



# CITY OF MILWAUKIE

May 25, 2023

Paul Roeger  
20220 SE Hwy 212  
Damascus, OR 97089

**Re: Preapplication Report**

Dear Paul:

Enclosed is the Preapplication Report Summary from your meeting with the City on May 11, 2023, concerning your proposal for action on property located at 11932 SE 35th Ave.

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

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

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

Sincerely,

Petra Johnson  
Administrative Specialist II



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

# Preapplication Conference Report

Project ID: 23-004PA

This report is provided as a follow-up to the meeting that was held on 5/11/2023 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>	Paul Roeger	<b>Applicant Role:</b> Engineer
<b>Applicant Address:</b>	20330 SE Hwy 212, Damascus, OR 97089	
<b>Company:</b>	CMT Surveying & Consulting	
<b>Project Name:</b>	2-lot partition	
<b>Project Address:</b>	11932 SE 35 <sup>th</sup> Ave	<b>Zone:</b> R-MD
<b>Project Description:</b>	Subdivide existing lot into 2 lots; existing house to remain; create one new developable lot.	
<b>Current Use:</b>	Single detached home	
<b>Applicants Present:</b>	Paul Roeger; Kristina Fedorovskiy	
<b>Staff Present:</b>	Vera Kalias (Senior Planner); Jennifer Backhaus (Engineering Tech III); Eanna Zaya (Engineering Tech I); Natalie Rogers (Climate and Natural Resources Manager); Patrick McLeod (Building Official)	

## 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, multi-unit development, duplexes, triplexes, quadplexes, townhouses, and cottage cluster development.
<input checked="" type="checkbox"/>	<b>Dimensional Standards</b>	<p>Dimensional standards for the R-MD zone are provided in Milwaukie Municipal Code (MMC) Section 19.301 (specifically in MMC Subsection 19.301.4).</p> <p>The following minimum setbacks apply to the new lot (4,257 sq ft):</p> <p>Front yard: 20 ft          Side yard: 5 ft          Rear yard: 20 ft          Street side yard: 15 ft</p> <p>For lots between 3,000 – 4,999 sq ft: Maximum lot coverage is 35% and minimum vegetation is 25%.</p>

	<p>For lots 7,000 sq ft and larger (lot with existing home):</p> <p>Maximum lot coverage is 30%</p> <p>Minimum vegetation is 30%</p> <p>Min. side yard setbacks: 5/10 ft. There is an existing nonconforming side yard setback with existing home.</p> <p>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 (20 ft/45 degrees).</p> <p>Minimum lot size for a single detached dwelling is 5,000 sq ft.</p>
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**Land Use Review Process**

<input checked="" type="checkbox"/>	<b>Applications Needed, Fees, and Review Type</b>	<p>The proposal is for a 2-lot partition of a property consisting of Lots 30 and 31, Block 15 of the QUINCY ADDITION TO MILWAUKIE subdivision. Therefore, the partition will be processed as a partition replat.</p> <ul style="list-style-type: none"> <li>• Partition Replat (Type II review) = \$2,000</li> <li>• Final Plat (Type I review) = \$200 (processed after the preliminary plat approval)</li> </ul> <p>Please note that 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>For Type II applications, within 7 days of the application being deemed complete, public notice of the application will be sent to property owners and current residents within 300 ft of the subject property, and a sign with notice of the application must be posted on the site. The application will also be referred to other relevant departments and agencies for review and comment. Parties will have at least 14 days to provide comments before a decision is issued.</p> <p>With Type II 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 II decision would be heard by the Planning Commission 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>
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**Overlay Zones (MMC 19.400)**

<input type="checkbox"/>	<b>Willamette Greenway</b>	
<input type="checkbox"/>	<b>Natural Resources</b>	
<input type="checkbox"/>	<b>Historic Preservation</b>	
<input type="checkbox"/>	<b>Flex Space Overlay</b>	

