

# City of Milwaukie Meek Street Partition

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**Date:** February 2023

**Submitted to:** City of Milwaukie  
Planning Department  
6101 SE Johnson Creek Boulevard  
Milwaukie, OR 97206

**Applicant:** City of Milwaukie  
Engineering Department  
6101 SE Johnson Creek Boulevard  
Milwaukie, OR 97206

**AKS Job Number:** 5122



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## **Exhibits**

**Exhibit A: Preliminary Partition Application Form and Checklist**

**Exhibit B: Preliminary Partition Plans**

**Exhibit C: Clackamas County Assessor’s Maps**

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<b>Submitted to:</b>	City of Milwaukie Planning Department 6101 SE Johnson Creek Boulevard Milwaukie, OR 97206
<b>Applicant:</b>	City of Milwaukie Engineering Department 6101 SE Johnson Creek Boulevard Milwaukie, OR 97206
<b>Property Owners:</b>	Union Pacific Railroad 967 NC Hwy 211 E Candor, NC 27229
<b>Applicant's Consultant:</b>	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062  Contact: Chris Goodell, AICP, LEED <sup>AP</sup> Email: chrisg@aks-eng.com Phone: (503) 563-6151
<b>Site Location:</b>	West of the westerly terminus of SE Balfour Street, within the Union Pacific Railroad right-of-way, in Milwaukie, Oregon.
<b>Clackamas County Assessor's Map:</b>	Clackamas County Assessor's Map 1 1 E 25CA (portion of the Union Pacific Railroad right-of-way).
<b>Site Size:</b>	±17.54 acres; Resulting Partition: ±1.24 acres; Remainder: ±16.3 acres
<b>Milwaukie Zoning District:</b>	Manufacturing (M)



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## I. Executive Summary

The City of Milwaukie (Applicant) is submitting this preliminary partition application that is intended to accommodate a planned stormwater management facility needed near SE Balfour Street in Milwaukie, Oregon. The existing stormwater conveyance system experiences flooding under current and future conditions during 10-year and 25-year storm events. The City of Milwaukie Capital Improvement Project (CIP) 5-1 includes upsizing pipelines and the construction of a stormwater management facility on a portion of Union Pacific Railroad (UPRR) right-of-way. The railroad right-of-way property has a zoning designation of Manufacturing (M).

This application involves the creation of a new parcel by partitioning excess railroad right-of-way. The existing unit of land is  $\pm 17.54$  acres in size. The portion of railroad right-of-way to be partitioned and obtained by the city is  $\pm 1.24$  acres, leaving  $\pm 16.3$  acres remaining following the planned partition. A separate parcel is necessary for the City to be able to control, maintain, and own the stormwater management facility. The result, as shown in Exhibit B, is a newly created parcel and the remainder of the railroad right-of-way, which will continue to be owned, operated, and controlled by the UPRR.

This application includes the City application forms, written materials, and preliminary plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of the application.

## II. Site Description/Setting

The existing parcel that contains the railroad is  $\pm 17.54$  acres in size. The subject site is located within Milwaukie City limits at the westerly terminus of SE Balfour Street. According to the June 3, 2022, City of Milwaukie *Zoning Map*, the property abutting the subject site to the east is designated as Low Density Residential (R-7) and is occupied by single-family dwellings. Abutting the subject site to the west are the UPRR tracks and beyond the tracks are buildings used for manufacturing.

## III. Applicable Review Criteria

### MILWAUKIE MUNICIPAL CODE

#### Title 17: LAND DIVISION

#### 17.12. APPLICATION PROCEDURE AND APPROVAL CRITERIA

##### 17.12.020 Application Procedure

- A. Applications for land division and property boundary changes shall be processed in accordance with Chapter 19.1000 Type I, Type II, and Type III procedures as indicated in this section.
- B. Applications for property boundary changes shall be processed in accordance with Table 17.12.020 based on the type of change requested. The Planning Manager may modify the procedures identified in Table 17.12.020 as follows:
  1. Type III review may be changed to Type II review, or a Type II review may be changed to a Type I review, upon finding the following:
    - a. The proposal is consistent with applicable standards and criteria;



- b. The proposal is consistent with the basis and findings of the original approval; and
  - c. The proposal does not increase the number of lots.
2. Type III review may be required in the following situations:
- a. When the Planning Commission approved the original land use action; and
  - b. The proposed change is inconsistent with the original approval.

Table 17.12.020: Boundary Change Review Procedures			
Boundary Change Action	Type I	Type II	Type III
<b>2. Property Line Adjustment</b>			
a. Any adjustment that is consistent with the ORS and this title	X		
b. Any adjustment that modifies a plat restriction		X	
<b>3. Partition Replat</b>			
a. Any modification to a plat that was decided by the Planning Commission			X
b. Parcel consolidation	X		
c. Actions not described in 3(a) or (b).		X	

**Response:** The application involves the creation of a new, separate parcel from a section of railroad right-of-way via a land partition. The application does not include a property line adjustment or a partition replat. The partition application will be processed as a Type II Review, as indicated in Table 17.12.020: Boundary Change Review Procedures.

- C. An increase in the number of lots within the original boundaries of a partition plat shall be reviewed as a subdivision when the number of existing lots that are to be modified combined with the number of proposed new lots exceeds 3.

**Response:** The application does not involve a unit of land created by a partition or subdivision plat. Therefore, this criterion does not apply.

- D. Partitions
  - 1. Applications for preliminary partition plat shall be processed in accordance with Section 19.1005 Type II Review. Should any associated application subject to Type III review be submitted in conjunction with a partition, the partition application shall be processed according to Section 19.1006 Type III Review.

**Response:** The planned partition is submitted for a Type II Review. The Applicant is not submitting the partition application with a Type III application. Therefore, this application will not be upgraded to a Type III Review.

- 2. Full compliance with all requirements for subdivision may be required if the Planning Commission should determine that the entire parcel being partitioned is in the process of being divided for the purpose of subdivision. This provision applies if the land to be partitioned exceeds 2 acres and within a year is being partitioned into more than 2 parcels, any one of which is less than 1 acre.

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**Response:** This application does not involve serial partitioning as anticipated above. The applicant is the City of Milwaukie and the project involves creating a unit of land from excess property owned by Union Pacific Railroad. The purpose of this effort is to provide for the City ownership of a planned municipal stormwater management facility.

E. Applications for subdivision preliminary plat applications shall be processed in accordance with Section 19.1006 Type III Review, except that subdivision applications that meet the approval criteria for middle housing or expedited land divisions may be processed pursuant to Subsection 17.12.020.G and Subsection 17.12.020.H respectively.

**Response:** This application does not involve a subdivision. This criterion does not apply.

F. Applications for final plats of partitions and subdivisions shall be processed in accordance with Section 19.1004 Type I Review.

**Response:** The Applicant understands the final partition plat will be processed in accordance with Section 19.1004 Type I Review.

G. Middle Housing Land Divisions

1. A middle housing land division is a partition or subdivision of a lot or parcel on which a middle housing project has been developed or approved for development under the provisions of this code and ORS 197.758. Middle housing land divisions are regulated by this Code and ORS Chapter 92. Following the land division, the units of land created in a middle housing land division will be collectively considered a single lot along with the parent lot for all but platting and property transfer purposes under city code and state rules and statutes, including:

- a. Lot standards such as size, setback, lot coverage, and lot width and depth;
- b. Definition of unit types (e.g. a detached quadplex development where each unit is on its own lot through a middle housing land division would still be considered a detached quadplex development rather than single detached units);
- c. Allowed number of dwelling units and accessory dwelling units; and
- d. Compliance with middle housing rules and statutes in ORS 197 and OAR 660-046.

