

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

# Application for Land Use Action

Master File #: WG-2019-001

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

**RESPONSIBLE PARTIES:**

**APPLICANT** (owner or other eligible applicant—see reverse): JENIFER & ANTHONY FORNI

Mailing address: 10577 Riverway SE Zip: 97222

Phone(s): 541-602-4000 Email: Jen. For jmfaitland08@gmail.com

**APPLICANT'S REPRESENTATIVE** (if different than above): CREIGHTON ARCH. (GREGG CREIGHTON)

Mailing address: 252 "A" AVE #300 Lake Oswego Zip: 97034

Phone(s): 503-635-0797 Email: greggcreighton@comcast.net

**SITE INFORMATION:**

Address: 10577 Riverway Map & Tax Lot(s): 1S1E35AB00200

Comprehensive Plan Designation: \_\_\_\_\_ Zoning: R2 Size of property: \_\_\_\_\_

**PROPOSAL (describe briefly):**

Demolish exist residence, construct new residence

**SIGNATURE:** Jenifer Forni

**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: \_\_\_\_\_ Date: \_\_\_\_\_

**IMPORTANT INFORMATION ON REVERSE SIDE**

\*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B

**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.

**REVIEW TYPES:**

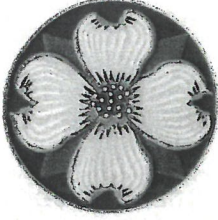
This application will be processed per the assigned review type, as described in the following sections of the Milwaukie Municipal Code:

- 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	FEE AMOUNT*	PERCENT DISCOUNT	DISCOUNT TYPE	DEPOSIT AMOUNT	DATE STAMP
Master file	WG-2019-001	\$ 2,000	—		\$	RECEIVED JAN 28 2019 CITY OF MILWAUKIE PLANNING DEPARTMENT
Concurrent application files		\$			\$	
		\$			\$	
		\$			\$	
		\$			\$	
SUBTOTALS		\$ 2,000			\$	
TOTAL AMOUNT RECEIVED: \$ 2,000		RECEIPT #:			RCD BY:	
Associated application file #s (appeals, modifications, previous approvals, etc.):						
Neighborhood District Association(s):		Historic Milwaukie				
Notes:						

\*After discount (if any)



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

# Submittal Requirements

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

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

Contact Milwaukie Planning staff at 503-786-7630 or [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov) for assistance with Milwaukie's land use application requirements.

1. **All required land use application forms and fees**, including any deposits.

*Applications without the required application forms and fees will not be accepted.*

2. **Proof of ownership or eligibility to initiate application** per MMC Subsection 19.1001.6.A.

*Where written authorization is required, applications without written authorization will not be accepted.*

3. **Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.

*Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, 3-D models, photo simulations, etc. Where subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary onsite "story pole" installations, and photographic representations thereof, may be required at the time of application submittal or prior to the public hearing.*

4. **Detailed statement** that demonstrates how the proposal meets the following:

A. All applicable development standards (listed below):

1. **Base zone standards** in Chapter 19.300.
2. **Overlay zone standards** in Chapter 19.400.
3. **Supplementary development regulations** in Chapter 19.500.
4. **Off-street parking and loading standards and requirements** in Chapter 19.600.
5. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.

B. All applicable application-specific approval criteria (check with staff).

*These standards can be found in the MMC, here: [www.qcode.us/codes/milwaukie/](http://www.qcode.us/codes/milwaukie/)*

5. **Site plan(s), preliminary plat, or final plat** as appropriate.

*See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.*

6. **Copy of valid preapplication conference report**, when a conference was required.

**APPLICATION PREPARATION REQUIREMENTS:**

- Five hard copies of all application materials are required at the time of submittal. Staff will determine how many additional hard copies are required, if any, once the application has been reviewed for completeness.
- All hard copy application materials larger than 8½ x 11 in. must be folded and be able to fit into a 10- x 13-in. or 12- x 16-in. mailing envelope.
- All hard copy application materials must be collated, including large format plans or graphics.

