



CITY OF MILWAUKIE

July 2, 2024

Don Snair
1500 SW 5th Ave
Portland, OR 97201

Re: Preapplication Report

Dear Don Snair:

Enclosed is the Preapplication Report Summary from your meeting with the City on 6/20/24, concerning your proposal for action on property located at 11004 SE Stanley Ave.

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

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

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

Sincerely,

Emilie Bushlen
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: 24-008PA

This report is provided as a follow-up to the meeting that was held on 6/20/2024 at 10:00 AM.

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

APPLICANT AND PROJECT INFORMATION

Applicant:	Don Snair	Applicant Role: Developer
Applicant Address:	1500 SW 5 th Ave, Portland, OR 97201	
Company:	DBRE Investments	
Project Name:	Detached quadplex and middle housing land division	
Project Address:	11004 SE Stanley Ave (1S2E31AA07800)	Zone: R-MD (Moderate Density Residential)
Project Description:	Partition to create a developable flag lot, construct detached quadplex units on the flag lot, then use the middle housing land division process to put each unit on its own lot.	
Current Use:	Single detached dwelling	
Applicants Present:	Don Snair (developer, DBRE Investments)	
Staff Present:	Brett Kelter (Senior Planner), Jennifer Backhaus (Engineering Tech III), Harmony Drake (Permit Coordinator)	

PLANNING COMMENTS

Zoning Compliance (MMC Title 19)

<input checked="" type="checkbox"/>	Use Standards (e.g., residential, commercial, accessory)	The property is zoned Moderate Density Residential (R-MD), which allows a variety of residential housing types, including single-unit detached dwellings, duplexes, triplexes, quadplexes, townhouses, and cottage cluster development.
<input checked="" type="checkbox"/>	Dimensional Standards	<p>The subject property is comprised of a single tax lot, approximately 32,615 sq ft in size (0.75 acres) and is developed with a single detached dwelling (house). The property has approximately 110 ft of street frontage on Stanley Avenue.</p> <p>Dimensional standards for the R-MD zone vary based on the lot size and are provided in Milwaukie Municipal Code (MMC) Table 19.301.4. Setback requirements for lots 7,000 sq ft and larger are as follows:</p> <p style="padding-left: 40px;">Front yard = 20 ft Side yard = 5 ft & 10 ft Rear yard = 20 ft</p>

		<p>Side yard height plane = At minimum setback, at the 20-ft height mark the structure must start moving away from the side property line at no steeper an angle of 45°.</p> <p>MMC Subsection 19.501.2.B allows eaves and overhangs to extend up to 3 ft into a front or rear yard and up to 2 ft into a side yard.</p> <p>For middle housing land divisions, the dimensional standards of MMC Table 19.301.4 are not applicable to the new sublots, as the overall property must show compliance prior to the middle house land division being allowed.</p>
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Land Use Review Process		
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<input checked="" type="checkbox"/>	Applications Needed, Fees, and Review Type	<p>Fees for conventional partition process:</p> <ul style="list-style-type: none"> • Minor land partition, preliminary plat (Type II review) = \$2,000 • Final Plat (Type I review) = \$200 <p>No land use application is required for the development of middle housing unless a variance is requested. Applicable standards for development will be reviewed and confirmed as part of the building permit review.</p> <p>Fees for middle housing partition process:</p> <ul style="list-style-type: none"> • Middle housing land division, preliminary plat (Type II) = \$2,000 • Final Plat for middle housing land division (Type I) = \$200
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<input checked="" type="checkbox"/>	Application Process	<p>Conventional partition:</p> <p>For the initial conventional partition (to create the flag lot), a minor land partition application is needed. There is an initial approval (preliminary plat) followed by the final plat process.</p> <p>The applicant must submit a complete electronic copy of all application materials for the City's initial review. A determination of the application's completeness will be issued within 30 days. If the application is deemed incomplete, City staff will provide a list of items to be addressed upon resubmittal.</p> <p>For Type II applications, within seven (7) days of the application being deemed complete, public notice of the application will be sent to property owners and current residents within 300 ft of the subject property, and a sign with notice of the application must be posted on the site. The application will also be referred to other relevant departments and agencies for review and comment. Parties will have at least 14 days to provide comments before a decision is issued by the Planning Manager.</p> <p>Issuance of a decision starts a 15-day appeal period for the applicant and any party who establishes standing. If no appeal is received within the 15-day window, the decision becomes final. Any appeal of a Type II decision will be heard by the Planning Commission to establish a final local decision.</p> <p>Middle housing land division:</p> <p>A middle housing land division is a land division that establishes unique lots for middle housing units that have been developed or approved for development; this is different from a land division to create standard lots that may be developed later with middle housing. Middle housing land divisions are processed with an expedited Type II review and are recorded with a final plat to complete the process.</p> <p>The conventional final plat must be recorded before a middle housing land division can be initiated, and the corresponding middle housing development permits have been approved and issued. The applicant must submit a complete electronic copy of all application materials for the City's initial review. For the middle housing land division, a determination of the application's completeness will be issued within 21 days. If the application is deemed incomplete, City staff will provide a list of items to be addressed upon resubmittal.</p> <p>For middle housing land divisions, the state requires decisions to be issued within 63 days of being deemed complete. Staff will work within the Type II process, sending the required public notice (to property owners and current residents within 300 ft of the subject property) within seven (7) days of the application being deemed complete. A sign with notice of the</p>
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		<p>application must also be posted on the site. The application will be referred to other relevant departments and agencies for review and comment. Parties will have at least 14 days to provide comments before a decision is issued by the Planning Manager.</p> <p>The final plat for the middle housing units can be signed as soon after the preliminary plat approval as any associated conditions of approval have been met, and not necessarily in conjunction with any particular stage of construction on the site itself.</p>
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Overlay Zones (MMC 19.400)

