

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

Application for Land Use Action

Primary File #: R-2023-003

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

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

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): Kristina Fedorovskiy
 Mailing address: 11932 SE 35th Ave, Milwaukie State/Zip: OR 97222
 Phone(s): 503-739-1032 Email: Kristina.ited@gmail.com
 Please note: The information submitted in this application may be subject to public records law.

APPLICANT'S REPRESENTATIVE (if different than above): PAUL ROEGER
 Mailing address: 20330 SE Hwy 212, Damascus State/Zip: OR 97089
 Phone(s): 503-860-2545 Email: paul@cmtsc.net

SITE INFORMATION:

Address: 11932 SE 35th Ave. Map & Tax Lot(s): 1-2E-36DB-9500
 Comprehensive Plan Designation: _____ Zoning: R-MD Size of property: 11,417 S.F.

PROPOSAL (describe briefly):

Replat Lots 30 & 31, Blk 15, QUINCY ADDITION TO MILWAUKIE, into two new lots, one with the existing house done vacant lot on which to build a duplex.

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. KRISTINA FEDOROVSKIY

Submitted by: GRIGORIY FEDOROVSKIY Date: 6/20/2023

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

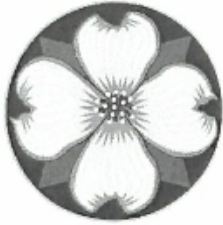
REVIEW TYPES:

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 <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	R-2023-003	\$ 2,000			
Concurrent application files		\$			
		\$			
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:	RCD BY:	
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s): LAKE ROAD					
Notes:					



MILWAUKIE PLANNING

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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 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

These standards can be found in the MMC, here: 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.

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APPLICATION PREPARATION REQUIREMENTS:

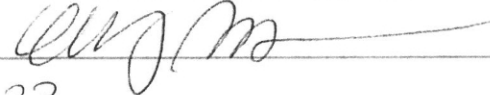
- Electronic copies of all application materials are required at the time of submittal.

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.
- 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) KRISTINA FEDOROVSKIY, 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.

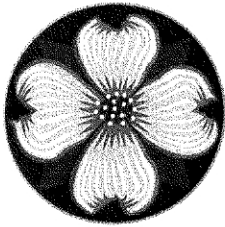
Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will be required to post signs on the site for a specified period of time. I also understand that I will be required to provide the City with an affidavit of posting prior to issuance of any decision on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

Applicant Signature: 
Date: 6/20/2023

Official Use Only

Date Received (date stamp below):

Received by: _____



PLANNING DEPARTMENT
6101 SE Johnson Creek Blvd
Milwaukie OR 97206
503.786.7630
planning@milwaukieoregon.gov

Preliminary Plat Checklist and Procedures

All applications for partitions and subdivisions require submission of preliminary development plans and supporting information in accordance with the Milwaukie Land Division Ordinance. In special cases, certain items listed below may not be required and can be waived by staff. All items below must be submitted except when authorized by staff signature at the end of the form. Errors, omissions, or poor quality may result in the application being rejected or declared incomplete pursuant to the Milwaukie Zoning Ordinance and/or Land Division Ordinance.

Application Checklist

1. Detailed description of how the proposal complies with Land Division Ordinance Section 17.12 Application Procedure and Approval Criteria.
2. Detailed description of how the proposal complies with Land Division Ordinance Section 17.16 Application Requirements and Procedures.
3. Detailed description of how the proposal and application complies with Land Division Ordinance Section 17.20 Preliminary Plat including the following minimum requirements.
 - 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 Oregon Revised Statutes Chapter 92.
 - 2) Appropriate identification clearly stating the map is a preliminary plat.
 - 3) Location by section, township, and range; and a legal description sufficient to define the location and boundaries of the area to be divided.
 - 4) Names and addresses of the owner, subdivider, and engineer or surveyor.
 - 5) Other information as may be specified on application forms and checklists prescribed by the Planning Director.
 - 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.
4. Existing conditions plan including the following (12 copies):
 - 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 percent and 5 feet for slopes over 10 percent.

- 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 percent or greater
5. The preliminary plat plan shall include the following information (12 copies):
- a. Date, north point, scale, address, assessor reference number, and legal description.
 - b. Name and address of the record owner or owners and of the person who prepared the site plan.
 - c. Approximate acreage and square feet under a single ownership or, if more than one ownership is involved, the total contiguous acreage of all landowners directly involved in the partition.
 - d. For land adjacent to and within the area to be divided, the locations, names, and existing widths of all streets, driveways, public safety accesses, easements, and right-of-ways; location, width, and purpose of all other existing easements; and location and size of sewer and waterlines, drainage ways, power poles, and other utilities.
 - e. Location of existing structures, identifying those to remain in place and those to be removed.
 - f. Dimensioned lot design and layout, showing proposed setbacks, landscaping, buffers, driveways, lot sizes, and relationship to existing or proposed streets and utility easements.
 - g. Existing development and natural features for the site and adjacent properties, including those properties within one 100 feet of the proposal, showing buildings, mature trees, topography, and other structures.
 - h. Elevation and location of flood hazard boundaries.
 - i. The location, width, name, and approximate centerline grade and curve radii of all streets; the relationship of all streets to any projected streets planned by the City; indication as to whether roads will continue beyond the plat; and existing and proposed grade profiles.
 - j. Lot and block numbers.

