

**RS 8. A. 3/21/23
Presentation**



Downtown Design Review Code Amendments

File #ZA-2022-003

City Council Regular Session
March 21, 2023

Brett Kelter, Senior Planner

Effort led by Design and Landmarks Committee (DLC)

- **March 2016 to March 2018:** Initial assessment of issues
 - 20+ sessions with DLC led by staff
 - Initial focus on updating photos—added goal of refreshing the text
- **April 2018 to Dec 2019:** Secondary assessment
 - Consultant help from SERA Architects & JET Planning
 - Decision to eliminate DDG document and integrate into code
- **January 2020 to present:** Final push to adoption
 - Code work by JET Planning



Recommended: Ornamental flowering trees (McCall Waterfront Park, Portland)



Recommended: Manicured, landscaped gardens and courtyards (Washington Park, Portland)

CURRENT CODE – DOWNTOWN DESIGN REVIEW

Downtown **Development Standards** (MMC 19.304)

- Floor Area Ratio, Height, Setbacks, etc.

Downtown **Design Standards** (MMC 19.508)

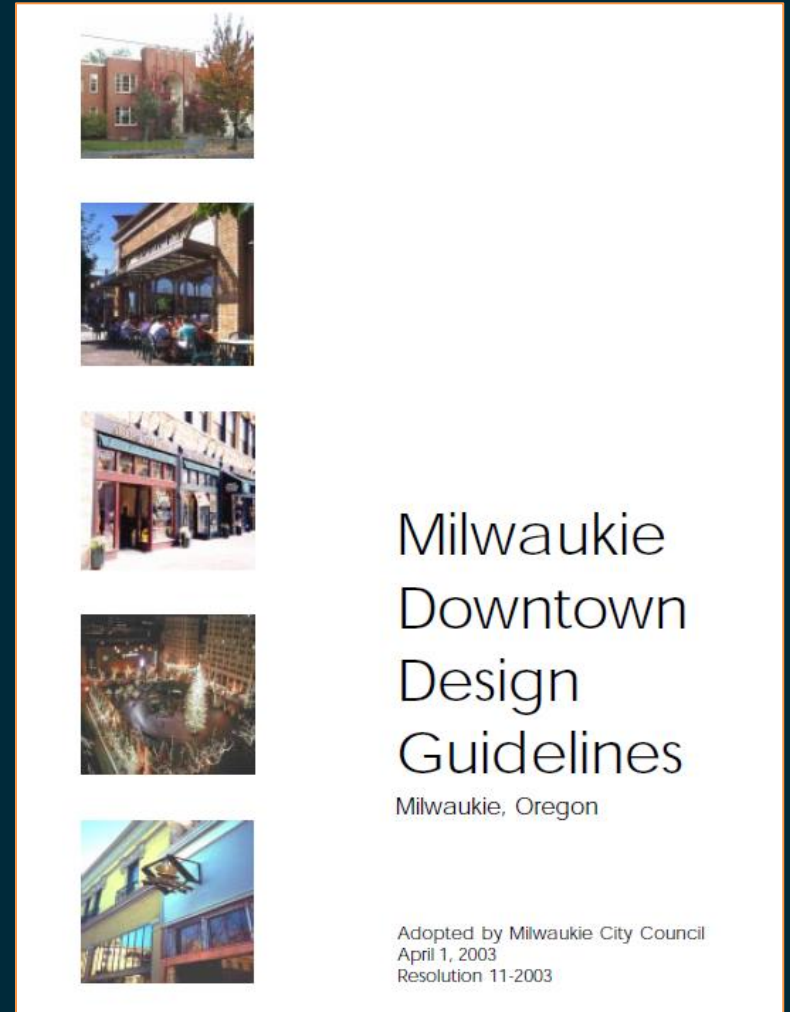
- Building Façade Details, Corners, Weather Protection, etc.

Downtown **Design Guidelines** (separate document)

- Milwaukie Character, Pedestrian Emphasis, Architecture, Lighting, Signs

ISSUES WITH CURRENT CODE

- Misalignment of design standards with design guidelines (gaps)
- Unclear applicability of guidelines (for applicants, staff, reviewers)
- Some development standards impact design (but need a variance if not specifically met)



ISSUES WITH CURRENT REVIEW PROCESS

Nonresidential or mixed-use buildings have two options:

1) Type II review (meet the design standards)

OR

2) Type III review (address the applicable design guidelines)

Residential-only buildings have four options:

1) Type I review (meet multifamily design standards of MMC 19.505.3)

2) Type II review (meet multifamily design guidelines of MMC 19.505.3)

3) Type II review (meet downtown design standards of MMC 19.508)

4) Type III review (address the downtown design standards & guidelines of MMC 19.508)

