

MILWAUKIE PLANNING
 10501 SE Main St.
 Milwaukie OR 97222
 503-786-7630
 planning@milwaukieoregon.gov

Application for Land Use Action

Primary File #: **PLA-2024-003**

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

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

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): Vera Budnik

Mailing address: 4404 SE Monroe St, Milwaukie State/Zip: OR 97222

Phone(s): 503-267-4707 Email: bu1648dnick@gmail.com

Please note: The information submitted in this application may be subject to public records law.

APPLICANT'S REPRESENTATIVE (if different than above): PAUL ROEGER

Mailing address: 20330 SE Hwy 212, Damascus State/Zip: OR 97089

Phone(s): 503-860-2545 Email: paul@cmtsc.net

SITE INFORMATION:

Address: 4404 SE Monroe St Map & Tax Lot(s): 1-2E-31BB-9300

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

PROPOSAL (describe briefly):

Replat two old subdivision lots and half of a vacated street right-of-way into two parcels, one with the existing house and one on which to construct a duplex.

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

Submitted by: [Signature] Date: 12/03/24

IMPORTANT INFORMATION ON REVERSE SIDE

*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1.
 ** Natural Resource and Transportation Review applications may require a refundable deposit.

WHO IS ELIGIBLE TO SUBMIT A LAND USE APPLICATION (excerpted from MMC Subsection 19.1001.6.A):

Type I, II, III, and IV applications may be initiated by the property owner or contract purchaser of the subject property, any person authorized in writing to represent the property owner or contract purchaser, and any agency that has statutory rights of eminent domain for projects they have the authority to construct.

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

A preapplication conference may be required or desirable prior to submitting this application. Please discuss with Planning staff.

DEPOSITS:

Deposits require completion of a Deposit Authorization Form, found at www.milwaukieoregon.gov/building/deposit-authorization-form

REVIEW TYPES:

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

- Type I: Section 19.1004
- Type II: Section 19.1005
- Type III: Section 19.1006
- Type IV: Section 19.1007
- Type V: Section 19.1008

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	PLA-2024-003	\$ 487.50	25%	Multiple applications	Materials submitted 12/04/2024
Concurrent application files	VR-2024-008	\$ 1,000			
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$ 1,487.50			RECEIPT #: 29398		RCD BY: BK
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s): Hector Campbell					
Notes:					

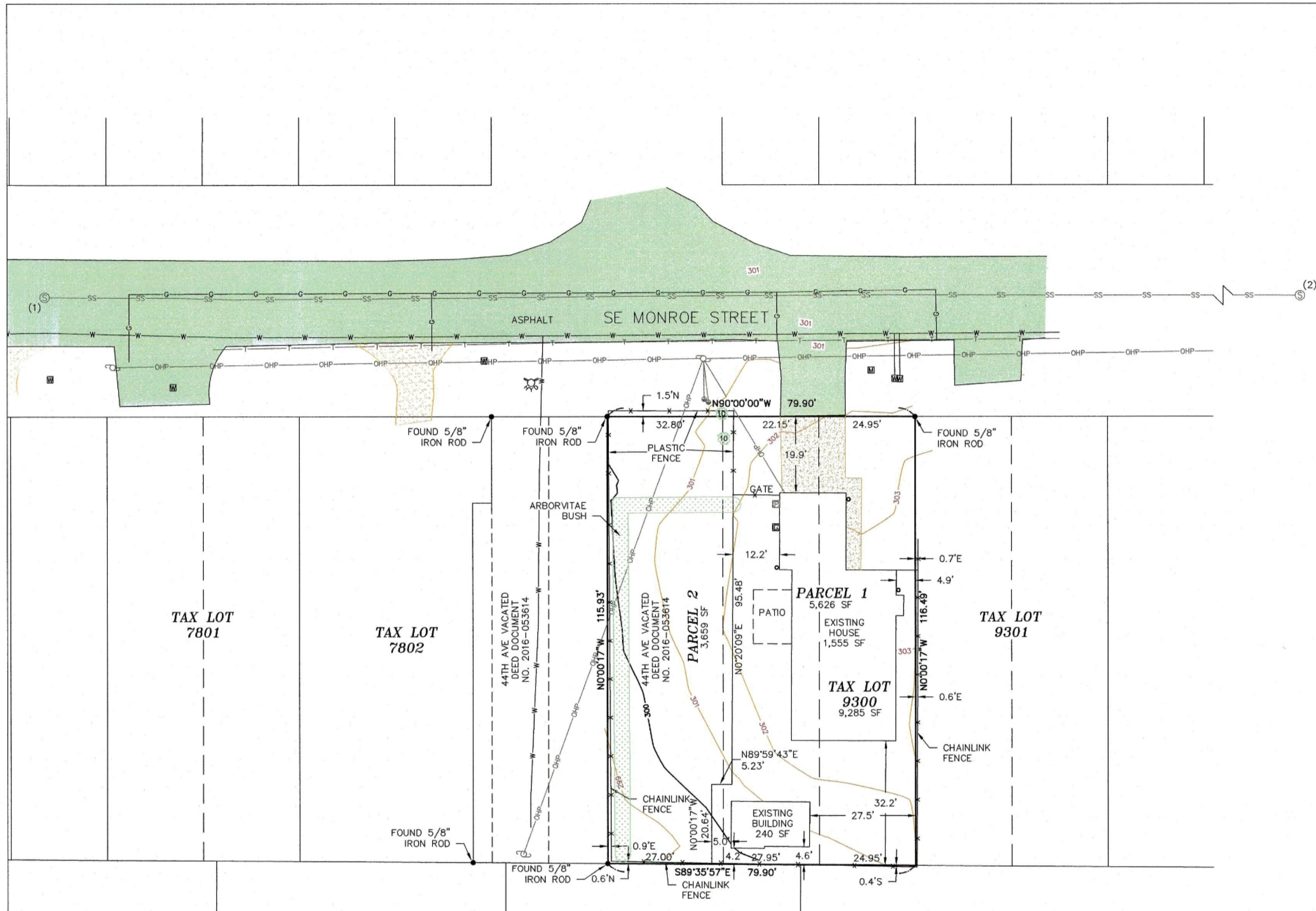


SCALE 1" = 20'

