

ORIGINAL

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

Application for Land Use Action

Master File #: ADU-2019-02

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:		
<input type="checkbox"/> Amendment to Maps and/or Ordinances: <input type="checkbox"/> Comprehensive Plan Text Amendment <input type="checkbox"/> Comprehensive Plan Map Amendment <input type="checkbox"/> Zoning Text Amendment <input type="checkbox"/> Zoning Map Amendment <input type="checkbox"/> Code Interpretation <input type="checkbox"/> Community Service Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Development Review <input type="checkbox"/> Director Determination <input type="checkbox"/> Downtown Design Review <input type="checkbox"/> Extension to Expiring Approval <input type="checkbox"/> Historic Resource: <input type="checkbox"/> Alteration <input type="checkbox"/> Demolition <input type="checkbox"/> Status Designation <input type="checkbox"/> Status Deletion	<input type="checkbox"/> Land Division: <input type="checkbox"/> Final Plat <input type="checkbox"/> Lot Consolidation <input type="checkbox"/> Partition <input type="checkbox"/> Property Line Adjustment <input type="checkbox"/> Replat <input type="checkbox"/> Subdivision <input type="checkbox"/> Miscellaneous: <input type="checkbox"/> Barbed Wire Fencing <input type="checkbox"/> Bee Colony <input type="checkbox"/> Mixed Use Overlay Review <input type="checkbox"/> Modification to Existing Approval <input type="checkbox"/> Natural Resource Review <input type="checkbox"/> Nonconforming Use Alteration <input type="checkbox"/> Parking: <input type="checkbox"/> Quantity Determination <input type="checkbox"/> Quantity Modification <input type="checkbox"/> Shared Parking <input type="checkbox"/> Structured Parking	<input type="checkbox"/> Planned Development <input checked="" type="checkbox"/> Residential Dwelling: <input checked="" type="checkbox"/> Accessory Dwelling Unit <input type="checkbox"/> Duplex <input type="checkbox"/> Manufactured Dwelling Park <input type="checkbox"/> Temporary Dwelling Unit <input type="checkbox"/> Sign Review <input type="checkbox"/> Transportation Facilities Review <input type="checkbox"/> Variance: <input type="checkbox"/> Use Exception <input type="checkbox"/> Variance <input type="checkbox"/> Willamette Greenway Review <input type="checkbox"/> Other: _____ Use separate application forms for: <ul style="list-style-type: none"> • Annexation and/or Boundary Change • Compensation for Reduction in Property Value (Measure 37) • Daily Display Sign • Appeal

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): Sadie Gordon

Mailing address: 10190 SE 37th Ave Zip: 97222

Phone(s): (503) 956-0867 Email: gordonsadie2@gmail.com

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address: _____ Zip: _____

Phone(s): _____ Email: _____

SITE INFORMATION:

Address: 10190 SE 37th Ave Map & Tax Lot(s): 11E25DD03700

Comprehensive Plan Designation: _____ Zoning: _____ Size of property: _____

PROPOSAL (describe briefly):

ADU permit for pre-existing structure
Type II ADU permit from guesthouse structure

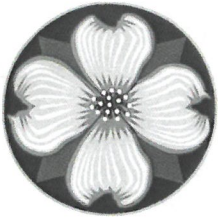
SIGNATURE:

ATTEST: I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. If required, I have attached written authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: [Signature] Date: 1/14/19

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.



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

Submittal Requirements

**For all Land Use Applications
(except Annexations and Development Review)**

All land use applications must be accompanied by a signed copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the proposal to allow for adequate review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or planning@milwaukieoregon.gov 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).

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.



PLANNING DEPARTMENT
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206

PHONE: 503-786-7630
 FAX: 503-774-8236
 E-MAIL: planning@milwaukieoregon.gov

Accessory Dwelling Units: Detached

This handout summarizes the accessory dwelling unit (ADU) regulations for residential properties in the City of Milwaukie. Please refer to Milwaukie Municipal Code (MMC) Subsection 19.910.1. ADUs are allowed in all residential zones except the Downtown Residential Zone. ADUs must follow all of the zoning requirements of the residential zone they are located in, as well as the additional requirements in MMC Subsection 19.910.1.