6. A conceptual plan shall be provided for complete subdivision or partitioning of the property, as well as any adjacent vacant or underutilized properties, so that access issues may be addressed in a comprehensive manner. The concept plan shall include documentation that all options for access have been investigated including shared driveways, pedestrian accessways, and new street development.
7. A detailed narrative description demonstrating how the proposal meets all applicable provisions of this title and Title 19.
8. Plans and drawings as necessary to demonstrate compliance with all applicable provisions of chapters of this title and Title 19.
9. A drainage summary report and plan that demonstrates estimated pre- and post-development flows, stormwater collection and management measures, and proposed discharges.
10. Proposed deed restrictions, if any, in outline form.
11. Improvements to be made by the developer and the approximate time such improvements are to be completed. Sufficient detail regarding proposed improvements shall be submitted so that they may be checked for compliance with the objectives of this title, State law, and other applicable City ordinances. If the nature of the improvements is such that it is impractical to prepare all necessary details prior to approval of the preliminary plat, the additional details shall be submitted with the request for final plat approval.
12. 12 copies of a location plan drawn to an appropriate scale (on paper no larger than 8½ by 11 inches) showing nearest cross streets, drives opposite the site, and location of buildings and parking areas on adjoining lots.

Application Procedures

1. A preapplication conference with City staff is highly recommended.
2. Appointments may be made for review of preliminary plat requirements through the Planning Department in advance of formal submission.
3. The Planning Department coordinates with appropriate City departments, the Fire District, and other involved agencies as needed.
4. Applications will be screened for completeness at the time of submission. Incomplete applications will not be accepted.

Please contact Milwaukie Planning staff at 503-786-7630 with any questions or help with this form.

Kristina Fedorovskiy
Applicant Name


Applicant Signature

6/20/2023
Date

Waived Items

Signature of
Milwaukie Planner

Date

**NARRATIVE
Partition Replat
11932 SE 35th Avenue**

I. GENERAL INFORMATION

Applicant: Kristina Fedorovskiy
11932 SE 35th Avenue
Milwaukie, OR 97222
503-739-1032

Applicant's Representative: Paul H. Roeger
CMT Surveying & Consulting
20330 SE Hwy. 212
Damascus, Oregon 97089
503-850-4672
503-860-2545 Cell

Surveyor: David Roeger, PLS
CMT Surveying & Consulting
20330 SE Hwy. 212
Damascus, OR 97089
503-850-4672

Property Owner: Kristina and Grigorly Fedorovskiy
11932 WE 35th Avenue
Milwaukie, OR 97222

Tax Lot Information: Tax Map 1-1E-36DB, Tax Lot 9500

Location: 11932 SE 35th Avenue

Current Zoning: R-MD, Moderate Density Residential

Site Area: 11,417 Sq. Ft.

Water District: City of Milwaukie

Sanitary Sewer: City of Milwaukie

Surface Water Mgmt.: City of Milwaukie

Fire District: Clackamas County Fire District #1

Power: Portland General Electric

Telephone: Century Link

Cable: Comcast

NARRATIVE
Partition Replat
11932 SE 35th Avenue

Gas: Northwest Natural

II. REQUEST – APPROVALS SOUGHT

The Applicant, Kristina Fedorovskiy, is requesting Land Use approval for a Replat of two lots of the QUINCY ADDITION TO MILWAUKIE subdivision, specifically, Lots 30 and 31, Block, 15, to be able to construct a duplex. The one single-family house that is on the property remain on the Southern portion of the property. The property will be partitioned into two parcels to construct a duplex on Parcel 2, all with frontage on SE 35th Avenue.

III. SITE DESCRIPTON AND SURROUNDING AREA

The property is zoned R-MD, Residential Moderate Density, which now allows development on smaller parcels than previously under the R-5 standard. All surrounding properties were and are zoned the same, and all are developed to the R-5 standard, but now are subject to increased density due to the new zoning standards.

Site access to the property is from SE 35th Avenue. The new parcel will also front on SE 35th Avenue. Even though on-site parking is not required, parking will be provided by a pad for two vehicles in front of the duplex.

IV. PROPOSAL SUMMARY

The existing house and attached garage will continue to access SE 35th Avenue. The one tax lot, Lots 30 and 31, Block 15, QUINCY ADDITION TO MILWAUKIE will be replated into two parcels, the Southern parcel will retain the existing house and attached garage and the Northern parcel will be vacant with plans to construct a duplex. Even though parking is not required on-site, parking will be provided by an on-site pad in front of the proposed duplex.

The existing house is connected to a sanitary sewer lateral from the 8-inch main sanitary sewer line on the West side of SE 35th Avenue just North of the existing driveway for the existing house. A new lateral will be constructed from the main line in SE 35th Avenue to Parcel 2.

The existing house is served water from a meter in SE 35th Avenue directly in front of the existing house from the City 6-inch water main on the East side of the street. A new service will be installed from that same 6-inch main to Parcel 2.

Storm drainage for the new duplex will be run to drywells per Code.

Power, telephone, and cable to the existing house is provided overhead to the Northwest corner of the existing house from a pole in front of the new Parcel 2. PGE will probably need to move the pole for proper access to Parcel 2.

NARRATIVE
Partition Replat
11932 SE 35th Avenue

There is an existing 1-inch gas main on the West side of SE 35th Avenue with a service into the front of the existing house. If gas service is needed for the new duplex it is available from the 1-inch main on the West side of SE 35th Avenue.