<input type="checkbox"/>	Willamette Greenway	(There are no overlays for the subject property.)
<input type="checkbox"/>	Natural Resources	
<input type="checkbox"/>	Historic Preservation	
<input type="checkbox"/>	Flex Space Overlay	

Site Improvements/Site Context

<input checked="" type="checkbox"/>	Landscaping Requirements	The R-MD zone requires a minimum of 30% of the site to be vegetated (for lots 7,000 sq ft and above). A maximum of 30% of the lot area can be covered with structures (taller than 18 inches or more above grade), not including eaves and overhangs.
<input checked="" type="checkbox"/>	Onsite Pedestrian/Bike Improvements	MMC Subsection 19.505.1.D.2 establishes standards for pedestrian circulation. Continuous connections must be provided between ground-level entrances of the primary buildings and streets abutting the site, common buildings, common open space, and vehicle and bicycle parking areas. At least one pedestrian connection must be provided to an abutting street frontage for each 200 linear ft of street frontage—the flag lot driveway will suffice in this case. Pedestrian walkways must be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards. Walkways must be constructed with a hard surface material and must be no less than 3 ft wide. If adjacent to a parking area where vehicles will overhang the walkway, a 7-ft-wide walkway must be provided. The walkways must be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials.
<input type="checkbox"/>	Connectivity to surrounding properties	
<input type="checkbox"/>	Circulation	
<input checked="" type="checkbox"/>	Building Design Standards (MMC 19.505)	<p>Design standards for new single detached and middle housing dwellings are provided in MMC Subsection 19.505.1.</p> <p>The building design standards apply when the closest wall of the street-facing façade is within 50 ft of a front or street-side lot line and include requirements for articulation, eyes on the street, main entrance, and detailed design. The existing dwelling presumably meets all applicable design standards but is not required to come into compliance if nonconforming—it simply cannot be pushed out of (or farther out of) compliance because of the proposed development.</p> <p>Site design standards include a requirement that detached units be at least 6 ft apart, with other standards for pedestrian circulation, privacy and screening, sustainability, and recycling areas.</p> <p>Fences along the lot perimeter are allowed up to 6 ft in height along side and rear boundaries but only up to 42 in (3.5 ft) where in front of the front face of the primary structure. Fences on the interior of the overall lot (i.e., along new middle housing lot lines) are limited to a height of 3 ft.</p>

