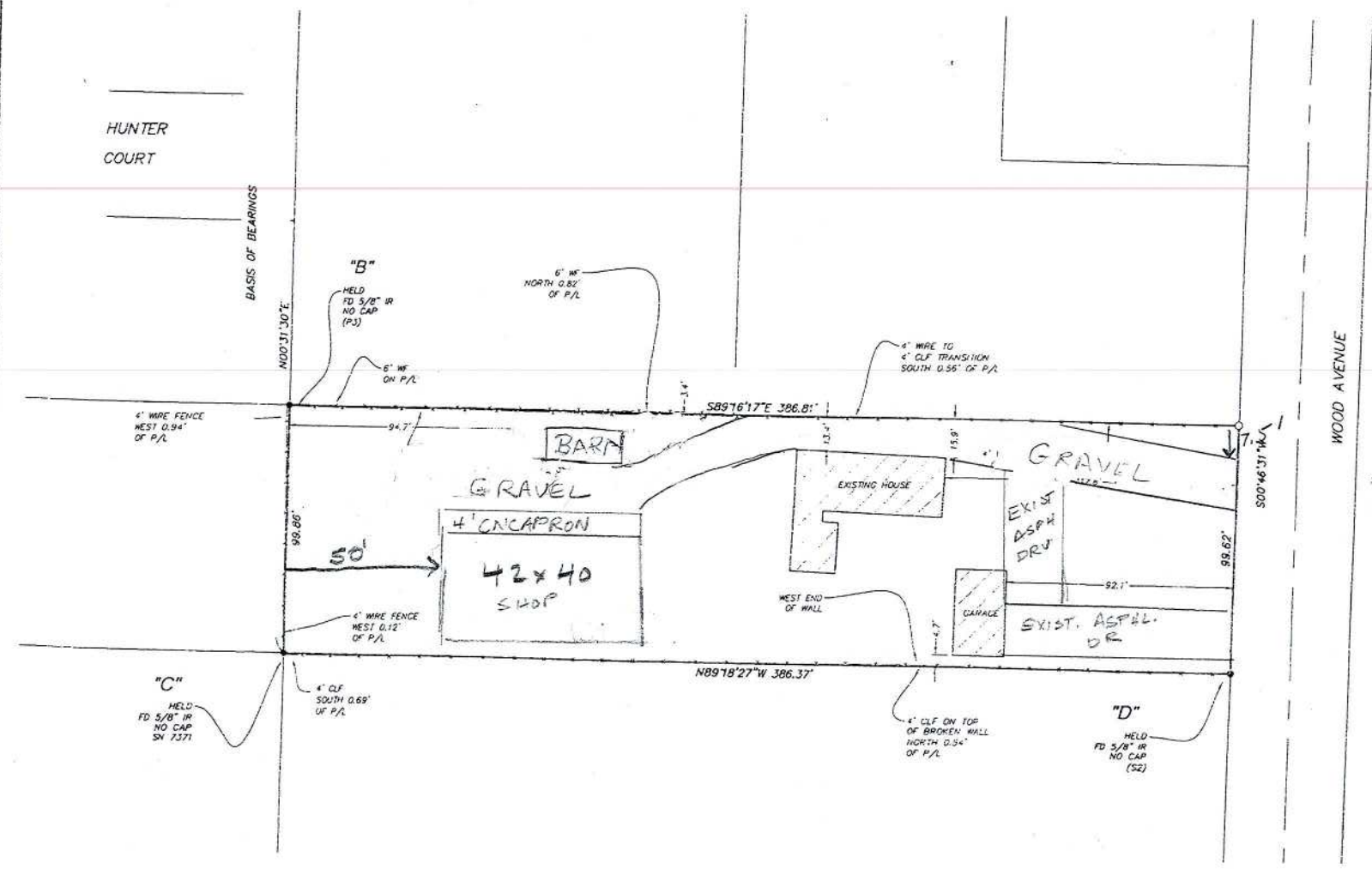
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PROPOSED

# SUPPLEMENTAL SURVEY

LOCATED IN THE  
N.E. 1/4 OF SECTION 31, T.15., R.2E., W.M.  
CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON  
DECEMBER 15, 2020 SCALE 1"=30'

SURVEY PERFORMED FOR:  
CHERYL FORD



SIGNED ON: *15 DEL 20*  
 REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*TGA*  
 OREGON  
 JULY 13, 2004  
 TOBY G. BOLDEN  
 60377LS

RENEWS: DECEMBER 31, 2021

**CENTERLINE CONCEPTS**  
 LAND SURVEYING, INC.  
 19376 MOLALLA AVE., SUITE 120  
 OREGON CITY, OREGON 97045  
 PHONE 503.650.0188 FAX 503.650.0189

Job Name: FORD SHOP ALT (Drawing B)