Definition of Accessory Dwelling Unit (ADU)

1. An "accessory dwelling unit" is a second dwelling unit on a lot with a single-family detached dwelling. An ADU is incidental to, and smaller than, the main dwelling unit. An ADU can either be part of the main structure, attached to the main structure, or detached.
2. The City has different regulations based on whether it is attached or not.
3. An "accessory dwelling unit" includes areas and equipment for sleeping, cooking, and sanitation (bathrooms and toilets). A structure without these areas and equipment is an "accessory structure," not an ADU, and is subject to the provisions of MMC Section 19.502 Accessory Structures.

Standards for All ADUs

1. The primary use on the property must be a single-family detached house, and it must be used as a dwelling.
2. Either the primary or accessory dwelling must be owner-occupied; the owner must record this deed restriction with the County (i.e., the property owner must live in one of the dwellings).
3. One ADU is allowed per lot.
4. An ADU is limited to the lesser of 800 sq ft or 75% of the floor area of the main structure.
5. A new ADU requires a preapplication conference with City staff.

Review and Approval of Detached ADUs

There are two review processes for ADUs, depending on the size of the unit.

Footprint, Height, and Required Yards for Detached Accessory Dwelling Units		
Level of Review	Type I	Type II
Maximum Structure Footprint	600 sq ft	800 sq ft
Maximum Structure Height	15', limited to 1 story	25', limited to 2 stories
Required Side and Rear Yard	Base zone requirement for side and rear yard	5'
Required Front Yard	10' behind front yard as defined in Section 19.201, unless located at least 40' from the front lot line.	
Required Street Side Yard	Base zone requirement for street side yard	

Type I review is a staff-level review to ensure that the proposal meets all applicable codes and requirements. This is often called an "as-of-right" or "permitted outright" type of review. The review time and cost is less than what is required for a Type II review.

ADUs greater than the Type I review thresholds will be reviewed through a Type II review process. In addition to a staff-level review, to ensure that the proposal meets all relevant codes and requirements, this type of application requires a public posting on the site and notification to all properties within 300 ft of the subject property and a comment period. The final decision on the application is made by the Planning Director.

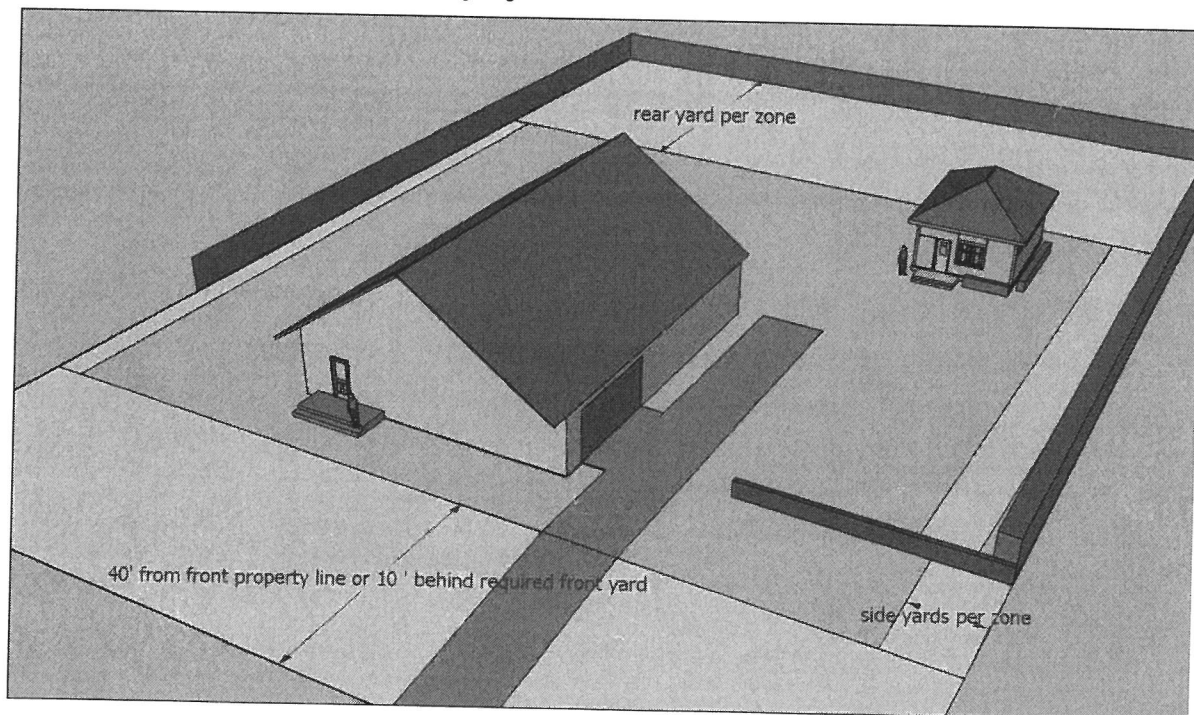
Development Standards for Detached ADUs

ADUs that are detached (a separate structure) from the primary residence must meet the development standards outlined in Table 1, below.