**Site Improvements/Site Context**

<input checked="" type="checkbox"/>	<b>Landscaping Requirements</b>	<p>In the R-MD zone:</p> <ul style="list-style-type: none"> <li>• Minimum vegetation requirement = 25% of lot area for new lot; 30% for lot with existing home.</li> </ul>
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		<ul style="list-style-type: none"> <li>• Front yard minimum vegetation = 40% of front yard (measured between the front face of the house and the front property, so not simply the area within required front yard setback of 20 ft)</li> <li>• Related to landscaping, parking and maneuvering areas cannot exceed 50% of the front yard area (as per MMC Subsection 19.607.1.D)</li> </ul>
<input type="checkbox"/>	<b>Onsite Pedestrian/Bike Improvements (MMC 19.505.4)</b>	
<input type="checkbox"/>	<b>Connectivity to surrounding properties</b>	
<input type="checkbox"/>	<b>Flag Lot Design Standards (MMC 19.504.7)</b>	
<input checked="" type="checkbox"/>	<b>Building Design Standards (MMC 19.505)</b>	<p>MMC 19.505.1 includes specific minimum building design standards for one to four unit residential development.</p> <p>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.</p> <p>The one to four unit 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/design_standards_form_townhouses_revised_feb2023.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/123753/design_standards_form_townhouses_revised_feb2023.pdf</a>.</p> <p>The R-MD zoning worksheet, also required to be submitted with building permit applications, can be found here:  <a href="https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/43721/r-md_zonews_form.pdf">https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/43721/r-md_zonews_form.pdf</a>.</p>
<input type="checkbox"/>	<b>Downtown Design Standards (MMC 19.508)</b>	
<b>Parking Standards (MMC 19.600)</b>		
<input checked="" type="checkbox"/>	<b>Off-Street Parking Requirements (MMC 19.600)</b>	<p>As of Jan. 1, 2023, the city can no longer require minimum parking for this site. MMC Table 19.605.1 establishes maximum parking quantity requirements.</p> <p>If new off-street parking is provided, it must meet MMC 19.600 regulations, including the provision of electric vehicle charging (MMC 19.605.5) and parking area design and landscaping (MC 19.606).</p> <p>MMC 19.609 requires that bicycle parking be provided for middle housing developments of 4 or more units – 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 type="checkbox"/>	<b>Variance (MMC 19.911)</b>	

## Land Division (MMC Title 17)

<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><b>NOTE:</b> Other than townhouses, which are, by definition, on their own lots, once/if middle housing is developed (or approved for development) on any 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>	<p>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 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> <ol style="list-style-type: none"> <li>(1) the proposed plat complies with Title 19 and other applicable regulations and standards;</li> <li>(2) the proposed land division allows for reasonable development and does not create the need for a variance;</li> <li>(3) the proposed subdivision plat name is not duplicative and satisfies all applicable standards of ORS 92.090(1); and</li> <li>(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.</li> </ol> <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"/>	<b>Final Plat Requirements (See also Engineering Section of this Report)</b>	<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> <ol style="list-style-type: none"> <li>(1) Compliance with the preliminary plat approved by the approval authority, with all conditions of approval satisfied.</li> <li>(2) The preliminary plat approval has not lapsed.</li> <li>(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.</li> <li>(4) The plat contains a donation to the public of all common improvements, including streets, roads, parks, sewage disposal, and water supply systems.</li> </ol>

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

<input type="checkbox"/>	<b>Sign Requirements</b>	
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**Noise (MMC Title 16)**

<input type="checkbox"/>	<b>Noise Mitigation (MMC 16.24)</b>	
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**Neighborhood District Associations**

<input checked="" type="checkbox"/>	<b>Lake Road</b>	<p>Any City-recognized neighborhood district association whose boundaries include the subject property or are within 300 ft of the subject property will receive a referral and the opportunity to provide comment on the application.</p> <p>Applicants are encouraged to meet with the NDA prior to application submittal: <a href="https://www.milwaukieoregon.gov/citymanager/lake-road-nda">https://www.milwaukieoregon.gov/citymanager/lake-road-nda</a>.</p>
	Choose an item.	
	Choose an item.	

**Other Permits/Registration**

<input type="checkbox"/>	<b>Business Registration</b>	
<input type="checkbox"/>	<b>Home Occupation Compliance (MMC 19.507)</b>	

**Additional Planning Notes**

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**ENGINEERING & PUBLIC WORKS COMMENTS**

<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 two lots, MMC 19.700 applies.</p>
<input type="checkbox"/>	<b>Transportation Facilities Review (MMC 19.703)</b>	A Transportation Facilities Review (TFR) Land Use Application is not required.
<input type="checkbox"/>	<b>Transportation Impact Study (MMC 19.704)</b>	A Transportation Impact Study (TIS) is not required.
<input type="checkbox"/>	<b>Agency Notification (MMC 19.707)</b>	No public agency notifications are required.
<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>Frontage improvements are not required as part of this partition. Curb, setback sidewalk, planter strips, and street trees already exist along the frontage of both lots.</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 Lava Drive frontage of each lot.</p> <p>For each new lot created, individual utility connections are required. If the Multi-Unit housing option is constructed, a single water and sewer connection is acceptable.</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>
<b>Flood Hazard Area (MMC 18)</b>		
<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</p>

		<p>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 Control Permit Program Handout</a> for city processes, requirements, and example erosion control plans. 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/wq/wqpermits/Pages/Stormwater-Construction.aspx">https://www.oregon.gov/deq/wq/wqpermits/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"/>	<p><b>Tree Code (MMC 16.32)</b></p>	<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) when building permits are submitted. Once the lot is divided, 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> <li>- Soil volume standard.</li> </ul> <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="#">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 may be required for tree protection and new plantings as outlined in the 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/sustainability/private-residential-development-tree-permits">www.milwaukieoregon.gov/sustainability/private-residential-development-tree-permits</a></p> <p>The development tree code application is due at the 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>