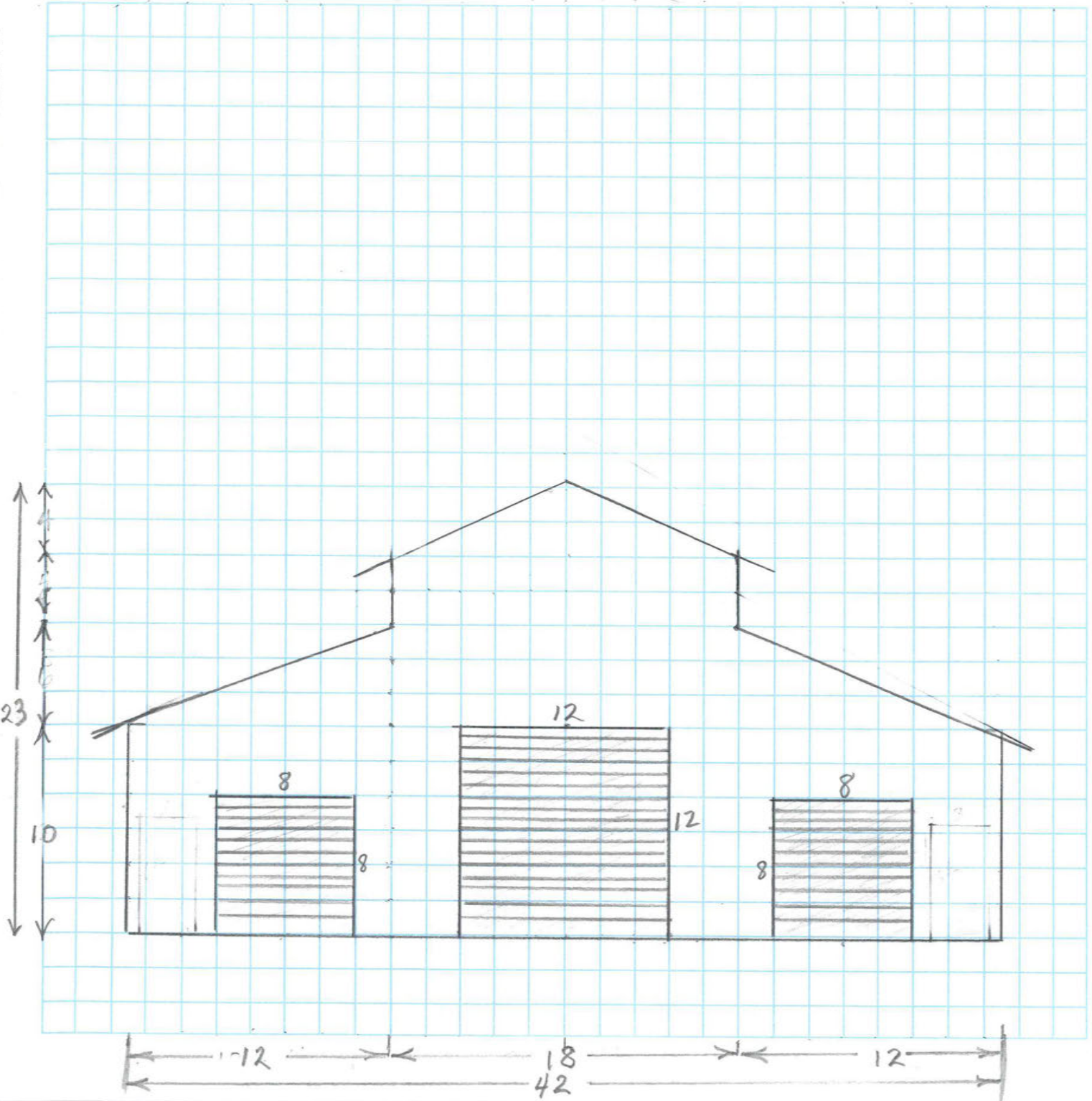
By: JP Date: 3/24/2021 Job No.: \_\_\_\_\_