TABLE 1. DEVELOPMENT STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS

Requirement	Allowed by Code		Subject Property Requirements	(pre-existing structure) Proposed	Comments Staff Use Only
	Type I	Type II			
Maximum Lot Coverage and Minimum Landscaped Area See note 1	Same as base zone				
Setbacks: Front Property Line	10' behind required front yard or 40' from front lot line			Convert 740' from front lot line	
Setbacks: Street Side Property Line	Same as base zone				
Setbacks: Rear and Side Property Lines	Same as base zone	5' min.		5' rear >5' side	
Maximum Allowed Floor Area	800 sq ft or 75% of main dwelling, whichever is less			730 sq ft	
Building Height (detached ADU) See note 2	15' 1-story max.	25' 2-story max.		2-story 25' max	

1. See Zoning Worksheets for requirements.
2. See page 4 of this handout for how to measure building height.



Required Design Elements for Detached ADUs

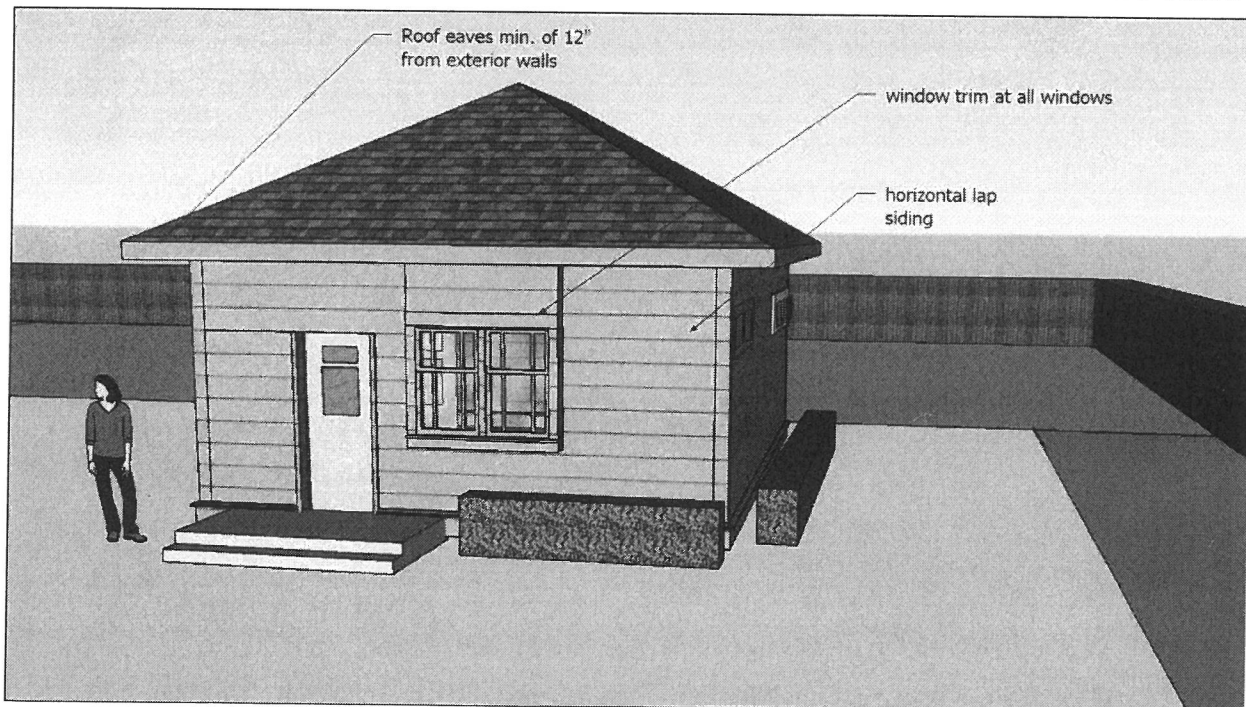
Detached ADUs must include at least 2 of the design details from Table 2, below. Yurts are allowed as detached ADUs and are exempt from this requirement, but they must meet all other ADU regulations and building codes (see MMC Subsection 19.910.4.b).