2. Applications for any land division affecting middle housing as provided in ORS 197.758(2) must be processed as an expedited land division process as outlined in ORS 197.360 to 197.380. Pursuant to the expedited land division process, a middle housing land division will be processed according to Section 19.1005 Type II Review. Further division of the resulting lots or parcels in an approved middle housing land division is prohibited.

**Response:** This application does not involve a middle housing land division. These criteria do not apply.

H. Expedited Land Division

Expedited land divisions are defined by ORS 197.360(1) and are processed according to Section 19.1005, Type II Review. The expedited land

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division/middle housing land division review process provides for review by the Planning Manager of an application based on provisions specified in this land use code. The application process includes notice to nearby occupants and property owners to allow for public comments prior to the Planning Manager's decision. Eligibility and approval criteria are detailed in Subsection 17.12.040.A.7 of this chapter.

**Response:** This application does not involve an expedited land division. This criterion does not apply.

17.12.040 Approval Criteria for Preliminary Plat

A. Approval Criteria

The approval authority may approve, approve with conditions, or deny a preliminary plat based on the following approval criteria:

1. The proposed preliminary plat complies with Title 19 of this code and other applicable ordinances, regulations, and design standards, including Chapter 16.32 Tree Code.

**Response:** The planned partition, as described in this narrative, complies with Title 19 of the City of Milwaukie Municipal Code and other applicable ordinances, regulations, and design standards. This criterion is met.

2. The proposed division will allow reasonable development and will not create the need for a variance of any land division or zoning standard.

**Response:** The planned partition does not create the need for a variance of any land division or zoning standard. The planned parcel is designed to be suitable for the future construction of a stormwater management facility. This criterion is met.

3. The proposed subdivision plat name is not duplicative and the plat otherwise satisfies the provisions of ORS 92.090(1).

**Response:** This application does not include a subdivision. This criterion is not applicable.

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 or road pattern.

**Response:** The planned partition does not include the creation or modification of streets and roads. This criterion is not applicable.

5. A detailed narrative description demonstrating how the proposal conforms to all applicable code sections and design standards.

**Response:** This narrative provides a detailed description demonstrating how the planned partition conforms to applicable code sections and design standards. This criterion is met.

6. Approval of a preliminary plat for a middle housing land division will be granted if the Planning Manager finds that the applicant has met all of the following criteria:

a. The middle housing development complies with the Oregon Residential Specialty code and the applicable MMC middle housing regulations. To demonstrate compliance with this criterion, the applicant must submit approved building permits or concurrent building permits demonstrating that existing or proposed structures comply with the Oregon

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Residential Specialty Code and MMC middle housing regulations in Titles 12 and 19.

- b. The middle housing development is in compliance with the land use regulations applicable to the parent lot allowed under ORS 197.758(5).
- c. Separate utility service connections for public water, sewer, and stormwater will be provided for each dwelling unit.
- d. Easements will be provided as necessary for each dwelling unit on the site for:
  - (1) Locating, accessing, replacing, and servicing all utilities;
  - (2) Pedestrian access from each dwelling unit to a private or public road;
  - (3) Any common use areas or shared building elements;
  - (4) Any dedicated driveways or parking; and
  - (5) Any dedicated common area.
- e. Exactly one dwelling unit will be located on each resulting lot except for lots or tracts used as common areas, on which no dwelling units will be permitted.
- f. Buildings or structures on a resulting lot will comply with applicable building codes provisions relating to new property lines.
- g. Structures or buildings located on the newly created lots will comply with the Oregon Residential Specialty Code.
- h. Where a resulting lot abuts a street that does not meet City standards, street frontage improvements will be constructed and, if necessary, additional right-of-way will be dedicated, pursuant to Chapter 19.700.
- i. The proposed middle housing land division will not cause any existing improvements on the middle housing lots to be inconsistent with applicable standards in this land use code.

**Response:** This application does not involve a middle housing land division. These criteria do not apply.

- 7. If an applicant elects to use the expedited land division procedure, the application must meet the following additional approval criteria:
  - a. The proposed partition only includes land zoned for residential uses;
  - b. The parcels created will only be developed for residential use, including recreational or open space accessory to residential use;
  - c. The land division satisfies minimum street or other right-of-way connectivity standards established by the City's Transportation System Plan, Public Works Standards, and Chapter 19.700;

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- d. The land division will not provide for dwellings or accessory buildings to be located on land that is specifically mapped and designated in the comprehensive plan and land use regulations for full or partial protection of natural features under the statewide planning goals that protect:
    - (1) Open spaces, mapped historic properties as identified on Map 3 on the comprehensive plan, and mapped natural resources as regulated by Section 19.402; or
    - (2) The Willamette River Greenway as regulated by Section 19.401.
  - e. The land division will result in development that either:
    - (1) Creates enough lots or parcels to allow building residential units at 80% or more of the maximum net density permitted by the zoning designation of the site; or
    - (2) Will be sold or rented to households with incomes below 120% of the median family income for Clackamas County.

**Response:** This application does not involve an expedited land division procedure. These criteria do not apply.

**B. Conditions of Approval**

The approval authority may attach such conditions as are necessary to carry out the applicable ordinances and regulations and may require access control strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.

**Response:** The Applicant understands the approval authority may attach conditions, as necessary, to satisfy applicable ordinances and regulations. Access control strips are not anticipated to be necessary. Surrounding properties are developed or do not have any access restraints created by this planned partition.

- 1. The City will attach conditions of approval of a preliminary plat for a middle housing land division to:
  - a. Require that a notation appear on the final plat indicating:
    - (1) The middle housing lots shown on the tentative plan were created pursuant to a middle housing land division and may not be further divided.
    - (2) The middle housing developed on the middle housing lots shown on the preliminary plat shall remain middle housing and shall not be considered to be any other housing type as a result of the middle housing land division.
    - (3) Accessory dwelling units are not permitted on new lots resulting from a middle housing land division.
    - (4) Ensure that improvements associated with review criteria in this section are provided.
  - b. The preliminary plat approval of a middle housing land division is void if and only if a final middle housing land

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division plat is not approved within 3 years of the tentative approval.

**Response:** This application does not involve a middle housing land division. These criteria do not apply.

**Chapter 17.16 APPLICATION REQUIREMENTS AND PROCEDURES**

**17.16.060 Preliminary Plat for Partition and Subdivision**

The following shall accompany applications for partition:

- A. A completed application form signed by all owners of property included in the proposal;
- B. The application fee as adopted by the City Council;
- C. Completed and signed “submission requirements” and “final plat checklist” forms;
- D. All information specified on the “submission requirements” and “final plat checklist”;
- E. A survey prepared by registered land surveyor showing setbacks to existing structures with sufficient detail to demonstrate compliance with yard requirements;
- F. Requirements and information specified in Chapter 17.24; and
- G. Any additional information as may be needed to demonstrate compliance with approval criteria.