- (1) SSMH
RIM EL. 301.0'
8" I.E. IN W=284.1'
8" I.E. OUT E=284.0'
PIPES CASED IN CONCRETE
- (2) SSMH
RIM EL. 295.8'
8" CONCRETE I.E. IN W=278.8'
8" CONCRETE I.E. OUT E=278.6'

LEGEND

- EXISTING DECIDUOUS TREE W/ TRUNK DIAMETER (INCHES)(CL=CLUSTER)
- EXISTING UNDERGROUND TELEPHONE
- EXISTING ELECTRIC METER
- EXISTING POWER POLE
- EXISTING OVERHEAD POWER LINES
- EXISTING FIRE HYDRANT
- EXISTING WATER METER
- EXISTING WATER VALVE
- EXISTING UNDERGROUND WATER
- EXISTING CATCH BASIN
- EXISTING SANITARY MANHOLE
- EXISTING SANITARY SEWER LINE
- EXISTING GAS METER
- EXISTING DOWNSPOUT
- EXISTING FENCE
- FOUND MONUMENTS
- EXISTING GRAVEL
- EXISTING CONCRETE
- EXISTING ASPHALT



NOTES

1. THE PURPOSE OF THIS MAP WAS TO SHOW THE EXISTING CONDITIONS FOR 4044 SE MONROE STREET. BUILDING FOOTPRINTS ARE MEASURED TO SIDING UNLESS OTHERWISE NOTED.
2. THE BASIS OF BEARINGS WAS PER SURVEY NO. 2024-046, CLACKAMAS COUNTY RECORDS.
3. LOCAL DATUM WAS ESTABLISHED BY ASSUMING AN ELEVATION OF 300.00' ON LOCAL CONTROL.
4. THIS MAP WAS PREPARED FOR THE EXCLUSIVE USE OF VERA BUDNIK.
5. THIS MAP WAS PREPARED BY PLAT RECORDS, CALCULATED DATA, AND FIELD MEASUREMENTS. PROPERTY LINES SHOULD BE CONSIDERED APPROXIMATE. A RECORDED PARTITION PLAT WILL BE FILED AT A DATE TO BE DETERMINED.
6. ALL UTILITY LOCATIONS ARE SHOWN BY ABOVE GROUND FEATURES, LOCATION OF PAINT MARKS SUPPLIED BY THE LOCAL UTILITY COMPANIES, OR AVAILABLE ONLINE DATA. CMT TAKES NO RESPONSIBILITY OF UNDERGROUND LOCATION AND MAKES NO GUARANTEE THIS MAP REPRESENTS ALL UTILITIES IN THE AREA. PLEASE NOTIFY THE UTILITY NOTIFICATION CENTER BEFORE ANY DIGGING 1-800-332-2344.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DR

OREGON
SEPTEMBER 11, 2018
DAVID ROEGER
86811

EXPIRES DECEMBER 31, 2026

**EXISTING CONDITIONS AND
PROPOSED REPLAT**

4404 SE MONROE STREET
NW 1/4 SEC 31, T1S, R2E, W.M.

CITY OF MILWAUKIE
CLACKAMAS COUNTY, OREGON
DECEMBER 19, 2024

DRAWN: JMR CHECKED: DMR
SCALE 1"=20' ACCOUNT #500-1596
Y:\500-1596\DWG\5001596BASE

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

LEGEND

- FOUND MONUMENT AS NOTED
- FOUND 5/8" IRON ROD WITH GREEN PLASTIC CAP INSCRIBED "CMT LS 86811"(H)(R9)
- SET 5/8" X 30" IRON ROD WITH GREEN PLASTIC CAP INSCRIBED "CMT LS 86811" SET ON _____
- FD FOUND
- IR IRON ROD
- IP IRON PIPE
- IB IRON BAR
- W/ WITH
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP
- (R#) REFERENCE SURVEY OR PLAT
- PP PARTITION PLAT
- (OU) ORIGIN UNKNOWN
- (H) HELD
- C.R. COUNTY ROAD
- OHC OVERHEAD CABLE

REFERENCE SURVEYS

- (R1) "MINTHORN ADDITION TO THE CITY OF PORTLAND" (PLAT NO. 59)
- (R2) SN2023-051
- (R3) SN 11864
- (R4) SN 2008-193
- (R5) SN 12767
- (R6) SN 3155
- (R7) "THERESE ESTATES" PLAT NO. 3862
- (R8) SN 5511
- (R9) PP 2024-046

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO REPLAT LOTS 23 AND 24, BLOCK 68, "MINTHORN ADDITION TO THE CITY OF PORTLAND", PLAT NO. 59 AND THE EAST HALF OF VACATED SE 44TH AVENUE (60.00' WIDE).

AS THE BASIS OF BEARINGS AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SE MONROE STREET, ALSO BEING THE NORTH LINE OF THE SUBJECT PROPERTY, I HELD A BEARING OF NORTH 90°00'00" EAST, INFERRED FROM (R1), BETWEEN A 5/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID BLOCK 68 AND A 5/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 21, BLOCK 67 OF SAID PLAT.

TO ESTABLISH THE SOUTH LINE OF THE SUBJECT PLAT I HELD AN ALUMINUM DISK SET IN U.S.B.T. ENTRY 2002-116, A WITNESS CORNER FOR THE NORTHWEST CORNER OF THE JOHN D. GARRETT DLC NO. 38, AND A 3/4" IRON PIPE FOUND AT THE SOUTHWEST CORNER OF BLOCK 66 OF SAID PLAT.

TO ESTABLISH THE WEST LINE OF THE SUBJECT PROPERTY I HELD MONUMENTS FROM (R9).