V. 17.12.020 – APPLICATION PROCEDURE AND APPROVAL CRITERIA

This will be a Type II review, since the proposal is for a Replat of these two lots of the old QUINCY ADDITION TO MILWAUKIE originally subdivided in 1906. The Southern parcel will retain the existing house and a new duplex is proposed to be constructed on the Northern parcel.

17.12.030 – APPROVAL CRITERIA FOR LOT CONSOLIDATION, PROPERTY LINE ADJUSTMENT, AND REPLAT

The replat of these two lots into two new parcels will allow development of the Northern parcel under the new R-MD zone with a new duplex, two units on one parcel.

17.12.040 APPROVAL CRITERIA FOR PRELIMINARY PLAT

The Preliminary Plat complies with Title 19 of the City Code, including Chapter 16.32 – Tree Code.

The proposed Partition will allow reasonable development with increased density.

No new streets or roads are proposed and the existing right-of-way (ROW) of SE 35th Avenue is wide enough, 60-feet, so no additional ROW dedication will be required.

Separate utility service connections are being designed for the new parcel, including water, sewer, and stormwater.

No easements will be necessary for the new duplex.

New utility services for power, telephone, cable, and gas are available, or can be made available from SE 35th Avenue.

Pedestrian access to each unit of the duplex will be directly from SE 35th Avenue, a public road.

A shared driveway will come directly from SE 35th Avenue to a shared pad in front of the duplex.

The existing house will remain on Parcel 1 and a duplex will be located on Parcel 2. No lots or tracts are being proposed for common areas.

The duplex to be built on Parcel 2 will comply with applicable building codes provisions relating to new property line.

The duplex or any other buildings located on the newly created lot will comply with the Oregon Residential Specialty Code.

Both of these parcels abut SE 35th Avenue. SE 35th Avenue meets City standards and the existing ROW is adequate for this development. Curb, planter strip, and sidewalk are along the entire frontage of this property. Therefore, no additional street improvements are required, except for the possibility of a new driveway approach for the duplex.

**NARRATIVE
Partition Replat
11932 SE 35th Avenue**

The existing house and attached garage will remain on Parcel 1.

The proposed Partition only includes land zoned for residential uses and the new parcel will only be developed for residential use. None of this property includes land that is specifically mapped and designated in the comprehensive plan and land use regulations for full or partial protection of natural features under statewide planning goals.

This land division will not result in development that creates enough lots to allow building residential units at 80 percent or more of the maximum net density of 25 units per Acre for the R-MD zone. Since the property is a total of 11,417 square feet, or 0.2621 Acres, which results in 3 units on the 0.2621 Acres, which equals 11.45 units per Acre, which is only 46 percent of the maximum net density. Therefore, the units will need to be sold or rented to households with incomes below 120 percent of the medium family income for Clackamas County.

All Conditions of Approval required by the City for this Replat will be complied with by the developer.

VI. 17.16 Application Requirements and Procedures

An application for a Replat with the signature of all owners is included in this submittal and required fees will be paid. No waivers are being requested. A narrative report describing how the proposal meets approval criteria and additional information, including a Preliminary Replat are also included. The “preliminary plat checklist” is also included.

VII. 17.20 Preliminary Plat

17.20.010 and 17.20.020 – SUBMISSION OF PLANS and SCALE

A Preliminary Replat drawn at a 1” = 20’ scale is included in this submittal.

17.20.030 – GENERAL INFORMATION TO BE SHOWN ON THE PRELIMINARY PLAT

The Preliminary Replat has been prepared by an Oregon registered land surveyor.

All required information is on the Preliminary Replat.

17.20.050 and 17.20.060 – EXISTING CONDITIONS and PROPOSED CONDITIONS

A separate Existing Conditions Plan is being provided with this submittal. We have also included the proposed Replat on the Existing Conditions Plan. Contour lines and existing utilities are also shown. A new water service from the City’s 6-inch water main on the East side of SE 35th Avenue and a new sewer lateral from the existing main on the West side of SE 35th Avenue are also shown.

A conceptual plan of the Replat layout with the new duplex and driveway is shown on the Proposed Replat on the Existing Conditions.

NARRATIVE
Partition Replat
11932 SE 35th Avenue

VIII Title 19 - ZONING

19.301 - MODERATE DENSITY RESIDENTIAL ZONE

This property is in the Moderate Density Residential Zone – R-MD. The proposal is to Replat two existing old subdivision lots into two new parcels to meet the current zoning of the property.

The intent is to build a duplex on Parcel 2, the vacant parcel. The existing house will remain on Parcel 1.

Per Table 19.301.2, Moderate Density Residential Uses Allowed, duplexes are permitted outright in the R-MD zone and must meet the standards of Subsection 19.505.1 for duplexes.

The existing house will remain on a 7,160 square foot parcel and the proposed duplex will be on a 4,257square foot. Therefore, per Table 19.301.4, Moderate Density Residential Development Standards, a duplex is a permitted Dwelling Type on Parcel 2 and a single detached dwelling is permitted on Parcel 1. All of the required Lot Standards, including Minimum lot width, Minimum lot depth and Minimum street frontage for parcels is met. Our minimum lot width on Parcel 2, the duplex lot is 37-feet, and the minimum lot width on Parcel 1 is 62-feet. Lot depths are both approximately 114-feet, and the minimum street frontage for Parcel 2 is 37-feet and the minimum street frontage for Parcel 1 is 62-feet.