<input type="checkbox"/>	Downtown Design Standards (MMC 19.508)	
Parking Standards (MMC 19.600)		
<input checked="" type="checkbox"/>	Residential Off-Street Parking Requirements	<p>For middle housing (plex) development, there is no minimum number of required off-street parking spaces but there is a maximum allowance of 1 space per dwelling unit.</p> <p>MMC Subsection 19.607.1 establishes standards for residential driveways and vehicle parking areas. Note that in MMC Subsection 19.607.1.D there are several limitations on off-street parking, including that no more than 50% of a front yard area or 30% of a street-side yard area can be for parking or maneuvering. No more than three (3) parking spaces (9 ft by 18 ft in dimension) can be in the required front yard (based on the minimum setback). Note that the pole portion of the flag lot driveway does not count toward the maximum of 3 spaces in the required front yard.</p> <p>Driveways must be no wider than their corresponding approaches within a certain distance of the right-of-way boundary—see Figures 19.607.1.E.1 and E.2 for illustrations of widening options.</p>
<input type="checkbox"/>	Multi-Family/Commercial Parking Requirements	
Approval Criteria (MMC 19.900)		
<input type="checkbox"/>	Community Service Use (CSU) (MMC 19.904)	
<input type="checkbox"/>	Conditional Use (MMC 19.905)	
<input type="checkbox"/>	Development Review (MMC 19.906)	
<input type="checkbox"/>	Variance (MMC 19.911)	
Land Division (MMC Title 17)		
<input checked="" type="checkbox"/>	Design Standards	<p>Once middle housing is developed (or approved for development), the property can be divided to place each middle housing unit on its own lot. This kind of land division does not require that each new middle housing lot comply with the same development and design standards as the "parent" lot, but the resulting new middle housing lots cannot be further divided. The middle housing land division process is an expedited one and is handled with Type II review; the final decision (including an appeal, if necessary) must be issued within 63 days of the application being deemed complete.</p>
<input checked="" type="checkbox"/>	Preliminary Plat Requirements	<p>Middle housing land divisions are processed in two steps, with a preliminary plat and then a final plat.</p> <p>MMC Section 17.16.050 provides application requirements and procedures for preliminary plats, including a reference to the City's preliminary plat checklist. The checklist outlines the specific pieces of information that must be shown on the plat, based on the provisions for preliminary plat established in MMC Chapter 17.20.</p> <p>MMC Section 17.18.020 establishes approval criteria for preliminary plats for conventional partitions. The application must include a narrative description demonstrating that the proposal meets all applicable code requirements and design standards, and it must meet the following criteria:</p> <ol style="list-style-type: none"> 1) The proposed preliminary plat complies with Title 19 of this code and other applicable ordinances, regulations, and design standards.

- 2) The proposed division will allow reasonable development and will not create the need for a variance of any land division or zoning standard.
- 3) The proposed subdivision plat name is not duplicative and the plat otherwise satisfies the provisions of ORS 92.090(1).
- 4) The streets and roads are laid out so as to conform to the plats of subdivisions already approved for adjoining property as to width, general direction, and in all other respects unless the City determines it is in the public interest to modify the street or road pattern.
- 5) A detailed narrative description demonstrating how the proposal conforms to all applicable code sections and design standards.

MMC Subsection 17.26.010.D establishes specific approval criteria for preliminary plats for middle housing land divisions. 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:

- 1) The proposed plat complies with Title 19 and other applicable regulations and standards.
- 2) The proposed land division allows for reasonable development and does not create the need for a variance.
- 3) The proposed subdivision plat name is not duplicative and satisfies all applicable standards of ORS 92.090(1).
- 4) The streets and roads are laid out so as to conform to the plats of subdivisions already approved for adjoining property as to width, general direction, and in all other respects unless the City determines it is in the public interest to modify the street pattern.
- 5) Specific approval criteria for middle housing land divisions:
 - a. The middle housing development complies with the Oregon Residential Specialty code and the applicable middle housing regulations in this code. To demonstrate compliance with this criterion, the applicant must submit approved building permits or concurrent building permits demonstrating that existing or proposed structures comply with the Oregon Residential Specialty Code and middle housing regulations in Titles 12 and 19.
 - b. The middle housing development is in compliance with the land use regulations applicable to the parent lot allowed under ORS 197.758(5).
 - c. Separate utility service connections for public water, sewer, and stormwater will be provided for each dwelling unit.
 - d. Easements will be provided as necessary for each dwelling unit on the site for:
 - i. Locating, accessing, replacing, and servicing all utilities;
 - ii. Pedestrian access from each dwelling unit to a private or public road;
 - iii. Any common use areas or shared building elements;
 - iv. Any dedicated driveways or parking; and
 - v. Any dedicated common area.
 - e. Exactly one dwelling unit will be located on each subplot except for lots or tracts used as common areas, on which no dwelling units will be permitted.
 - f. Buildings or structures on a subplot will comply with applicable building codes provisions relating to new property lines.
 - g. Structures or buildings located on the sublots will comply with the Oregon Residential Specialty Code.
 - h. Where a resulting lot abuts a street that does not meet City standards, street frontage improvements will be constructed and, if necessary, additional right-of-way will be dedicated, pursuant to Chapter 19.700.
 - i. The proposed middle housing land division will not cause any existing improvements on the sublots to be inconsistent with applicable standards in this land use code.