2' SQUARE

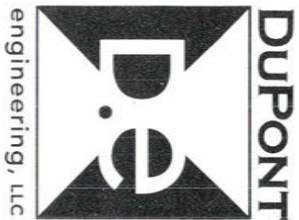
SEE REVISIONS

4/17/2021

4/12 PITCH







Job Name: FORD

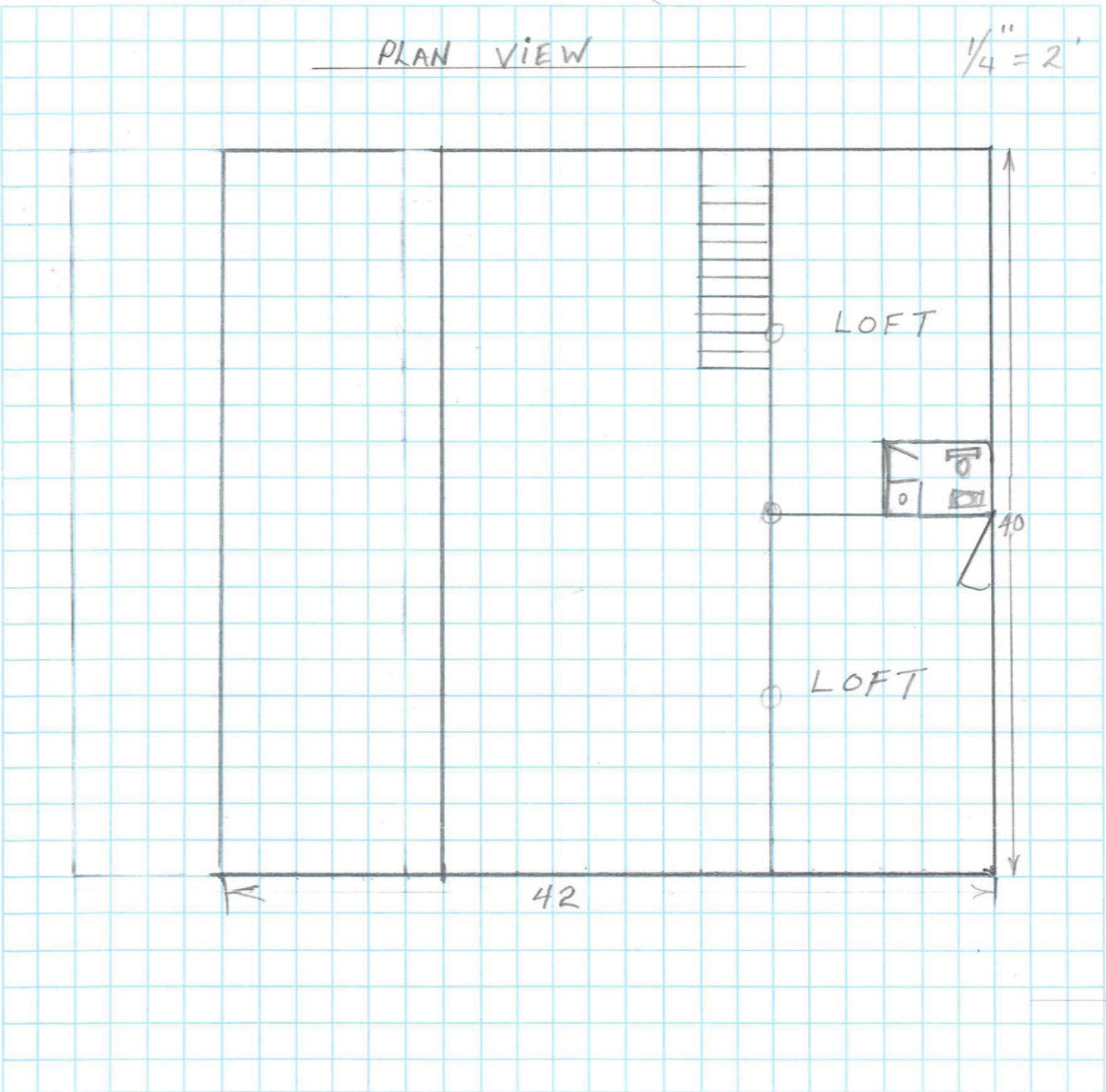
By: RP Date: \_\_\_\_\_

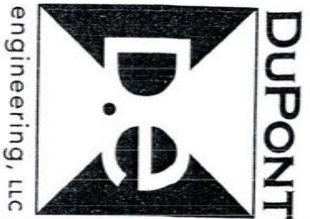
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*Revised*  
*4/17/2021*