Development Standards per this table also are met. Minimum front yard for the existing house is 24.7-feet and the minimum front yard for the duplex will be 20-feet. The side yard for the existing house adjacent to the duplex lot will be 5-feet and the side yards for the duplex will be a minimum of 5-feet. The rear yard for the existing house is 48.4-feet and the minimum rear yard for the duplex will be 20-feet. The lot coverage for the existing house is well under 30 percent. The maximum lot coverage for the duplex will also be under 35 percent. The potential duplex is shown at 20-feet wide by 73-feet deep, which leaves a 20-foot front yard, a 21-foot rear yard a minimum of one 5-foot side yard and one 12-foot side yard. Lot coverage would be 34-percent.

Other Standards of this table include minimum and maximum density, which for these two parcels is 7 units per acre minimum and 8.7 maximum density. Duplexes are exempt from the density maximum, and the existing dwelling will remain on Parcel 1, which is as small as we can get it due to the required 5-foot setback adjacent to the duplex parcel, and it ends up at 6.1 units per acre.

The minimum vegetation requirement of 30 percent for a single detached dwelling on Parcel 1 is met and 25-percent will be met at the time of Building Permit for the duplex on Parcel 2.

19.500 – Supplementary Development Regulations

Our conceptual plan of the Replat with the existing house remaining on Parcel 1 and the duplex to be on Parcel 2 layout and driveways show adequate clear vision in both directions at both driveways. Clear vision both North and South is at least 300-feet..

All other required setbacks are being met.

Site and Building Design Standards for the duplex will be met at Building Permit time.

NARRATIVE
Partition Replat
11932 SE 35th Avenue

19.600 - Off-Street Parking Standards for Residential Areas

Even though off-street parking is not required for duplexes, one off-street parking space is proposed to be provided for each duplex unit. That one space will be provided by a pad in front of the duplex. The duplex parcel will have a 20-foot wide shared driveway.

Since only a total of three units will be on this proposed Re-plat, bicycle parking is NOT required per Code section 19.609.2.A.3.

A 10-foot PUE will be provided along the entire frontage as required.

IX. 16.32 Tree Code

16.32.042 - An Arborist Report is NOT being submitted with this application since there are only two trees on-site, one behind the existing house and one on the new vacant parcel. There are also two existing trees in the ROW between the curb and sidewalk that are in front of the existing house and will remain. There is also a stump in front of Parcel 2 that will be removed below the surface during the Building Permit process. The one tree on the new vacant parcel may need to be removed due to location being in conflict with the proposed duplex. Mitigation will be provided as well as meeting the City's tree canopy requirements. A new tree planting proposal (mitigation) will be provided if needed.

Bonds for tree protection and post development warranties will be provided, as necessary.

X. Title 13 – Public Services

13.04 – A 6-inch CI Water main is located on the East side of SE 35th Avenue. A new water service for Parcel 2 will be installed off of that main. Permits and System Development Charges will be paid as necessary for this development.

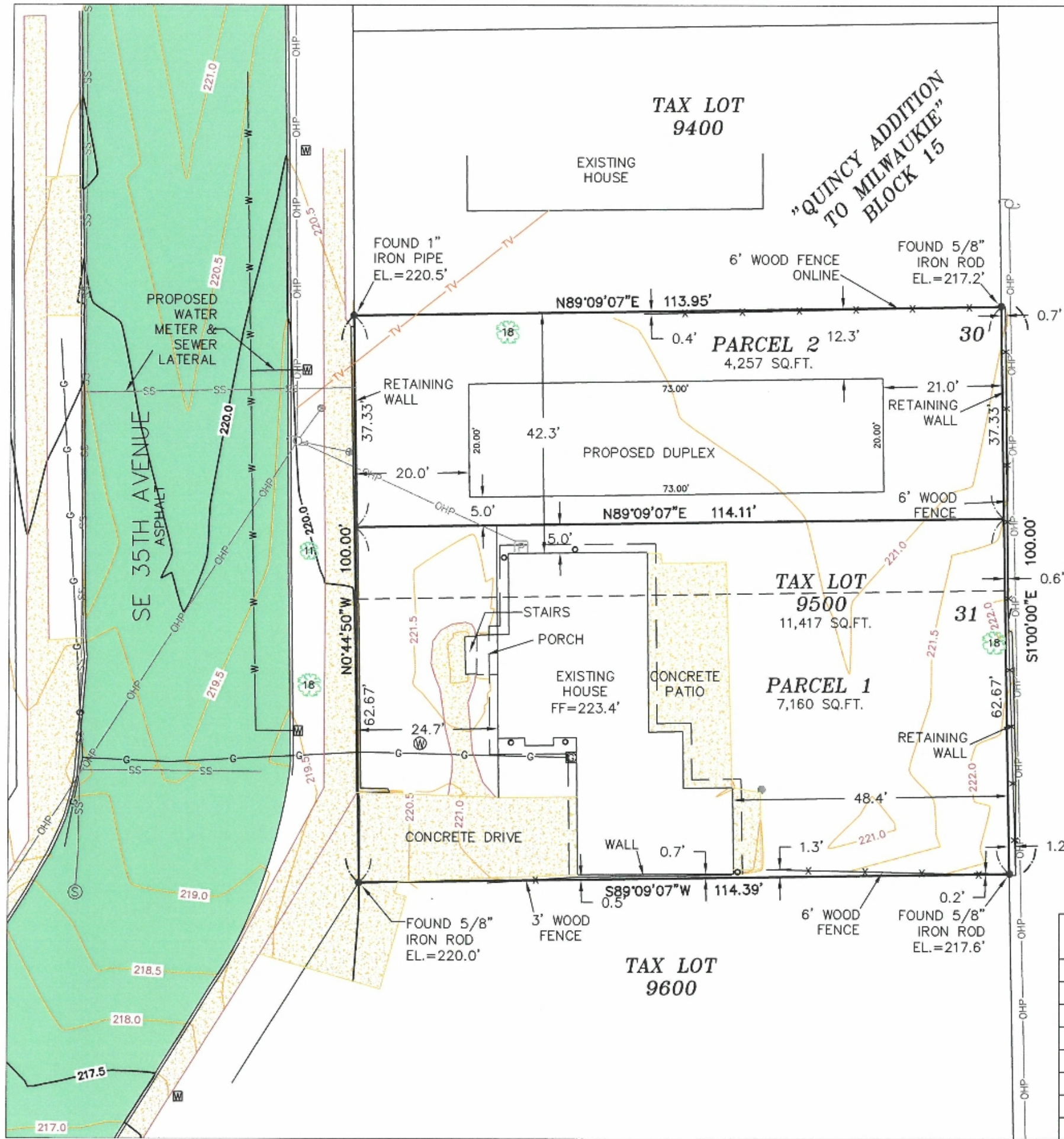
13.12 – There is an existing 8-inch sanitary sewer located on the West side of SE 35th Avenue near the West curb line. A new sanitary sewer lateral will be installed for Parcel 2 from that City main. All permits and System Development Charges will be paid as necessary for this development.