PROPOSED SOLUTIONS

CODE

- Revise sections of code related to downtown design review (MMC 19.304, 19.508, 19.907)
- Align design guidelines with design standards, eliminate gaps, and centrally locate in code
- Repeal separate Downtown Design Guidelines document

REVIEW PROCESS

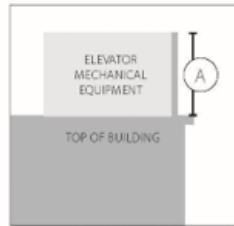
- Establish two review paths for downtown projects (Type I & III)
- Require new residential-only buildings to address downtown design elements (standards and/or guidelines)

Make the standards architecturally sound so that all new buildings are guaranteed to look good!



KEY CHANGES – CODE

FIGURE 19.508.4.J2.b – ROOFTOP EQUIPMENT SCREENING



(A) 16-FT MAX ELEVATOR MECHANICAL EXTENSION IF ARCHITECTURALLY INCORPORATED INTO BUILDING

(B) MECHANICAL EQUIPMENT MUST BE SET BACK 10 FT MIN AND SCREENED FROM PUBLIC STREET VIEW

- Move design-related development standards into design standards
- Expand design standards from 7 elements to 14
- Limit street-facing blank walls
- Update graphics

NEW LIST OF DESIGN ELEMENTS

1. Site Frontage
2. Wall Structure & Building Façade Detail
3. Exterior Building Materials
4. Façade Transparency & Activation
5. Building Entrances
6. Windows
7. Corners
8. Building Massing & Transitions
9. Weather Protection
10. Roofs & Rooftop Equipment Screening
11. Service Areas (Screening)
12. Resident Open Space
13. Plazas & Usable Open Space
14. Outdoor & Exterior Building Lighting

KEY CHANGES – REVIEW PROCESS

- Require multifamily buildings downtown to address downtown design elements
- Allow new buildings that meet design standards to use Type I review (with public notice)



HOUSEKEEPING ADJUSTMENTS

- Eliminate review for actions with no corresponding standards (i.e., landscaping, parking, fences)
- Increase townhouse minimum density in DMU to equal that of Moderate Density zone (R-MD)
- Remove stories from height max (only feet)
- Increase max floor area ratio (FAR) to be consistent with max building height (6:1)
- Raise size limit on day care uses from 5,000 sq ft to 20,000 sq ft (on ground floor)

RECOMMENDATIONS

- On January 24, 2023, Planning Commission voted to recommend approval of the proposed amendments.
- Staff recommends that Council adopt the proposed amendments, with the adjustments presented in Attachment 3.

(~~strikeout~~/underline format)

19.304 DOWNTOWN ZONES

19.304.3 Use Limitations, Restrictions, and Provisions

A. Use Limitations and Restrictions

The following provisions describe the limitations for uses listed in Table 19.304.2.

3. Commercial uses are permitted throughout downtown, subject to the following limitations:
 - a. In the DMU Zone, the following uses are limited to 20,000 sq ft in floor area per use on the ground floor.
 - (1) Traditional office
 - (2) Eating/drinking establishments
 - (3) Indoor recreation
 - (4) Retail-oriented sales
 - (5) Personal-service-oriented
 - (6) Repair-oriented
 - (7) Day care and child care

19.907 DOWNTOWN DESIGN REVIEW

19.907.8 Public Notice for New Buildings Approved with Type I Review

Within 7 days of issuing a notice of decision to approve a new building with Type I downtown design review, notice of the approval will be provided in the following forms:

- A. Written notice of the decision will be mailed to the owners of record of properties within 300 ft of the perimeter of the subject property as well as to the City-recognized neighborhood district association whose boundaries include the subject property or are within 300 ft of the subject property.
- B. A physical sign will be posted on the subject property in a location that is clearly visible to vehicles traveling on a public street and legible to pedestrians walking by the property. The sign will include a brief description of the approved building and will remain in place for a minimum of 30 days. Pursuant to Subsection 19.1001.6.C.1.d, the Planning Manager will adopt administrative rules for this required signage.

The provided notice is for information purposes only and does not constitute an opportunity for public comment on the approved building.

19.1004 TYPE I REVIEW

19.1004.3 Type I Public Notice

Public notice is not required for Type I applications, except for new buildings approved with Type I downtown design review, as established in Subsection 19.907.8. Application referral to other agencies may be required per Section 19.707 prior to issuing a Type I decision.

ADJUSTMENTS (ATTACHMENT 3)

DECISION-MAKING OPTIONS

1. Adopt the proposed amendments as presented (including the adjustments provided in Attachment 3), with the recommended Findings in Support of Approval.
2. Adopt the proposed amendments with additional revisions, revising the recommended Findings as needed.
3. Continue the hearing.