**Response:** The completed City application form, signed by the property owner, is included with this submittal (Exhibit A). A check for the required application fee, payable to the City of Milwaukee, is included. This written narrative describes how this project complies with the requirements of the applicable review criteria and development standards. The Existing Conditions Plan, Preliminary Partition Plat, and Preliminary Partition Plat with Aerial Photograph are also included with this application (Exhibit B). There are not any existing structures on subject property, therefore a survey is not required. These criteria are met.

**Chapter 17.20 PRELIMINARY PLAT**

**17.020.010 Submission of Plans**

Applicants for partition, subdivision, expedited land division, middle housing land division, and replat shall prepare a preliminary plat and such improvement plans and other supplemental material including as may be required to describe and represent the objectives of the proposal.

**Response:** Included with this application are the Preliminary Existing Conditions Plan, Preliminary Partition Plat, and Preliminary Partition Plat with Aerial Photograph (Exhibit B). The exhibits, in total, provide the details necessary to describe and represent the objectives of the planned partition. This criterion is met.

**17.20.020 Scale**

The preliminary plat shall be drawn at a scale and on a sheet size that reliably and conveniently represents design details sufficient for the proper plan review and determination of compliance with this title.

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**Response:** The Preliminary Partition Plat (Exhibit B) is a scaled drawing and provided on a sheet size which is readable, and it conveniently represents the design details sufficiently for the proper plan review and determination of compliance with this title. This criterion is met.

17.20.030 General Information to be Shown on the Preliminary Plat

- A. Preliminary plats shall be prepared by an Oregon registered land surveyor.
- B. The following general information shall be submitted with the preliminary plat:
  - 1. Proposed name of the subdivision/partition. The name shall not duplicate nor resemble the name of another subdivision in the county. Subdivision names shall be approved by the County Surveyor in accordance with ORS Chapter 92;
  - 2. Date, north point, and scale of drawing;
  - 3. Appropriate identification clearly stating the map is a preliminary plat;
  - 4. Location by section, township, and range; and a legal description sufficient to define the location and boundaries of the area to be divided;
  - 5. Names and addresses of the owner, subdivider, and engineer or surveyor;
  - 6. Acreage;
  - 7. Structures and yard setbacks;
  - 8. The location, width, and purpose of easements;
  - 9. The location, approximate dimensions, and area of all lots;
  - 10. Lot and block numbers; and
  - 11. Other information as maybe specified on application forms and checklists prescribed by the Planning Director.

**Response:** The information listed in Section 17.20.030(A)(B) is provided on the Preliminary Partition Plat (Exhibit B), as applicable. Therefore, this criterion is met.

- C. Vicinity map shall be drawn at an appropriate scale, 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.

**Response:** A Vicinity Map is included on each of the plans (Exhibit B). The planned partition does not include the creation or modification of any streets. Therefore, street extensions are not shown on the map. This criterion, as applicable to this application, is met.

17.20.040 Building Lines Prohibited

Platted building lines are prohibited. The effect of building lines may be executed through recordation of instruments, which shall be referenced on the recorded plat. (Ord. 1907 (Attach. 1), 2002)

**Response:** The Preliminary Partition Plat does not include platted building lines, as they are prohibited. Therefore, this criterion is met.



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17.20.050 Existing Conditions

The following shall be shown on the preliminary plat:

- A. Location, width, and names of all existing or platted streets within or adjacent to the tract, together with easements, railroad right-of-way, and other important features, such as section lines and corners, City boundary lines, and monuments.
- B. Contour lines related to an established benchmark or other datum approved by the Engineering Director, with intervals at a minimum of 2 feet for slopes up to 10% and 5 feet for slopes over 10%.
- C. Location within the area to be divided, and in the adjoining streets and property, of existing sewers, water mains, culverts, storm drain system, and electric conduits or lines proposed to service the property to be subdivided, and invert elevations of sewer manholes, drain pipes, and culverts.
- D. Zoning and existing uses within the tract and 200 feet on all sides, including the location and use of all existing structures indicating those that will remain and those to be removed.
- E. Approximate location of areas subject to inundation or stormwater overflow with approximate high-water elevation. Location, width, direction, and flow of all watercourses on or abutting the tract including wetlands and watercourses as shown on City-adopted natural resource and Title 3 maps.
- F. Natural features such as rock outcroppings, drainages whether seasonal or perennial, wooded areas, and isolated trees, including type and caliper.
- G. Floodway and floodplain boundary.
- H. Areas containing slopes of 25% or greater. (Ord. 1907 (Attach. 1), 2002)

**Response:** The Preliminary Existing Conditions Plan (Exhibit B) includes all the information, as applicable, listed in Section 17.20.050. These criteria are met.

17.28 DESIGN STANDARDS

17.28.010 Conformity of Subdivision

Partitions and subdivisions shall conform with any development plans of the City and shall take into consideration any preliminary plans made in anticipation thereof and shall conform with the requirements of state laws and with the standards established by the City.

**Response:** This partition is related to and conforms with the City's plans because it provides the City with the optimal scenario to be able to control and maintain a planned public stormwater management facility. This criterion is met.

17.28.020 Public Facility Improvements

All land divisions and boundary changes that increase the number of lots shall be subject to the requirements and standards contained in Chapter 19.700 Public Facility Improvements and the Public Works Standards for improvements to streets, sidewalks, bicycle facilities, transit facilities, and public utilities.

**Response:** This application creates a new parcel that is intended to accommodate a planned public stormwater facility, therefore these standards are not applicable to the project. That said, to the extent that a design standard is relevant to the partition, it can be satisfied.

17.28.030 Easements



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A. Utility Lines

Easements for sewers, water mains, electric lines, or other public utilities shall be dedicated wherever necessary. The easements shall be provided in accordance with applicable design standards in the Public Works Standards.

**Response:** The newly created parcel, in its entirety, will be dedicated to the City of Milwaukie and is intended to accommodate a public stormwater management facility. Should easements be necessary, they can comply with applicable design standards in the Public Works Standards. This criterion will be met.

B. Watercourses

If a subdivision is traversed by a watercourse such as a drainageway, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of the watercourse, and such further width as will be adequate for the purpose of construction and maintenance. Streets, parkways, bicycle ways, or pedestrian ways parallel to major watercourses may be required.

**Response:** As described herein, the City of Milwaukie is undertaking a project whose purpose is to ameliorate stormwater flooding. Part of this project involves the construction of a stormwater management facility near the western terminus of SE Kelvin Street and SE Balfour Street that falls within the existing railroad right-of-way. The partition provides the City with the ability to control and manage the stormwater management facility. To the extent easements are warranted, they can be provided. This criterion is met.

17.28.040 General Lot Design

This section does not apply to units of land that are created for purposes other than land development including parks, natural areas, right-of-way dedications, or reservations of a similar nature. Lots and tracts created for cottage cluster housing development, per Subsection 19.505.4, are also exempt from the requirements of this section.

**Response:** The City of Milwaukie is submitting this partition application to create one new parcel of land that is intended to be used for the future construction of a stormwater management facility. The new parcel provides the City with the necessary opportunity to be able to control and maintain the planned public stormwater management facility. The subject site falls within the existing UPRR right-of-way. The provisions of Section 17.28.040 do not apply to this application.