$\frac{1}{4}'' = 2'$

PLAN VIEW





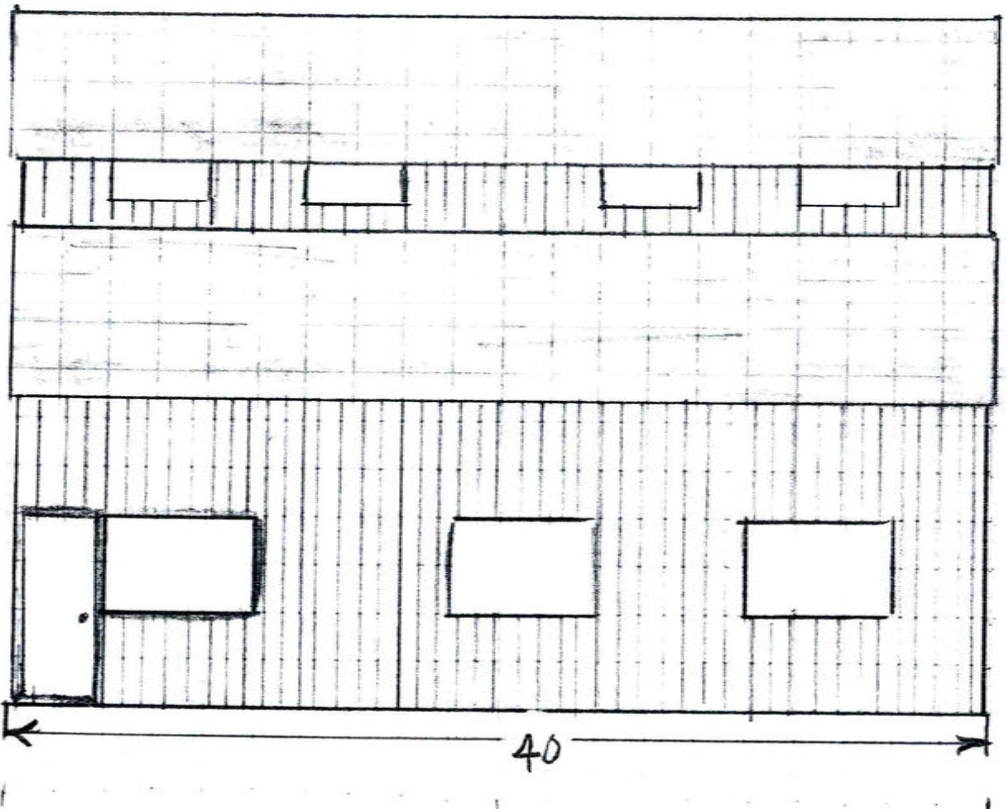
Job Name: FORD

By: \_\_\_\_\_ Date: \_\_\_\_\_ Job No.: \_\_\_\_\_

*REVISED*  
*4/17/2021*

$\frac{1}{4}'' = 2'$

WEST ELEVATION



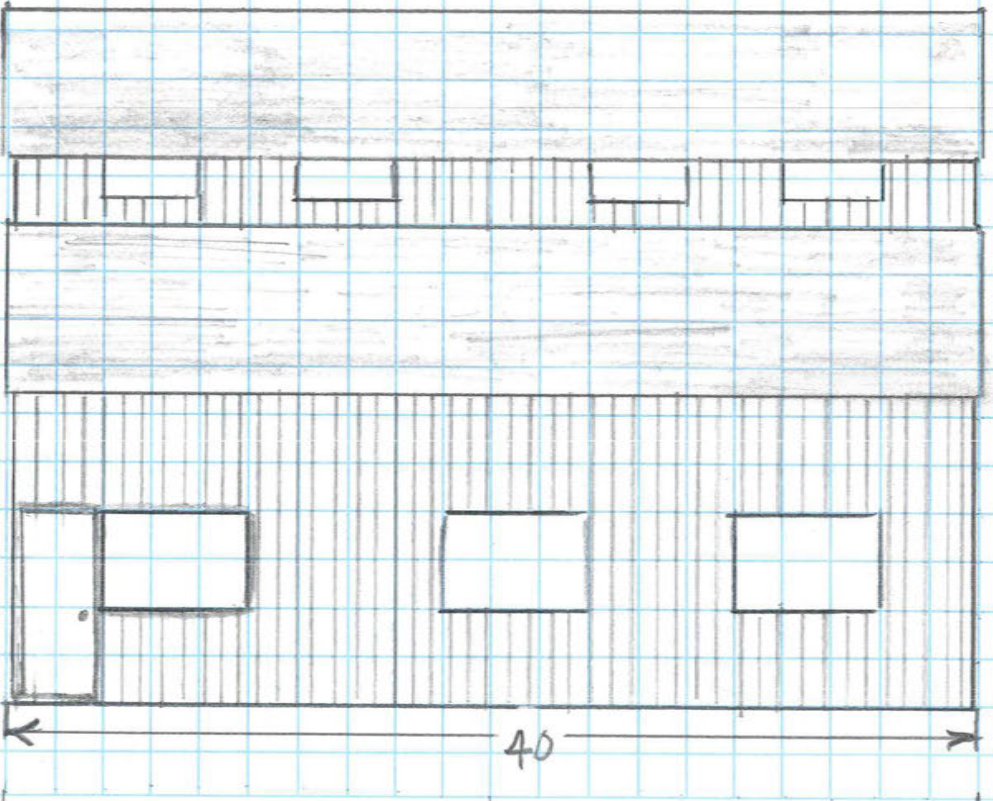
Job Name: FORD

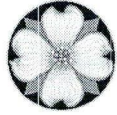
By: \_\_\_\_\_ Date: REVISED Job No.: \_\_\_\_\_

4/17/2021

$\frac{1}{4}'' = 2'$

EAST ELEVATION





# CITY OF MILWAUKIE

March 12, 2021

Cheryl Ford  
11503 SE Wood Ave  
Milwaukie OR 97222

**Re: Preapplication Report**

Dear Cheryl:

Enclosed is the Preapplication Report Summary from your meeting with the City on February 25, 2021, concerning your proposal for action on property located at 11503 SE Wood Ave.

A preapplication conference is required prior to submittal of certain types of land use applications in the City of Milwaukie. Where a preapplication conference is required, please be advised of the following:

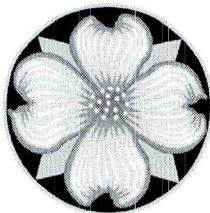
- Preapplication conferences are valid for a period of 2 years from the date of the conference. If a land use application or development permit has not been submitted within 2 years of the conference date, the Planning Manager may require a new preapplication conference.
- If a development proposal is significantly modified after a preapplication conference occurs, the Planning Manager may require a new preapplication conference.

If you have any questions concerning the content of this report, please contact the appropriate City staff.