		<p>The City will attach conditions of approval of a preliminary plat for a middle housing land division to require that a notation appear on the final plat indicating:</p> <ol style="list-style-type: none"> 1) The sublots shown on the tentative plan were created pursuant to a middle housing land division and may not be further divided. 2) The middle housing developed on the sublots shown on the preliminary plat must remain middle housing and will not be considered to be any other housing type as a result of the middle housing land division. 3) Accessory dwelling units are not permitted on sublots resulting from a middle housing land division. 4) Ensure that improvements associated with review criteria in this section are provided. <p>The preliminary plat approval of a middle housing land division is void if and only if a final middle housing land division plat is not approved within three years of the tentative approval.</p>
<input checked="" type="checkbox"/>	<p>Final Plat Requirements (See Engineering Section of this Report)</p>	<p>MMC Section 17.16.060 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 17.22.</p> <p>MMC Section 17.18.030 establishes the following approval criteria for final plats:</p> <ol style="list-style-type: none"> 1) Compliance with the preliminary plat approved by the approval authority, with all conditions of approval satisfied. 2) The preliminary plat approval has not lapsed. 3) The streets and roads for public use are dedicated without reservation or restriction other than revisionary rights upon vacation of any such street or road and easements for public utilities. 4) The plat contains a donation to the public of all common improvements, including streets, roads, parks, sewage disposal, and water supply systems. 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. 6) The plat complies with the Zoning Ordinance and other applicable ordinances and regulations. 7) Submission of signed deeds when access control strips are shown on the plat. 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. 9) The final plat includes the following: <ol style="list-style-type: none"> a. A note prohibiting further division of the sublots; b. Labels and descriptions of all tracts; c. A reference to any deed restrictions imposed on the lot or sublots as a condition of approval of the original lot creation, subplot plan, or development approval; and d. The middle housing developed on the sublots shown on the final plat must remain middle housing and will not be considered to be any other housing type as a result of the middle housing land division. 10) The City's Engineering Department has provided written confirmation that a sewage disposal system will be available to the subplot line of each subplot depicted in the final subplot plat. 11) All public improvements have been installed and inspected and have been approved.

		<p>12) A copy of the recorded document establishing a homeowner's association or similar entity to manage all commonly held areas located in tracts has been provided to the City. At a minimum this document must include the following:</p> <ul style="list-style-type: none"> a. A description of the common elements located in tracts. b. An allocation to each unit included in the subplot plat of an undivided and equal interest in the common elements and the method used to establish the allocation. c. An establishment of use rights for common elements, including responsibility for enforcement, and d. A maintenance agreement for common elements, including an allocation or method of determining liability for a failure to maintain. <p>Note that construction of any 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. In the case of the proposed development, public improvements may include a new accessway and a 10-ft Public Utility Easement.</p>
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<input checked="" type="checkbox"/>	Other Requirements	The subject property was recently involved in a property line adjustment to acquire a portion of the adjacent property to the south (2647 SE Lake Rd), where the proposed new dwelling unit will be located (file #PLA-2024-001). The accompanying property line survey must be recorded with Clackamas County prior to the issuance of any permits for the proposed development.
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Sign Code Compliance (MMC Title 14)