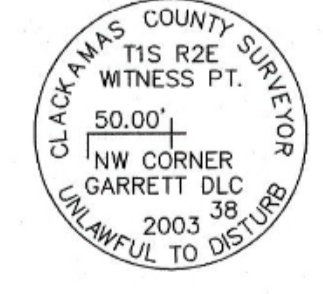
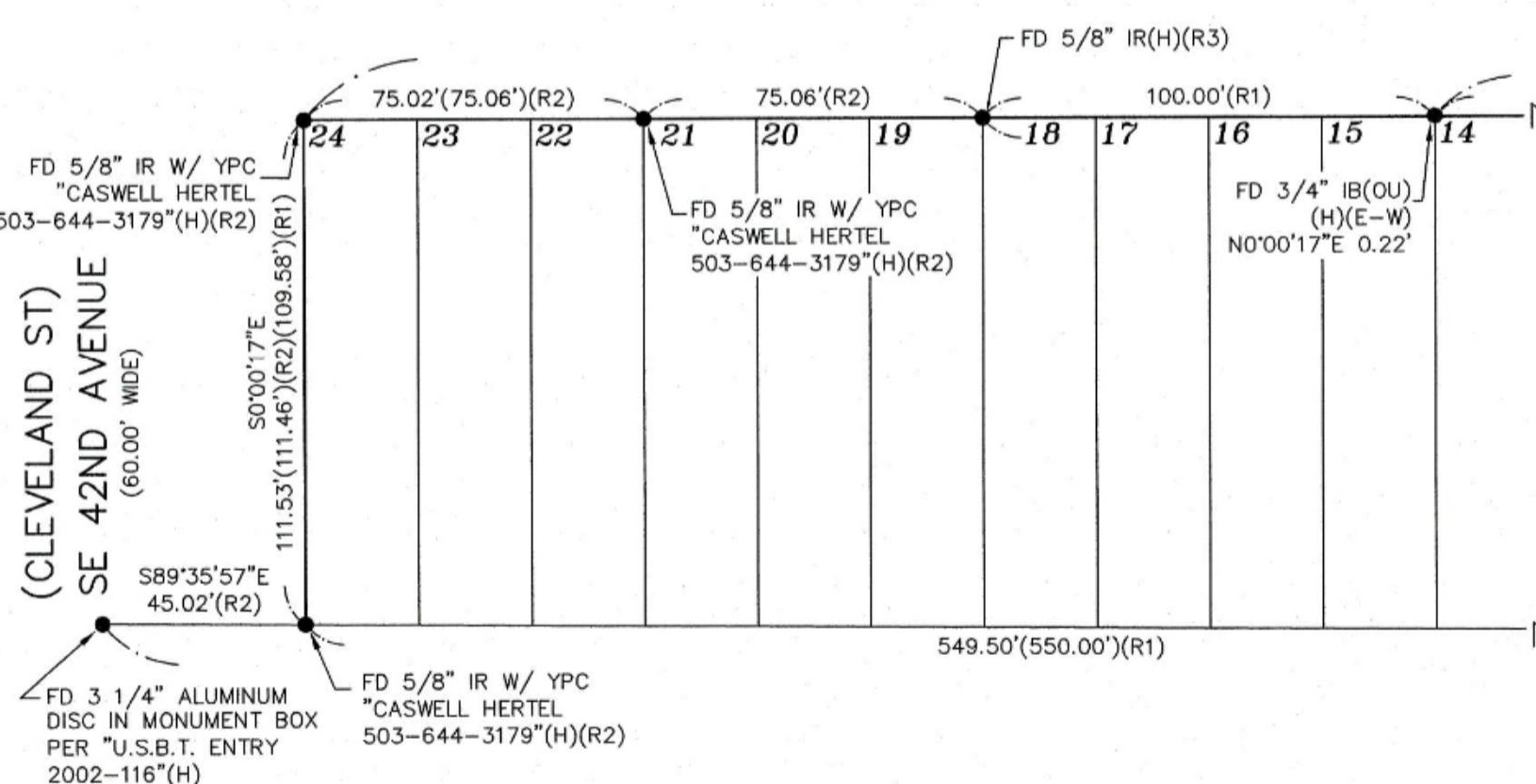
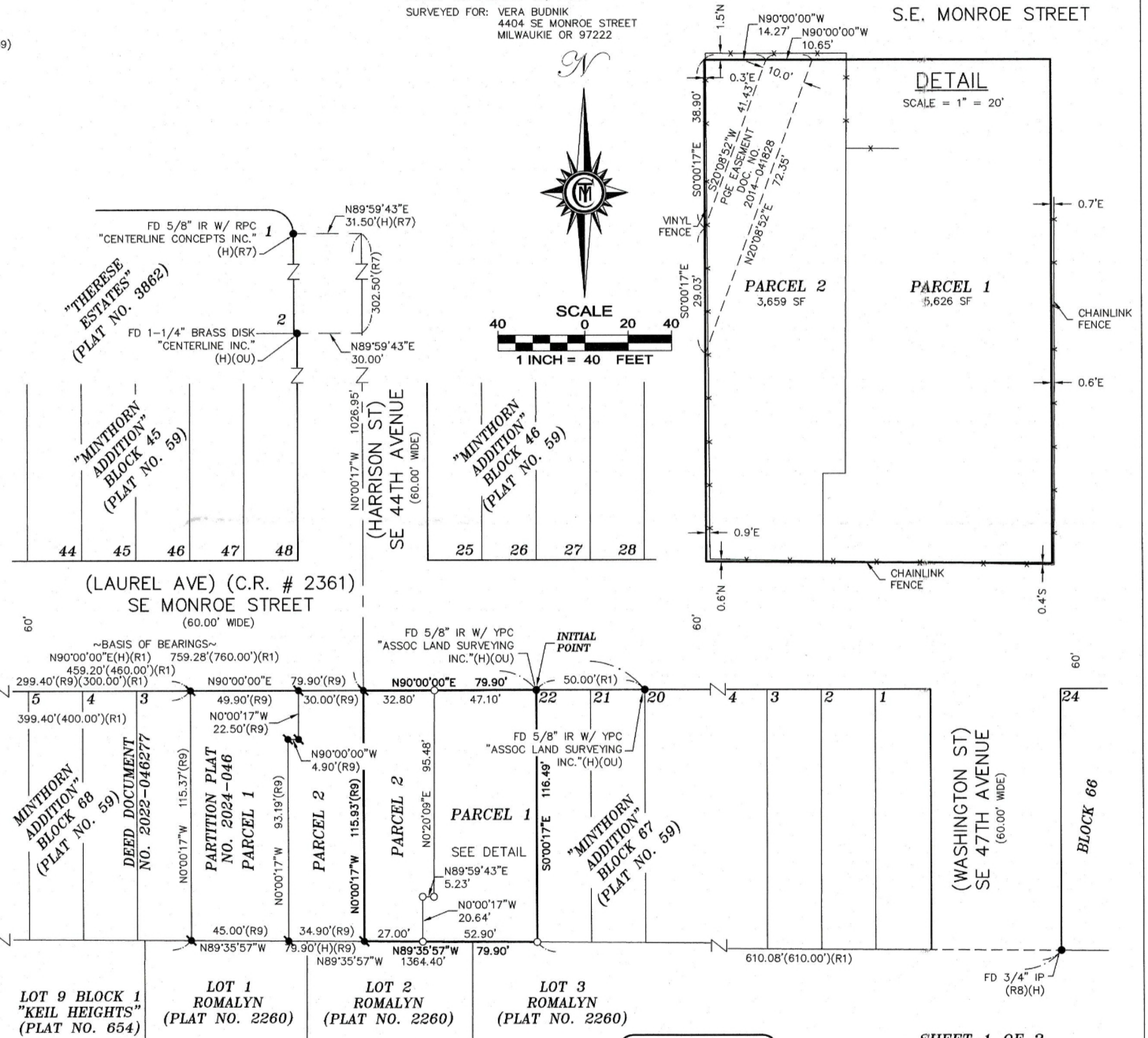
TO ESTABLISH THE EAST LINE OF THE SUBJECT PROPERTY I HELD A LINE PARALLEL TO THE ESTABLISHED WEST LINE FROM A 5/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 22.