17.28.080 Public Open Spaces

- A. Due consideration shall be given to the allocation of suitable areas for schools, parks, and playgrounds to be dedicated for public use.
- B. Where a proposed park, playground or other public use shown in the Comprehensive Plan or master plan adopted by the City is located in whole or in part in a subdivision, the Planning Commission may require the dedication or reservation of such area within the subdivision.
- C. Where considered desirable by the Planning Commission, and where the Comprehensive Plan or adopted master plan of the City does not indicate proposed public use area, the Planning Commission may require the dedication or reservation of areas or sites of a character, extent, and location suitable for the development of parks and other public use.

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- D. If the applicant is required to reserve land area for park, playground, or other public use, such land shall be acquired by the appropriate public agency within 18 months following plat approval, at a price agreed upon prior to approval of the plat, or such reservation shall be released to the applicant.
  - E. New residential projects will require the dedication of land if the development corresponds to park locations defined in the parks and recreation master plan.
  - F. In exchange for the dedication of parkland, the allowable density on the remaining lands will be increased, so that the overall parcel density remains the same.

**Response:** As stated throughout this narrative, the purpose of this partition application is to create one new parcel of land. The intention is for the City of Milwaukie to own, maintain, and control the future public stormwater management facility. The provisions of Section 17.28.080 Public Open Spaces are not applicable to this application.

#### Chapter 17.32 IMPROVEMENTS

##### 17.32.010 Improvement Procedures

In addition to other requirements, improvements installed by the applicant, either as a requirement of these regulations or their own option, shall conform to the requirements of this title and to improvement standards and specifications in the Public Works Standards and Chapter 19.700 Public Facility Improvements. The improvements shall be installed in accordance with the following procedure:

- A. Work shall not begin until plans have been checked for adequacy and approved by the City in writing. All such plans shall be prepared in accordance with requirements of the City.
- B. Work shall not begin until the City has been notified in advance, and if work is discontinued for any reason, it shall not be resumed until the City is notified.
- C. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest.

**Response:** This application involves partitioning a portion of land within the existing railroad right-of-way to create one new parcel. The parcel is planned to be used for the future construction of a planned public stormwater management facility. However, this application, in and of itself, does not include the construction of any portion of the future project. The facility is planned to be constructed by the City of Milwaukie. At the time of construction, plans will be prepared in accordance with the requirements of the City. This criterion can be met.

- D. All underground utilities, installed in streets by the applicant, including but not limited to, water, sanitary sewers, and storm drains shall be constructed prior to the surfacing of streets. Stubs for service connections shall be extended to property lines long enough to avoid disturbing the street improvements when service connections are made. How utilities are to be serviced shall be indicated.

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**Response:** To the extent new utilities are connected with the future construction of the planned stormwater management facility, it is anticipated that they will be placed underground as appropriate. As applicable, this criterion can be met.

- E. A map showing all public improvements as built shall be filed with the City upon completion of the improvements. All such maps shall be prepared in accordance with requirements of the City.

**Response:** The purpose of this application is to partition a portion of land to create one new parcel. In the future, a stormwater management facility is planned on the parcel. This application does not include public improvements. The criterion does not apply.

**17.32.020 Utility Undergrounding**

All utility lines, including, but not limited to, those required for electric, communication, lighting, cable television services, and related facilities shall be placed underground. Surface-mounted transformers, surface-mounted connection boxes and meter cabinets, temporary utility service facilities during construction, high-capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above may be placed above ground. The applicant shall make all necessary arrangements with the serving utility to provide the underground services. (Ord. 2003 § 2, 2009; Ord. 1907 (Attach. 1), 2002)

**Response:** The parcel created by this partition is planned to be used for the future construction of a stormwater management facility. The above-listed utilities are not required for this project. This criterion does not apply.

**Title 19: ZONING**

**Chapter 19.300 BASE ZONES**

**19.309 MANUFACTURING ZONE M**

**19.309.1 Purpose**

The M Zone is intended to promote clean, employee-intensive industries which may also include related accessory uses, such as commercial and office uses, which serve the industrial area.

**19.309.2 Permitted Uses**

Permitted uses are limited to industrial uses meeting the following criteria:

- A. Any combination of manufacturing, office, and/or commercial uses are allowed when at least 25% of the total project involves an industrial use as described under Subsection 19.309.2.B.
- B. A use which involves the collection and assembly of durable goods, warehousing of goods, transshipment of goods from other sources, and/or the assembly of goods from products which have been processed elsewhere, general manufacturing, and production.
- C. Commercial and office uses which are accessory to the industrial use(s). Such uses may include gymnasium, health club, secretarial services, sandwich deli, small restaurant, and retail/wholesale commercial use and showroom.
- D. May produce small amounts of noise, dust, vibration, or glare, but may not produce off-site impacts that create a nuisance, as defined by DEQ or the City Noise Ordinance.

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- E. A permitted use may require outside storage areas. These storage areas shall be screened with a sight-obscuring fence or dense plantings from any adjoining residential uses or public streets.
  - F. Warehouse use which is accessory to an industrial use.
  - G. Marijuana retailers are allowed as a commercial use under Subsection 19.309.2.A. and subject to the special development standards set forth in Subsection 19.509.1.
  - H. The following uses are allowed outright and do not need to be part of a project involving an industrial use as described under Subsection 19.309.2.B
    - 1. Construction: Contractors and Related Businesses

This category comprises businesses whose primary activity is performing specific building or other construction-related work, on- or off-site. Examples include: residential and nonresidential building construction, utility/civil engineering construction, specialty trade contractors, and moving companies. Any associated on-site office use must be accessory to the primary construction business.
    - 2. Repair and Service

This category comprises firms involved in repair and servicing of industrial, business, or consumer electronic equipment, machinery, and related equipment, products, or by-products. Examples include: welding shops; machine shops; tool, electric motor, and industrial instrument repair; sales, repair, or storage of heavy machinery, metal, and building materials; heavy truck servicing and repair; tire retreading or recapping; exterminators, including chemical mixing or storage and fleet storage and maintenance; janitorial and building maintenance services that include storage of materials and fleet storage and maintenance; fuel oil distributors; solid fuel yards; and large-scale laundry, dry-cleaning, and carpet cleaning plants. Auto service and repair shops for personal vehicles are allowed in the M Zone.
    - 3. Trade Schools

This category comprises establishments whose primary purpose is to provide training for industrial needs and job-specific certification. Examples include: electronic equipment repair training, truck-driving school, welding school, training for repair of industrial machinery, and other industrial skills training.

**Response:** The property is planned to be used for the future construction of a stormwater management facility. Section 19.309.2 is not applicable to this application.

#### 19.309.3 Preexisting Uses and Developments

Notwithstanding the provisions of Chapter 19.800 Nonconforming Uses and Development, prohibited uses and structures located in any mapped “employment” or “industrial” area, as shown on the Milwaukie Comprehensive Plan Title 4 Lands Map, that were lawfully in existence prior to May 6, 1999, and would be impacted by amendments prohibiting retail uses in excess of 60,000 sq ft, are considered to be approved uses and structures for the purposes of this section. If such a preexisting use or development is damaged or destroyed by fire, earthquake, or other natural force,

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then the use will retain its preexisting status under this provision, so long as it is substantially reestablished within 3 years of the date of the loss.

Notwithstanding the provisions of Chapter 19.800 Nonconforming Uses and Development, prohibited uses and structures located in any mapped “industrial” area, as shown on the Milwaukie Comprehensive Plan Title 4 Lands Map, that were lawfully in existence prior to March 17, 2009, may continue and expand to add up to 20% more floor area and 10% more land area than exists on the above-stated date. This expansion requires a conditional use review.