TABLE 2. DESIGN STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS

Requirement	Required by Code	Existing	Proposed	Comments Staff Use Only
Minimum roof pitch if floor-to-ceiling height is 9' or more See note 3	4" rise for every 12" of run (4/12 pitch)	> 4 1/2 roof pitch		
Privacy standard (for walls within 20' of adjacent residential property line)	All windows placed on upper 1/3 of wall, OR 6' visual screening	Pre-existing 6' visual screen		
All detached ADUs shall include at least 2 of the following (check at least 2):				
<input checked="" type="checkbox"/> Covered porch	5 min. depth	✓		
<input type="checkbox"/> Recessed entry	2' min. from exterior wall to door			
<input type="checkbox"/> Roof eaves	12" min. projection			
<input checked="" type="checkbox"/> Horizontal lap siding	Siding between 3" and 7" wide	✓		
<input checked="" type="checkbox"/> Window trim at all windows	3" wide and 5/8" deep	✓		

1. A minimum 4/12 roof pitch is required for an accessory structure greater than 10 ft and for ADUs with a floor-to-ceiling height greater than 9 ft.

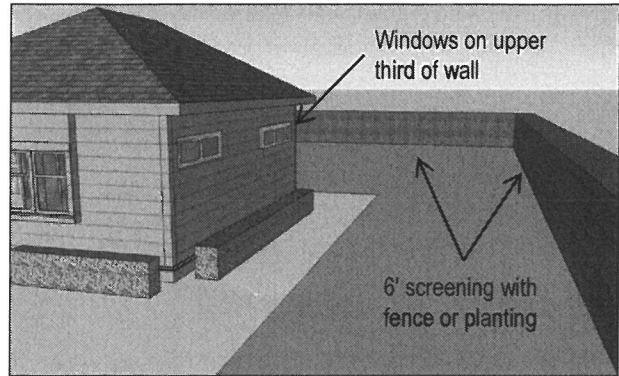
ILLUSTRATION OF DESIGN STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS



Privacy Standards for Detached ADUs

If a detached ADU has a wall within 20 ft of a side or rear lot line of an adjacent residential property, and is a 45 degree angle or less to the property line, at least 1 of the following privacy standards are required.

1. All windows on the wall shall be placed in the upper third of the distance between floor and ceiling.
2. Opaque visual screening with a minimum height of 6 ft is required along the property line next to the wall of the ADU. Screening may consist of a fence, wall, or evergreen shrubs. If newly planted shrubs are used, they must be at least 5 ft above grade at time of planting, and they must reach 6 ft high within 1 year. Existing features of the site may be used to meet this requirement.



Converting an Existing Accessory Structure into a Detached ADU

An existing structure can be converted to a detached ADU subject to the following standards.

1. If the existing accessory structure was created on or after December 1, 2012, it must meet all applicable standards for a new detached ADU.
2. If the existing accessory structure was created before December 1, 2012, it must meet all applicable standards for a new detached ADU except for the design standards listed in Table 2 above. However, the conversion must not bring the accessory structure out of conformance, or further out of conformance, with any of the design standards listed in Table 2.

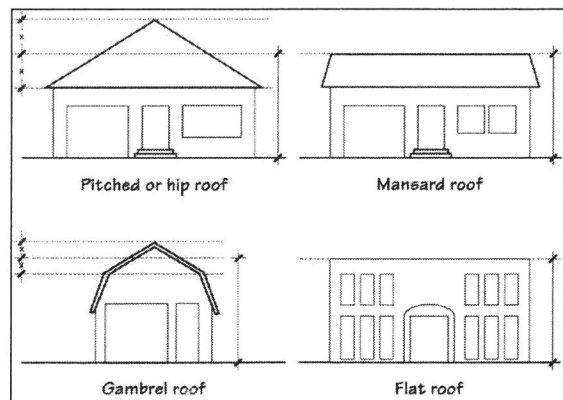
Other Requirements

A new dwelling unit within the city must also meet all applicable building codes and engineering requirements, which may include system development charges (SDCs) and street frontage improvements. Please be sure to contact these departments for applicable requirements. The Building Division can be contacted at 503-786-7611, and the Engineering Department can be contacted at 503-786-7609.

How to Measure Building Height

The top of building shall be determined based on the specific roof types listed below.

