



# CITY OF MILWAUKIE

January 5, 2023

Nile Hagen  
Danelle Isenhardt  
6445 SW Fallbrook Place, Suite 100  
Beaverton, OR 97008

**Re: Preapplication Report**

Dear Nile:

Enclosed is the Preapplication Report Summary from your meeting with the City on December 22, 2022, concerning your proposal for action on property located at 5606 SE Monroe Street.

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,

Emilie Bushlen  
Administrative Specialist II



**CITY OF MILWAUKIE**  
 6101 SE Johnson Creek Blvd  
 Milwaukie OR 97206  
 503.786.7600  
 planning@milwaukieoregon.gov  
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# Preapplication Conference Report

Project ID: 22-020PA

This report is provided as a follow-up to the meeting that was held on 12/22/2022 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>	Nile Hagen	<b>Applicant Role:</b> Property Owner/Developer
<b>Applicant Address:</b>	Danelle Isenhart, 6445 SW Fallbrook Place, Suite 100, Beaverton, OR 97008	
<b>Company:</b>	Emerio Design	
<b>Project Name:</b>	22-lot subdivision for middle housing development	
<b>Project Address:</b>	5606 SE Monroe St	<b>Zone:</b> R-MD
<b>Project Description:</b>	Partition off existing home (R-2022-004), partition a portion of 5690 SE Monroe St to add to development site, then subdivide site into 22 lots for middle housing development.	
<b>Current Use:</b>	Existing single-unit house; vacant	
<b>Applicants Present:</b>	Nile Hagen, Danelle Isenhart, Max Sass, Joshua Ayers, Bonnie Magdelain	
<b>Staff Present:</b>	Vera Koliias (Senior Planner); Jennifer Backhaus (Engineering Tech III); Jennifer Garbely (Assistant City Engineer); Eanna Zaya (Engineering Tech I); Courtney Wilson (Urban Forester); Galen Hoshovsky (Environmental Services Coordinator); Dave Flemings (Permit Review)	

## PLANNING COMMENTS

### Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	<b>Use Standards (e.g., residential, commercial, accessory)</b>	The property is zoned Moderate Density Residential (R-MD), which allows a variety of residential housing types, including single-unit detached dwellings, duplexes, triplexes, quadplexes, townhouses, and cottage cluster development.
<input checked="" type="checkbox"/>	<b>Dimensional Standards</b>	Dimensional standards for the R-MD zone are provided in Milwaukie Municipal Code (MMC) Section 19.301 (specifically in MMC Subsection 19.301.4), and they vary somewhat depending on the lot size.  Based on the lot sizes shown on the subdivision plan, the following minimum setbacks apply to each lot (except flag lots which have different standards – see section below):  Front yard: 20 ft Side yard: 5 ft Rear yard: 20 ft