13.14 – Stormwater management for the new duplex will be handled onsite by installation of a drywell for all the roof drains. System development charges will be paid as necessary for this development.

XI. Title 12

12.08.020 – It is our understanding that no additional Street Improvements will be required, except that a ROW Permit will be required for all utility work within the ROW and for a new driveway approach if on-site parking is installed for the new duplex.

12.24 – Adequate clear vision in both directions at both driveways is provided. Clear vision both North and South is at least 300-feet from both driveways.



LEGEND

- EXISTING DECIDUOUS TREE W/ TRUNK DIAMETER (INCHES)(CL=CLUSTER)
- EXISTING ELECTRIC METER
- EXISTING POWER POLE
- EXISTING GUY ANCHOR
- EXISTING OVERHEAD POWER LINES
- EXISTING WATER METER
- EXISTING DRY WELL
- EXISTING UNDERGROUND WATER
- EXISTING GAS METER
- EXISTING UNDERGROUND GAS LINE
- EXISTING SANITARY MANHOLE
- EXISTING CLEANOUT
- EXISTING SANITARY SEWER LINE
- EXISTING FENCE
- EXISTING CABLE TV LINE
- EXISTING DOWN SPOUTS
- FOUND MONUMENTS
- EXISTING CONCRETE
- EXISTING ASPHALT

NOTES

1. THE PURPOSE OF THIS MAP WAS TO SHOW THE EXISTING CONDITIONS FOR 11932 SE 35TH AVENUE.
2. THE BASIS OF BEARINGS WAS PER THE PLAT OF "QUINCY ADDITION TO MILWAUKIE" CLACKAMAS COUNTY RECORDS.
3. LOCAL DATUM WAS ESTABLISHED PER MANHOLE RIM ELEVATION ON CITY OF MILWAUKIE SEWER ASBUILTS.
4. THIS MAP WAS PREPARED FOR THE EXCLUSIVE USE OF KRISTINA FEDOROVSKIY.
5. THIS MAP WAS PREPARED BY PLAT RECORDS, CALCULATED DATA, AND FIELD MEASUREMENTS, A RECORDED PARTITION PLAT WILL BE FILED AT A DATE TO BE DETERMINED.
6. ALL UTILITY LOCATIONS ARE SHOWN BY ABOVE GROUND FEATURES AND LOCATION OF PAINT MARKS SUPPLIED BY THE LOCAL UTILITY COMPANIES. CMT TAKES NO RESPONSIBILITY OF UNDERGROUND LOCATION. PLEASE NOTIFY THE UTILITY NOTIFICATION CENTER BEFORE ANY DIGGING 1-800-332-2344.