**Response:** The subject site does not contain a nonconforming use; the area to be partitioned is vacant and unimproved while the remainder of the site is the railroad right-of-way and occupied by a rail line. This criterion is not applicable.

#### 19.309.4 Specific Prohibited Uses

- A. Any use which has a primary function of storing, utilizing, or manufacturing explosive materials or other hazardous material as defined by the Oregon Fire Code, Chapter 27.
- B. New residential, religious institutions, or public schools.
- C. Retail uses greater than 60,000 sq ft gross floor area per building or business are prohibited on all lots included in mapped “Employment” or “Industrial” areas as shown on Milwaukie Comprehensive Plan Title 4 Lands Map, April 6, 1999.
- D. All lots included in mapped “Industrial” areas, as shown on Milwaukie Comprehensive Plan Title 4 Lands Map, April 6, 1999, carry the following additional restrictions:
  - 1. Individual retail trade uses greater than 5,000 sq ft gross floor area per building or business are prohibited.
  - 2. Multiple retail trade uses that occupy more than 20,000 sq ft gross floor area are prohibited, whether in a single building or in multiple buildings within the same project.
  - 3. Facilities whose primary purpose is to provide training to meet industrial needs are exempted from this prohibition.

**Response:** The property does not include any of the prohibited uses listed in this section. These criteria are not applicable.

#### 19.309.5 Standards for Conditional Uses

- A. Natural Resource Extraction
  - 1. Open pit and gravel excavating or processing shall not be permitted nearer than 50 ft to the boundary of an adjoining property line, unless written consent of the owner of such property is first obtained. Excavating or processing shall not be permitted closer than 30 ft to the right-of-way line of an existing platted street or an existing public utility right-of-way.
  - 2. An open pit or sand and gravel operation shall be enclosed by a fence suitable to prevent unauthorized access.
  - 3. A rock crusher, washer, or sorter shall not be located nearer than 500 ft to a residential or commercial zone. Surface mining equipment and necessary access roads shall be constructed, maintained, and operated in such a manner as

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to eliminate, as far as is practicable, noise, vibration, or dust which is injurious or substantially annoying to persons living in the vicinity.

**Response:** This application does not include an extraction of natural resources. These criteria are not applicable.

**B. High-Impact Commercial Uses**

When considering a high-impact commercial use, the Commission shall consider the following:

1. Nearness to dwellings, churches, hospitals, or other uses which require a quiet environment.
2. Building entrances, lighting, exterior signs, and other features which could generate or be conducive to noise or other disturbance for adjoining uses.
3. Parking vehicles and pedestrian access and circulation could contribute to noise or attract habitual assembly or unruly persons.
4. Hours of operation.
5. In addition to consideration of the above with respect to building and site design, the Planning Commission may attach conditions or standards of performance and impact, and methods for monitoring and evaluating these, to ensure that such establishments do not become unduly or unnecessarily disruptive.
6. In addition, when considering an adult entertainment business, the following criteria shall be used:
  - a. The proposed location of an adult entertainment business shall not be within 500 ft of an existing or previously approved adult entertainment business or within 500 ft of either a public park, a church, a day-care center, a primary, elementary, junior high, or high school, or any residentially zoned property.
  - b. Distances shall be measured in a straight line, without regard to intervening structures, between the closest structural wall of the adult entertainment business and either the closest property line of the applicable property or the closest structural wall of any preexisting or previously approved adult entertainment business.

**Response:** The property is planned to be used for the future construction of a stormwater management facility. A high-impact commercial use is not proposed. These criteria are not applicable.

**19.309.6 Development Standards for All Uses**

The following development standards apply to all uses in the M Zone.

**A. Setbacks (Minimum)**

Front: 20 ft.

Side: None\*

Corner side yard: 10 ft.

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Rear: None\*

\* Except when abutting a residential district, in which case the setback shall match the abutting property.

**Response:** The property is planned to be used for the future construction of a stormwater management facility. To the extent required, the setbacks for the management facility will be followed. The site abuts a residential district to the east. The setbacks for the residential district will be followed, as applicable. This criterion will be met.

**B. Height (maximum)**  
45 ft.

**Response:** This application does not include any structural improvements. Therefore, this criterion is not applicable.

**C. Parking and Loading**  
See Chapter 19.600

**Response:** The parcel created by this partition is planned to be used for the future construction of a stormwater management facility. Parking and loading requirements are not applicable to this project.

**D. Landscaping**  
15% landscaping of the site is required. A variety of trees, shrubbery, and ground cover is encouraged. Street trees are required along street frontages and within parking lots to help delineate entrances, provide shade, and permeable areas for storm water runoff. A bond or a financial guarantee of performance will be required.

**Response:** The parcel created by this partition is planned to be used for the future construction of a stormwater management facility. Landscaping can be provided, as required. This criterion can be met.

**E. Site access**  
1 curb cut (45 ft. maximum) per 150 ft. of street frontage

**Response:** As shown on the attached Preliminary Partition Plat (Exhibit B), the subject site is located at the westerly terminus of SE Balfour Street. Access to the site is available from SE Balfour Street for the purposes of maintaining the planned facility. The planned parcel will not have 150 feet of street frontage. Therefore, this criterion is not applicable.

**F. Transition Area**  
Industrial development adjacent to and within 120 ft of areas zoned for residential uses is subject to Type I or II review per Section 19.906 Development Review. The following characteristics will be considered:

1. Noise
2. Lighting
3. Hours of operation
4. Delivery and shipping
5. Height of structure



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6. Distance to residential boundary

The review authority may attach conditions to reduce any potentially adverse impacts of residential properties.

**Response:** This application does not involve industrial development. Therefore, this criterion and Development Review are not applicable.

G. Public Facility Improvements

As specified in Chapter 19.700

**Response:** This application involves the creation a parcel which is planned to be used for the future construction of a stormwater management facility. The stormwater management facility is part of the City of Milwaukie Capital Improvement Project 5-1. Therefore, in accordance with Section 19.702.4(G), public capital improvement projects are exempt from the provisions of Chapter 19.700. This criterion is not applicable.

H. Additional Standards

Chapter 19.500 Supplementary Development Regulations contains additional standards that may apply.

**Response:** The provisions of Chapter 19.500 Supplementary Development Regulations are applicable to accessory structures, accessory uses, site design standards, building design standards, manufactured dwelling siting and design standards, home occupation standards, downtown site and building design standards, and marijuana business standards. The property is planned to be used for the future construction of a new stormwater management facility as part of a regional stormwater management improvement project by the City of Milwaukie. Therefore, this criterion does not apply.

19.309.7 Special Development Standards

The following development standards apply to specified uses in the M zone.

A. Marijuana Businesses

1. Marijuana retailers shall be subject to the standards of Subsection 19.509.1.
2. Marijuana production, processing, testing, research, and warehousing shall be subject to the security and odor control standards of Subsection 19.509.2.
3. Marijuana production facilities located in the M-Manufacturing zone shall be subject to the Marijuana Production Limitations set forth in Subsection 19.509.3.