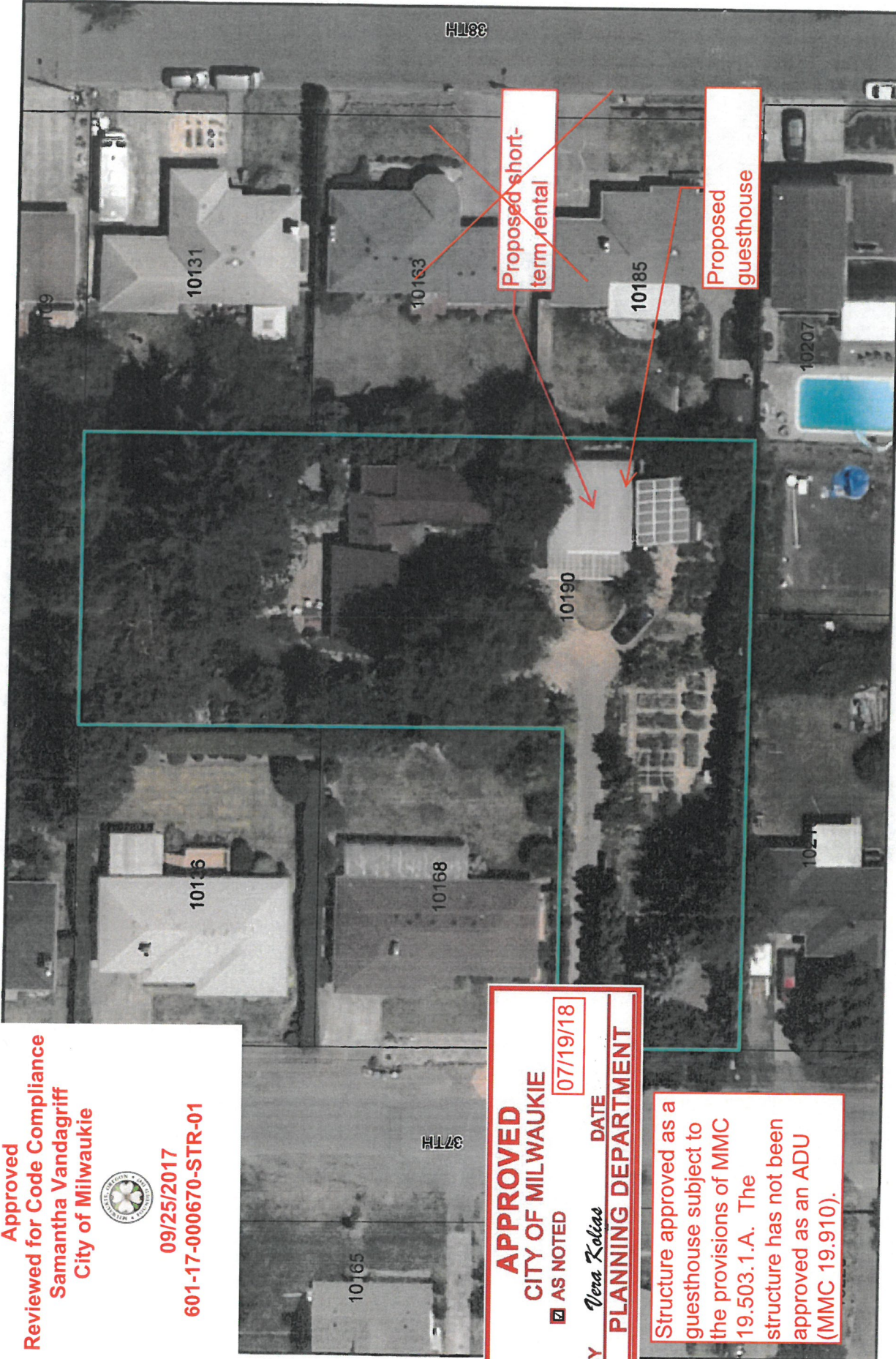
1. Flat roof: Measure to the top of the parapet or, if there is no parapet, to the highest point of the roof. If a roof includes multiple flat roofs at different elevations, measure to the top of the highest parapet or highest point of the highest roof.
2. Mansard roof: Measure to the deck line.
3. Pitched, hipped, or gambrel roof where roof pitch is 12/12 or less: Measure to the average height of the highest gable.
4. Pitched or hipped roof with a pitch steeper than 12/12: Measure to the highest point.
5. Gambrel roof where both pitches are steeper than 12/12: Measure to the highest point.
6. Other roof shape, such as domed, vaulted, or pyramidal: Measure to the highest point.
7. Stepped or terraced building: Measure to the highest point of any segment of the building.