		<p>Street side yard: 15 ft</p> <p>Maximum lot coverage is 35% and minimum vegetation is 25%.</p> <p>Staff notes that the minimum frontage requirement in the R-MD for the proposed lots is 30 ft. The minimum frontage for a flag lot is 25 ft. It appears that Lots 15-17 are proposed as flag lots, but their frontage is less than the minimum 25 ft required. A Type III variance would be required to allow flag lots with less than the minimum street frontage.</p> <p>The quadplex design submitted with the materials shows a three-story building. Please note that the maximum building height in the R-MD is 35 ft and that there is a side yard height plane standard to regulate bulk at the side property line.</p>
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<b>Land Use Review Process</b>		
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<input checked="" type="checkbox"/>	<b>Applications Needed, Fees, and Review Type</b>	<p>The proposal is for a 22-lot subdivision, which includes a portion of an adjacent property. The pre-application conference materials indicate that the applicant will complete a partition process to add that additional land to the subject property prior to applying for this subdivision. These notes reflect that partition as Phase 1 of the development. The notes also include a Type III variance process should the applicant wish to propose three flag lots with less than the minimum street frontage.</p> <p>A concurrent application review consolidates the review of multiple applications into a single review process. The applications must be processed according to the highest numbered review type required for any part of the application. In this case, a concurrent review of the Type II parking modification and the Type III variance will be processed through a Type III review, with a decision by the Planning Commission through the Type III review process.</p> <p>Phase 1 (partition with 5690 SE Monroe St):</p> <ul style="list-style-type: none"> <li>• Partition Replat (Type II review) = \$2,000</li> <li>• Final Plat (Type I review) = \$200</li> </ul> <p>Phase 2 (22-lot subdivision):</p> <ul style="list-style-type: none"> <li>• Subdivision (Type III review) = \$4,400 plus \$100 per lot over four lots</li> <li>• Transportation Facilities Review (Type II review): \$1,000 (see notes below under Application Process) <ul style="list-style-type: none"> <li>• MMC 19.704 – Transportation Impact Analysis</li> <li>• Managed by the Engineering Department</li> </ul> </li> <li>• Variance (Type III review) = \$2,000 (up to 3 variance requests within one application)</li> <li>• Final Plat (Type I review) = \$200 (processed after the preliminary plat approval)</li> </ul> <p>For multiple applications processed concurrently, there is a 25% discount offered for each application fee after paying full price for the most expensive application.</p> <p><b>NOTE:</b> The applicant could choose to not phase the project and submit a subdivision plat that includes the property located at 5690 SE Monroe St. However, that would mean that the partition for 5690 SE Monroe St would not become final until the entire subdivision has completed its land use review process, including the final plat. The city does not approve final plats until all public improvements have been designed, constructed, bonded, and inspected.</p>
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<input checked="" type="checkbox"/>	<b>Application Process</b>	<p>The applicant must submit a complete electronic copy of all application materials for the City's initial review. A determination of the application's completeness will be issued within 30 days. If the application is deemed incomplete, City staff will provide a list of items to be addressed upon resubmittal.</p> <p>Where multiple applications with different review types are processed concurrently, the overall package will be processed according to the highest review type.</p> <p>With Type III review, a public hearing with the Planning Commission will be scheduled once the application is deemed complete. At present, meetings are being conducted in a hybrid format, with the option of participating in person at City Hall or online via Zoom.</p>
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	<p>Public notice of the hearing will be sent to property owners and current residents within 300 ft of the subject property no later than 20 days prior to the hearing date. At least 14 days before the hearing, a sign giving notice of the application must be posted on the subject property, to remain until the decision is issued. Staff will coordinate with the applicant to provide the necessary sign(s).</p> <p>Staff will prepare a report with analysis of the proposal and a recommendation that will be made available one week before the hearing. Both staff and the applicant will have the opportunity to make presentations at the hearing, followed by public testimony and then deliberation by the Commission for a decision.</p> <p>With Type III review, issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. If no appeal is received within the 15-day window, the decision becomes final. Any appeal of a Type III decision would be heard by the City Council for the final local decision.</p> <p>Development permits submitted during the appeal period may be reviewed but are not typically approved until the appeal period has ended.</p> <p><b>NOTE:</b> It is recommended that the TIS review process be initiated early and before the land use application is submitted. This is because the city's engineering consultant will be tasked with scoping the TIS upon application of the TFR. Therefore, the applicant is encouraged to submit the TFR application as soon as possible to initiate that process so that the land use application includes the final TIS. Otherwise, the subdivision application will be deemed incomplete until the final TIS is submitted.</p>
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**Overlay Zones (MMC 19.400)**

<input type="checkbox"/>	<b>Willamette Greenway</b>	There are no special overlays on the subject property.
<input type="checkbox"/>	<b>Natural Resources</b>	
<input type="checkbox"/>	<b>Historic Preservation</b>	
<input type="checkbox"/>	<b>Flex Space Overlay</b>	

**Site Improvements/Site Context**

<input checked="" type="checkbox"/>	<b>Landscaping Requirements</b>	In the R-MD zone, the minimum vegetation requirement for lots between 3,000 sq ft and 6,999 sq ft is 25% (with maximum lot coverage of 35%); for lots 7,000 sq ft or larger the minimum vegetation requirement is 30% of lot area (maximum lot coverage is 30%).
<input type="checkbox"/>	<b>Onsite Pedestrian/Bike Improvements (MMC 19.505.4)</b>	
<input checked="" type="checkbox"/>	<b>Connectivity to surrounding properties</b>	Please note MMC 19.708.E.4 which includes language regarding permanent turnarounds and through street connections. MMC 19.708.E.5 does not allow permanent turnarounds to serve more than 20 lots. Staff does not support a variance to this standard.  See Engineering notes for more information.
<input checked="" type="checkbox"/>	<b>Flag Lot Design Standards (MMC 19.504.7)</b>	MMC 19.504.7 includes standards that are specific to development on flag lots, including minimum setbacks which are different from standard lots.  Flag lots also require screening of adjoining properties.
<input checked="" type="checkbox"/>	<b>Building Design Standards (MMC 19.505)</b>	MMC 19.505.1 includes specific minimum building design standards for middle housing.  Review of compliance with design standards will occur during permit review. Design standards apply to street-facing facades within 50 ft of a front or street side lot line or that face a common green or courtyard.

