



# CITY OF MILWAUKIE

April 4, 2024

Vadim Gayduchik  
12612 Dotson Way  
Oregon City, OR 97045

**Re: Preapplication Report**

Dear Vadim:

Enclosed is the Preapplication Report Summary from your meeting with the City on 03/21/2024, concerning your proposal for action on property located at Tax Lot 12E30CD05200, 12E30CD02500 (Mullen St. Subdivision).

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**  
 10501 SE Main St.  
 Milwaukie OR 97222  
 503.786.7555  
 planning@milwaukieoregon.gov  
 building@milwaukieoregon.gov  
 engineering@milwaukieoregon.gov

# Preapplication Conference Report

Project ID: 24-004PA

This report is provided as a follow-up to the meeting that was held on 3/21/2024 at 10:00 AM

The Milwaukie Municipal Code is available here: <https://ecode360.com/MI4969>

## APPLICANT AND PROJECT INFORMATION

<b>Applicant:</b>	Vadim Gayduchik	<b>Applicant Role:</b> Owner
<b>Applicant Address:</b>	12612 Dotson Way, Oregon City, OR 97045	
<b>Company:</b>	Landin Builds, LLC	
<b>Project Name:</b>	Mullen St Subdivision	
<b>Project Address:</b>	NO SITUS (TL 12E30CD05200, TL 12E30CD02500)	<b>Zone:</b> R-MD
<b>Project Description:</b>	Subdivide TL 12E30CD05200 into six townhouse lots to develop with townhouses.	
<b>Current Use:</b>	Vacant	
<b>Applicants Present:</b>	Vadim Gayduchik	
<b>Staff Present:</b>	Ryan Dyar, Assistant Planner, Jennifer Backhaus, Engineering Technician III; Partick McLeod, Building Official; Courtney Wilson, Urban Forester	

## 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 for a variety of residential housing types, including single-unit detached dwellings, duplexes, triplexes, quadplexes, townhouses, and cottage cluster development.
<input checked="" type="checkbox"/>	<b>Dimensional Standards</b>	<p>Dimensional standards for the R-MD zone are provided in Milwaukie Municipal Code (MMC) <a href="#">Section 19.301</a> (specifically in <a href="#">MMC Table 19.301.4</a>). The standards vary depending on the lot size. For townhouse lots, the following standards apply:</p> <p><b>Setbacks for Townhouse Lots</b></p> <ul style="list-style-type: none"> <li>• Front: 20 ft</li> <li>• Rear: 15 ft</li> <li>• Side: 5 ft</li> </ul> <p><b>Maximum Building Height</b></p> <ul style="list-style-type: none"> <li>• 35 ft</li> </ul> <p><b>Maximum Lot Coverage</b></p>