SCALE 1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

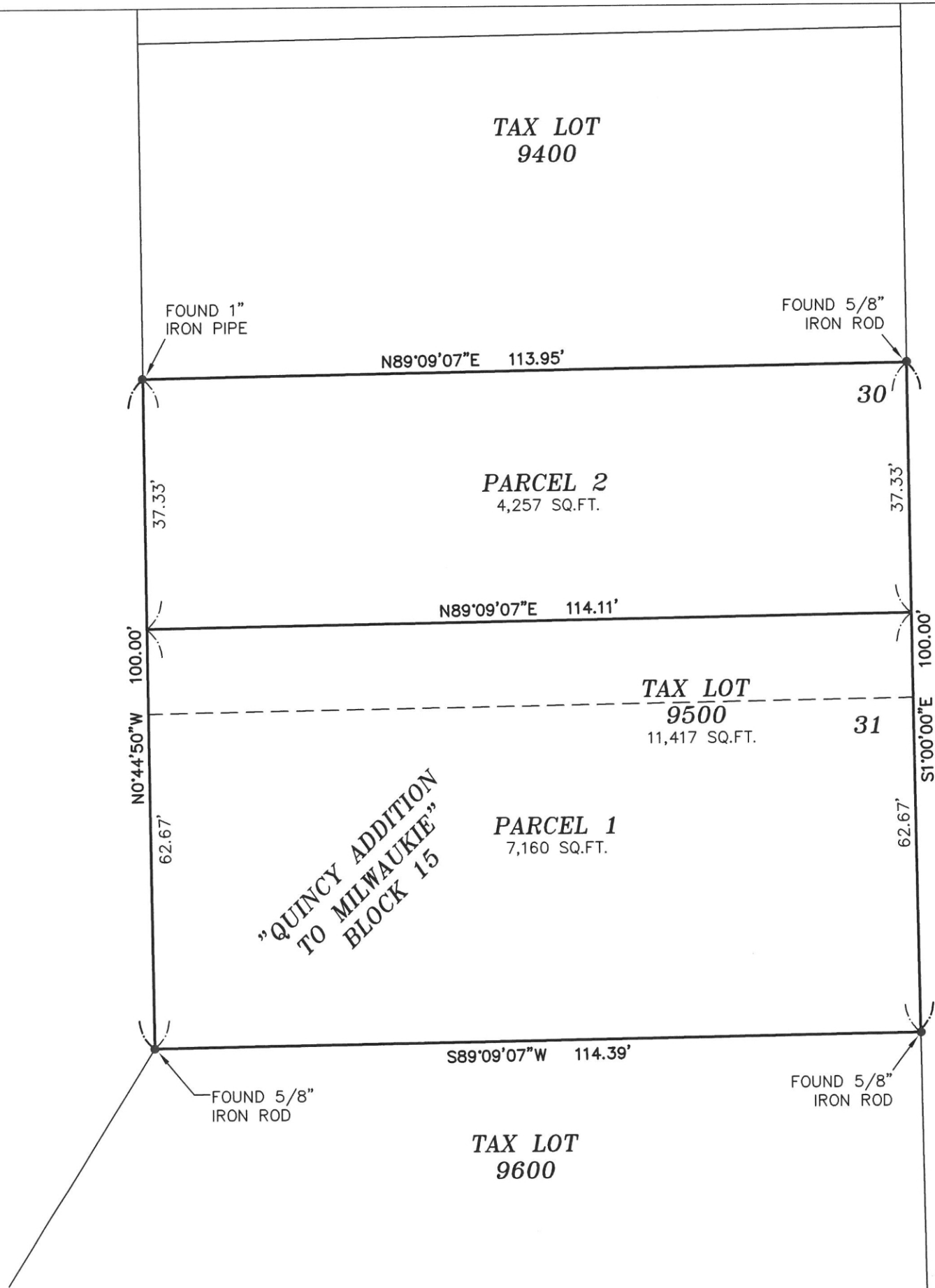
David Roeger

OREGON
SEPTEMBER 11, 2018
DAVID ROEGER
86811

EXPIRES DECEMBER 31, 2024

EXISTING CONDITIONS & PROPOSED REPLAT	11932 SE 35TH AVENUE
SE 1/4 SEC 36, T1S, R1E, W.M.	
CITY OF MILWAUKIE	
CLACKAMAS COUNTY, OREGON	
APRIL 19, 2023	
DRAWN: JMR CHECKED: DMR	
SCALE 1"=20' ACCOUNT #500-1349	
Y: \500-1349\DWG\5001349BASE	
	<p>CMT SURVEYING AND CONSULTING 20330 SE HIGHWAY 212 DAMASCUS, OR 97089 PHONE (503) 850-4672 FAX (503) 850-4590</p>

SE 35TH AVENUE



SCALE 1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DR
OREGON
SEPTEMBER 11, 2018
DAVID ROEGER
86811

EXPIRES DECEMBER 31, 2024

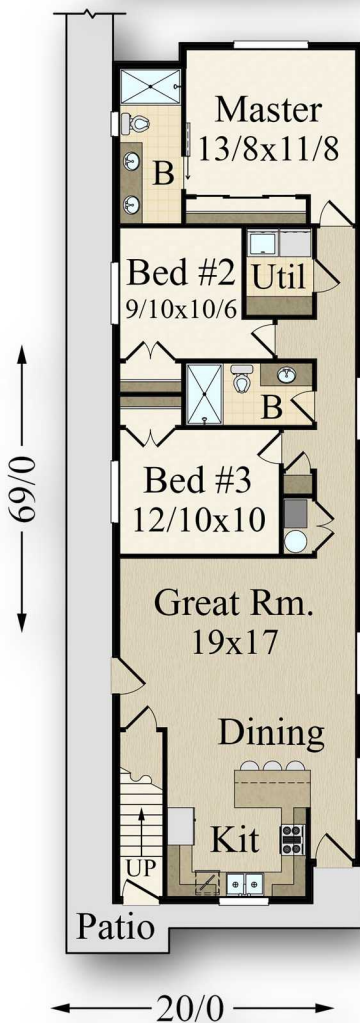
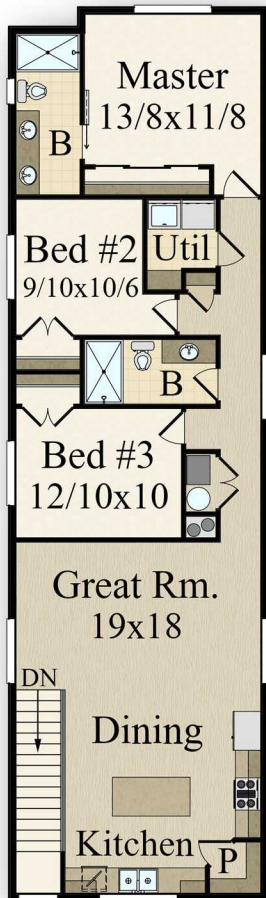
PRELIMINARY REPLAT