		The one to four dwellings design standards worksheet, which is required to be submitted with the building permit applications, can be found here: <a href="https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/123753/one_to_four_units_design_standards_form_revised.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/123753/one_to_four_units_design_standards_form_revised.pdf</a> .
<input type="checkbox"/>	<b>Downtown Design Standards (MMC 19.508)</b>	
<b>Parking Standards (MMC 19.600)</b>		
<input checked="" type="checkbox"/>	<b>Residential Off-Street Parking Requirements</b>	<p>MMC Table 19.605.1 establishes parking quantity requirements. For most middle housing development (duplexes, triplexes, quadplexes, and townhouses), no off-street parking is required, with a maximum of one off-street space allowed per unit. For cottage clusters, a minimum of 0.5 spaces per unit is required, with a maximum of 1 space per unit allowed.</p> <p>The pre-application materials state that the intent is to construct quadplexes on each lot in the proposed subdivision. Given that Monroe Street is planned as a neighborhood greenway, so on-street parking in the general area will be limited. Staff recommends that the applicant consider how the project will be marketed or how parking and transportation/transit options will be addressed for the development.</p> <p>MMC 19.609 requires that bicycle parking be provided for all middle housing developments – in no case can there be fewer than 2 bicycle parking spaces per lot.</p>
<input type="checkbox"/>	<b>Multi-Family/Commercial Parking Requirements</b>	
<b>Approval Criteria (MMC 19.900)</b>		
<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>	Variance approval criteria are established in MMC Subsection 19.911.4. Specifically, Type III variances should address MMC 19.911.4.B. For most projects, the discretionary relief criteria in 19.911.4.B-1 are more appropriate than the economic hardship criteria of 19.911.4.B-2. However, the applicant may elect the economic hardship track if appropriate.
<b>Land Division (MMC Title 17)</b>		
<input checked="" type="checkbox"/>	<b>Design Standards</b>	<p>MMC Section 17.28.040 establishes general standards for lot design, including a requirement for rectilinear lots (as practicable) and limits on compound lot line segments. As per MMC 17.28.040.C, cumulative lateral changes in direction of a side or rear property line that exceed 10% of the distance between opposing lot corners along that line require a variance.</p> <p><u>Note:</u> Once/If middle housing is developed (or approved for development) on any newly created lots, the lots can be divided to place each middle housing unit on its own lot. These divisions do not require that each new middle housing lot comply with the same development and design standards as the "parent" lot, but the resulting lots cannot be further divided. The middle housing land division process is an expedited one and is handled with Type II review; the final decision (including an appeal, if necessary) must be issued within 63 days of the application being deemed complete.</p>
<input checked="" type="checkbox"/>	<b>Preliminary Plat Requirements</b>	MMC Section 17.16.060 provides application requirements and procedures for preliminary plats, including a reference to the City's preliminary plat checklist. The checklist outlines the

