



AGENDA

MILWAUKIE DESIGN AND LANDMARKS COMMITTEE Monday, November 3, 2014, 6:30 PM

CITY HALL CONFERENCE ROOM
10722 SE MAIN ST

- 1.0 **Call to Order—Procedural Matters**
- 2.0 **Meeting Notes**—Motion Needed
- 3.0 **Information Items**
- 4.0 **Audience Participation**—This is an opportunity for the public to comment on any item not on the agenda
- 5.0 **Public Meetings**—Public meetings will follow the procedure listed on reverse
- 6.0 **Worksession Items**
 - 6.1 Summary: Moving Forward Milwaukie Briefing #4: Proposed Design Standards and Downtown Design Review
Presenters: Li Alligood, Senior Planner
- 7.0 **Other Business/Updates**
 - 7.1 Joint worksession with Planning Commission
- 8.0 **Design and Landmark Committee Discussion Items**—This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 **Forecast for Future Meetings:**
 - November 12, 2014 1. Joint worksession with Planning Commission: Downtown Design Review - *Tentative*
 - December 1, 2014 1. TBD
 - January 5, 2014 1. TBD

Milwaukie Design and Landmarks Committee Statement

The Design and Landmarks Committee is established to advise the Planning Commission on historic preservation activities, compliance with applicable design guidelines, and to review and recommend appropriate design guidelines and design review processes and procedures to the Planning Commission and City Council.

1. **PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email planning@ci.milwaukie.or.us. Thank You.
2. **DESIGN AND LANDMARK COMMITTEE MEETING MINUTES.** Approved DLC Minutes can be found on the City website at www.cityofmilwaukie.org
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at www.cityofmilwaukie.org
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.

Public Meeting Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Committee members.

1. **STAFF REPORT.** Each design review meeting starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommendation with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Committee was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMITTEE MEMBERS.** The committee members will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the Committee will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC MEETING.** The Chairperson will close the public portion of the meeting. The Committee will then enter into deliberation. From this point in the meeting the Committee will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMITTEE DISCUSSION AND ACTION.** It is the Committee's intention to make a recommendation this evening on each issue on the agenda. Design and Landmark Committee recommendations are not appealable.
11. **MEETING CONTINUANCE.** Prior to the close of the first public meeting, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Design and Landmarks Committee will either continue the public meeting to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony.

The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.

Milwaukie Design and Landmarks Committee:

Sherry Grau, Chair
Val Ballestrem, Vice Chair
Adam Argo
James Fossen
Scott Jones

Planning Department Staff:

Denny Egner, Planning Director
Li Alligood, Senior Planner
Brett Kever, Associate Planner
Vera Koliass, Associate Planner
Marcia Hamley, Administrative Specialist II
Alicia Martin, Administrative Specialist II



MILWAUKIE

Dogwood City of the West

To: Design and Landmarks Committee

Through: Dennis Egner, Planning Director

From: Li Alligood, Senior Planner

Date: October 27, 2014, for November 3, 2014, Worksession

Subject: Moving Forward Milwaukie Briefing #4:
Draft Downtown Design Standards and Downtown Design Review

ACTION REQUESTED

None. This is a briefing for discussion only. This is the fourth project briefing, and the second of two briefings on the draft downtown design standards and design review process. These briefings are in anticipation of the first public hearing on draft plan and code amendments, currently scheduled for November 25, 2014. Staff is proposing a streamlined Type II process for projects that meet all of the downtown development and design standards, as revised.

BACKGROUND INFORMATION

The *Moving Forward Milwaukie: Enhancing our Commercial Districts* (MFM) project began in July 2013 and will continue into mid-2015. The project was preceded by the *Fresh Look Milwaukie: Downtown Road Map* project (January – June 2013). The goal of the MFM project is to achieve appropriate development and redevelopment in the city's commercial areas by removing barriers and creating incentives.

The MFM project is focused on bringing new activity to Milwaukie's commercial districts: downtown, central Milwaukie, and the neighborhood main streets of 32nd & 42nd Avenues.