		<ul style="list-style-type: none"> <li>• 45%</li> </ul> <p><b>Side-Yard Height Plane</b></p> <ul style="list-style-type: none"> <li>• 20/45 (possible issue noted during the pre-application conference with gable ends and structures built to side-yard setback line).</li> </ul> <p>The proposal is for six townhouses. The minimum dimensional requirement for a townhouse lot is 70 ft long by 20 ft wide. The minimum lot size of 1,500 sq. ft and the maximum lot size is 2,999 sq. ft. All these standards must be met unless a variance is requested.</p>
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<b>Land Use Review Process</b>		
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<input checked="" type="checkbox"/>	<b>Applications Needed, Fees, and Review Type</b>	<p>An application to create six lots will be processed as a subdivision replat. Following approval of the preliminary plat, a final plat application is required. A variance application may be required if the proposal does not comply with all the standards for land division and development in Titles 17 and 19 of the Milwaukie Municipal Code. Based on the plans that were provided to staff at the time of the pre-application conference, the following applications will be required.</p> <ol style="list-style-type: none"> <li>1. <b>Subdivision Replat (Type III review)</b> = \$4,600 (\$4,400 + \$100.00 per lot over 4 lots)</li> <li>2. <b>Variance (Type II review)</b> = \$1,000 reduced to \$750 (25% per multiple applications discount). As mentioned above, a variance application will only be required if the application fails to meet one or more of the development standards.</li> <li>3. <b>Final Plat (Type I review)</b> = \$200 (processed after the preliminary plat approval)</li> </ol>
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<input checked="" type="checkbox"/>	<b>Application Process</b>	<p>The applicant must submit a complete electronic copy of all application materials for the City's initial review. A determination of the application's completeness will be issued within 30 days. If the application is deemed incomplete, City staff will provide a list of items to be addressed upon resubmittal.</p> <p>Where multiple applications with different review types are processed concurrently, the overall package will be processed according to the highest review type.</p> <p>With Type III review, a public hearing with the Planning Commission will be scheduled once the application is deemed complete. At present, meetings are being conducted in a hybrid format, with the option of participating in person at City Hall or online via Zoom.</p> <p>Public notice of the hearing will be sent to property owners and current residents within 300 ft of the subject property no later than 20 days before the hearing date. At least 14 days before the hearing, a sign giving notice of the application must be posted on the subject property, to remain until the decision is issued. Staff will coordinate with the applicant to provide the necessary sign(s).</p> <p>Staff will prepare a report with an analysis of the proposal and a recommendation that will be made available one week before the hearing. Both staff and the applicant will have the opportunity to make presentations at the hearing, followed by public testimony and then deliberation by the Commission for a decision.</p> <p>With Type III review, issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. If no appeal is received within the 15-day window, the decision becomes final. Any appeal of a Type III decision would be heard by the City Council for the final local decision.</p>
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<input checked="" type="checkbox"/>	<b>Review Type: Type III</b>	As described above, subdivisions are reviewed through a Type III review procedure. Please see <a href="#">MMC Section 19.1006</a> for complete Type III review procedures.
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<b>Overlay Zones (MMC 19.400)</b>		
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<input type="checkbox"/>	<b>Willamette Greenway</b>	
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<input type="checkbox"/>	<b>Natural Resources</b>	
<input type="checkbox"/>	<b>Historic Preservation</b>	
<input type="checkbox"/>	<b>Flex Space Overlay</b>	
<b>Site Improvements/Site Context</b>		
<input checked="" type="checkbox"/>	<b>Landscaping Requirements</b>	<p>The minimum vegetation requirement (percent of total lot area) is 15% for a townhouse lot between 1,500 and 2,999 sq ft per MMC Table 19.301.4. Additionally, per MMC 19.301.5, at least 40% of the front must be vegetated (the front yard landscaping counts towards the 15% total landscaping area for each lot). As per <a href="#">MMC 19.504.5</a>, no more than 20% of the required vegetation area shall be covered in mulch or bark dust; however, mulch or bark dust under the canopy of trees or shrubs is excluded from this limit.</p> <p>Development plans shall include a landscaping plan that will be reviewed for compliance with these requirements.</p>
<input type="checkbox"/>	<b>Onsite Pedestrian/Bike Improvements (MMC 19.504, 19.606, and 19.609)</b>	
<input type="checkbox"/>	<b>Connectivity to surrounding properties</b>	
<input type="checkbox"/>	<b>Circulation</b>	
<input checked="" type="checkbox"/>	<b>Building Design Standards (MMC 19.505)</b>	<p>Each townhouse unit must comply with the design standards in MMC 19.505.5.</p> <p>Design standards for townhouses are summarized below for convenience, <a href="#">see MMC Subsection 19.505.5</a> for full details.</p> <ol style="list-style-type: none"> <li>1. Articulation – for buildings with 30 – 60 ft of frontage, a minimum of one of the following elements along the street-facing façade listed in the subsection. For buildings with less than 30 ft of street frontage, the building articulation standard is not applicable, which appears to be the case based on the submitted plan set.</li> <li>2. Eyes on the Street - At least 15% of the area of each street-facing façade must be windows or entrance doors. Staff did not confirm compliance with this standard. The applicant should have the designer or architect confirm conformance with this standard.</li> <li>3. Main Entrance - at least one main entrance must be no further than 8 ft behind the longest street-facing wall of the building and must face the street, be at an angle of up to 45 degrees from the street, or open onto a porch that meets dimensional standards specified in <a href="#">Subsection 19.505.5.C.3</a>. As proposed during the pre-application conference, the main entrance appears to be located more than 8 ft behind the longest street-facing wall.</li> <li>4. Detailed Design – All buildings shall include at least 5 of the features listed in this subsection on any street-facing façade. The proposal appears to comply with the following (Horizontal Lap Siding; Roof eaves at least 12 in; Building offset at least 16 inches; Gable roof design; Window trim that's at least 3 in wide and 5/8 in deep.</li> <li>5. Townhouses must include an area of transition between the public realm of the right-of-way and the entry to the private dwelling; that area of transition can be either vertical or horizontal. As proposed, the plans appear to conform with the horizontal transition standards. See <a href="#">Subsection 19.505.5.C.5</a> for full details.</li> <li>6. In the R-MD zone, the maximum number of consecutive attached townhouses is 4 per MMC 19.505.5.</li> <li>7. If provided, garages, off-street parking areas in the front yard, and driveway access in the front of a townhouse must comply with the standards in <a href="#">Subsection 19.505.5.F.1</a> (summarized below) <ol style="list-style-type: none"> <li>a. The development of 2 or 3 townhouses must have at least one shared access between the lots and the development of 4 townhouses must have</li> </ol> </li> </ol>