PARTITION PLAT NO.

A REPLAT OF LOTS 23 AND 24, BLOCK 68, "MINTHORN ADDITION TO THE CITY OF PORTLAND" (PLAT NO. 59), AND VACATED 44TH AVENUE, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON

DATE: NOVEMBER 15, 2024

SURVEYED FOR: VERA BUDNIK
4404 SE MONROE STREET
MILWAUKIE OR 97222



REGISTERED PROFESSIONAL LAND SURVEYOR
David Roeger
OREGON
SEPTEMBER 11, 2018
DAVID ROEGER
86811

EXPIRES DECEMBER 31, 2026

SHEET 1 OF 2

CMT SURVEYING AND CONSULTING
20330 SE HIGHWAY 212
DAMASCUS, OR 97089
PHONE (503) 850-4672 FAX (503) 850-4590
Y:\500-1596\DWG\5001596PART.DWG

PARTITION PLAT NO. _____

A REPLAT OF LOTS 23 AND 24, BLOCK 68, "MINTHORN ADDITION TO THE CITY OF PORTLAND" (PLAT NO. 59), AND VACATED 44TH AVENUE, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON

DATE: NOVEMBER 15, 2024
SURVEYED FOR: VERA BUDNIK
4404 SE MONROE STREET
MILWAUKIE OR 97222

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS: THAT VERA BUDNIK IS THE OWNER OF THE LAND REPRESENTED ON THE ANNEXED MAP, AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 92, AND DOES HEREBY GRANT ALL EASEMENTS AS SHOWN OR NOTED HEREON. THIS PARTITION PLAT IS SUBJECT TO THE RESTRICTIONS AND EASEMENTS AS SHOWN OR NOTED HEREON. THE DECLARANT MAKES NO CLAIM TO ANY LAND LYING OUTSIDE THE MONUMENTED BOUNDARY OF THIS PARTITION PLAT.

VERA BUDNIK

SURVEYOR'S CERTIFICATE

I, DAVID ROEGER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT, BEING A REPLAT OF LOTS 23 AND 24, BLOCK 68 OF "MINTHORN ADDITION TO THE CITY OF PORTLAND" (PLAT NO. 59), CLACKAMAS COUNTY PLAT RECORDS, AND A PORTION OF VACATED SE 44TH AVENUE, AS DESCRIBED IN DOCUMENT NO. 2016-053614, CLACKAMAS COUNTY DEED RECORDS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT WHERE I FOUND A 5/8" X 30" IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "ASSOC LAND SURVEYING INC." AT THE NORTHEAST CORNER OF SAID LOT 23 AND BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SE MONROE STREET (60.00' WIDE);

THENCE ALONG THE EAST LINE OF SAID LOT 23, SOUTH 00°00'17" WEST, 116.49 FEET TO THE NORTH LINE OF ADJOINING "ROMALYN" (PLAT NO. 2260), CLACKAMAS COUNTY PLAT RECORDS;

THENCE ALONG THE NORTH LINE OF SAID "ROMALYN" PLAT, SOUTH 89°35'57" EAST, TO THE SOUTHEAST CORNER OF PARCEL 2 OF PARTITION PLAT NO. 2024-046.

THENCE LEAVING THE NORTH LINE OF SAID "ROMALYN" PLAT, ALONG THE EAST LINE OF SAID PARCEL 2, NORTH 00°00'17" WEST, 115.93 FEET TO SOUTH RIGHT-OF-WAY LINE OF SE MONROE STREET;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, NORTH 90°00'00" EAST, 79.90 FEET TO THE INITIAL POINT. CONTAINING 9,285 SQUARE FEET, MORE OR LESS.

APPROVALS

APPROVED THIS ____ DAY OF _____, 20__

BY: _____
CITY OF MILWAUKIE CITY ENGINEER

APPROVED THIS ____ DAY OF _____, 20__

CITY OF MILWAUKIE PLANNING MANAGER

APPROVED THIS ____ DAY OF _____, 20__

CLACKAMAS COUNTY SURVEYOR

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID THROUGH JUNE 30, 20__

APPROVED THIS ____ DAY OF _____, 20__

CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR

BY: _____
DEPUTY

STATE OF OREGON)
COUNTY OF CLACKAMAS) S.S.

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD ON THE _____ DAY OF _____, 20__ AT _____ O'CLOCK ____M.

AS PARTITION PLAT NO. _____

DOCUMENT NO. _____

CATHERINE MCMULLEN, CLACKAMAS COUNTY CLERK

BY: _____
DEPUTY

ACKNOWLEDGMENT

STATE OF OREGON)
COUNTY OF CLACKAMAS) S.S.

KNOW ALL MEN BY THESE PRESENTS: THAT ON THIS ____ DAY OF _____, 20__, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED VERA BUDNIK, WHO DID ACKNOWLEDGE THIS INSTRUMENT TO BE OF HER OWN FREE ACT AND DEED.

NOTARY SIGNATURE

NOTARY PUBLIC - OREGON (PRINTED NAME)

COMMISSION NO.