**ADDITIONAL INFORMATION:**

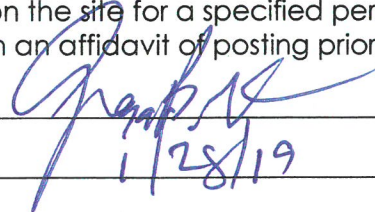
- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: [www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association](http://www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association).
- Submittal of a full or partial electronic copy of all application materials is strongly encouraged.

As the authorized applicant I, (print name) \_\_\_\_\_, 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.

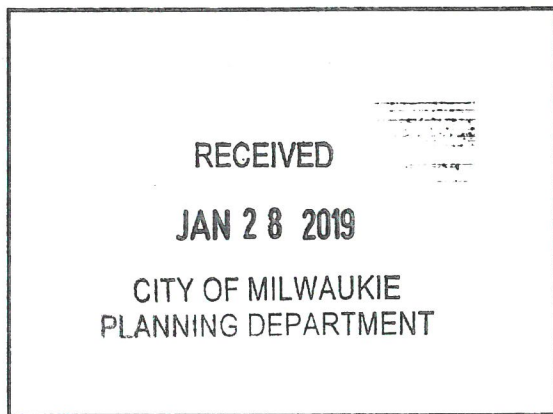
Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**Official Use Only**

Date Received (date stamp below):



RECEIVED

FEB 15 2019

CITY OF MILWAUKIE  
PLANNING DEPARTMENT

Creighton Architecture, PC  
252 A Ave. Suite 300  
Lake Oswego, OR 97034  
(503) 348-8843

Date: Jan. 25, 2019

Attn: City of Milwaukie, OR Planning Staff

RE: **Willamette River Greenway App Narrative** for a Type 3 Application at 10577 SE Riverway Ln.

To whom it may concern,

SCOPE: Replacement of SFR at above RE address.  
Original Const: 1960

REQUEST: This application seeks the approval to build a new dwelling on the same property as the existing dwelling. The existing dwelling will be demolished.

SUBJECT of this Narrative: Address the applicable sections of MMC 19.401.6 Criteria

A) Whether the land to be developed has been committed to an urban use, as defined under the State Willamette River Greenway Plan;  
*Architect's Response: The site is in the R2 zone.*

B) Compatibility with the scenic, natural, historic, economic, and recreational character of the river;  
*Architect's Response: The site is not adjacent to the Willamette River. The river (at the closest point) lies about 425 feet to the south. Two other homes are between this home and the riverfront. Those two homes belong to family members. To the west there are there is an apartment complex and several other single family homes. To the east there is a MODA insurance office building. Immediately to the north on the adjacent property, there is an old home that appears to be abandoned. Further to the north there are 3 more apartment complexes and the Waverly Heights Community. The south tip of Waverly Golf Course is about 500 feet NW of this site. The area has a gentle slope to the south. The site does not have any trees on it, but there is an older tree on the site to the north. Johnson Creek lies due east of the site and flows into the Willamette River about 800 feet to the SE of the site.*

C) Protection of views both toward and away from the Willamette River.  
*Architect's Response: There is no view of the river from the current dwelling; however you might see a small piece of the river from the second story of the new dwelling. The homes in front (to the south) of this dwelling block the view. You can see Elk Rock Island in the distance. Looking away from the river to the north, you will see the Waverley Greens Apartments and the hill slopes up more from there. Looking to the west, you see the single story home at 1552 SE Lava Drive. This home currently belongs to a family member as well. There is a 2-story home to the north of this property that blocks the apartments (further north) from seeing the river.*

D) Landscaping, aesthetic enhancement, open space, and vegetation between the activity and the river, to the maximum extent possible;