Sincerely,

*Tempest Blanchard*

Tempest Blanchard  
Administrative Specialist II



**CITY OF MILWAUKIE**  
 6101 SE Johnson Creek Blvd  
 Milwaukie OR 97206  
 503.786.7600  
 planning@milwaukieoregon.gov  
 building@milwaukieoregon.gov  
 engineering@milwaukieoregon.gov

# Preapplication Conference Report

Project ID: 21-001PA

This report is provided as a follow-up to the meeting that was held on 2/25/2021 at 10:00 AM

The Milwaukie Municipal Code is available here: [www.qcode.us/codes/milwaukie/](http://www.qcode.us/codes/milwaukie/)

APPLICANT AND PROJECT INFORMATION		
<b>Applicant:</b> Cheryl Ford	<b>Applicant Role:</b> Property Owner	
<b>Applicant Address:</b>	11503 SE Wood Ave, Milwaukie, OR 97222	
<b>Company:</b>		
<b>Project Name:</b>	11503 SE Wood Ave Shop and ADU	
<b>Project Address:</b>	11503 SE Wood Ave	<b>Zone:</b> R-7
<b>Project Description:</b>	Construct a detached shop and ADU	
<b>Current Use:</b>	Single-unit dwelling with detached shop/garage	
<b>Applicants Present:</b>	Cheryl Ford, Mary Tongue, Randy Ford	
<b>Staff Present:</b>	Vera Kalias, Jennifer Backhaus, Stephanie Marcinkiewicz, Jennifer Gqrbely	
PLANNING COMMENTS		
Zoning Compliance (MMC Title 19)		
<input checked="" type="checkbox"/>	<b>Use Standards (e.g., residential, commercial, accessory)</b>	<p>ADU's are permitted by right on residential properties, per MMC 19.910. A detached accessory structure worksheet will be required with the application materials: <a href="https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/41871/fillable_adu_detached_form.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/41871/fillable_adu_detached_form.pdf</a>. The proposed ADU includes an attached carport and a covered patio. The ADU is 792 sq ft plus the area of the carport and covered patio, so the total size of the ADU exceeds the maximum 800 sq ft. A Type III variance is required to allow the proposed ADU.</p> <p>Accessory structures are subject to MMC 19.502. A Type C accessory structure has the following limitations for maximum building footprint: Lesser of 75% of primary structure OR 1,500 sq ft (allowed at least 850 sq ft if lot area &gt; 10,000 sq ft). The subject property is 38,681 sq ft in area and the proposed is 2,000 sq ft, which is greater than 1,500 sq ft for a Type C accessory structure. A Type III variance to the maximum size of an accessory structure is required.</p> <p>Design standards apply to the proposed shop:</p> <ol style="list-style-type: none"> <li>1. Metal siding is prohibited on structures more than 10 ft high or with a footprint greater than 200 sq ft, unless the siding replicates the siding on the primary dwelling or has the appearance of siding that is commonly used for residential structures.</li> </ol>

		<p>2. A minimum 4/12 roof pitch is required for an accessory structure with a height over 10 ft.</p> <p>Please confirm compliance with these standards in the land use application materials.</p>
<input checked="" type="checkbox"/>	<b>Dimensional Standards</b>	<p>The property is zoned R-7. Please provide a completed R-7 zoning worksheet with the land use application materials:  <a href="https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/43721/r-7zonews_form.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/43721/r-7zonews_form.pdf</a>.</p> <p>Accessory structures are subject to the dimensional standards outlined in this worksheet, which should be included with the land use application materials:  <a href="https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38351/residentialaccessorystructures_form0.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38351/residentialaccessorystructures_form0.pdf</a>.</p>
<b>Land Use Review Process</b>		
<input checked="" type="checkbox"/>	<b>Applications Needed</b>	<p>The proposed ADU requires a Type III Variance and Type II ADU review</p> <p>The proposed shop requires a Type III Variance.</p>
<input checked="" type="checkbox"/>	<b>Fees</b>	<p>Type III Variance: up to 3 requests permitted under 1 application = \$2,000</p> <p>Type II ADU review: \$750 (25% discount for concurrent applications)</p>
<input checked="" type="checkbox"/>	<b>Review Type: Type III</b> <b>Review Type: Type II</b>	<p>The proposed detached ADU exceeds 600 sq ft, so is subject to Type II ADU review.</p> <p>A Type III variance is required to allow the shop to exceed 1,500 sq ft and for the ADU to exceed 800 sq ft.</p>
<b>Overlay Zones (MMC 19.400)</b>		
<input type="checkbox"/>	<b>Willamette Greenway</b>	
<input type="checkbox"/>	<b>Natural Resources</b>	
<input type="checkbox"/>	<b>Historic Preservation</b>	
<input type="checkbox"/>	<b>Flex Space Overlay</b>	
<b>Site Improvements/Site Context</b>		
<input checked="" type="checkbox"/>	<b>Landscaping Requirements</b>	The R-7 zone requires that a minimum of 30% of the lot is vegetated.
<input type="checkbox"/>	<b>Onsite Pedestrian/Bike Improvements (MMC 19.504, 19.606, and 19.609)</b>	
<input type="checkbox"/>	<b>Connectivity to surrounding properties</b>	
<input type="checkbox"/>	<b>Circulation</b>	
<input type="checkbox"/>	<b>Building Design Standards (MMC 19.505)</b>	
<input type="checkbox"/>	<b>Downtown Design Standards (MMC 19.508)</b>	