		<p>specific pieces of information that must be shown on the plat, based on the provisions for preliminary plat established in MMC Chapter 17.20.</p> <p>MMC Section 17.12.040 establishes approval criteria for preliminary plats. The application must include a narrative description demonstrating that the proposal meets all applicable code requirements and design standards, and it must meet the following criteria:</p> <p>(1) the proposed plat complies with Title 19 and other applicable regulations and standards;</p> <p>(2) the proposed land division allows for reasonable development and does not create the need for a variance;</p> <p>(3) the proposed subdivision plat name is not duplicative and satisfies all applicable standards of ORS 92.090(1); and</p> <p>(4) the streets and roads are laid out so as to conform to the plats of subdivisions already approved for adjoining property as to width, general direction, and in all other respects unless the City determines it is in the public interest to modify the street pattern.</p> <p><b>NOTE:</b> MMC 17.20.030.C requires that a vicinity map be provided showing all existing subdivisions, streets, and unsubdivided land between the proposed subdivision and the nearest existing arterial or collector streets, and showing how proposed streets may be extended to connect with existing streets. At a minimum, the vicinity map shall depict future street connections for land within 400 feet of the subject property. The proposed subdivision may not preclude future connections and land division of surrounding properties.</p> <p>MMC 17.20 Preliminary Plat: <a href="http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_20&amp;showAll=1&amp;frames=off">http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_20&amp;showAll=1&amp;frames=off</a></p> <p>Preliminary plat checklist: <a href="https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/preliminaryplatchecklist.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/preliminaryplatchecklist.pdf</a></p> <p>MMC 17.12.040 Approval criteria for preliminary plat: <a href="http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_12-17_12_040&amp;frames=off">http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_12-17_12_040&amp;frames=off</a></p>
<input checked="" type="checkbox"/>	<p><b>Final Plat Requirements (See Engineering Section of this Report)</b></p>	<p>MMC Section 17.16.070 provides application requirements and procedures for final plats, with a reference to the City's final plat checklist. The checklist outlines the specific pieces of information that must be shown on the plat, based on the provisions for final plat established in MMC Chapter 17.24.</p> <p>MMC Section 17.12.050 establishes the following approval criteria for final plats:</p> <p>(1) Compliance with the preliminary plat approved by the approval authority, with all conditions of approval satisfied.</p> <p>(2) The preliminary plat approval has not lapsed.</p> <p>(3) The streets and roads for public use are dedicated without reservation or restriction other than revisionary rights upon vacation of any such street or road and easements for public utilities.</p> <p>(4) The plat contains a donation to the public of all common improvements, including streets, roads, parks, sewage disposal, and water supply systems.</p> <p>(5) All common improvements required as conditions of approval have been described and referenced on the plat, and where appropriate, instruments to be recorded have been submitted.</p> <p>(6) The plat complies with the Zoning Ordinance and other applicable ordinances and regulations.</p> <p>(7) Submission of signed deeds when access control strips are shown on the plat.</p> <p>(8) The plat contains an affidavit by the land surveyor who surveyed that the land represented on the plat was correctly surveyed and marked with proper monuments as provided by ORS Chapter 92.060. The plat must indicate the initial point of the survey and give the dimensions and kind of such monument and its reference to some corner established by the U.S. Survey or giving two or more objects for identifying its location.</p>

		<p>Note that construction of all required public improvements must be completed, inspected, and accepted by the City prior to the City's sign-off on the final plat, unless an arrangement for bonding or other interim measure is made and agreed upon by the City.</p> <p>MMC 17.24 Final Plat: <a href="http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_24&amp;frames=off">http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_24&amp;frames=off</a></p> <p>Final plat checklist: <a href="https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/finalplatchecklist.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/finalplatchecklist.pdf</a></p> <p>MMC 17.12.050 Approval criteria for final plat: <a href="http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_12-17_12_050&amp;frames=off">http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_12-17_12_050&amp;frames=off</a></p>
<b>Sign Code Compliance (MMC Title 14)</b>		
<input type="checkbox"/>	<b>Sign Requirements</b>	
<b>Noise (MMC Title 16)</b>		
<input type="checkbox"/>	<b>Noise Mitigation (MMC 16.24)</b>	
<b>Neighborhood District Associations</b>		
<input checked="" type="checkbox"/>	<b>Linwood</b>	<p>Prior to submitting the application, the applicant is encouraged (but not required) to present the project at a regular meeting of the relevant Neighborhood District Association (NDA), in this case the Linwood NDA.</p> <p><b>Contact information:</b> <a href="https://www.milwaukieoregon.gov/citymanager/linwood-nda">https://www.milwaukieoregon.gov/citymanager/linwood-nda</a></p>
	Choose an item.	
	Choose an item.	
<b>Other Permits/Registration</b>		
<input type="checkbox"/>	<b>Business Registration</b>	
<input type="checkbox"/>	<b>Home Occupation Compliance (MMC 19.507)</b>	
<b>Additional Planning Notes</b>		
<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 partitions, subdivisions, replats, 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 proposed development is to subdivide the existing property into 22 new lots. MMC 19.700 applies.</p>
<input checked="" type="checkbox"/>	<b>Transportation Facilities Review (MMC 19.703)</b>	Per MMC 19.703.2, because the proposed development triggers a Transportation Impact Study (TIS), a Transportation Facilities Review (TFR) application is required. The TFR