*Architect's Response: The site is not adjacent to the Willamette River. The landscaping in the community is mature and well done. This home will follow that pattern and the permit drawings will have a landscape plan. The home directly adjacent to the south received a new landscaping treatment when they remodeled a few years ago.*

E) Public access to and along the river, to the greatest possible degree, by appropriate legal means;

*Architect's Response: The site does not have access to the river.*

F) Emphasis on water oriented and recreational uses;

*Architect's Response: N/A The site does not have access to the river.*

G) Maintain or increase views between the Willamette River and downtown;

*Architect's Response: N/A, The site is north of downtown. .*

H) Protection of the natural environment according to the regulations in Section 19.402;

*Architect's Response: There are no natural resources on the site.*

I) Advice and recommendations of the Design and Landmark Committee, as appropriate;

*Architect's Response: N/A SFRs are an allowed use in the zone.*

J) Conformance to applicable Comprehensive Plan policies;

*Architect's Response: We are continuing the use of the site as SFR. This is an outright allowed use in the zone according to the Comp Plan.*

K) The request is consistent with the applicable plans and programs of the Division of State Lands.

*Architect's Response: To the best of our knowledge, the project has no conflicts with the programs of the Division of State Lands...*

L) A vegetation buffer plan meeting the conditions of Subsections 19.401.8.A through C;

*Architect's Response: N/A The site is not within the vegetation buffer area. .*

MMC 19.905 Conditional Uses.

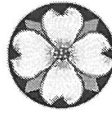
New Conditional Use: Type III is triggered with a Willamette River Greenway review.

19.905.4 Approval Criteria

A) Establishment of a new conditional use, or major modification of an existing conditional use, shall be approved if the following criteria are met:

1) The characteristics of the lot are suitable for the proposed use considering size, shape, location, topography, existing improvements, and natural features.

*Architect's Response: We are proposing to keep the character of the lot the same with very little change to the grading. The new home will be placed in the same location as the old home. The old home was more narrow, but deeper than the proposed plan. No existing improvements will be retained. The driveway and all the landscaping will be changed. New landscape materials will be installed. There are no natural resources on the site. We believe the site is suitable for a single family home.*



# CITY OF MILWAUKIE

January 18, 2019

Gregg Creighton  
Gregg Creighton, Architect  
252 A Ave, Ste. 300  
Lake Oswego OR 97034

RECEIVED  
FEB 15 2019  
CITY OF MILWAUKIE  
PLANNING DEPARTMENT

**Re: Preapplication Report**

Dear Gregg:

Enclosed is the Preapplication Report Summary from your meeting with the City on January 3, 2019, concerning your proposal for action on property located at 10577 SE Riverway Ln.

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 Director may require a new preapplication conference.
- If a development proposal is significantly modified after a preapplication conference occurs, the Planning Director may require a new preapplication conference.

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

Sincerely,

Alicia Martin  
Administrative Specialist II

Enclosure

cc: file

# CITY OF MILWAUKIE

PreApp Project ID #: 18-014PA

## PRE-APPLICATION CONFERENCE REPORT

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This report is provided as a follow-up to a meeting that was held on 1/3/2019 at 11:00am

**Applicant Name:** GREGG CREIGHTON  
**Company:** GREGG CREIGHTON, ARCHITECT  
**Applicant 'Role':** Architect  
**Address Line 1:** 252 A AVE, #300  
**Address Line 2:**  
**City, State Zip:** LAKE OSWEGO OR 97034  
**Project Name:** Replacement SFR  
**Description:** Replace SFR  
**ProjectAddress:** 10577 SE Riverway Ln  
**Zone:** R-2  
**Occupancy Group:**  
**ConstructionType:**  
**Use:** SFR  
**Occupant Load:**  
**AppsPresent:** Gregg Creighton  
**Staff Attendance:** Mary Heberling, Alex Roller, Dalton Vodden, Tay Stone

### BUILDING ISSUES

**ADA:**

**Structural:** Building shall meet all the requirements of the Oregon Residential Specialty Code (ORSC)

**Mechanical:**

**Plumbing:**

**Plumb Site Utilities:**

**Electrical:**

**Notes:**



Please note all drawings must be individually rolled. If the drawings are small enough to fold they must be individually folded.