SE 1/4 SEC 36, T1S, R1E, W.M.
CITY OF MILWAUKIE
CLACKAMAS COUNTY, OREGON
JUNE 15, 2023
DRAWN: JMR CHECKED: DMR
SCALE 1"=20' ACCOUNT #500-1349
Y:\500-1349\DWG\5001349PRELIM

11932 SE 35TH AVENUE



CMT SURVEYING AND CONSULTING
20330 SE HIGHWAY 212
DAMASCUS, OR 97089
PHONE (503) 850-4672 FAX (503) 850-4590



“Segal”
M-2694

Main Floor	1322 sq. ft
Upper	1372 sq. ft
Total Finished	2,694 sq. ft.
20/0 W	x 69/0 D



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/

APPLICANT AND PROJECT INFORMATION

Applicant:	Paul Roeger	Applicant Role: Engineer
Applicant Address:	20330 SE Hwy 212, Damascus, OR 97089	
Company:	CMT Surveying & Consulting	
Project Name:	2-lot partition	
Project Address:	11932 SE 35 th Ave	Zone: R-MD
Project Description:	Subdivide existing lot into 2 lots; existing house to remain; create one new developable lot.	
Current Use:	Single detached home	
Applicants Present:	Paul Roeger; Kristina Fedorovskiy	
Staff Present:	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"/>	Use Standards (e.g., residential, commercial, accessory)	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"/>	Dimensional Standards	<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"/>	Applications Needed, Fees, and Review Type	<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"> • Partition Replat (Type II review) = \$2,000 • Final Plat (Type I review) = \$200 (processed after the preliminary plat approval) <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"/>	Application Process	<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"/>	Willamette Greenway	
<input type="checkbox"/>	Natural Resources	
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	

Site Improvements/Site Context

<input checked="" type="checkbox"/>	Landscaping Requirements	<p>In the R-MD zone:</p> <ul style="list-style-type: none"> • Minimum vegetation requirement = 25% of lot area for new lot; 30% for lot with existing home.
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		<ul style="list-style-type: none"> • 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) • Related to landscaping, parking and maneuvering areas cannot exceed 50% of the front yard area (as per MMC Subsection 19.607.1.D)
<input type="checkbox"/>	Onsite Pedestrian/Bike Improvements (MMC 19.505.4)	
<input type="checkbox"/>	Connectivity to surrounding properties	
<input type="checkbox"/>	Flag Lot Design Standards (MMC 19.504.7)	
<input checked="" type="checkbox"/>	Building Design Standards (MMC 19.505)	<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: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/123753/design_standards_form_townhouses_revised_feb2023.pdf.</p> <p>The R-MD zoning worksheet, also required to be submitted with building permit applications, can be found here: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/43721/r-md_zonews_form.pdf.</p>
<input type="checkbox"/>	Downtown Design Standards (MMC 19.508)	
Parking Standards (MMC 19.600)		
<input checked="" type="checkbox"/>	Off-Street Parking Requirements (MMC 19.600)	<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"/>	Multi-Family/Commercial Parking Requirements	
Approval Criteria (MMC 19.900)		
<input type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	
<input type="checkbox"/>	Conditional Use (MMC 19.905)	
<input type="checkbox"/>	Development Review (MMC 19.906)	
<input type="checkbox"/>	Variance (MMC 19.911)	

Land Division (MMC Title 17)

<input checked="" type="checkbox"/>	Design Standards	<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>NOTE: 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"/>	Preliminary Plat Requirements	<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"> (1) the proposed plat complies with Title 19 and other applicable regulations and standards; (2) the proposed land division allows for reasonable development and does not create the need for a variance; (3) the proposed subdivision plat name is not duplicative and satisfies all applicable standards of ORS 92.090(1); and (4) the streets and roads are laid out so as to conform to the plats of subdivisions already approved for adjoining property as to width, general direction, and in all other respects unless the City determines it is in the public interest to modify the street pattern. <p>MMC 17.20 Preliminary Plat: http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_20&showAll=1&frames=off</p> <p>Preliminary plat checklist: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/preliminaryplatchecklist.pdf</p> <p>MMC 17.12.040 Approval criteria for preliminary plat: http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_12-17_12_040&frames=off</p>
<input checked="" type="checkbox"/>	Final Plat Requirements (See also Engineering Section of this Report)	<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"> (1) Compliance with the preliminary plat approved by the approval authority, with all conditions of approval satisfied. (2) The preliminary plat approval has not lapsed. (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. (4) The plat contains a donation to the public of all common improvements, including streets, roads, parks, sewage disposal, and water supply systems.