		<p>two shared accesses. Outdoor onsite parking and maneuvering areas shall not exceed 10 ft on any lot, The garage width shall not exceed 12 ft (measured inside of door frame). Where there are multiple shared access, they must be spaced a minimum of 24 ft apart.</p> <p>The proposal does not appear to meet the off-street parking areas standard in this subsection. As proposed during the pre-application conference, the driveways exceed the 10 ft width allowance.</p>
<input type="checkbox"/>	<b>Downtown Design Standards (MMC 19.508)</b>	
<b>Parking Standards (MMC 19.600)</b>		
<input checked="" type="checkbox"/>	<b>Residential Off-Street Parking Requirements</b>	<p>As of Jan. 1, 2023, the city can no longer require a minimum quantity of off-street vehicle parking for this site. If off-street parking is provided, it must meet the standards for off-street parking in residential areas found in <a href="#">MMC 19.607</a>.</p> <p>In addition, there are specific driveway and garage standards for townhouses in MMC 19.505.5. These requirements are discussed in the building design standards section above.</p>
<input type="checkbox"/>	<b>Multi-Family/Commercial Parking Requirements</b>	
<b>Approval Criteria (MMC 19.900)</b>		
<input type="checkbox"/>	<b>Community Service Use (CSU) (MMC 19.904)</b>	
<input type="checkbox"/>	<b>Conditional Use (MMC 19.905)</b>	
<input type="checkbox"/>	<b>Development Review (MMC 19.906)</b>	
<input checked="" type="checkbox"/>	<b>Variance (MMC 19.911)</b>	<p>If a variance is requested for any project element, the approval criteria can be found in <a href="#">MMC Subsection 19.911.4.A</a> for Type II variances and <a href="#">MMC Subsection 19.911.4.B</a> for Type III variances.</p>
<b>Land Division (MMC Title 17)</b>		
<input checked="" type="checkbox"/>	<b>Design Standards</b>	<p><a href="#">MMC Chapter 17.28</a> establishes design standards for newly created and modified lots in the city. Notably, lots shall contain necessary utility easements as described in <a href="#">MMC Section 17.28.030</a> and shall conform to the general lot design standards in <a href="#">MMC Section 17.28.040</a>.</p>
<input checked="" type="checkbox"/>	<b>Preliminary Plat Requirements</b>	<p>MMC <a href="#">Section 17.16.060</a> 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 the preliminary plat established in <a href="#">MMC Chapter 17.20</a>.</p> <p><a href="#">MMC Section 17.12.040</a> 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).</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</li> </ol>