**Parking Standards (MMC 19.600)**

<input checked="" type="checkbox"/>	<b>Residential Off-Street Parking Requirements</b>	Per MMC 19.607, parking and maneuvering areas within the front yard setback must be constructed of a durable, dust-free surface. Therefore, the first 20 ft of the second driveway cannot be constructed from gravel and must be replaced with pavement, cement strips/pavers, etc. Please confirm compliance with this section in the land use application materials.
<input type="checkbox"/>	<b>Multi-Family/Commercial Parking Requirements</b>	

**Approval Criteria (MMC 19.900)**

<input type="checkbox"/>	<b>Community Service Use (CSU) (MMC 19.904)</b>	
<input type="checkbox"/>	<b>Conditional Use (MMC 19.905)</b>	
<input type="checkbox"/>	<b>Development Review (MMC 19.906)</b>	
<input checked="" type="checkbox"/>	<b>Variance (MMC 19.911)</b>	<p>Applications for a Type III variance are subject to the approval criteria in MMC 19.911.4.B. The submitted application must provide a detailed narrative explaining how each variance request meets the approval criteria:</p> <p align="center">Discretionary Relief Criteria</p> <ul style="list-style-type: none"> <li>a. The applicant's alternatives analysis provides, at a minimum, an analysis of the impacts and benefits of the variance proposal as compared to the baseline code requirements.</li> <li>b. The proposed variance is determined by the Planning Commission to be both reasonable and appropriate, and it meets one or more of the following criteria:             <ul style="list-style-type: none"> <li>(1) The proposed variance avoids or minimizes impacts to surrounding properties.</li> <li>(2) The proposed variance has desirable public benefits.</li> <li>(3) The proposed variance responds to the existing built or natural environment in a creative and sensitive manner.</li> </ul> </li> <li>c. Impacts from the proposed variance will be mitigated to the extent practicable.</li> </ul> <p><a href="http://www.qcode.us/codes/milwaukie/view.php?topic=19-19_900-19_911&amp;frames=on">http://www.qcode.us/codes/milwaukie/view.php?topic=19-19_900-19_911&amp;frames=on</a></p>

**Land Division (MMC Title 17)**

<input type="checkbox"/>	<b>Design Standards</b>	
<input type="checkbox"/>	<b>Preliminary Plat Requirements</b>	
<input type="checkbox"/>	<b>Final Plat Requirements (See Engineering Section of this Report)</b>	

**Sign Code Compliance (MMC Title 14)**

<input type="checkbox"/>	Sign Requirements		
<b>Noise (MMC Title 16)</b>			
<input type="checkbox"/>	Noise Mitigation (MMC 16.24)		
<b>Neighborhood District Associations</b>			
<input checked="" type="checkbox"/>	Hector Campbell		
	Linwood		
	Choose an item.		
<b>Other Permits/Registration</b>			
<input type="checkbox"/>	Business Registration		
<input type="checkbox"/>	Home Occupation Compliance (MMC 19.507)		
<b>Additional Planning Notes</b>			
<p>The Planning Department notes that there are a number of significant trees on the subject property in the area of the proposed shop and ADU. Staff reminds the applicant that the city has a tree canopy goal of 40% and the extent to which the site plan can accommodate the preservation of the property's trees would be extremely helpful in achieving the city's goal. If some trees must be removed for the development, staff recommends that the applicant replace the trees on site. The city can provide a list of suggested canopy trees to assist which species selection.</p> <p>It's not 100% clear from the plans if the ADU is connected to the shop or if it is a covered breezeway/covered space between them. Please confirm.</p>			
<b>ENGINEERING &amp; PUBLIC WORKS COMMENTS</b>			
<b>Public Facility Improvements (MMC 19.700)</b>			
<input checked="" type="checkbox"/>	<b>Applicability (MMC 19.702)</b>	<p>MMC 19.702 establishes the applicability of MMC 19.700, including to new construction and modification and/or expansion of an existing structure or a change or intensification in use that results in a new dwelling unit, any new increase in gross floor area, and/or in any projected increase in vehicle trips.</p> <p>The development proposes establishing a new detached ADU, increasing the intensity of use on the subject property. MMC 19.700 applies to the proposed development.</p>	
<input checked="" type="checkbox"/>	<b>Transportation Facilities Review (MMC 19.703)</b>	<p>No transportation impact study is required.</p> <p>See MMC 13.32 for FLOOC</p>	
<input type="checkbox"/>	<b>Transportation Impact Study (MMC 19.704)</b>		
<input type="checkbox"/>	<b>Agency Notification (MMC 19.707)</b>		
<input checked="" type="checkbox"/>	<b>Transportation Requirements (MMC 19.708)</b>	<p>See MMC 13.32 for FLOOC</p> <p>See MMC 12.16 for Access Management</p> <p>See MMC 12.24 for Clear Vision</p>	