	<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: http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_24&frames=off</p> <p>Final plat checklist: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/38211/finalplatchecklist.pdf</p> <p>MMC 17.12.050 Approval criteria for final plat: http://www.qcode.us/codes/milwaukie/view.php?topic=17-17_12-17_12_050&frames=off</p>
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Sign Code Compliance (MMC Title 14)

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

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

<input checked="" type="checkbox"/>	Lake Road	<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: https://www.milwaukieoregon.gov/citymanager/lake-road-nda.</p>
	Choose an item.	
	Choose an item.	

Other Permits/Registration

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

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ENGINEERING & PUBLIC WORKS COMMENTS

Public Facility Improvements (MMC 19.700)		
<input checked="" type="checkbox"/>	Applicability (MMC 19.702)	<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"/>	Transportation Facilities Review (MMC 19.703)	A Transportation Facilities Review (TFR) Land Use Application is not required.
<input type="checkbox"/>	Transportation Impact Study (MMC 19.704)	A Transportation Impact Study (TIS) is not required.
<input type="checkbox"/>	Agency Notification (MMC 19.707)	No public agency notifications are required.
<input checked="" type="checkbox"/>	Transportation Requirements (MMC 19.708)	<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"/>	Utility Requirements (MMC 19.709)	<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>
Flood Hazard Area (MMC 18)		
<input type="checkbox"/>	Development Permit (MMC 18.16.030)	The subject property is not in a flood hazard zone.
<input type="checkbox"/>	General Standards (MMC 18.04.150)	
<input type="checkbox"/>	Compensatory Storage (MMC 18.20.020)	
<input type="checkbox"/>	Floodways (MMC 18.20.010.B)	
Environmental Protection (MMC 16)		
<input type="checkbox"/>	Weak Foundation Soils (MMC 16.16)	
<input checked="" type="checkbox"/>	Erosion Control (MMC 16.28)	<p>Erosion control and prevention is required as outlined in MMC 16.28</p> <p>Projects that disturb more than 500 square feet within the City of Milwaukie limits require an Erosion Control Permit 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 Erosion Control Permit Program Handout for city processes, requirements, and example erosion control plans. The applicant is encouraged to use the City's adopted Erosion Prevention and Sediment Control Planning & Design Manual (2020) 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 https://www.milwaukieoregon.gov/publicworks/1200cn. 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 https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx. Applicants do not need to submit a permit to DEQ if under 5 acres in site size.</p> <p>For more information, please visit https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control or contact erosioncontrol@milwaukieoregon.gov.</p>
<input checked="" type="checkbox"/>	<p>Tree Code (MMC 16.32)</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 milwaukieoregon.gov/trees 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"> - Preservation standard - Planting Standard - Protection Standard - Soil volume standard. <p>For more information on these standards, view the documents attached at the bottom of the residential development tree permits webpage here. Mitigation fees are outlined in the fee schedule. 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 www.milwaukieoregon.gov/sustainability/private-residential-development-tree-permits</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 urbanforest@milwaukieoregon.gov or call 503-786-7655.
Public Services (MMC 13)		
<input checked="" type="checkbox"/>	Water System (MMC 13.04)	<p>All newly created lots will require a new water connection at the time of development. An existing 6-in water main in 35th 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: https://www.milwaukieoregon.gov/building/water-connection-application</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"/>	Sewer System (MMC 13.12)	<p>All newly created lots will require a new wastewater connection at the time of development. An existing 8-in sewer main in 35th 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"/>	Stormwater Management (MMC 13.14)	<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"/>	System Development Charge (MMC 13.28.040)	<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: https://www.milwaukieoregon.gov/finance/fees-charges</p>
<input type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	
Public Places (MMC 12)		
<input checked="" type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	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"/>	Access Requirements (MMC 12.16.040)	<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"/>	Clear Vision (MMC 12.24)	A clear vision area shall be maintained at all driveways and accessways.
Additional Engineering & Public Works Notes		
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

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 . 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.

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"/>	Construction Excise Tax Affordable Housing CET – Applies to any project with a construction value of over 100,000.	Calculation: Valuation *12% (.12)
<input checked="" type="checkbox"/>	Metro Excise Tax Metro – Applies to any project with a construction value of over \$100,000.	Calculation: Valuation *.12% (.0012)
<input checked="" type="checkbox"/>	School Excise Tax School CET – Applies to any new square footage.	Calculation: 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"/>	Boiler Approval (State)	
<input type="checkbox"/>	Elevator Approval (State)	
<input type="checkbox"/>	Health Department Approval (County)	

Arts Tax

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

<input type="checkbox"/>	Major:	
<input type="checkbox"/>	Minor:	
<input type="checkbox"/>	Painted Intersection Program Permits:	
<input type="checkbox"/>	artMOB Application	
<input type="checkbox"/>	Traffic Control Plan (Engineering)	
<input type="checkbox"/>	Parklet:	
<input type="checkbox"/>	Parklet Application/ Planning Approval	
<input type="checkbox"/>	Engineering Approval	
<input type="checkbox"/>	Building Approval	
<input type="checkbox"/>	Sidewalk Café:	
<input type="checkbox"/>	Tree Removal Permit:	

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

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

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	shawn.olson@ClackamasFire.com
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