		<p>other respects unless the City determines it is in the public interest to modify the street pattern.</p> <p><a href="#">MMC Section 17.16.060</a> provides application requirements for a subdivision application. They include:</p> <ol style="list-style-type: none"> <li>1) Completed application form signed by all owners of the property included in the proposal.</li> <li>2) The application fee as adopted by the City Council.</li> <li>3) Completed and signed "submission requirements" and "partition checklist" or "subdivision checklist" forms as appropriate additional information as may be required by the application checklist.</li> <li>4) All information specified on the "submission requirements" and "partition checklist" or "subdivision checklist" forms as appropriate.</li> <li>5) Requirements and information specified in Chapter 17.20; and</li> <li>6) Any additional information as may be needed to demonstrate compliance with approval criteria.</li> </ol> <p><a href="#">MMC Section 17.12.030</a> establishes approval criteria for a replat. The proposal must meet the following criteria to be approved.</p> <ol style="list-style-type: none"> <li>(1) Compliance with Title 17 and Title 19 of the Milwaukie Municipal Code.</li> <li>(2) The replat will allow for reasonable redevelopment of the affected lots and will not create the need for a variance of any land division or zoning standard.</li> </ol> <p>Boundary changes shall not reduce residential density below the minimum density requirements of the zoning district in which the property is located.</p> <p><b>Preliminary plat checklist:</b>  <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>
<input checked="" type="checkbox"/>	<p><b>Final Plat Requirements (See Engineering Section of this Report)</b></p>	<p><a href="#">MMC Section 17.16.070</a> 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><a href="#">MMC Section 17.12.050</a> 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> <li>(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.</li> <li>(6) The plat complies with the Zoning Ordinance and other applicable ordinances and regulations.</li> <li>(7) Submission of signed deeds when access control strips are shown on the plat.</li> <li>(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.</li> </ol>

		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.  <b>Final plat checklist:</b> <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>
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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>Lewelling</b>	<p>Prior to submitting the application, the applicant is encouraged (but not required) to present the project at a regular meeting of the relevant Neighborhood District Association (NDA), in this case, the property is in the Lewelling NDA and is located within 300 ft of the Hector Cambell NDA. Both NDAs will receive notice of the subdivision application as required per <a href="#">MCC 19.1006</a>.</p> <p><b><u>Lewelling</u></b></p> <p>NDA Chair: Camden McKone Email: lewellingndachair@gmail.com</p> <p>Meeting Info: Meets at Kairos-Milwaukie UCC (4790 SE Logus Rd.) or on Zoom at 6:30 p.m., on the second Wednesday of most months. Next Meeting: Wed., April 10, 2024 (6:30 PM).</p> <p><b><u>Hector Cambell</u></b></p> <p>NDA Chair: Corinn deTorres Email: campbellneighbors@gmail.com</p> <p>Meeting Info: Meets at Chapel Theatre (4107 SE Harrison St.) every two months (Typically Jul., Sep., Nov., Jan., Mar., &amp; May) on the second Wednesday at 6 p.m. Next Meeting: Wed., May 8, 2024 (6-8 PM).</p>
	<b>Hector Campbell</b>	
	Choose an item.	

**Other Permits/Registration**

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

**ENGINEERING & PUBLIC WORKS COMMENTS**

**Public Facility Improvements (MMC 19.700)**

<input checked="" type="checkbox"/>	<b>Applicability (MMC 19.702)</b>	MMC 19.702 establishes the applicability of MMC 19.700, including for partitions, subdivisions, replats, new construction, and modification and/or expansion of an existing
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		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.  The proposed development is to subdivide and establish 6 new townhouses. MMC 19.700 applies.
<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 checked="" type="checkbox"/>	<b>Agency Notification (MMC 19.707)</b>	The proposed development is within 200 ft of an existing transit route as identified on the current TriMet service map and Figure 7-3 of the TSP.  TriMet will be notified.
<input type="checkbox"/>	<b>Transportation Requirements (MMC 19.708)</b>	Access Management: All development subject to MMC 19.700 shall comply with access management standards contained in MMC 12.16.  Clear Vision: All developments subject to MMC 19.700 shall comply with clear vision standards contained in MMC 12.24.  Full ROW dedicated to western property line. An access strip must be identified on the final plat along the western dedication for future connection.  Frontage improvements for this development include, but are not limited to, a minimum 20' paved asphalt roadway, mountable curb, and a stormwater quality area. Landscaping, including street trees, may also be required based on ROW width.  Clackamas Fire requirements for paved width may exceed 20' and/or require a turn-around area.  Asphalt pavement may stop short of western property edge to preserve trees until future development.
<input checked="" type="checkbox"/>	<b>Utility Requirements (MMC 19.709)</b>	New sewer and water mains along the newly dedicated street will need to be constructed to facilitate service laterals for this development. Construction of these new mains must be designed in accordance with the City of Milwaukie Public Works Standards.  A new sewer manhole is required to be placed at the end of the new mainline and must also be at least 5' beyond the last lateral connection.  The applicant must provide engineered plans for review and approval prior to construction. A Right-of-Way permit is required to construct these improvements.  A 10-ft public Utility Easement (PUE) will be required along the entire frontage of the newly dedicated street for all new lots.
<b>Flood Hazard Area (MMC 18)</b>		
<input type="checkbox"/>	<b>Development Permit (MMC 18.16.030)</b>	
<input type="checkbox"/>	<b>General Standards (MMC 18.04.150)</b>	
<input type="checkbox"/>	<b>Compensatory Storage (MMC 18.20.020)</b>	
<input type="checkbox"/>	<b>Floodways (MMC 18.20.010.B)</b>	
<b>Environmental Protection (MMC 16)</b>		