Approved
 Reviewed for Code Compliance
 Samantha Vandagriff
 City of Milwaukee



09/25/2017
 601-17-000670-STR-01



APPROVED
 CITY OF MILWAUKIE
 AS NOTED
 BY *Vera Zolias* DATE 07/19/18
 PLANNING DEPARTMENT

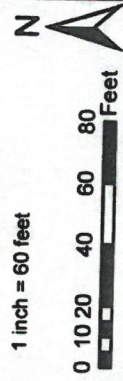
Structure approved as a
 guesthouse subject to
 the provisions of MMC
 19.503.1.A. The
 structure has not been
 approved as an ADU
 (MMC 19.910).

~~Proposed short-
 term rental~~

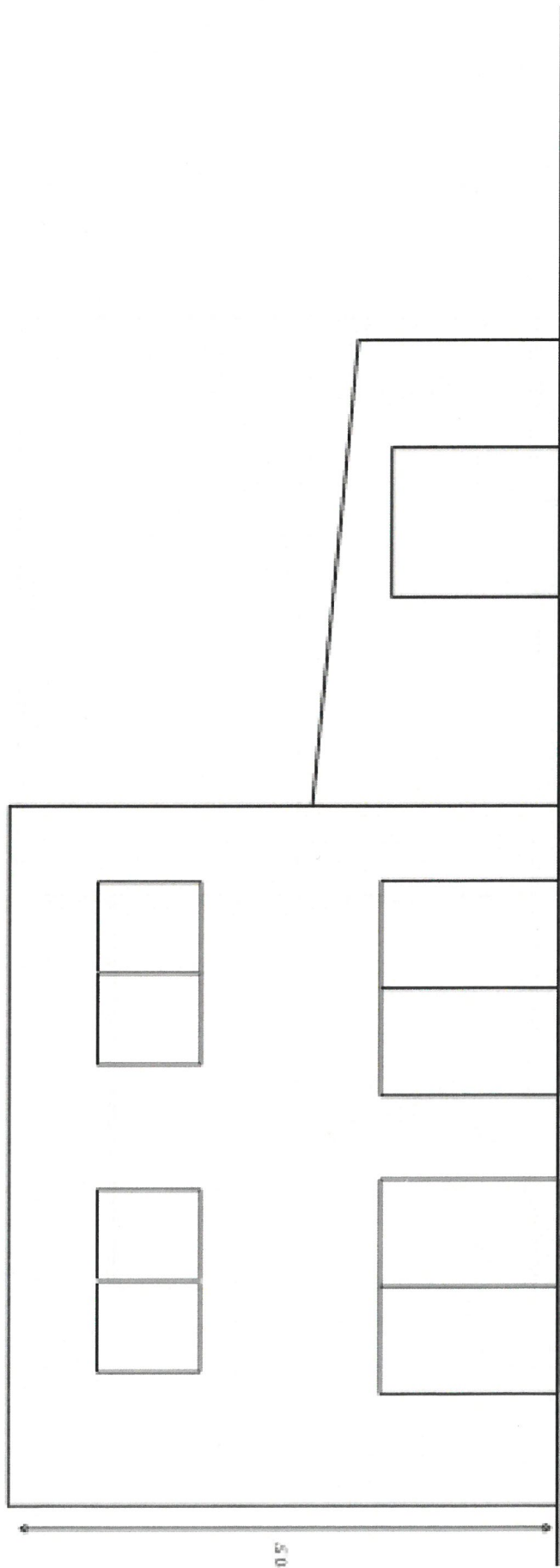
Proposed
 guesthouse

Milwaukee Planning Dept.
 Data: City of Milwaukee GIS;
 Metro RLIS
 Date: 6/5/2017
 Author: Planning Staff

10190 SE 37th Ave



The information depicted on this map is for general reference only. The City of Milwaukee does not accept any responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product.