MY COMMISSION EXPIRES

NOTES

1. THIS PLAT IS SUBJECT TO THE CONDITIONS IMPOSED BY THE CITY OF MILWAUKIE IN CASE FILE NO. _____

REGISTERED
PROFESSIONAL
LAND SURVEYOR

David Roeger
OREGON
SEPTEMBER 11, 2018
DAVID ROEGER
86811

EXPIRES DECEMBER 31, 2026

SHEET 2 OF 2



CMT SURVEYING AND CONSULTING

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PHONE (503) 850-4672 FAX (503) 850-4590
Y: \500-1596\DWG\5001596PART.DWG

**NARRATIVE
Partition/Replat
4404 SE Monroe Street**

I. GENERAL INFORMATION

Applicant: Vera Budnik
4404 SE Monroe Street
Milwaukie, OR 97222
503-267-4707

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

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

Property Owner: Vera Budnik
4404 SE Monroe Street
Milwaukie, OR 97222

Tax Lot Information: Tax Map 1-2E-31BB, Tax Lot 9300

Location: 4404 SE Monroe Street

Current Zoning: R-MD, Moderate Density Residential

Site Area: 9,285 Sq. Ft.

Water District: City of Milwaukie

Sanitary Sewer: City of Milwaukie

Surface Water Mgmt.: City of Milwaukie

Fire District: Clackamas County Fire District #1

Power: Portland General Electric

Telephone: Century Link

Cable: Comcast

**NARRATIVE
Partition/Replat
4404 SE Monroe Street**

Gas: Northwest Natural

II. REQUEST – APPROVALS SOUGHT

The Applicant, Vera Budnik, is requesting Land Use approval for a Replat of two lots of the old MINTHORN ADDITION subdivision, plus half of the vacated SE 44th Avenue that reverted to the adjacent property when vacated, specifically, Lots 23 and 24, Block, 67, to be able to keep the existing house on the Eastern parcel and construct a new duplex on the Western parcel.

III. SITE DESCRIPTION AND SURROUNDING AREA

The property was zoned R-5 until recently when all single-family residential properties in the City were rezoned to R-MD, Residential Moderate Density, which now allows development on smaller parcels. All surrounding properties were and are zoned the same, except the property immediately South, which was zoned R-7, and all are developed to the R-5 or R-7 standard, as was appropriate, but now are subject to increased density due to the new zoning standards. All of these single-family residential properties are labeled Moderate Density (MD) on the Comprehensive Plan Map.

Site access to the existing single-family home is from SE Monroe Street. The new duplex lot will also take access from SE Monroe Street. At the time of future development parking may be provided by a parking pad for each unit of the duplex.

IV. PROPOSAL SUMMARY

The existing house and attached garage will remain on Parcel 1, the Eastern parcel. After the Partition/Replat, a duplex will be built on Parcel 2. Access for all units will be from the SE Monroe Street. Parking may be provided, and if provided it will be on a parking pad for each of the proposed duplex units at the time of future development. The proposal is to use the vacated SE 44th Avenue and a small portion of Lot 24 to provide a 32.8-foot wide Parcel 2 and the existing house will continue to be on most of the original two old subdivision lots (Lot 23 and 22.15-feet of Lot 24, which are only 47.10 feet in total width. Because Parcel 1 will be only 47.1 feet wide instead of the required 50 feet, we are applying for a variance to allow the shortage in width. The area of Parcel 1 still exceeds the minimum of 5,000 square feet to allow the single-family detached house to remain on it.

The existing house is connected to a sanitary sewer lateral from the center of SE Monroe Street. The new duplex will tap this main and extend a lateral to the duplex.

The existing house is served water from a meter in SE Monroe Street, which will continue to serve it. There is an 8-inch water main on the South side of SE Monroe Street to which the new meter for the duplex will be connected. There are two water

NARRATIVE
Partition/Replat
4404 SE Monroe Street

meters next to each other on the frontage of this property. One may belong to the house to the East.

Storm drainage for the new duplex will be run to a drywell, per Code.

Power to the existing house is provided overhead to the Northwest corner of the house. There does not appear to be cable or telephone to the house. All new power, telephone, and cable will be installed per industry standards and approval to the new duplex. The existing overhead utilities from Monroe Street to the back property line that cross the portion of the property that is vacated SE 44th Avenue will also be relocated per industry standards and approval. This may already be started on by the utilities since it goes across the property to the West that was recently partitioned.

The existing house is served gas from the existing 2-inch gas line near the center of SE Monroe Street. Service to the new duplex could also be provided if gas service is desired.

V. 17.12.020 – APPLICATON PROCEDURE AND APPROVAL CRITERIA

This would be a Type I review, since the proposal is for a Replat of these two lots and half of the vacated SE 44th Avenue of the old MINTHORN ADDITION TO THE CITY OF PORTLAND, originally subdivided in 1890, into two lots with a dedicated right-of-way, which was not decided by the Planning Commission. The Eastern parcel will have the existing house and a new duplex will be constructed on the Western parcel, which will be a little wider than the vacated SE 44th Avenue. Both parcels will be approximately 116-feet deep. However, because of the required variance for the lot width for Parcel 1, the existing house lot, it needs to be a Type II review.

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

The replat of these two lots and the half of vacated SE 44th Avenue into two new lots will allow development of the affected lots under the new R-MD zone with the existing house remaining on one parcel and a new duplex constructed on the second parcel. The single detached home will be on 5,626 square feet, which equals 7.7 units per acre, which is less than the maximum of 8.7 units per acre for single detached dwellings. Duplexes are exempt from density maximums.

17.12.040 APPROVAL CRITERIA FOR PRELIMINARY PLAT

The Preliminary Plat complies with Title 19 of the City Code, including Chapter 16.32 – Tree Code. There are two existing trees over 6-inches in diameter near the old right-of-way line of SE 44th Avenue near the frontage of this property. At the time of future development on Parcel 2, trees will be planted to meet City standards, if necessary.

NARRATIVE
Partition/Replat
4404 SE Monroe Street

The proposed replat will allow reasonable development that meets City standards.

This is a replat of two old subdivision lots and a half of vacated SE 44th Avenue into two new parcels, so there is no subdivision name.

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

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

New utility services for power, telephone, cable, and gas are available, or can be made available from SE Monroe Street.

Pedestrian access to each dwelling unit will be directly from SE Monroe Street, a public road.

Driveways to each unit will come directly from SE Monroe Street to the parking pad of each unit at the time of future development.

The existing dwelling unit will be on Parcel 1 and the new duplex will be on Parcel 2. No lots or tracts are being proposed for common areas.