A. History of Prior Actions and Discussions

- **October 6, 2014:** Staff provided an overview of proposed revisions to the design standards in downtown Milwaukie. The Committee discussed key aspects of building design.
- **February 11, 2014:** In a joint meeting with the Planning Commission, the Committee was briefed on the opportunity site development concepts, including building form and financial feasibility, and provided input into the final versions.
- **August 5, 2013:** The Committee was briefed on the project overview and schedule.

KEY DISCUSSION ITEMS

A. Project Goals

The goals of the Moving Forward Milwaukie project are to:

- *Remove barriers.* Provide enough flexibility to allow for market-driven development while ensuring that new development meets the community's expectation.
- *Create incentives.* Provide regulatory and/or financial incentives to encourage development that implements the community's vision for downtown – encourage developers to go "above and beyond" what the market might support.
- *Allow good things to happen.* Support new life for existing buildings and new development that provides the amenities and activity the community desires downtown.

The draft amendments seek to implement the project goals through the following objectives:

- *Provide more clarity and flexibility on allowed development.* Clearly communicating the community's expectations of the form new buildings will take through reorganization of the downtown code section and establishment of clear and objective standards for building size and design.
- *Ensure development is attractive and pedestrian-friendly.* Make sure development and design standards support a pedestrian-friendly streetscape and walking experience.
- *Streamline the review process.* Provide a Type II Downtown Design Review process for developments that meet clear and objective standards. As proposed, this process would be available to projects that meet all of the development and design standards for downtown. The Type II process is more streamlined but still requires public notice and provides an opportunity for public comment.

B. Downtown design standards

Design standards control the form, massing, and appearance of new development through façade requirements (to create a unified façade and break up vertical mass); articulation requirements (to provide visual interest); compatibility (how new buildings relate to existing buildings); ground floor standards (to ensure a comfortable and safe pedestrian environment); and open space standards (to provide outdoor gathering spaces).

In combination with development standards, design standards are intended to implement Fundamental Concept #2 by establishing standards that result in continuous building facades and create a comfortable and visually cohesive pedestrian environment. This can be done through a combination of build-to lines and frontage requirements, as discussed on October 14, and ground floor transparency and articulation requirements.

The draft code amendments propose some key revisions to the downtown design standards in order to better implement this concept. The most obvious revision is the addition of a number of new standards that serve two purposes:

- Provide clarity to potential developers about the community's expectations for new development in downtown Milwaukie; and
- Provide the opportunity for a more streamlined land use review process for projects that meet all of the standards.

The draft design standards are intended to complement and quantify the recommendations of the City's existing [Downtown Design Guidelines](#).

The existing standards are included as Attachment 1, and proposed revisions are described below. Each description includes:

- Intent
What this standard trying to accomplish.
- Related Guideline(s)
How this standard implements the Downtown Design Guideline. The relevant Guideline and pdf page number is referenced for each.
- Current standard
What the current requirements are, if any.
- Proposal
Proposed approaches and how they differ from current standards. Where the specific numerical standard has not been determined, a range is enclosed in [parentheses].
- Discussion questions
Areas where staff is seeking Committee guidance.

1. **Building Façade Details**

Intent

These standards are intended to provide cohesive and visually interesting building façades (i.e. faces) in the downtown, particularly along the ground floor. A "tri-partite" façade creates a 3-part façade and breaks up vertical mass.

Related Guideline(s)

Architecture Guidelines – Wall Structure (p. 42):

Use scale-defining devices to break up the longitudinal dimensions of buildings, creating a comfortable sense of enclosure by establishing an uninterrupted street edge.

Relevant recommendations: tri-partite façade; vertical articulation of windows, columns, and bays.

Current standard

Minimum "base" (ground floor) windows/doors and "top" (roof) treatment requirements.

Proposal

- New standards that require all buildings of two or more stories to provide a "tri-partite" façade consisting of a defined base, middle, and top.
 - The base shall consist of distinct architectural bays that are not more than 30 ft on center, as well as weather protection and ground floor windows and doors (described later). See Figure 1 item F.
 - The middle shall consist of windows *and* a change in materials or detailing and color, or balconies, decks, or a minimum building step back on the upper floors. See Figures 2 and 3.