		<p>application will be process and reviewed concurrently with the other required applications discussed in these notes.</p> <p>MMC 19.703.3 establishes the approval criteria for transportation facilities review, including compliance with the procedures, requirements, and standards of MMC 19.700 and the Public Works Standards; provision of transportation improvements and mitigation in rough proportion to potential impacts; and compliance with the City's basic safety and functionality standards (e.g., street drainage, safe access and clear vision, public utilities, frontage improvements, level of service).</p>
<input checked="" type="checkbox"/>	<b>Transportation Impact Study (MMC 19.704)</b>	<p>A Transportation Impact Study (TIS) is required.</p> <p>A pre-scoping meeting to determine the parameters of the study is recommended. The City's on-call traffic engineer is Kittelson &amp; Associates. The applicant and/or their traffic engineer can coordinate the scheduling of this meeting with the city's engineering department.</p> <p>The applicant must pay a reserve deposit of \$2,500 at TFR submission. This deposit covers the cost of scoping and review of the TIS.</p>
<input checked="" type="checkbox"/>	<b>Agency Notification (MMC 19.707)</b>	<p>Per the stipulations of MMC 19.707.1, the following agencies will receive notification of the proposed development: Metro and Clackamas County.</p>
<input checked="" type="checkbox"/>	<b>Transportation Requirements (MMC 19.708)</b>	<p>Access Management: All development subject to MMC 19.700 shall comply with access management standards contained in MMC 12.16.</p> <p>Clear Vision: All developments subject to MMC 19.700 shall comply with clear vision standards contained in MMC 12.24.</p> <p>All new streets shall be dedicated, designed, and improved in accordance with MMC 19.700 and the city's Public Works Standards.</p> <p>MMC 19.708.E establishes street layout and connectivity requirements. Streets shall be extended to boundary lines to allow access for future development of adjoining properties with the construction of a temporary turnaround (for street stubs more than 150 ft in length). Permanent turnarounds shall only be provided when no opportunity exists for creating a through street connection. A permanent street turnaround may serve no more than 20 lots. All turnarounds must be public and designed and constructed in accordance with the Public Works Standards.</p> <p>Street improvement design is subject to plan review and approval. A 45-ft wide Right-of-Way is acceptable for a local street. Improvements for the right-of-way will include (but are not limited to): 8-ft wide travel lanes, 5-ft wide landscape strips and 5-ft wide setback sidewalks on both sides, and on-street parking. Street trees are required to be planted at a minimum of every 40 feet in accordance with the Public Works Standards and the Milwaukie Street Tree List and Planting Guidelines.</p> <p>The minimum distance between street intersections for a collector classified street like Monroe is 300 ft. If this standard is unable to be met a variance may be required.</p> <p>The applicant must provide engineered plans for review and approval prior to permit issuance and construction. A Right-of-Way permit is required to construct all new and current right-of-way improvements.</p>
<input checked="" type="checkbox"/>	<b>Utility Requirements (MMC 19.709)</b>	<p>A 10-ft public utility easement (PUE) will be required along the frontage of each new lot.</p> <p>New water and wastewater mains along the new street will be required. Design of new utilities is subject to plan review and must be designed and constructed in accordance with the City of Milwaukie's Public Works Standards.</p> <p>The applicant must provide engineered plans for review and approval prior to permit issuance and construction. A Right-of-Way Permit is required to construct these improvements.</p>