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

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

<input checked="" type="checkbox"/>	<table border="1" style="width: 100%;"> <tr> <td data-bbox="99 1115 493 1182">Historic Milwaukie</td> <td data-bbox="493 1115 1588 1442" rowspan="3"> <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 Linwood NDA (with the Lake Road NDA boundary running down the middle of 27th Avenue).</p> <p>Linwood NDA Laura Kirk (Chair) = laurdess509@yahoo.com</p> <p>Regular meeting is the second Thursday of most months at 7:00pm at St. Paul's Methodist Church (11631 SE Linwood Ave), but please check the City calendar to confirm whether the next meeting will be in person, online, or both.</p> </td> </tr> <tr> <td data-bbox="99 1182 493 1249">Lake Road</td> </tr> <tr> <td data-bbox="99 1249 493 1442">Choose an item.</td> </tr> </table>	Historic Milwaukie	<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 Linwood NDA (with the Lake Road NDA boundary running down the middle of 27th Avenue).</p> <p>Linwood NDA Laura Kirk (Chair) = laurdess509@yahoo.com</p> <p>Regular meeting is the second Thursday of most months at 7:00pm at St. Paul's Methodist Church (11631 SE Linwood Ave), but please check the City calendar to confirm whether the next meeting will be in person, online, or both.</p>	Lake Road	Choose an item.
Historic Milwaukie	<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 Linwood NDA (with the Lake Road NDA boundary running down the middle of 27th Avenue).</p> <p>Linwood NDA Laura Kirk (Chair) = laurdess509@yahoo.com</p> <p>Regular meeting is the second Thursday of most months at 7:00pm at St. Paul's Methodist Church (11631 SE Linwood Ave), but please check the City calendar to confirm whether the next meeting will be in person, online, or both.</p>				
Lake Road					
Choose an item.					

Other Permits/Registration

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

Additional Planning Notes

Note that, following middle housing land division, the sublots are still collectively considered a single lot or parcel for all but platting and property transfer purposes. For example, an accessory dwelling unit (ADU) cannot be developed on any of the sublots. Future improvements on any of the sublots (such as accessory structures) will have to be mindful of the overall property's limitations with respect to maximum lot coverage and minimum vegetation requirements.

ENGINEERING & PUBLIC WORKS COMMENTS

Public Facility Improvements (MMC 19.700)

<input checked="" type="checkbox"/>	Applicability (MMC 19.702)	<p>MMC 19.702 establishes the applicability of MMC 19.700, including to partitions, subdivisions, replats, new construction, and modification and/or expansion of an existing structure or a change or intensification in use that results in a new dwelling unit, any new increase in gross floor area, and/or in any projected increase in vehicle trips.</p> <p>The proposed development is to construct four new detached dwellings. MMC 19.700 applies.</p>
<input type="checkbox"/>	Transportation Facilities Review (MMC 19.703)	Per MMC 19.703.2, because the proposed development does not trigger a Transportation Impact Study (TIS), a Transportation Facilities Review (TFR) application is not required.
<input type="checkbox"/>	Transportation Impact Study (MMC 19.704)	
<input checked="" type="checkbox"/>	Agency Notification (MMC 19.707)	<p>The City must provide notification to Metro and Clackamas County whenever a proposed development is within 200 ft of a designated arterial or collector roadway. Notice must be provided to TriMet whenever a proposed development is within 200 ft of an existing or proposed transit route on the current TriMet service map and/or Figure 7-3 of the Transportation System Plan (TSP).</p> <p>The subject property has frontage on Stanley Avenue, which is a collector roadway, so Metro and Clackamas County will be notified. The site is not within 200 ft of a transit route as shown on Figure 7-3 of the TSP, so TriMet will not be notified.</p>
<input checked="" type="checkbox"/>	Transportation Requirements (MMC 19.708)	<p>Access Management: All development subject to MMC 19.700 must comply with access management standards contained in MMC 12.16.</p> <p>Clear Vision: All developments subject to MMC 19.700 must comply with clear vision standards contained in MMC 12.24.</p> <p>Frontage improvements beyond a new shared accessway are not required as part of this development.</p>
<input checked="" type="checkbox"/>	Utility Requirements (MMC 19.709)	A 10-ft Public Utility Easement (PUE) will be required along the entire frontage of the development.