### FIRE MARSHAL ISSUES

**Fire Sprinklers:**

**Fire Alarms:**

**Fire Hydrants:**

**Turn Arounds:**

**Addressing:**

**Fire Protection:**

**Fire Access:**

**Hazardous Mat.:**

**Fire Marshal Notes:** No comments. See attached.

### PUBLIC WORKS ISSUES

**Water:** A City of Milwaukie 6-inch water main on SE Riverway Ln will provide service to the proposed development. The development will require a new meter assembly, as the existing water meter will be removed and refurbished with the demolition of the existing building. Water System Development Charges (SDCs) credit will be provided based on the size of any existing water meter serving the property removed from service. There will be no additional water SDC. The only water fee will be for the new water meter, which is \$250.

**Sewer:** Property is provided service by a private lateral that connects to city sewer inside of the Moda property to the east. Existing house provides credit for the SDCs. No additional sewer fees are required with the construction of the new single-family house.

**Storm:** Submission of a stormwater management plan by a qualified professional engineer is required as part of the proposed development. The plan shall conform to Section 2 - Stormwater Design Standards of the City of Milwaukie Public Works Standards. The stormwater management plan shall demonstrate that the post-development runoff does not exceed the pre-development runoff, including any existing stormwater management facilities serving the development property. Also, the plan shall demonstrate compliance with water quality standards. The City of Milwaukie has adopted the City of Portland 2016 Stormwater Management Manual for design of water quality facilities.

All new impervious surfaces, including replacement of impervious surface with new impervious surfaces, are subject to the water quality standards. See Milwaukie Public Works Standards for design and construction standards and detailed drawings. The trigger for storm treatment is 500 sq ft of new impervious area. This is for the right-of-way only. The runoff from the new house will be directed to drywells, or other approved infiltration method.

The storm SDC is based on the amount of new impervious surface constructed at the site. One storm SDC unit is the equivalent of 2,706 sq ft of impervious surface. The storm SDC is currently \$930 per

unit. Each single-family property is 1 Stormwater unit. Therefore, the existing house provides credit for the storm SDC. No additional storm SDCs are required.

**Street:** The proposed development fronts the west side of Riverway Ln, which is classified as a Local Street. The portion of Riverway Ln fronting the proposed development has a right-of-way width of 40 ft, a paved width of approximately 13 ft, and unimproved on both sides of the road.

The Transportation SDC will be based on the increase in trips generated by the new use per the Trip Generation Handbook from the Institute of Transportation Engineers. Credits will be given for any demolished structures, which shall be based upon the existing use of the structures. The existing single-family house has the same trip generation rate as the new larger house. No transportation SDC will be required.

**Frontage:** Chapter 19.700 of the Milwaukie Municipal Code, herein referred to the "Code", applies to partitions, subdivisions, new construction, and modification and/or expansions of existing structures or uses that produce a projected increase in vehicle trips. The difference in square footage between the existing and proposed houses is 2,150 sq ft. Per MMC 19.702.2.A for expansions or conversions that increase the combined gross floor area of all structures (excluding nonhabitable accessory structures and garages) by 1,500 sq ft or more, all of Chapter 19.700 applies.

Transportation Facility Requirements, Code Section 19.708, states that all rights-of-way, streets, sidewalks, necessary public improvements, and other public transportation facilities located in the public right-of-way and abutting the development site shall be adequate at the time of development or shall be made adequate in a timely manner.

#### SE RIVERWAY LANE

The City of Milwaukie has recently established a low-volume street standard.