**Flood Hazard Area (MMC 18)**



<input type="checkbox"/>	<b>Development Permit (MMC 18.16.030)</b>	The subject property is not in a flood hazard zone.
<input type="checkbox"/>	<b>General Standards (MMC 18.04.150)</b>	
<input type="checkbox"/>	<b>Compensatory Storage (MMC 18.20.020)</b>	
<input type="checkbox"/>	<b>Floodways (MMC 18.20.010.B)</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>Erosion control and prevention is required as outlined in MMC16.28</p> <p>Projects that disturb more than 500 square feet within the City of Milwaukie limits require an <a href="#">Erosion Control Permit</a> from the City's Building Department. Even projects that are less than 500 square feet may require a permit based on site conditions and proximity to natural resources such as wetlands and waterways. The applicant must submit an erosion control plan for their project that accurately depicts how sediment will be controlled during the duration of the project.</p> <p>Please review the City's <a href="#">Erosion Prevention and Sediment Control Requirements</a>. The applicant is encouraged to use the City's adopted <a href="#">Erosion Prevention and Sediment Control Planning &amp; Design Manual (2020)</a> for assistance in designing an erosion control plan.</p> <p>Development sites between 1 acre and 5 acres should apply for a 1200-CN permit as outlined on <a href="https://www.milwaukieoregon.gov/publicworks/1200cn">https://www.milwaukieoregon.gov/publicworks/1200cn</a>. Applicants will use the DEQ 1200-C permit application but submit it to the city for review and approval through the Milwaukie Erosion and Sediment Control Program. A 1200-C permit can be found on the DEQ website at <a href="https://www.oregon.gov/deq/wa/wapermits/Pages/Stormwater-Construction.aspx">https://www.oregon.gov/deq/wa/wapermits/Pages/Stormwater-Construction.aspx</a>. Applicants do not need to submit a permit to DEQ if under 5 acres in site size.</p> <p>For more information, please visit <a href="https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control">https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control</a> or contact <a href="mailto:erosioncontrol@milwaukieoregon.gov">erosioncontrol@milwaukieoregon.gov</a>.</p>
<input checked="" type="checkbox"/>	<b>Tree Code (MMC 16.32)</b>	<p>All public trees over 2" in diameter at breast height (DBH) are regulated by the public tree code. Public trees are to be protected through development and included on the inventory and protection plan required by the private development tree code (MMC 16.32.042). Public tree removals require an approved permit for removal, which includes a notice period lasting 14 days but can extend to 28 days if public comment is received.</p> <p>Public trees require a permit for planting (free) – visit <a href="http://milwaukieoregon.gov/trees">milwaukieoregon.gov/trees</a> to learn more.</p> <p>Frontage improvements include tree replanting requirements in the ROW following the public works standards. Public trees may count for partial credit in the development tree code as described in MMC 16.32.042.</p> <p>The tax lot included in the development site will be subject to the development tree code (MMC 16.32.042 A-H). If dividing the existing lot, the development tree code and the included standards apply to each tax lot independently. If the applicant consolidates tax lots, the final consolidated tax lot would be subject to the development tree code.</p> <p>The development tree code requires for this development compliance and/or mitigation associated with the following standards:</p> <ul style="list-style-type: none"> <li>- Preservation standard</li> <li>- Planting Standard</li> <li>- Protection Standard</li> </ul>

		<p>- Soil volume standard.</p> <p>For more information on these standards, view the documents attached at the bottom of the residential development tree permits webpage <a href="#">here</a>. Mitigation fees are outlined in the <a href="#">Master Fee Schedule</a>. The applicant may seek a variance for one or more of these standards through a Type III variance process (MMC 16.32.042.E)</p> <p>Bonds are required for tree protection and post development warranties as outlined in the Master Fee Schedule.</p> <p>Submittal requirements are outlined in MMC 16.32.042.H. An ISA Certified Arborist is required to submit the final documents to the city as defined in MMC 16.32.042. Additional supportive documentation, including canopy lists and tree protection and planting guidance are available at <a href="http://www.milwaukieoregon.gov/trees">www.milwaukieoregon.gov/trees</a>.</p> <p>The development tree code application is due at time of building permit application unless a variance is being requested through the land use application process. Building permits will not be approved without completion and approval of the development tree code application.</p> <p>For more information, please contact <a href="mailto:urbanforest@milwaukieoregon.gov">urbanforest@milwaukieoregon.gov</a> or call 503-786-7655.</p>
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**Public Services (MMC 13)**