<input type="checkbox"/>	<b>Weak Foundation Soils (MMC 16.16)</b>	
<input checked="" type="checkbox"/>	<b>Erosion Control (MMC 16.28)</b>	<p>Erosion control and prevention is required as outlined in MMC16.28</p> <p>Projects that disturb more than 500 square feet within the City of Milwaukie limits require an <a href="#">Erosion Control Permit</a> from the City's Building Department. Even projects that are less than 500 square feet may require a permit based on site conditions and proximity to natural resources such as wetlands and waterways. The applicant must submit an erosion control plan for their project that accurately depicts how sediment will be controlled during the duration of the project.</p> <p>Please review the City's <a href="#">Erosion 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/wa/wqpermits/Pages/Stormwater-Construction.aspx">https://www.oregon.gov/deq/wa/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> <p>Preserve existing vegetation to maximum extent possible during construction. Construction fences should be installed to protect areas where no work will be done.</p>
<input checked="" type="checkbox"/>	<b>Tree Code (MMC 16.32)</b>	<p><b>Public Tree Code</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><b>Development Tree Code</b></p> <p>The tax lot included in the development site will be subject to the development tree code (MMC 16.32.042 A-H). If dividing the existing lot, the development tree code and the included standards apply to each tax lot independently. If the applicant consolidates tax lots, the final consolidated tax lot would be subject to the development tree code.</p> <p>The development tree code requires for this development compliance and/or mitigation associated with the following standards:</p> <ul style="list-style-type: none"> <li>- Preservation standard</li> <li>- Planting Standard</li> <li>- Protection Standard</li> <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 are required for tree protection and post development warranties as outlined in the fee schedule.</p> <p>Submittal requirements are outlined in MMC 16.32.042.H. <u>An ISA Certified Arborist is required to submit the final documents to the city as defined in MMC 16.32.042.</u> Additional supportive documentation, including canopy lists and tree protection and planting guidance are available at <a href="http://www.milwaukieoregon.gov/trees">www.milwaukieoregon.gov/trees</a>.</p> <p>The development tree code submittals are due at time of building permit application unless a variance is being requested through the land use application process. Building permits will not be approved without completion and approval of the development tree code application.</p> <p>For more information, please contact <a href="mailto:urbanforest@milwaukieoregon.gov">urbanforest@milwaukieoregon.gov</a> or call 503-786-7655.</p>
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**Public Services (MMC 13)**

<input checked="" type="checkbox"/>	<b>Water System (MMC 13.04)</b>	<p>All newly created lots will require a new water connection. 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 (SDC) and a water service connection fee must be paid prior to any new connections to city water.</p> <p>An existing 6" water line is available in 49<sup>th</sup> Avenue and is required to be extended to support this development. New lateral connections to a water main must be spaced at least one foot apart.</p> <p>A Right-of-Way Permit is required to complete this work.</p>
<input checked="" type="checkbox"/>	<b>Sewer System (MMC 13.12)</b>	<p>All newly created lots will require a new sewer connection. Connection and extension of City utilities is subject to plan and application review.</p> <p>An SDC must be paid prior to new connections or impacts due to intensification of use to city sanitary sewer.</p> <p>For these new private connections, extension of the existing 8" sewer main is required. The new main must be constructed to specifications outlined in the Milwaukie Public Works Standards. New lateral connections to the sewer main must be spaced at least two feet apart. A new manhole must be constructed 5' past the last sewer lateral connection and as close to the western property edge as possible for future development.</p> <p>A Right-of-Way Permit is required to complete this work.</p>
<input checked="" type="checkbox"/>	<b>Stormwater Management (MMC 13.14)</b>	<p>Newly constructed street runoff must be treated in stormwater quality facilities located in the right-of-way.</p> <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>Blind connections to city stormwater systems are not permitted unless site infiltration is not feasible.</p> <p>An SDC 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 SDCs.</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> <p>An SDC estimate has been provided.</p>
<input type="checkbox"/>	<b>Fee in Lieu of Construction (MMC 13.32)</b>	