Requirements for this street design:

- 1 85th percentile speed at 15 mph or less
- 2 Average daily trips expected to be 150 or fewer
- 3 Service to no more than 15 housing units
- 4 No existing sidewalks

Per Public Works Standards Drawing 515, the low volume street cross section includes the following:

- 10-ft travel lanes (20 ft total asphalt width) with flush mount curb.

If applicant elects to have on-street parking, then additional asphalt widening will be required.

**Right of Way:** The existing 40-ft right-of-way on Riverway Ln fronting the proposed development is of adequate width to accommodate the planned cross-section. If on-street parking is desired by the applicant, dedication will be required along the site frontage.

**Driveways:** Code Section 12.16.040.A states that access to private property shall be permitted with the use of driveway curb cuts and driveways shall meet all applicable guidelines of the Americans with Disabilities Act (ADA). Driveway approaches shall be improved to meet the requirements of Milwaukie's Public Works Standards Section 5.0085, at the time of development. The plan depicts an opening of 21 ft, which is wider than the maximum 20-ft width for a single-family property. Driveway must also be located a minimum 7.5 ft from the side property line, which the site plan shows.

**Erosion Control:** Per Code Section 16.28.020(C), an erosion control permit is required prior to placement of fill, site clearing, or land disturbances, including but not limited to grubbing, clearing or removal of ground

vegetation, grading, excavation, or other activities, any of which results in the disturbance or exposure of soils exceeding 500 sq ft. The proposed development exceeds the threshold; therefore an erosion control permit is required.

Code Section 16.28.020(E) states that an erosion control permit is required prior to issuance of building permits or approval of construction plans. Also, Section 16.28.020(B) states that an erosion control plan that meets the requirements of Section 16.28.030 is required prior to any approval of an erosion control permit.

**Traffic Impact Study:** MMC 19.704 states the Engineering Director will determine whether a proposed development has impacts on the transportation system by using existing transportation data. If the Engineering Director cannot properly evaluate a proposed development's impacts without a more detailed study, a transportation impact study (TIS) will be required to evaluate the adequacy of the transportation system to serve the proposed development and determine proportionate mitigation of impacts. It is the responsibility of the applicant to provide enough detailed information for the Engineering Director to make a TIS determination.

The Engineering Director has determined that sufficient existing transportation data is available for the City to determine the transportation system impacts of the development and a project-specific TIS is not required for this development at this time. Changes to the application may alter this determination.

**PW Notes:** Engineering will not have any requirements for the Willamette Greenway Review. The construction requirements below are triggered by the construction of the new single-family structure. These requirements must be completed prior to occupancy.

#### APPLICABILITY OF PREAPPLICATION REVIEW

The comments provided are preliminary and intended to address the original application materials submitted unless otherwise specifically called out in the notes. The information contained within these notes may change over time due to changes or additional information presented for the development.

This pre-application review is for the following:

Demolition of single family house and construction of new larger single-family house. Application is for Willamette Greenway review.

#### SYSTEM DEVELOPMENT CHARGES (SDCS)

Existing house provides credit for all SDCs. There will be no additional system development fees required. Only new fees related to utilities is for a new water meter.

#### REQUIREMENTS PRIOR TO OCCUPANCY

- Engineered plans for public improvements (street, sidewalk, and utility) are to be submitted and approved prior to start of construction. Full-engineered design is required along the frontage of the proposed development. Plans shall be prepared by a Professional Engineer licensed in the State of Oregon.

- The applicant shall pay an inspection fee of 5.5% of the cost of public improvements prior to start of construction.

- The applicant shall provide a payment and performance bond for 100% of the cost of the public improvements prior to the start of construction.

- The applicant shall provide a final approved set of Mylar "As Constructed" drawings to the City of Milwaukie prior to the final inspection.