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

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

Both of these parcels abut SE Monroe Street. Monroe Street does not meet current City standards, except that the existing ROW is adequate for this development. However, it is our understanding that the developer will be required to pay a Fee-In-Lieu-Of constructing the street improvements.

The existing house will remain on Parcel 1 and a duplex will be built on Parcel 2.

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

This land division will not result in development that creates enough lots to allow building residential units at 80 percent or more of the maximum net density of 25 units per Acre for the R-MD zone. Since parcel 2 is 3,659 square feet, or 0.08 Acres, which results in 2 units on the 0.08 Acres, which equals 25 units per Acre, which is 100 percent of the maximum net density. Therefore, the units will not need to be sold or rented to households with incomes below 120 percent of the medium family income for Clackamas County.

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

**NARRATIVE
Partition/Replat
4404 SE Monroe Street**

VI. 17.16 Application Requirements and Procedures

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

VII. 17.20 Preliminary Plat

17.20.010 and 17.20.020 – SUBMISSION OF PLANS and SCALE

A Preliminary Plat drawn at a 1” = 40’ scale plus a detail drawn at 1” = 20’ scale is included in this submittal.

17.20.030 – GENERAL INFORMATION TO BE SHOWN ON THE PRELIMINARY PLAT

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

All required information is on the Preliminary Plat.

17.20.050 and 17.20.060 – EXISTING CONDITIONS and PROPOSED CONDITIONS

A separate Existing Conditions Plan is being provided with this submittal. We have also included the proposed Replat on the Existing Conditions Plan. Contour lines and existing utilities are also shown. A new water service from the City’s 8-inch water main on the South side of SE Monroe Street will be installed for Parcel 2.

There is no conceptual plan for what will be constructed on the new parcel at this time. The intent is to sell the new parcel to a builder to construct a duplex on it.

VIII Title 19 - ZONING

19.301 - MODERATE DENSITY RESIDENTIAL ZONE

This property is in the Moderate Density Residential Zone – R-MD. The proposal is to Replat two existing old subdivision lots and half of vacated SE 44th Avenue into two new parcels to meet the current zoning standards of the property.

The intent is to leave the existing house on the Eastern parcel, Parcel 1, and build a duplex on the Western parcel, Parcel 2.

Per Table 19.301.2, Moderate Density Residential Uses Allowed, a single detached dwelling is permitted outright in the R-MD zone on a parcel exceeding 5,000 square feet and a duplex is permitted outright on a parcel between 3,000 and 4,999 square feet per Table 19.301.4.

Parcel 1 is 5,626 square feet, which allows the single detached dwelling and Parcel 2 is 3,659 square feet, which allows the duplex. Therefore, per Table 19.301.4, Moderate

NARRATIVE
Partition/Replat
4404 SE Monroe Street

Density Residential Development Standards, these dwellings are a permitted Dwelling Type on their respective parcels. All of the required Lot Standards except Minimum lot width on Parcel 1 are met. Lot depths are both in excess of 115-feet, and the minimum street frontage on Parcel 1 is 47.1-feet and on Parcel 2 is 32.8-feet. We are applying for a Variance on the minimum lot width on Parcel 1.

Development Standards per this table also are met. Minimum front yard for the single detached dwelling is 19.9-feet (slightly under the required 20-feet, but an existing condition) and the minimum front yard for the duplex will be at or greater than 20-feet, to be determined at building permit time. The existing side yard of the existing house on the East side is 4.9-feet (again, slightly under the required 5-feet, but an existing condition and proposed at 12.2-feet on the West side to the new property line. Parcel 2 with the duplex will have a 5-foot side yard on both the East side and the West side. The rear yard of the existing house is currently 32.2-feet and the rear yard for the duplex will be in excess of the required 20-feet. The existing house on Parcel 1 is 1,555 square feet plus a 240 square foot accessory building, 31.9-percent lot coverage, so it is well under the maximum lot coverage of 35-percent. The new duplex on Parcel 2 will also be under the maximum of 35 percent and will be dealt with at Building Permit time.

Other Standards of this table include minimum and maximum density, which for Parcel 1 is 7.0 minimum and 8.7 maximum. The one unit on parcel 1 at 5,626 square feet is 7.7 units per acre. The standard is met. Duplexes are exempt from density maximums. The two units on Parcel 2 are at 25 units per acres.

The minimum vegetation requirement of 25 percent for the existing single detached dwelling is met with over 50 percent landscaping, including over 50 percent of the front yard. The duplex will meet the 25 percent standard at the time of Building Permit.

19.411 – Variance

19.411.4.A – Approval Criteria – Type II Variances – The proposed variance is to the width of Parcel 1, to reduce it from the required 50.0 feet to 47.10 feet (5.8% reduction). This will not be detrimental to surrounding properties, natural resource areas, or public health, safety, or welfare. The Variance is necessary because in order to provide Parcel 2 with enough width to be desirable build a duplex that is wide enough.

The house on Parcel 1 already exists and will continue to meet setback standards, even with the reduced width of the lot. It will not interfere with planned future improvements to any public transportation facility or utility identified in an officially adopted plan.

The proposed variance will sustain the integrity of the existing building and site design, so there is no mitigation necessary, and there are only two trees over 6-inches in diameter on the site at the North end of the new property line between the two parcels.

**NARRATIVE
Partition/Replat
4404 SE Monroe Street**

19.500 – Supplementary Development Regulations

We jogged the property line between Parcel 1 and Parcel 2 near the Southern portion of the property to allow the existing accessory structure to meet the required setback of 5.00-feet from new property line. No other required setbacks are being impacted for the new property line.

For Parcel 2, the Site and Building Design Standards will be met at Building Permit time. A new duplex is proposed on Parcel 2, the Western parcel.

19.600 - Off-Street Parking Standards for Residential Areas

Off-street parking for the single detached dwelling will remain as it currently is with a two-car garage and the driveway in front of it. Only one parking space is required for the proposed duplex, however, a parking pad will be provided for each unit of the duplex and will be dealt with at Building Permit time.

Bicycle parking is not required for the existing house or the new duplex.

IX. 16.32 Tree Code

16.32.042 – There are currently two trees on this property over 6-inches in diameter and they are near the North end of the new property line between the two parcels. At the time of future development on Parcel 2, trees will be planted to meet City standards.