### Public Places (MMC 12)

<input checked="" type="checkbox"/>	<b>Right of Way Permit (MMC 12.08.020)</b>	A ROW Permit will be required for all frontage improvements, utility work within the ROW, extension of public utilities, driveway construction for the development, and street paving and/or reconstruction.
<input checked="" type="checkbox"/>	<b>Access Requirements (MMC 12.16.040)</b>	Per MMC 12.16.040, private property must be provided street access via accessways (driveways). These driveways must be constructed under a ROW permit in accordance with the current Milwaukie Public Works Standards.  Accessway requirements will be determined based on final design and must adhere to MMC 19.505. A single shared accessway behind the townhouses will need to have a minimum width of 16'. Shared accessways between two townhouses will have a maximum width of 20'.
<input checked="" type="checkbox"/>	<b>Clear Vision (MMC 12.24)</b>	A clear vision area shall be maintained at all driveways and accessways.

### Additional Engineering & Public Works Notes

See attached SDC Estimate.

### 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).

### Additional Building Notes

e.g. sprinklers, accessibility, alarms, bathrooms, exits, elevator

### 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)
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**FIRE DISTRICT COMMENTS**

Please see the attached memorandum for fire district comments.

**COORDINATION WITH OTHER AGENCIES**

- Applicant must communicate directly with outside agencies. These may include the following:**
- Metro
  - Trimet
  - North Clackamas School District
  - North Clackamas Parks and Recreation District (NCPRD)
  - Oregon Parks and Recreation
  - ODOT/ODOT Rail
  - Department of State Lands
  - Oregon Marine Board
  - Oregon Department of Fish and Wildlife (ODOT)
  - State Historic Preservation Office
  - Clackamas County Transportation and Development

**MISCELLANEOUS**

**State or County Approvals Needed**

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

**Infrastructure/Utilities**

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

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

**Economic Development/Incentives**

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

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

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

Sincerely,

**City of Milwaukie Development Review Team**

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**BUILDING DEPARTMENT**

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

**ENGINEERING DEPARTMENT**

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

**PLANNING DEPARTMENT**

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

**COMMUNITY DEVELOPMENT DEPARTMENT**

Joseph Briglio	Community Development Director	503-786-7616
Mandy Byrd	Development Programs Manager	503-786-7692
Emilie Bushlen	Administrative Specialist II	503-786-7600
Petra Johnson	Administrative Specialist II	503-786-7600

**SUSTAINABILTY DEPARTMENT**

Courtney Wilson	Urban Forester	503-786-7655
Riley Gill	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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Permit Record: 24-004PA

SDCs

Street Address: 49th & Mullan

Prepared By: ENG

Date: FY 2024

SDC	Reimbursement	Improvement	Administration	Total
Parks	\$ 21,648.00	\$ -	\$ -	\$ 21,648.00
Transportation	\$ 460.20	\$ 9,172.80	\$ -	\$ 9,633.00
Storm Drainage	\$ -	\$ 3,210.64	\$ -	\$ 3,210.64
Water	\$ 3,498.00	\$ 2,904.00	\$ 489.00	\$ 6,891.00
Sewer	\$ 5,419.62	\$ 798.91	\$ 131.16	\$ 6,349.69
Water Meter Set Fee	\$ 1,500.00	\$ -	\$ -	\$ 1,500.00
Review Fee	\$ -	\$ -	\$ 330.00	\$ 330.00
Wastewater Treatment	\$ 42,528.00	\$ -	\$ -	\$ 42,528.00
<b>ASSUMPTIONS:</b> <u>New 3/4" meter for each unit. 8,000 SF combined impervious surface area.</u> <b>Fees subject to change until final plans and permit issuance</b>				<b>Total</b> \$ <b>92,090.33</b>