- The applicant shall provide a maintenance bond for 100% of the cost of the public improvements prior to the final inspection

**ADDITIONAL REQUIREMENTS**

- All fees mentioned are subject to change in accordance with the City of Milwaukie Master Fee Schedule.

**PLANNING ISSUES**

- Setbacks:** Front yard - 15 ft  
Side yard - 5 ft  
Rear yard - 15 ft
- Landscape:** Landscaping: 15% min vegetation (at least half of the minimum required vegetation area must be suitable for outdoor recreation by residents, and not have extreme topography or dense vegetation that precludes access)  
  
Front yard minimum vegetation: At least 40%
- Parking:** 1 off-street parking space per single-family residence.  
You can find where the off-street parking spaces may be located in MMC 19.607 Off-Street Parking Standards for Residential Areas
- Transportation Review:** No TIS
- Application Procedures:** Type III Willamette Greenway Conditional Use Review  
Cost \$2,000  
Timeframe: 77 days from time of submittal to final decision after the appeal period  
5 copies of the application, narrative, and any plans are provided at the application submittal.

In the application, write a narrative responding to these particular code sections:

MMC 19.401 WILLAMETTE GREENWAY ZONE WG  
19.401.6 Criteria

The following shall be taken into account in the consideration of a conditional use:

AWhether the land to be developed has been committed to an urban use, as defined under the State Willamette River Greenway Plan;

PARTIAL RESPONSE: It is in the R2 zone.

BCompatibility with the scenic, natural, historic, economic, and recreational character of the river;

PARTIAL RESPONSE: The parcel is not adjacent to the Willamette River. Please expand here on more details of surrounding area.

CProtection of views both toward and away from the river;

PARTIAL RESPONSE: Talk about how the river cannot be seen from this parcel.

DLandscaping, aesthetic enhancement, open space, and vegetation between the activity and the river, to the maximum extent practicable;

PARTIAL RESPONSE: The parcel is not adjacent to the Willamette River. Expand on details of surrounding area and uses. Could mention the proposed vegetation plan of the parcel with the new SFR.

EPublic access to and along the river, to the greatest possible degree, by appropriate legal means;

PARTIAL RESPONSE: N/A parcel does not have access to the river.

FEmphasis on water-oriented and recreational uses;

PARTIAL RESPONSE: N/A parcel does not have access to the river.  
G Maintain or increase views between the Willamette River and downtown;  
PARTIAL RESPONSE: N/A parcel is north of downtown.  
H Protection of the natural environment according to regulations in Section 19.402;  
PARTIAL RESPONSE: There are no Natural Resources on the parcel.  
I Advice and recommendations of the Design and Landmark Committee, as appropriate;  
PARTIAL RESPONSE: City staff does not find this necessary for an outright allowed use in the R2 zone.  
J Conformance to applicable Comprehensive Plan policies;  
PARTIAL RESPONSE: Elaborate on how a new SFR maintains the existing use of the zone, which allows SFR.  
K The request is consistent with applicable plans and programs of the Division of State Lands;  
L A vegetation buffer plan meeting the conditions of Subsections 19.401.8.A through C.  
PARTIAL RESPONSE: N/A, parcel is not within the vegetation buffer area.

#### MMC 19.905 CONDITIONAL USES

New Conditional Use: Type III: Is triggered with a Willamette Greenway review – Respond to the approval criteria.

##### 19.905.4 Approval Criteria

A Establishment of a new conditional use, or major modification of an existing conditional use, shall be approved if the following criteria are met:

1 The characteristics of the lot are suitable for the proposed use considering size, shape, location, topography, existing improvements, and natural features.

2 The operating and physical characteristics of the proposed use will be reasonably compatible with and have minimal impact on, nearby uses.

3 All identified impacts will be mitigated to the extent practicable.

4 The proposed use will not have unmitigated nuisance impacts, such as from noise, odor, and/or vibrations, greater than usually generated by uses allowed outright at the proposed location.