**Response:** This application does not involve a marijuana business. These criteria do not apply.

Chapter 19.700 PUBLIC FACILITY IMPROVEMENTS

19.702 APPLICABILITY

19.702.4 Exemptions

Chapter 19.700 does not apply to the following types of development in all zones:

- A. Modifications to existing single detached and duplex residential structures that do not result in an increase in gross floor area.



- 
- B. Construction or expansion of nonhabitable residential detached accessory structures. Garage and carport construction or expansions are only partially exempt. See Subsection 19.702.2.E above.
  - C. Property line adjustments.
  - D. Redevelopment of a structure following partial or total accidental destruction when all of the following criteria are met:
    - 1. The redeveloped structure has a gross floor area no larger than the structure that was destroyed.
    - 2. The use of the structure remains the same as the use that existed before the structure was destroyed.
    - 3. A building permit is submitted and approved by the City within 2 years of the date of accidental destruction.

If redevelopment of a structure following accidental destruction does not meet all three of these criteria, the redeveloped structure shall be subject to Subsections 19.702.1 and 2 as applicable. Redevelopment of a structure following nonaccidental destruction shall constitute new construction and is not exempt from Chapter 19.700.

- E. Operation, maintenance, and repair of existing public facilities.
- F. Public capital improvement projects.

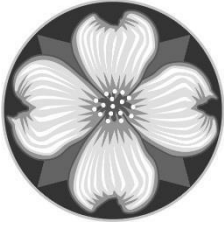
**Response:** This application involves the creation a parcel which is planned to be used for the future construction of a stormwater management facility. The stormwater management facility is part of the City of Milwaukie Capital Improvement Project 5-1. In accordance with Section 19.702.4(G), public capital improvement projects are exempt from the provisions of Chapter 19.700. These criteria are not applicable.

#### **IV. Conclusion**

This written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the Milwaukie Municipal Code. The evidence in the record is substantial and supports approval of the application. Therefore, the City of Milwaukie can rely upon this information in its approval of this application.

**Exhibit A:**  
**Preliminary Partition Application Form and Checklist**

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**MILWAUKIE PLANNING**

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

# Application for Land Use Action

Primary File #: MLP-2023-001

Review type\*:  I  II  III  IV  V

**CHECK ALL APPLICATION TYPES THAT APPLY:**

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

**RESPONSIBLE PARTIES:**

**APPLICANT** (owner or other eligible applicant—see reverse): **City of Milwaukie Engineering Department**

Mailing address: **6101 SE Johnson Creek Boulevard, Milwaukie** State/Zip: **OR 97206**

Phone(s): **Please contact applicant's consultant** Email: **Please contact applicant's consultant**

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

**APPLICANT'S REPRESENTATIVE** (if different than above): **AKS Engineering & Forestry (Chris Goodell, AICP, LEED)**

Mailing address: **12965 SW Herman Road, Ste. 100, Tualatin** State/Zip: **OR 97062**

Phone(s): **503-563-6151** Email: **chrisg@aks-eng.com**

**SITE INFORMATION:**

Address: **UPRR right-of-way, please see Assessor's Map** Map & Tax Lot(s): **1 1 E 25CA (portion of UPRR r.o.w)**

Comprehensive Plan Designation: **I** Zoning: **M** Size of property: **±17.54 acres**

**PROPOSAL (describe briefly):**

The purpose of this application is to partition a portion of the Union Pacific Railroad right-of-way to create one new parcel of land for future construction of a stormwater management facility for the City of Milwaukie.

**SIGNATURE:** I attest that I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code 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: **ROD S. CARROLL**

Date: **2/20/2023**

DocuSigned by:  
3FC37FAEAB1C1E8B

**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.

\*\* Natural Resource and Transportation Review applications **may require a refundable deposit.**

**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.

**DEPOSITS:**

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)

**REVIEW TYPES:**

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

- Type I: Section 19.1004
- Type II: Section 19.1005
- Type III: Section 19.1006
- Type IV: Section 19.1007
- Type V: Section 19.1008

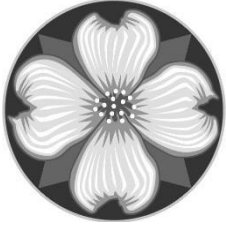
**THIS SECTION FOR OFFICE USE ONLY:**

FILE TYPE	FILE NUMBER	AMOUNT (after discount, if any)	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	MLP-2023-001	\$ 2,000			Materials received 2/24/2023
Concurrent application files		\$			
		\$			
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$ 2,000			RECEIPT #: 25288		RCD BY:

**Associated application file #s** (appeals, modifications, previous approvals, etc.):

**Neighborhood District Association(s):** Ardenwald-Johnson Creek

**Notes:** Partition of Union Pacific Railroad right-of-way to create a parcel for use by the City as part of the Meek Street stormwater Capital Improvement Project.



**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).
  - C. Compliance with the Tree Code (MMC 16.32): [www.milwaukieoregon.gov/trees](http://www.milwaukieoregon.gov/trees)  
*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:**


- Electronic copies of all application materials are required at the time of submittal.

**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.

As the authorized applicant I, (print name) Chris Goodell, 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: 

Date: 11/11/2022

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**Official Use Only**

Date Received (date stamp below):

**Materials received**  
**2/24/2023**

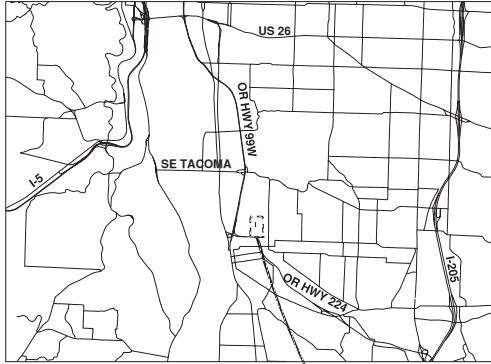
Received by: Brett Kelter, Senior Planner

## **Exhibit B: Preliminary Partition Plans**

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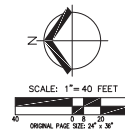