<input checked="" type="checkbox"/>	<b>Water System (MMC 13.04)</b>	<p>The newly created lots will require new water connections. An appropriately sized water main must be constructed within the new right-of-way to service the lots. An existing 10-in water main in Monroe Street is available.</p> <p>New water meters must be provided for each new lot. Connection to City utilities is subject to plan and application review. Applications for city utility billing connections shall be made on approved forms: <a href="https://www.milwaukieoregon.gov/building/water-connection-application">https://www.milwaukieoregon.gov/building/water-connection-application</a></p> <p>A system development charge and a water service connection fee must be paid prior to new connections to city water.</p> <p>If later development would see the lots subdivided further to facilitate the sale of individual units (e.g. a quadplex or a cottage cluster type development), individual connections to the main must be provided for each unit. Multiple units on a single lot may share one water meter.</p>
<input checked="" type="checkbox"/>	<b>Sewer System (MMC 13.12)</b>	<p>The newly created lots will require new sewer connections. An appropriately sized wastewater main must be constructed within the new right-of-way to service the lots. An existing 8-in concrete pipe in Monroe Street is available.</p> <p>Connection and extension of City utilities is subject to plan and application review.</p> <p>A system development charge must be paid prior to new connections or impacts due to intensification of use to city sanitary sewer.</p> <p>If later development would see the lots subdivided further to facilitate the sale of individual units (e.g. a quadplex or a cottage cluster type development), individual connections to the main must be provided for each unit. Multiple units on a single lot may share one service lateral.</p>
<input checked="" type="checkbox"/>	<b>Stormwater Management (MMC 13.14)</b>	<p>Stormwater mitigation must meet the city's NPDES permit through design of facilities according to the 2016 City of Portland Stormwater Management Manual.</p> <p>All new impervious surface area more than 500 square feet is required to be treated on site. Stormwater facilities are subject to plan review.</p> <p>A system development charge must be paid prior to building permit issuance.</p>
<input checked="" type="checkbox"/>	<b>System Development Charge (MMC 13.28.040)</b>	<p>All new development or intensification of use shall be subject to system developments charges.</p>

		Latest charges are determined by the Master Fee Schedule available here: <a href="https://www.milwaukieoregon.gov/finance/fees-charges">https://www.milwaukieoregon.gov/finance/fees-charges</a>
<input type="checkbox"/>	<b>Fee in Lieu of Construction (MMC 13.32)</b>	
<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 for all frontage improvements, utility work within the right-of-way, and street improvement.  Individual right-of-way permits will be required to construct any driveway approaches for the newly created lots.
<input checked="" type="checkbox"/>	<b>Access Requirements (MMC 12.16.040)</b>	Per MMC 12.16.040, private property must be provided street access via accessways (driveways). These driveways must be constructed under a right-of-way permit in accordance with the current Milwaukie Public Works Standards and are subject to plan review.
<input checked="" type="checkbox"/>	<b>Clear Vision (MMC 12.24)</b>	A clear vision area shall be maintained at all driveways and accessways.
<b>Additional Engineering &amp; Public Works Notes</b>		
The current design shows a private permanent turnaround with 22 new lots and does not allow for connectivity to properties to the east. In order to meet the requirements set forth in MMC 19.708, all turnarounds are to be public and no permanent turnaround can support more than 20 lots. In order to construct a permanent turnaround, applicant must demonstrate that there is no opportunity for a through street connection.		
<b>BUILDING COMMENTS</b>		
All drawings must be submitted electronically through <a href="http://www.buildingpermits.oregon.gov">www.buildingpermits.oregon.gov</a> 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: <a href="https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx">https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx</a> . All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at <a href="http://www.buildingpermits.oregon.gov">www.buildingpermits.oregon.gov</a> . Each permit type and sub-permit type are separate permits and are subject to the same time review times 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. Note: Plumbing and electrical plan reviews (when required) are done off site and are subject to that jurisdiction's timelines. The City does not have any control over those timelines, so please plan accordingly. Site utilities require a separate plumbing permit and will require plumbing plan review. <b>NOTE:</b> The grading plan submitted to the Engineering Department does not cover this review. If you have any building related questions, please email us at <a href="mailto:building@milwaukieoregon.gov">building@milwaukieoregon.gov</a> .		
<b>All buildings must meet the Oregon Structural Specialty Code (OSSC) after new lots lines are established. Fire sprinklers will be required.</b>		
<b>OTHER FEES</b>		
<input checked="" 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 *12% (.12)

<input checked="" type="checkbox"/>	<b>Metro Excise Tax</b> Metro – Applies to any project with a construction value of over \$100,000.	<b>Calculation:</b> Valuation *.12% (.0012)
<input checked="" type="checkbox"/>	<b>School Excise Tax</b> School CET – Applies to any new square footage.	<b>Calculation:</b> Commercial = \$0.69 a square foot, Residential = \$1.39 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"/>	<input type="checkbox"/>	<b>Traffic Control Plan (Engineering)</b>	
<input type="checkbox"/>	<b>Parklet:</b>		
	<input type="checkbox"/>	<b>Parklet Application/ Planning Approval</b>	
	<input type="checkbox"/>	<b>Engineering Approval</b>	
	<input type="checkbox"/>	<b>Building Approval</b>	
<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**