<input type="checkbox"/>	<b>Utility Requirements (MMC 19.709)</b>		
<b>Flood Hazard Area (MMC 18)</b>			
<input type="checkbox"/>	<b>Development Permit (MMC 18.04.100)</b>		
<input type="checkbox"/>	<b>General Standards (MMC 18.04.150)</b>		
<input type="checkbox"/>	<b>Specific Standards (MMC 18.04.160)</b>		
<input type="checkbox"/>	<b>Floodways (MMC 18.04.170)</b>		
<b>Environmental Protection (MMC 16)</b>			
<input type="checkbox"/>	<b>Weak Foundation Soils (MMC 16.16)</b>		
<input checked="" type="checkbox"/>	<b>Erosion Control (MMC 16.28)</b>	<p>An Erosion Control Permit is required for disturbed areas or exposed soils exceeding 500 square feet. This development exceeds that criteria. An Erosion Control Permit is required.</p> <p>An approved Erosion Control Permit is required prior to the issuance of grading or building permits, and prior to any placement of fill, site clearing, land disturbances (including but not limited to clearing, grubbing, excavation, etc.).</p>	
<input type="checkbox"/>	<b>Tree Cutting (MMC 16.32)</b>		
<b>Public Services (MMC 13)</b>			
<input checked="" type="checkbox"/>	<b>Water System (MMC 13.04)</b>	<p>Per MMC 13.04, for upgrading the meter size detailed drawings must be provided to the Engineering Department. These drawings must indicate the size and location of the existing City water main, the existing and proposed City service, meter location, and size, and the private service and size. This can be provided on the building permit site plan and/or with the Right of Way Permit.</p> <p>Additional fees and SDCs are required based on upgraded meter size. The provided SDC estimate is based on an upgrade to a 1" water service and meter. Higher sizes will incur higher fees/SDCs.</p> <p>The City Water SDC is \$1,366.00. An equipment fee for the water meter is \$370.00.</p>	
<input checked="" type="checkbox"/>	<b>Sewer System (MMC 13.12)</b>	<p>There are no sewer requirements triggered by this development. The ADU can utilize the existing sewer lateral. There will be a Milwaukie Sewer SDC of \$801.45, and a Clackamas County wastewater fee of \$6,404.00</p>	
<input checked="" type="checkbox"/>	<b>Stormwater Management (MMC 13.14)</b>	<p>On site stormwater will be handled through construction of a drywell or other approved storm facility.</p>	
<input checked="" type="checkbox"/>	<b>System Development Charge (MMC 13.28.040)</b>	<p>Development is subject to system development charges (SDCs). SDCs for sewer, county sewer, transportation, water, and county parks must be paid prior to permit issuance.</p>	
<input checked="" type="checkbox"/>	<b>Fee in Lieu of Construction (MMC 13.32)</b>	<p>Per the City Engineer, the Fee in Lieu of Construction (FILOC) rate will be \$80 per Linear Foot. At a lot width of 99.62 Linear Feet, the FILOC will be \$7,969.60</p>	
<b>Public Places (MMC 12)</b>			

<input checked="" type="checkbox"/>	<b>Right of Way Permit (MMC 12.08.020)</b>	A Right-of-Way Permit will be required to complete driveway improvements and upgrades to the water service.  The assumed 1" water service upgrade will result in a Water Connection Service Fee of \$1,312 (long side connection).
<input checked="" type="checkbox"/>	<b>Access Requirements (MMC 12.16.040)</b>	Existing northern driveway does not conform to 7.5-ft distance from side property line location. The driveway will be relocated further south while maintaining a minimum of 50' separation between the north and south driveways. The new driveway approach shall meet Asphalt Driveway Approach Standards and shall be paved (or installed with other acceptable durable dust-free surface), for an additional 20-ft behind the property line to prevent tracking gravel onto the roadway.  The driveway may angle as proposed but may not widen without adhering to widening requirements outlined in 19.607.  The southern driveway will not be upgraded and will remain as currently constructed.
<input checked="" type="checkbox"/>	<b>Clear Vision (MMC 12.24)</b>	Clear vision areas must be maintained around driveway approaches. Coordinate with city staff prior to removing any vegetation in the right-of-way.

**Additional Engineering & Public Works Notes**

The provided SDC estimate assumes an upgraded water service size of 1". Higher service sizes will increase the SDCs and related fees.

In the meeting you had inquired about site grading being greater than 10 cubic yards and whether this was in regard to cut, fill, or both. This number is regarding a total net cut or fill, but is part of MMC 18.04 and does not apply to this development.

**BUILDING COMMENTS**

All drawings must be submitted electronically through [www.buildingpermits.oregon.gov](http://www.buildingpermits.oregon.gov)

New buildings or remodels shall meet all the provisions of the current applicable Oregon Building Codes. All State adopted building codes can be found online at: <https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx>.

All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at [www.buildingpermits.oregon.gov](http://www.buildingpermits.oregon.gov). Each permit type and subpermit type are separate permits and will need to be applied for individually. Plans need to be uploaded to their specific permits in PDF format as a total plan set (not individual pages) if size allows.

The grading plan submitted to the Engineering Department does not cover this review.