VICINITY MAP  
NOT TO SCALE

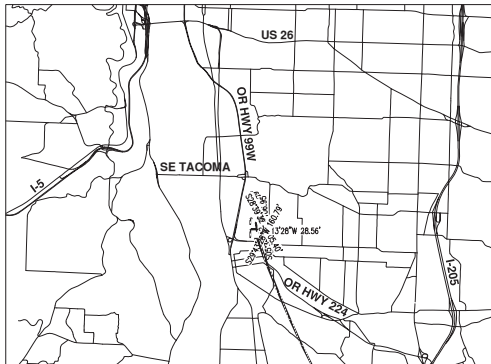


NOTES

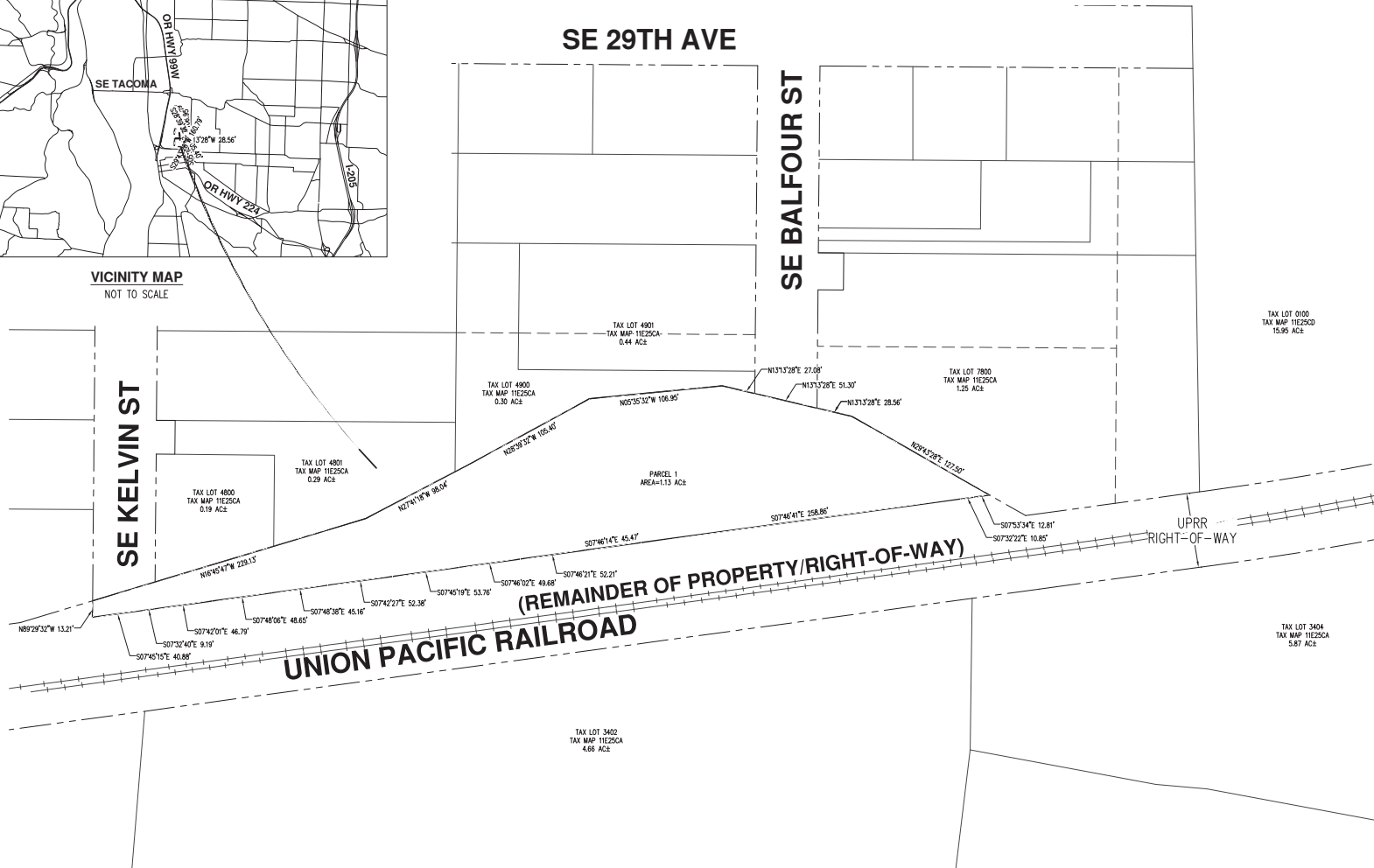
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2. CONTOURS DISPLAYED HERE CREATED USING TOPOGRAPHIC SURVEY DATA COLLECTED BY AKS ENGINEERING ON MARCH 27 - APRIL 21, 2017.



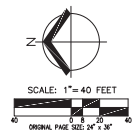




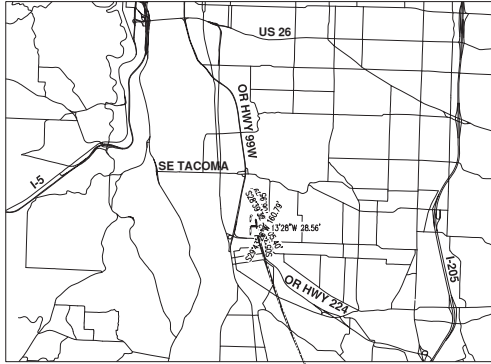
VICINITY MAP  
NOT TO SCALE



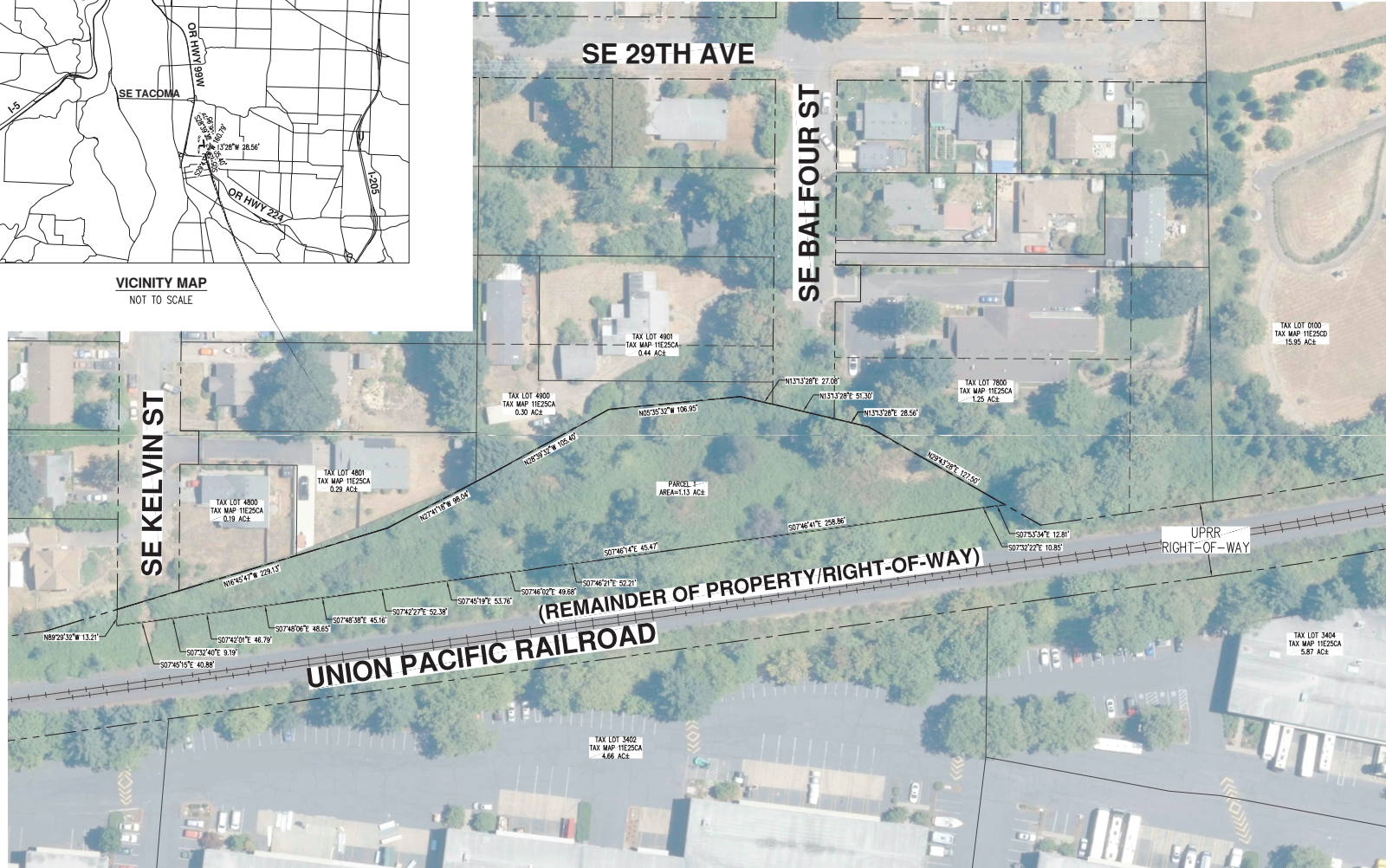
NOTES:  
 1. AERIAL IMAGE FROM METRO (2015).  
 2. CONTOURS DISPLAYED WERE CREATED USING TOPOGRAPHIC SURVEY DATA COLLECTED BY AKS ENGINEERING ON MARCH 27 - APRIL 21, 2017.