20.5'

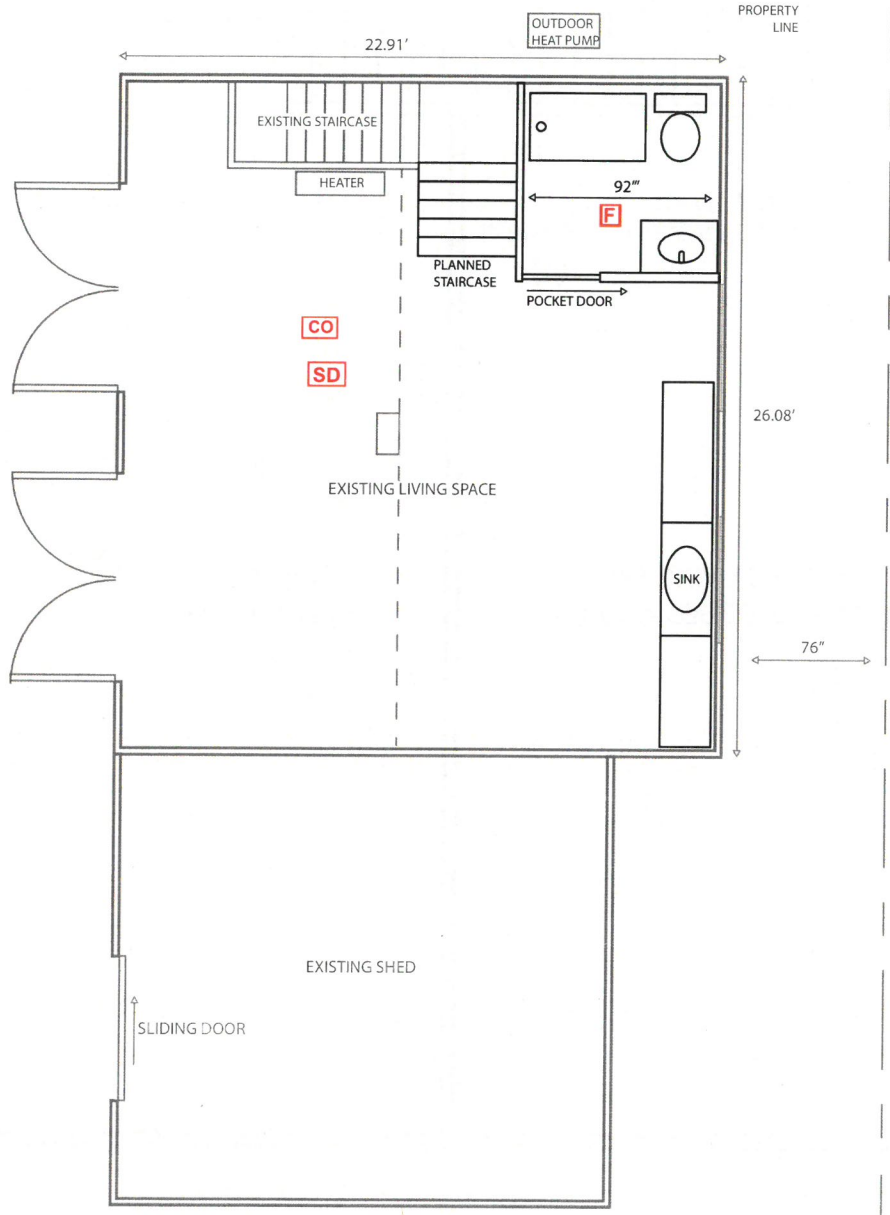


1" = 14'
GORDON
18100 SE 37th Ave
Bellevue, WA 98003

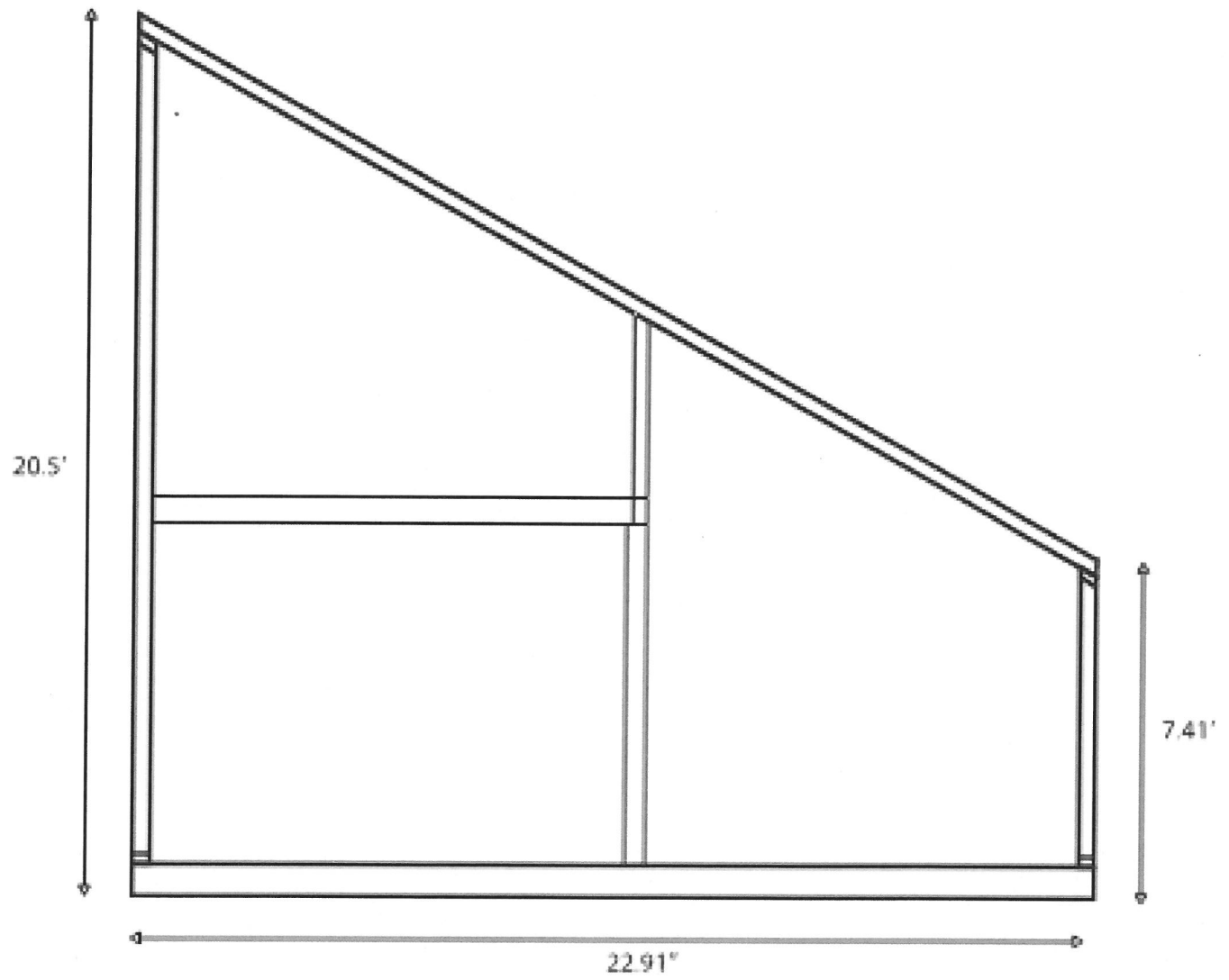
PROPOSED
GUEST HOUSE / SHOW TEMPORAL

This is not approved for an ADU. A stove cannot be placed in this space.

Stair risers shall have a maximum rise of 8 inches and a minimum run of 9 inches, and shall not vary more than 3/8 inch from the top to the bottom. Handrails shall be provided on one side of the stairs. Guard rails shall be provided if the stair is open on one side.

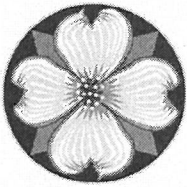


1" = 1/4"
GORDON
10190 SE 37th Ave
Milwaukie, OR 97222
PROPOSED
GUEST HOUSE / SHORT TERM RENTAL



N
1" = 1/4"
GORDON
10190 SE 37th Ave
Milwaukie, OR 97222

OUT BUILDING
PLANNED ADDITIONS



Transaction Receipt

Milwaukie Planning Department

6101 SE Johnson Creek Blvd
Milwaukie, OR 97206
503-786-7630
Fax: 503-774-8236
planning@milwaukieoregon.gov

601-19-000009-PLNG

Receipt Number: 16047

Receipt Date: 1/16/19

www.milwaukieoregon.gov

Worksite address: 10190 SE 37TH AVE, MILWAUKIE, OR 97222
Parcel: 11E25DD03700

Fees Paid			
Transaction date	Units	Description	Account code
1/16/19	1,000.00	Amount Type II Administrative Review	110-000-4480
Payment Method: Credit card authorization: 419138			Payer: Sadie R Gordon
Cashier: Tempest Blanchard			Payment Amount: \$1,000.00
			Receipt Total: \$1,000.00