X. Title 13 – Public Services

13.04 – An 8-inch Water main is located on the South side of SE Monroe Street. A new water service will be installed off of that main for Parcel 2. Permits and System Development Charges will be paid as necessary for this development.

13.12 – There is an existing 8-inch sanitary sewer located in the center of SE Monroe Street. A new sanitary sewer lateral will be installed for the duplex on Parcel 2 from the main in SE Monroe Street. All permits and System Development Charges will be paid as necessary for this development.

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

13.32 – It is our understanding that Fee In Lieu of Construction (FILOC) for Street Improvements will be required.

5

Fidelity National Title of Oregon

2015

RECORDING REQUESTED BY:
Fidelity National Title Company of Oregon

GRANTOR'S NAME:
The Secretary of Housing and Urban
Development, its successors and/or assigns

GRANTEE'S NAME:
Vera Budnik

SEND TAX STATEMENTS TO:
Vera Budnik
4404 SE Monroe Street
Milwaukie, OR 97222

AFTER RECORDING RETURN TO:
Vera Budnik
4404 SE Monroe Street
Milwaukie, OR 97222

Escrow No: 20110027658-FTPOR05

Clackamas County Official Records
Sherry Hall, County Clerk

2011-030777



\$67.00

01497597201100307770010010

05/25/2011 11:29:31 AM

D-D Cnt=1 Stn=6 KARLYNWUN
\$5.00 \$10.00 \$16.00 \$16.00 \$20.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SPECIAL WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

The Secretary of Housing and Urban Development, its successors and/or assigns Grantor, conveys and specially warrants to

Vera Budnik Grantee, the following described real property free and clear of encumbrances created or suffered by the grantor except as specifically set forth below:

Lots 23 and 24, Block 67, MINTHORN ADDITION TO THE CITY OF PORTLAND, in the City of Milwaukie, County of Clackamas and State of Oregon.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true consideration for this conveyance is \$141,550.00.

Dated 5-20-11

The Secretary of Housing and Urban Development,
its successors and/or assigns

BY:

ARTHUR STILLWELL
AUTHORIZED AGENT

State of California
COUNTY of Orange

This instrument was acknowledged before me on May 20, 2011

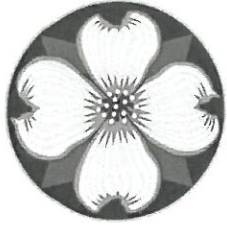
by Arthur Stillwell
as Authorized Representative - Agent
of The Secretary of Housing and Urban Development, its successors and/or assigns

Notary Public - State of California

My commission expires:
6-12-14



20110027658-05



MILWAUKIE PLANNING
10501 SE Main St.
Milwaukie OR 97222
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).

C. Compliance with the Tree Code (MMC 16.32): www.milwaukieoregon.gov/trees

These standards can be found in the MMC, here: www.qcode.us/codes/milwaukie/

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

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

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

G:\Planning\Internal\Administrative - General Info\Applications & Handouts\Submittal Rqmts_Form_revised.docx—Rev. 6/22

APPLICATION PREPARATION REQUIREMENTS:

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

ADDITIONAL INFORMATION:

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association.
- By submitting the application, the applicant agrees that City of Milwaukie employees, and appointed or elected City Officials, have authority to enter the project site for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

As the authorized applicant I, (print name) PAUL H. ROEGER, 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.

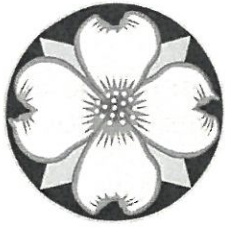
Applicant Signature: Paul H. Roeger - Representative

Date: 12-4-2024

Official Use Only

Date Received (date stamp below):

Received by: _____



MILWAUKIE PLANNING
10501 SE Main St.
Milwaukie OR 97222
503.786.7630
planning@milwaukieoregon.gov

Preliminary Plat Checklist and Procedures

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

One hard copy and an electronic version of all submittal materials are required.

Application Checklist

1. Detailed description of how the proposal complies with Land Division Ordinance Section 17.12 Application Procedure and Approval Criteria.
2. Detailed description of how the proposal complies with Land Division Ordinance Section 17.16 Application Requirements and Procedures.
3. Detailed description of how the proposal and application complies with Land Division Ordinance Section 17.20 Preliminary Plat including the following minimum requirements:
 - a. Preliminary plats shall be prepared by an Oregon registered land surveyor.
 - b. The following general information shall be submitted with the preliminary plat:
 - 1) Proposed name of the subdivision/partition. The name shall not duplicate nor resemble the name of another subdivision in the county. Subdivision names shall be approved by the County Surveyor in accordance with Oregon Revised Statutes Chapter 92.
 - 2) Appropriate identification clearly stating the map is a preliminary plat.
 - 3) Location by section, township, and range; and a legal description sufficient to define the location and boundaries of the area to be divided.
 - 4) Names and addresses of the owner, subdivider, and engineer or surveyor.
 - 5) Information specified in Section 17.20.060.A.10 related to middle housing land divisions (if applicable).
 - 6) Other information as may be specified on application forms and checklists prescribed by the Planning Director.
 - c. Vicinity map shall be drawn at an appropriate scale, showing all existing subdivisions, streets, and unsubdivided land between the proposed subdivision and the nearest existing arterial or collector streets; and showing how proposed streets may be extended to connect with existing streets. At a minimum, the vicinity map shall depict future street connections for land within 400 ft of the subject property.
4. Existing conditions plan including the following):