APPROVAL CRITERIA (TYPE V CODE AMENDMENTS)

Amendments to Zoning Text (MMC 19.902.5.B)

Show consistency with:

1. Other parts of Milwaukie Municipal Code
2. Goals/policies of Comp Plan
3. Metro Urban Growth Management Functional Plan
4. State statutes and Statewide Planning Goals
5. Relevant federal regulations

Questions?





TYPE I NOTICE OF NEW BUILDING DOWNTOWN

Date mailed: [redacted], 2023

Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email espanol@milwaukieoregon.gov.

You are receiving this notice because a new building in the Downtown Mixed Use (DMU) zone has been approved through the City's administrative (Type I) downtown design review process. The proposed new building has met all of the applicable clear and objective standards established in Milwaukie Municipal Code (MMC) Section 19.508, so no public hearing is required and there is no opportunity for public comment. This notice is being mailed **for informational purposes only** to all property owners, residents, and neighborhood district association(s) within 300 feet of the subject property.

A summary of the proposal and a staff contact for more information are described below. Please include the land use file number for reference.

File Number(s):	[redacted]
Location:	Address Tax Lot ID <i>A map of the site is located on the last page of this notice.</i>
Proposal:	Description of site and current use Description of approved new building
Staff contact:	Laura Weigel, AICP, Planning Manager City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd, Milwaukie, OR 97206 503-786-7654, weigell@milwaukieoregon.gov
Neighborhood District Association(s):	Historic Milwaukie NDA, contact Val Hubbard at 503-475-6030

To learn more about a proposal: Contact the staff contact assigned to the proposal or visit the project webpage at www.milwaukieoregon.gov/planning/AAA-YYYY-###. The application materials and the applicable approval criteria and development standards are available for review at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please call the staff contact ahead of time to schedule a review of the application materials. Copies of this information can be obtained for a reasonable fee.

Enclosures:

- Location map
- Site plan
- Building Elevation(s)

(Modify enclosure list as appropriate.)

SAMPLE PUBLIC NOTICE



TYPE I NOTICE OF NEW BUILDING DOWNTOWN

Date mailed: 08/11/2023

Traducción de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntas en español, favor de email: espanol@milwaukieoregon.gov

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File Number(s):	
Location:	Address Parcel ID A map of the site is located on the last page of this notice.
Proposal:	Description of site and current use Description of approved new building
Staff contact:	Laure Weiser, AICP, Planning Manager City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd, Milwaukie, OR 97206 503-752-7434; weiser@milwaukieoregon.gov
Neighborhood District Association(s):	Historic Milwaukie NDA, contact Val Hubbard at 503-475-6030

To learn more about a proposal: Contact the staff contact assigned to the proposal, or visit the project webpage at www.milwaukieoregon.gov/planning/444-1111.pdf. The application materials and the applicable approval criteria and development standards are available for review at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please call the staff contact ahead of time to schedule a review of the application materials. Copies of this information can be obtained for a reasonable fee.

Enclosures:

- Location map
 - Site plan
 - Building Elevation(s)
- (Include enclosure list as appropriate.)

SAMPLE PUBLIC NOTICE

“You are receiving this notice because a new building in the Downtown Mixed Use (DMU) zone has been approved through the City’s administrative (Type I) downtown design review process. The proposed new building has met all of the applicable clear and objective standards established in Milwaukie Municipal Code (MMC) Section 19.508, so no public hearing is required and there is no opportunity for public comment. This notice is being mailed for informational purposes only to all property owners, residents, and neighborhood district association(s) within 300 feet of the subject property.”





OTHER NOTES

C. Other Standards	DMU	OS
1. Residential density requirements (dwelling units per acre)		
a. Rowhouses Townhouses and live/work units		
(1) Minimum	40 25	None n/a
(2) Maximum	None	None n/a
b. Stand-alone multifamily		
(1) Minimum	30	None n/a
(2) Maximum	None	None n/a
c. Mixed-use buildings	None	None n/a

Evaluation of Downtown Design Standards versus Downtown Design Guidelines

Key	
	Green = Guideline is applicable to standard
	Yellow = Unclear if guideline is consistently applicable to standard; one or both may need adjustment
	Red = Guideline is not applicable to standard; standard may need adjustment (or code may need a new standard)

Milwaukie Character

	Reinforce Sense of Place	Integrate the Environment	Horticultural Heritage	Gateways (deleted)	Consider View Opportunities	Arch. Context & Contrast	Preserve Historic Landmarks	Integrate Art
Building Façade								
Corners								
Weather Protection								
Exterior Materials								
Windows & Doors								
Roofs/Rooftop Equip.								
Open Space/Plazas								