		For more information, please contact <a href="mailto:urbanforest@milwaukieoregon.gov">urbanforest@milwaukieoregon.gov</a> or call 503-786-7655.
<b>Public Services (MMC 13)</b>		
<input checked="" type="checkbox"/>	<b>Water System (MMC 13.04)</b>	<p>All newly created lots will require a new water connection at the time of development. An existing 6-in water main in 35<sup>th</sup> Avenue 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 any increase in service size or new connection to city water.</p>
<input checked="" type="checkbox"/>	<b>Sewer System (MMC 13.12)</b>	<p>All newly created lots will require a new wastewater connection at the time of development. An existing 8-in sewer main in 35<sup>th</sup> Avenue is available.</p> <p>Connection to 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>
<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> <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></p>
<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 utility work within the right-of-way and new accessway construction at the time of development.
<input checked="" type="checkbox"/>	<b>Access Requirements (MMC 12.16.040)</b>	<p>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.</p> <p>For single unit residential uses the accessway must be between 12 and 20 feet wide. Accessways must be located 5 ft from any side property line. Accessway construction is subject to plan and permit review.</p>
<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>		
Utility connections and driveway approach construction can be completed under the same Right-of-Way permit and SDCs will be assessed at the time of development on the newly created lot.		

## BUILDING COMMENTS

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

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

All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at [www.buildingpermits.oregon.gov](http://www.buildingpermits.oregon.gov). Each permit type and 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. **NOTE:** The grading plan submitted to the Engineering Department does not cover this review.

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

**Depending on the construction of the new vacant lot, you will either need to follow the current Oregon Residential Specialty Code (ORSC) or the current Oregon Structural Specialty Code (OSSC). The OSSC will require the building to fire sprinklered.**

## OTHER FEES

<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

See the attached memorandum for fire district comments.

## COORDINATION WITH OTHER AGENCIES

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

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

- State Historic Preservation Office
- Clackamas County Transportation and Development

## MISCELLANEOUS

### State or County Approvals Needed

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

### Arts Tax

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

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

**Enterprise Zone:**

**Vertical Housing Tax Credit:**

**New Market Tax Credits:**

**Housing Resources:**

**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 Koliass	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 (vacant)	Development Programs Manager	503-786-7692
Emilie Bushlen	Housing & Econ. Dev. Prog. Mgr.	503-786-7627
Petra Johnson	Administrative Specialist II	503-786-7600
	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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# Clackamas Fire District #1



## Pre-Application Comments:

**To:** Brett Kelter, Senior Planner, City of Milwaukie  
**From:** Shawn Olson, Fire Marshal, Clackamas Fire District #1  
**Date:** 5/30/2023  
**Re:** 23-004PA 11932 SE 35<sup>th</sup> Ave. 2-Lot Partition

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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:

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. Submit PDF directly to the Clackamas Fire District website at [clackamasfire.com](http://clackamasfire.com) once complete. Call with any questions regarding design requirements and submittal process. 503-742-2663.

### Fire Apparatus Access:

- 1) 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.
- 2) Minimum driving surface width is 12' when serving up to three, single family dwellings or duplexes.
- 3) Provide address numbering that is clearly visible from the street.
- 4) Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants) and an unobstructed vertical clearance of not less than 13 feet 6 inches.
- 5) Access streets between 26 feet and less than 32 feet in width must have parking restricted to one side of the street. Access streets less than 26 feet in width must

have parking restricted on both sides of the street. No parking restrictions for access roads 32 feet wide or more.

- 6) Access roads shall be within 150' of all portions of the exterior wall of the first story of a building measuring by an approved route around the exterior of the building.
- 7) Access roads shall be designed to withstand 75,000 lbs.
- 8) Turnaround shall be provided when access roads exceed 150' in length.
- 9) Access roads between 12% and 15% grade will only be approved if fire sprinklers are installed in all new buildings.
- 10) Gates across access roads shall be approved by the Fire Department.

### **Water Supply:**

- 1) Fire hydrants, one and two-family dwellings, Where a portion of a structure is more than 600 feet from a fire 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) Dwellings, their garages, and any accessory structure larger than 3,600 square feet require additional fire flow. See Appendix B of the Oregon Fire Code for additional information.
- 3) The minimum available fire flow for single family dwellings served by a municipal water supply shall be 1,000 gallons per minute @ 20 psi
  - a. For one and two family dwellings located in areas with reliable municipal water supply:

<3,600 sq.ft. (including attached garage)

1,000 GPM @ 20 psi with hydrant within 600 feet of furthest portion (OFC Section B105.2)

>3,600 sq.ft. (including attached garage)

Shall meet fire flow requirements specified in Appendix B (OFC, Table B105.1)

Shall meet hydrant coverage as specified in Appendix C (OFC, Table C105.1)

Note: In lieu of the above fire flow requirements, residential fire sprinkler may be considered as an alternative. Building Official and Fire Marshal approval needed.

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.

When ready, submit all fire apparatus access and water supply plans to: [Fire Apparatus Access/Water Supply Plan Submittal](#)

Please see our design guide at:

<https://clackamasfire.com/fire-prevention/new-construction-resources/>

If you have questions, please contact Clackamas Fire District @503-742-2663 or email at [shawn.olson@clackamasfire.com](mailto:shawn.olson@clackamasfire.com)