If you have any building related questions, please email us at [building@milwaukieoregon.gov](mailto:building@milwaukieoregon.gov).

**Additional Building Notes**

As discussed during the meeting, twelve (12) inch overhangs on each building are allowed due to the close proximity to each other. For larger overhangs, you can add additional separation or attach the buildings to make one.

**OTHER FEES**

<input type="checkbox"/>	<b>Construction Excise Tax</b> Affordable Housing CET – Applies to any project with a construction value of over 100,000.	<b>Calculation:</b> Valuation *1% (.01)
<input type="checkbox"/>	<b>Metro Excise Tax</b>	<b>Calculation:</b> Valuation *.12% (.0012)

	Metro – Applies to any project with a construction value of over \$100,000.		
<input type="checkbox"/>	<b>School Excise Tax</b> School CET – Applies to any new square footage.	<b>Calculation:</b> Commercial = \$0.67 a square foot, Residential = \$1.35 a square foot (not including garages)	

**FIRE DISTRICT COMMENTS**

Please see the attached memorandum for fire district comments.

**COORDINATION WITH OTHER AGENCIES**

**Applicant must communicate directly with outside agencies. These may include the following:**

- Metro
- Trimet
- North Clackamas School District
- North Clackamas Parks and Recreation District (NCPRD)
- Oregon Parks and Recreation
- ODOT/ODOT Rail
- Department of State Lands
- Oregon Marine Board
- Oregon Department of Fish and Wildlife (ODOT)
- State Historic Preservation Office
- Clackamas County Transportation and Development

**MISCELLANEOUS**

**State or County Approvals Needed**

<input type="checkbox"/>	<b>Boiler Approval (State)</b>		
<input type="checkbox"/>	<b>Elevator Approval (State)</b>		
<input type="checkbox"/>	<b>Health Department Approval (County)</b>		

**Arts Tax**

<input type="checkbox"/>	<b>Neighborhood Office Permit</b>		
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**Other Right-of-Way Permits**

<input type="checkbox"/>	<b>Major:</b>		
<input type="checkbox"/>	<b>Minor:</b>		
<input type="checkbox"/>	<b>Painted Intersection Program Permits:</b>		
	<input type="checkbox"/> <b>artMOB Application</b>		
	<input type="checkbox"/> <b>Traffic Control Plan (Engineering)</b>		

<input type="checkbox"/>	<b>Parklet:</b>		
	<input type="checkbox"/> Parklet Application/ Planning Approval		
	<input type="checkbox"/> Engineering Approval		
	<input type="checkbox"/> Building Approval		
<input type="checkbox"/>	<b>Sidewalk Café:</b>		
<input type="checkbox"/>	<b>Tree Removal Permit:</b>		

**Infrastructure/Utilities**

**Applicant must communicate directly with utility providers. These may include the following:**

- PGE
- NW Natural
- Clackamas River Water (CRW)
- Telecomm (Comcast, Century Link)
- Water Environmental Services (WES)
- Garbage Collection (Waste Management, Hoodview Disposal and Recycling)

**Economic Development/Incentives**

<input type="checkbox"/>	<b>Enterprise Zone:</b>		
<input type="checkbox"/>	<b>Vertical Housing Tax Credit:</b>		
<input type="checkbox"/>	<b>New Market Tax Credits:</b>		
<input type="checkbox"/>	<b>Housing Resources:</b>		

**PLEASE SEE NOTE AND CONTACT INFORMATION ON THE FOLLOWING PAGE**

This is only preliminary preapplication conference information based on the applicant's proposal, and does not cover all possible development scenarios. Other requirements may be added after an applicant submits land use applications or building permits. City policies and code requirements are subject to change. If a note in this report contradicts the Milwaukie Municipal Code, the MMC supersedes the note. If you have any questions, please contact the City staff that attended the conference (listed on Page 1). Contact numbers for these staff are City staff listed at the end of the report.

Sincerely,

City of Milwaukie Development Review Team

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**BUILDING DEPARTMENT**

Samantha Vandagriff	Building Official	503-786-7611
Harmony Drake	Permit Specialist	503-786-7623
Stephanie Marcinkiewicz	Inspector/Plans Examiner	503-786-7636

**ENGINEERING DEPARTMENT**

Steve Adams	City Engineer	503-786-7605
Dalton Vodden	Associate Engineer	503-786-7617

**PLANNING DEPARTMENT**

Dennis Egnor	Planning Director	503-786-7654
Vera Kalias	Senior Planner	503-786-7653
Brett Kolver	Associate Planner	503-786-7657
Mary Heberling	Assistant Planner	503-786-7658

**COMMUNITY DEVELOPMENT DEPARTMENT**

Leila Aman	Community Development Director	503-786-7616
Alison Wicks	Development Programs Manager	503-786-7661
Alicia Martin	Administrative Specialist II	503-786-7600
Tempest Blanchard	Administrative Specialist II	503-786-7600
Dan Harris	Administrative Specialist II	503-786-7600

**CLACKAMAS FIRE DISTRICT**

Mike Boumann	Lieutenant Deputy Fire Marshal	503-742-2673
Izak Hamilton	Fire Inspector	503-742-2660