- a. Location, width, and names of all existing or platted streets within or adjacent to the tract, together with easements, railroad right-of-way, and other important features, such as section lines and corners, city boundary lines, and monuments.
 - b. Contour lines related to an established benchmark or other datum approved by the Engineering Director, with intervals at a minimum of 2 ft for slopes up to 10% and 5 ft for slopes over 10%.
 - c. Location within the area to be divided, and in the adjoining streets and property, of existing sewers, water mains, culverts, storm drain system, and electric conduits or lines proposed to service the property to be subdivided, and invert elevations of sewer manholes, drain pipes, and culverts.
 - d. Zoning and existing uses within the tract and 200 ft on all sides, including the location and use of all existing structures indicating those that will remain and those to be removed.
 - e. Approximate location of areas subject to inundation or stormwater overflow with approximate high-water elevation. Location, width, direction, and flow of all watercourses on or abutting the tract including wetlands and watercourses as shown on City-adopted natural resource and Title 3 maps.
 - f. Natural features such as rock outcroppings, drainages whether seasonal or perennial, wooded areas, and isolated trees, including type and caliper.
 - g. Floodway and floodplain boundary.
 - h. Areas containing slopes of 25% or greater
5. The preliminary plat plan shall include the following information:
- a. Date, north point, scale, address, assessor reference number, and legal description.
 - b. Name and address of the record owner or owners and of the person who prepared the site plan.
 - c. Approximate acreage and square feet under a single ownership or, if more than one ownership is involved, the total contiguous acreage of all landowners directly involved in the partition.
 - d. For land adjacent to and within the area to be divided, the locations, names, and existing widths of all streets, driveways, public safety accesses, easements, and right-of-ways; location, width, and purpose of all other existing easements; and location and size of sewer and waterlines, drainage ways, power poles, and other utilities.
 - e. Location of existing structures, identifying those to remain in place and those to be removed.
 - f. Dimensioned lot design and layout, showing proposed setbacks, landscaping, buffers, driveways, lot sizes, and relationship to existing or proposed streets and utility easements.
 - g. Existing development and natural features for the site and adjacent properties, including those properties within one 100 ft of the proposal, showing buildings, mature trees, topography, and other structures.
 - h. Elevation and location of flood hazard boundaries.
 - i. The location, width, name, and approximate centerline grade and curve radii of all streets; the relationship of all streets to any projected streets planned by the City;

- indication as to whether roads will continue beyond the plat; and existing and proposed grade profiles.
- j. Lot and block numbers.
 - k. For middle housing land divisions:
 - i. separate utility connections for each dwelling unit;
 - ii. proposed easements necessary for each dwelling unit on the plan for:
 - 1) Locating, accessing, replacing and servicing all utilities;
 - 2) Pedestrian access from each dwelling unit to a private or public road;
 - 3) Any common use areas or shared building elements;
 - 4) Any dedicated driveways or parking; and
 - 5) Any dedicated common area.
6. A conceptual plan shall be provided for complete subdivision or partitioning of the property, as well as any adjacent vacant or underutilized properties, so that access issues may be addressed in a comprehensive manner. The concept plan shall include documentation that all options for access have been investigated including shared driveways, pedestrian accessways, and new street development.
 7. A detailed narrative description demonstrating how the proposal meets all applicable provisions of this title and Title 19.
 8. Plans and drawings as necessary to demonstrate compliance with all applicable provisions of chapters of this title and Title 19.
 9. A drainage summary report and plan that demonstrates estimated pre- and post-development flows, stormwater collection and management measures, and proposed discharges.
 10. Proposed deed restrictions, if any, in outline form.
 11. Improvements to be made by the developer and the approximate time such improvements are to be completed. Sufficient detail regarding proposed improvements shall be submitted so that they may be checked for compliance with the objectives of this title, State law, and other applicable City ordinances. If the nature of the improvements is such that it is impractical to prepare all necessary details prior to approval of the preliminary plat, the additional details shall be submitted with the request for final plat approval.
 12. Location plan drawn to an appropriate scale (on paper no larger than 8½ by 11 inches) showing nearest cross streets, drives opposite the site, and location of buildings and parking areas on adjoining lots.

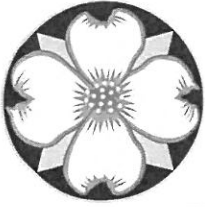
Application Procedures

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

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

PAUL H ROEGER - Representative *Paul H. Roeger* 12-3-2021
Applicant Name Applicant Signature Date

_____ _____ _____
Waived Items Milwaukie Planner Signature Date



MILWAUKIE PLANNING
 10501 SE Main St.
 Milwaukie OR 97222
 503.786.7630
 planning@milwaukieoregon.gov

Preapplication Conference Waiver

I/We, PAUL ROEGER - Representative of (print), as applicant(s)/property owner(s) of 4404 SE Monroe St (address of property), request to waive the requirement for a preapplication conference for the submission of a **Type II / III / IV / V** (circle one) land use application per MMC Subsection 19.1002.2 Applicability.

Please provide an explanation for the waiver request:

MMC Section 19.1002 Preapplication Conference is provided on the reverse

The application is straight forward and we have had extensive pre-submittal conversations with staff about the requirements. We have also just recently completed a PLA/Replat immediately next door.

Signed: Paul H. Roeger
 Applicant/Property Owner
 representative

Approved: _____
 Planning Director

19.1002 PREAPPLICATION CONFERENCE

19.1002.1 Purpose

The purpose of the preapplication conference is to acquaint the applicant or applicant's representative with the requirements of the municipal code in preparation for submission of a land use application, including relevant approval criteria, development standards, and procedures. The preapplication conference is not an exhaustive review of all potential issues or requirements. Furthermore, the information provided by the City is not binding, and it does not preclude the City from raising new issues or identifying additional requirements during the land use review process.

19.1002.2 Applicability

- A. For Type I applications, a preapplication conference is optional.
- B. For Type II, III, IV, and V applications, and expedited annexations per Section 19.1104, a preapplication conference is required, with the following exceptions:
 - 1. The Planning Director may waive the preapplication conference requirement for proposals that are not complex or, for some other reason, would not benefit from a formal conference.
 - 2. A preapplication conference is not required for City-initiated Type IV or V applications.

19.1002.3 Preapplication Conference Procedures

The Planning Director shall adopt administrative rules for how the City processes preapplication conferences. The rules shall ensure that preapplication conferences are held in a timely fashion and provide a thorough explanation of all required City permits, fees, and approvals for any given development proposal. They shall include standards for scheduling, conducting, and communicating the outcomes of preapplication conferences.

19.1002.4 Preapplication Conference Expiration

- A. A preapplication conference is valid for 2 years. If a land use application or development permit has not been submitted within 2 years of the conference date, the applicant is required to schedule a new preapplication conference prior to submittal. This requirement may be waived per Subsection 19.1002.2.B.1.
- B. An applicant may request additional preapplication conferences at any time. There is no limit to the number of preapplication conferences that may be requested.
- C. If a development proposal is significantly modified after a preapplication conference occurs, the Planning Director may require a new preapplication conference. The City may refuse to accept a land use application or development permit for a significantly altered development proposal until a new preapplication conference is held.