5 The proposed use will comply with all applicable development standards and requirements of the base zone, any overlay zones or special areas, and the standards in Section 19.905.

6 The proposed use is consistent with applicable Comprehensive Plan policies related to the proposed use.

7 Adequate public transportation facilities and public utilities will be available to serve the proposed use prior to occupancy pursuant to Chapter 19.700.

##### 19.905.5 Conditions of Approval

The Planning Commission may impose conditions of approval that are suitable and necessary to assure compatibility of the proposed use with other uses in the area and minimize and mitigate potential adverse impacts caused by the proposed use.

Conditions of approval may include, but are not limited to, the following aspects of the proposed use:

A Limiting the hours, days, place, and manner of operation.

B Requiring structure and site design features that minimize environmental impacts such as those caused by noise, vibration, air pollution, glare, odor, carbon emissions, and dust.

C Requiring additional front, rear, or side yard width.

D Limiting building height, size, or location or limiting lot coverage.

E Limiting or otherwise designating the size, number, or location of vehicle access points from the street.

F Requiring additional landscaping or screening of off-street parking and loading areas.

G Limiting or otherwise designating the location, intensity, and shielding of outdoor lighting.

H Requiring screening or landscaping for the protection of surrounding properties.

I Requiring and designating the size, height, location, and materials for fences.

.Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, and drainage areas.

Requiring adequate public transportation facilities and public utilities prior to occupancy.

**MMC 19.504 SITE DESIGN STANDARDS**

Show how the new SFR meets the applicable site design standards. You can find those standards here:

[http://www.qcode.us/codes/milwaukie/view.php?topic=19-19\\_500-19\\_504](http://www.qcode.us/codes/milwaukie/view.php?topic=19-19_500-19_504)

**MMC 19.505.1 SINGLE-FAMILY DWELLINGS BUILDING DESIGN STANDARDS**

Show that the new SFR meets the building design standards. You can find those standards here:

[http://www.qcode.us/codes/milwaukie/view.php?topic=19-19\\_500-19\\_505](http://www.qcode.us/codes/milwaukie/view.php?topic=19-19_500-19_505)

**Natural Resource Review:** N/A No Natural Resource Overlay zone on the site

**Lot Geography:** Existing parcel is 6,061.87  
Rectangular in shape

**Planning Notes:**

**ADDITIONAL NOTES AND ISSUES**

**County Health Notes:**

**Other Notes:**

**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 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**

**Samantha Vandagriff - Building Official - 503-786-7611**

**Stephanie Marcinkiewicz**

**- Inspector/Plans Examiner - 503-786-7613**

**ENGINEERING DEPARTMENT**

**Kelly Brooks - Acting Engineering Director - 503-786-7573**

**Alex Roller - Engineering Tech II - 503-786-7695**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Alma Flores - Comm. Dev. Director - 503-786-7652**

**Leila Aman - Development Manager - 503-786-7616**

**Alicia Martin - Admin Specialist - 503-786-7600**

**PLANNING DEPARTMENT**

**Dennis Egnor - Planning Director - 503-786-7654**

**David Levitan - Senior Planner - 503-786-7627**

**Brett Kolver - Associate Planner - 503-786-7657**

**Vera Koliass - Associate Planner - 503-786-7653**

**Mary Heberling - Assistant Planner - 503-786-7658**

**CLACKAMAS FIRE DISTRICT**

**Mike Boumann - Lieutenant Deputy Fire Marshal - 503-742-2673**

**Matt Amos - Fire Inspector - 503-742-2661**

# Clackamas County Fire District #1 Fire Prevention Office



## E-mail Memorandum

**To:** City of Milwaukie Planning Department  
**From:** Izak Hamilton, Fire Inspector, Clackamas Fire District #1  
**Date:** 1/2/2019  
**Re:** 18-014PA/ 10577 Riverway

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This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

### COMMENTS:

The Fire District has no comments regarding this proposal. Thank you.