Flood Hazard Area (MMC 18)

<input type="checkbox"/>	Development Permit (MMC 18.16.030)	The project area is not within the Federal Emergency Management Agency (FEMA) 1% annual chance flood area (i.e., 100-year floodplain) and is not subject to the flood hazard requirements of Title 18.
<input type="checkbox"/>	General Standards (MMC 18.04.150)	
<input type="checkbox"/>	Compensatory Storage (MMC 18.20.020)	
<input type="checkbox"/>	Floodways (MMC 18.20.010.B)	

Environmental Protection (MMC 16)

<input type="checkbox"/>	Weak Foundation Soils (MMC 16.16)	
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<input checked="" type="checkbox"/>	Erosion Control (MMC 16.28)	<p>Minimize tracking out sediment onto Stanley, and retain existing vegetation (the best erosion control) to the maximum extent practicable.</p> <p>Common EC measures will be required including: gravel construction entrance/exit, perimeter sediment controls, and proper storage of construction and waste materials.</p> <p>Erosion control and prevention is required as outlined in MMC 16.28.</p> <p>Standard Erosion Prevention and Sediment Control notes</p> <p>Projects that disturb more than 500 sq ft within the City of Milwaukie limits require an Erosion Control Permit from the City's Building Department. Even projects that are less than 500 sq ft may require a permit based on site conditions and proximity to natural resources such as wetlands and waterways. The applicant must submit an erosion control plan for their project that accurately depicts how sediment will be controlled during the duration of the project.</p> <p>Please review the City's Erosion Prevention and Sediment Control requirements. The applicant is encouraged to use the City's adopted Erosion Prevention and Sediment Control Planning & Design Manual (2020) for assistance in designing an erosion control plan.</p> <p>Development sites between 1 and 5 acres should apply for a 1200-CN permit as outlined on https://www.milwaukieoregon.gov/publicworks/1200cn. Applicants will use the DEQ 1200-C permit application but submit it to the City for review and approval through the Milwaukie Erosion and Sediment Control Program. A 1200-C permit can be found on the DEQ website at https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx. Applicants do not need to submit a permit directly to DEQ if under 5 acres in site size.</p> <p>For more information, please visit https://www.milwaukieoregon.gov/publicworks/erosion-prevention-and-control or contact erosioncontrol@milwaukieoregon.gov.</p>
<input checked="" type="checkbox"/>	Tree Code (MMC 16.32)	<p>The property is zoned for residential use, so the City's tree code requirements (MMC Chapter 16.32) are applicable.</p> <p>The tax lot(s) included in the development site will be subject to the development tree code (MMC 16.32.042 A-H).</p> <p>The development tree code requires for this development compliance and/or mitigation associated with the following standards:</p> <ul style="list-style-type: none"> - Preservation standard - Planting standard - Protection standard - Soil volume standard. <p>For more information on these standards, view the documents attached at the bottom of the residential development tree permits webpage here. Mitigation fees are outlined in the Consolidated Fee Schedule. The applicant may seek a variance for one or more of these standards through a Type III variance process (MMC 16.32.042.E).</p> <p>Note that there is no preservation mitigation fee assessed for trees removed above the 30% canopy cover threshold. The lot must then provide a minimum of 40% canopy, either by planting or by paying a mitigation fee of \$5 per sq ft of needed canopy. Large-diameter trees receive bonus canopy multipliers depending on their size.</p> <p>Bonds are required for tree protection and post development warranties as outlined in the Consolidated Fee Schedule.</p> <p>Submittal requirements are outlined in MMC 16.32.042.H. An ISA Certified Arborist is required to submit the final documents to the city as defined in MMC 16.32.042. Additional supportive documentation, including canopy lists and tree protection and planting guidance are available at www.milwaukieoregon.gov/trees.</p> <p>The development tree code submittals are due at time of building permit application unless a variance is 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, contact urbanforest@milwaukieoregon.gov or call 503-786-7655.</p>

Public Services (MMC 13)