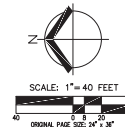
DESIGNED BY: JPC  
 DRAWN BY: NAD  
 CHECKED BY: JPC  
 SCALE: AS NOTED  
 DATE: 01/04/2023  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 785833P  
 P. CHRISTENSEN  
 ORIGINAL DATE: 12/21/22  
 REVISION:



**VICINITY MAP**  
NOT TO SCALE



**NOTES:**  
1. AERIAL IMAGE FROM METRO (2016).  
2. CONTOURS DISPLAYED WERE CREATED USING TOPOGRAPHIC SURVEY DATA COLLECTED BY AKS ENGINEERING ON MARCH 27 - APRIL 21, 2017.



DESIGNED BY: JPC  
DRAWN BY: NAD  
CHECKED BY: JPC  
SCALE: AS NOTED  
DATE: 01/04/2023  
REGISTERED PROFESSIONAL SURVEYOR  
78583P  
P. CHRISTIANSON  
REVISION DATE: 12/21/23

## **Exhibit C: Clackamas County Assessor's Maps**

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11 E 25CA  
MILWAUKIE

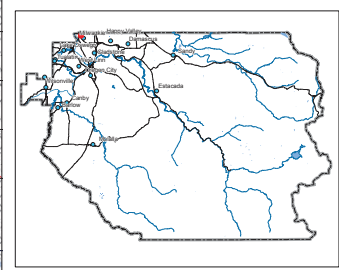
N.E. 1/4 S.W. 1/4 SEC. 25 T.1S. R.1E. W.M.  
CLACKAMAS COUNTY

D. L. C.  
WM MEEK NO. 50

1" = 100'

Cancelled Taxlots  
2400  
3405A1  
7301  
7900  
8400

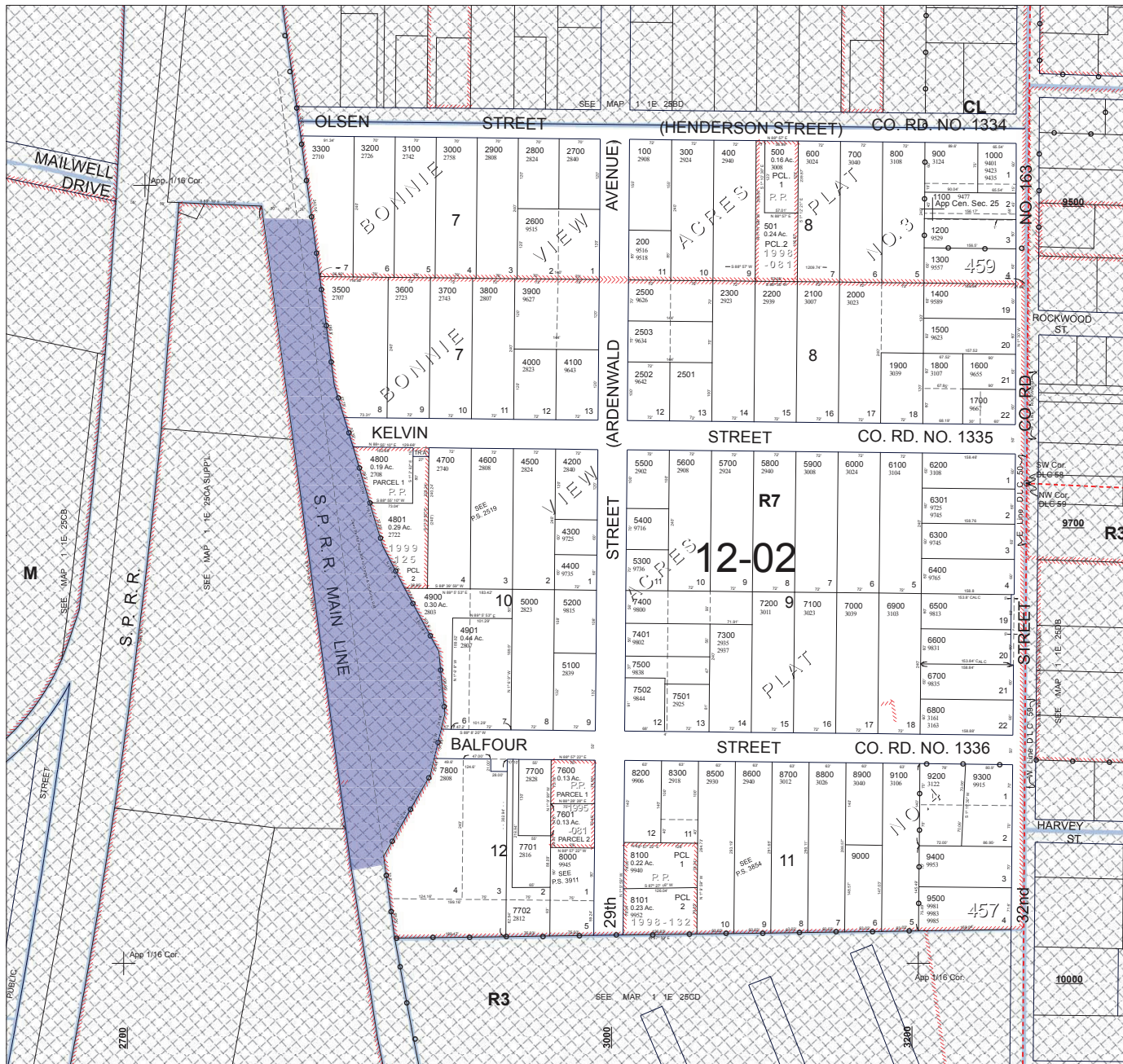
- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT  
PURPOSES ONLY

8/19/2014

11 E 25CA  
MILWAUKIE

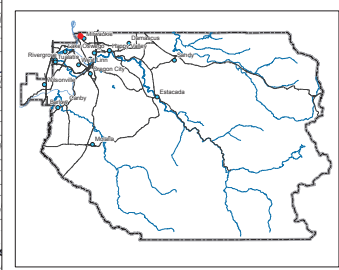




1 1 E 25CA  
 SUPPLEMENTAL 1  
 MILWAUKIE  
 SUPPLEMENTAL MAP NO. 1  
 N.E. 1/4 S.W. 1/4 SEC. 25 T.1S. R.1E. W.M.  
 CLACKAMAS COUNTY  
 1" = 100'

Cancelled Taxlots  
 3400  
 3404E1  
 3404E2

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT  
 PURPOSES ONLY

12/12/2016

1 1 E 25CA  
 SUPPLEMENTAL 1  
 MILWAUKIE