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**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**

Patrick McLeod	Building Official	503-786-7611
Harmony Drake	Permit Technician	503-786-7623
Stephanie Marcinkiewicz	Inspector/Plans Examiner	503-786-7636

**ENGINEERING DEPARTMENT**

Steve Adams	City Engineer	503-786-7605
Jennifer Backhaus	Engineering Technician III	503-786-7608

**PLANNING DEPARTMENT**

Laura Weigel	Planning Manager	503-786-7654
Vera Kolias	Senior Planner	503-786-7653
Brett Kolver	Senior Planner	503-786-7657
Adam Heroux	Associate Planner	503-786-7658
Ryan Dyar	Assistant Planner	503-786-7661

**COMMUNITY DEVELOPMENT DEPARTMENT**

Joseph Briglio	Community Development Director	503-786-7616
Mandy Byrd	Development Programs Manager	503-786-7692
(vacant)	Housing & Econ. Dev. Prog. Mgr.	503-786-7627
Emilie Bushlen	Administrative Specialist II	503-786-7600
(vacant)	Administrative Specialist II	503-786-7600

**SUSTAINABILTY DEPARTMENT**

Natalie Rogers	Climate & Natural Resources Mgr.	503-786-7668
Courtney Wilson	Urban Forester	503-786-7655
Galen Hoshovsky	Environmental Services Coordinator	503-786-7660

**CLACKAMAS FIRE DISTRICT**

Shawn Olson	Lieutenant Deputy Fire Marshal	<a href="mailto:shawn.olson@ClackamasFire.com">shawn.olson@ClackamasFire.com</a>
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## **Pre-Application Comments:**

**To:** Vera Kolas, Senior Planner, City of Milwaukie

**From:** Shawn Olson, Fire Marshal, Clackamas Fire District #1

**Date:** 12-08-22

**Re: 22-020PA 5606 SE Monroe St. 22 Lot Subdivision**

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This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

### Fire Apparatus Access:

1. A Fire Access and Water Supply plan for subdivisions and commercial buildings over 1000 square feet in size or when required by Clackamas Fire District #1. The plan shall show fire apparatus access, fire lanes, fire hydrants, fire lines, available fire flow, FDC location (if applicable), building square footage, type of construction, and shall provide fire flow tests per NFPA 291 or hydraulic model when applicable and shall be no older than 12 months. Work to be completed by experienced and responsible persons and coordinated with the local water authority.
2. Provide address numbering that is clearly visible from the street.
3. No part of a building may be more than 150 feet from an approved fire department access road.
4. Access roads with fire hydrants shall be 26' wide with no parking designations.
5. The inside turning radius and outside turning radius for a 20' wide road shall not be less than 28 feet and 48 feet respectively, measured from the same center point.
6. Gates across access roads must be pre-approved by the Fire District.
7. Prior to the start of combustible construction, fire hydrants shall be operational and accessible.
8. Access roads greater than 150' in length require a fire department turnaround.

### Water Supply:

1. Fire hydrants, one- and two-family dwellings and accessory structures: Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), additional fire hydrants and mains shall be provided.
2. The minimum available fire flow for single family dwellings served by a municipal water supply shall be 1,000 gallons per minute @20 psi. Single family homes over 3,600 sq.ft. Require additional fire flow. See Appendix B of the Oregon Fire Code.

3. Fire hydrants shall be within 600' of all portions of any new construction.
4. The applicant must obtain a stamp of approval from Clackamas Fire District #1 that demonstrates fire apparatus access and water supply requirements will be satisfied.
5. Please see our design guide at: <https://clackamasfire.com/fire-prevention/new-construction-resources/>
6. If you have questions, please contact Fire Marshal Shawn Olson at [shawn.olson@clackamasfire.com](mailto:shawn.olson@clackamasfire.com) or by calling 503-742-2663.

**Submit fire apparatus access and water supply site plans to:**  
<https://clackamasfire.com/access-and-water-supply-plan-review-submittal/>