<input checked="" type="checkbox"/>	Water System (MMC 13.04)	<p>A new water utility connection for each unit is required for this development to be eligible for middle housing land division.</p> <p>New or upsized connection to City utilities is subject to plan and application review. Applications for city utility billing connections shall be made on approved forms: https://www.milwaukieoregon.gov/building/water-connection-application</p> <p>A system development charge (SDC) and a water service connection fee must be paid prior to any new or upsized connections to city water.</p> <p>A 10" water main located in Stanley Avenue is available for connection and extension.</p> <p>A ROW Permit is required to complete this work.</p>
<input checked="" type="checkbox"/>	Sewer System (MMC 13.12)	<p>A new wastewater utility connection for each unit is required for this development to be eligible for middle housing land division.</p> <p>New or upsized connection to City utilities is subject to plan and application review.</p> <p>A City of Milwaukie system development charge (SDC) and a Clackamas County wastewater treatment SDC must be paid prior to any new or upsized connections to city sewer.</p> <p>An 8" wastewater main in Stanley Avenue is available for connection.</p> <p>A ROW Permit is required to complete this work.</p>
<input checked="" type="checkbox"/>	Stormwater Management (MMC 13.14)	<p>Stormwater mitigation must meet the city's NPDES permit through design of facilities according to the 2016 City of Portland Stormwater Management Manual.</p> <p>All new impervious surface area greater than 500 square feet must be treated on site. Stormwater treatment is evaluated at the time of building permit review. A completed Operations and Maintenance Packet is required prior to final occupancy.</p> <p>An SDC must be paid prior to building permit issuance.</p>
<input checked="" type="checkbox"/>	System Development Charge (MMC 13.28.040)	<p>All new development or intensification of use shall be subject to SDCs.</p> <p>Latest charges are determined by the Master Fee Schedule available here: https://www.milwaukieoregon.gov/finance/fees-charges</p> <p>An estimate will be provided.</p>
<input type="checkbox"/>	Fee in Lieu of Construction (MMC 13.32)	

Public Places (MMC 12)

<input checked="" type="checkbox"/>	Right of Way Permit (MMC 12.08.020)	<p>A ROW Permit will be required for any frontage improvements, utility work within the ROW, extension of public utilities, and/or driveway construction for the development.</p> <p>A full set of engineered civil plans is required as part of the ROW permit review process. An approved Engineer's Estimate is required and will be used to determine the Performance and Maintenance bonds required to complete this work.</p>
<input checked="" type="checkbox"/>	Access Requirements (MMC 12.16.040)	<p>Per MMC 12.16.040, private property must be provided with street access via accessways (driveways). These driveways must be constructed under a ROW permit in accordance with the current Milwaukie Public Works Standards.</p> <p>The proposed development will establish a shared accessway between all units.</p> <p>MMC Subsection 12.16.040.E.3 limits driveway approaches to a width ranging from 20 ft to 24 ft for shared accessways of 5-8 units on a collector street.</p>

<input checked="" type="checkbox"/>	Clear Vision (MMC 12.24)	A clear vision area shall be maintained at all driveways and accessways.
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Additional Engineering & Public Works Notes

An SDC estimate will be provided soon. Fees have recently changed as of July 1, 2024.

BUILDING COMMENTS

All drawings must be submitted electronically through www.buildingpermits.oregon.gov

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

All building permit applications are electronic and can be applied for online with a valid CCB license number or engineer/architect license at www.buildingpermits.oregon.gov. Each permit type and sub-permit type are separate permits and are subject to the same time review times and will need to be applied for individually. Plans need to be uploaded to their specific permits in PDF format as a total plan set (not individual pages) if size allows.

Note: Plumbing and electrical plan reviews (when required) are done off site and are subject to that jurisdiction's timelines. The City does not have any control over those timelines, so please plan accordingly.

Site utilities require a separate plumbing permit and will require plumbing plan review.

If you have any building related questions, please email us at building@milwaukieoregon.gov.

Please provide as much information about the existing building as possible for the plan review process. By providing the occupancy, square footage, type of construction, and if fire sprinklers are provided in the existing structure will help determine a code-compliant path.

OTHER FEES

<input checked="" type="checkbox"/>	Construction Excise Tax Affordable Housing CET – Applies to any project with a construction value of over 100,000.	Calculation: Valuation *12% (.12)
<input checked="" type="checkbox"/>	Metro Excise Tax Metro – Applies to any project with a construction value of over \$100,000.	Calculation: Valuation *.12% (.0012)
<input checked="" type="checkbox"/>	School Excise Tax School CET – Applies to any new square footage.	Calculation: Commercial = \$0.69 a square foot, Residential = \$1.39 a square foot (not including garages)

FIRE DISTRICT COMMENTS

Please see the attached memorandum for fire district comments.

COORDINATION WITH OTHER AGENCIES

Applicant may need to communicate directly with outside agencies, including the following:

- Metro
- TriMet
- North Clackamas School District
- North Clackamas Parks and Recreation District (NCPRD)
- Oregon Parks and Recreation
- ODOT/ODOT Rail
- Department of State Lands
- Oregon Marine Board
- Oregon Department of Fish and Wildlife (ODOT)
- State Historic Preservation Office
- Clackamas County Transportation and Development

MISCELLANEOUS

State or County Approvals Needed

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

Arts Tax

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

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

<input type="checkbox"/>	Tree Removal Permit:	
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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"/>	Enterprise Zone:	
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<input type="checkbox"/>	Vertical Housing Tax Credit:	
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<input type="checkbox"/>	New Market Tax Credits:	
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<input type="checkbox"/>	Housing Resources:	
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PLEASE SEE NOTE AND CONTACT INFORMATION ON THE FOLLOWING PAGE

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

Sincerely,

City of Milwaukie Development Review Team

BUILDING DEPARTMENT

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

ENGINEERING DEPARTMENT

Jennifer Garbely	City Engineer	503-786-7534
Jeff Tolentino	Assistant City Engineer	503-786-7605
Jennifer Backhaus (vacant)	Engineering Technician III Engineering Technician I	503-786-7608 503-786-7609

PLANNING DEPARTMENT

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

COMMUNITY DEVELOPMENT DEPARTMENT

Joseph Briglio	Community Development Director	503-786-7616
Mandy Byrd (vacant)	Development Programs Manager Housing & Econ. Dev. Prog. Mgr.	503-786-7692 503-786-7627
Emilie Bushlen	Administrative Specialist II	503-786-7600
Petra Johnson	Administrative Specialist II	503-786-7600

SUSTAINABILTY DEPARTMENT

(vacant)	Climate & Natural Resources Mgr.	503-786-7668
Courtney Wilson	Urban Forester	503-786-7655
Riley Gill	Environmental Services Coordinator	503-786-7660

CLACKAMAS FIRE DISTRICT

Shawn Olson	Fire Marshal	shawn.olson@ClackamasFire.com
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Pre-Application Comments

To: City of Milwaukie

From: Shawn Olson, Fire Marshal, Clackamas Fire District #1

Date: 6-17-2024

Re: 11004 Stanley Ave.-4 plex

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:

Fire Apparatus Access:

1. Fire department access to be established within 150' of all portions of a structure.
2. A 20' minimum clear, unobstructed width is required. 12' driving surface minimum
3. Fire department access roads greater than 150', require a fire department turnaround. Please include this dimension on the submitted access and water supply site plan.
 - a. Residential fire sprinklers can be installed in lieu of this requirement.
4. All fire department access roads to have minimum turning inside turning radius of 28' and outside radius of 48'.
5. No parking fire lanes to be painted red. Curbs to be painted on one side for roads 26-32' feet wide or 26' wide or less, no parking on both sides.
6. Access roads shall be constructed to withstand 75,000 lbs.
7. Provide address numbering that is clearly visible from the street for all buildings.
8. Developers of private streets less than 32 feet in width must establish a street maintenance agreement that provides for enforcement of parking restrictions.
- 9.

Water Supply:

- 1) All new buildings shall have a firefighting water supply that meets the fire flow requirements of the Fire Code. Maximum spacing between hydrants on street frontage shall not exceed 500 feet.
- 2) Fire Hydrants, One and Two-Family Dwellings & Accessory Structures: Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), additional fire hydrants and mains shall be provided.
- 3) For one- and two-family dwellings located in areas with reliable municipal fire fighting water supply the following shall apply:
 - <3,600 square feet (including attached garage)
1,000 gpm @ 20 psi with hydrant within 600 feet of furthest portion of new residential construction, (OFC Section B105.2)
 - >3,600 square feet (including attached garage shall meet fire flow requirements specified in Appendix B of the current Oregon Fire Code,

(OFC, Table B105.1) Shall meet hydrant coverage as specified in Appendix C of the current Oregon Fire Code, (OFC, Table C105.1)

- 4) Note: In lieu of the above fire flow requirements, residential fire sprinklers may be considered as an alternate when approved by the Fire Marshal.
- 5) Prior to the start of combustible construction required fire hydrants shall be operational and accessible.
- 6) Comments may not be all inclusive based on information provided.

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

If you have questions, please contact Clackamas Fire District @503-742-2663 or email at shawn.olson@clackamasfire.com