- The top shall consist of a cornice, parapet, or eaves, depending on the type of roof used. See Figure 3. Proposed roof standards are described later in this staff report.
- New articulation requirements for upper levels of new buildings.
- New buildings longer than 150 ft (which would occupy more than 75% of a typical Main St block of 200 ft) would be required to provide a significant break along the building façade to reduce the visual mass of the building. See Figure 4.

Figure 1. Tri-partite facade requirement



Source: City of Tigard

Figure 2. Change in materials and color between base and middle.



Source: City of Gresham

Figure 3. Balconies create change between base and middle. The top consists of a cornice.



Source: Matt Arnold, SERA Architects

Figure 4. Significant break in building façade. This break is a physical separation



Source: Mark Gamba Photography

2. Residential buildings

Intent

Clarify which standards apply to stand-alone residential buildings and the residential portion of mixed-use buildings.

Related Guideline(s)

None.

Current standards

Standards related to minimum dimensions of porches, courtyards, and balconies, if provided; however, there is no requirement that they be provided. Front entries must face a public street or landscaped courtyard.

Design standards for walls, windows, and roofs are also applicable and described below.

Proposal

Clarify which standards apply to standalone residential buildings. State regulations require that a clear and objective review option be available for standalone residential buildings. The City adopted multifamily design standards in 2012, which include requirements for private and public open space and standards related to articulation, safety, etc. As proposed, new standalone multifamily development in the downtown zones would be subject to the multifamily design standards of [MMC 19.505.3](#) (see Attachment 2).

Discussion Questions

Do we need additional standards for standalone buildings downtown?

3. Corners

Intent

Corner entries reinforce intersections as important places for pedestrian interaction and activity.

Related Guideline(s)

Architectural Guidelines: Corner Doors (p. 38)

Locate entry doors on corners of commercial and retail buildings wherever possible.

Relevant recommendations: Building entrance should be at corners; combined doors with roof or facade architectural elements such as bays or towers.

Current standards

There are currently no standards related to corner entries.

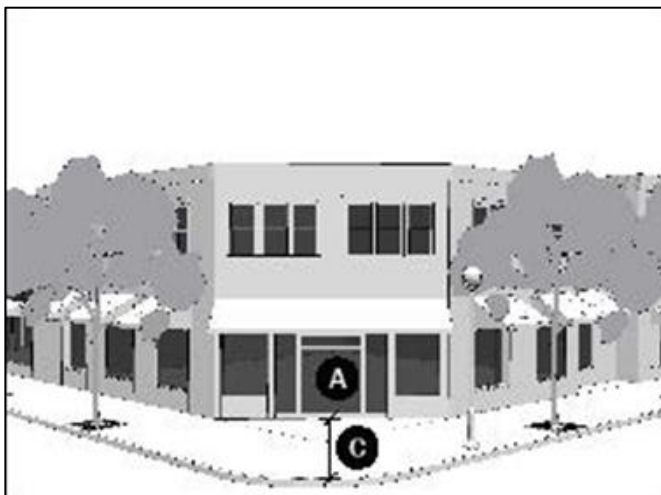
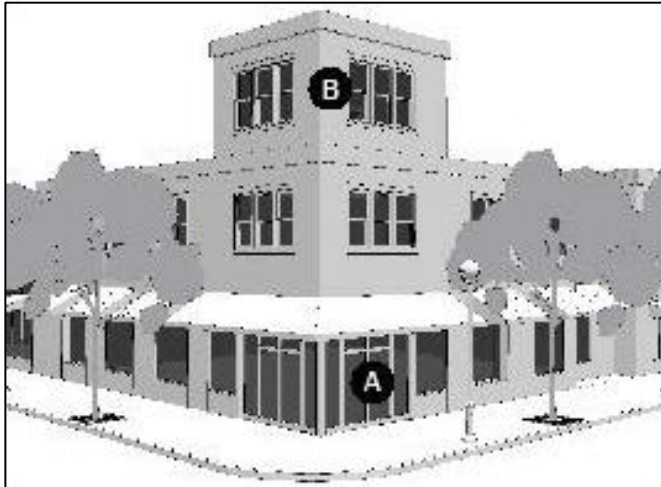
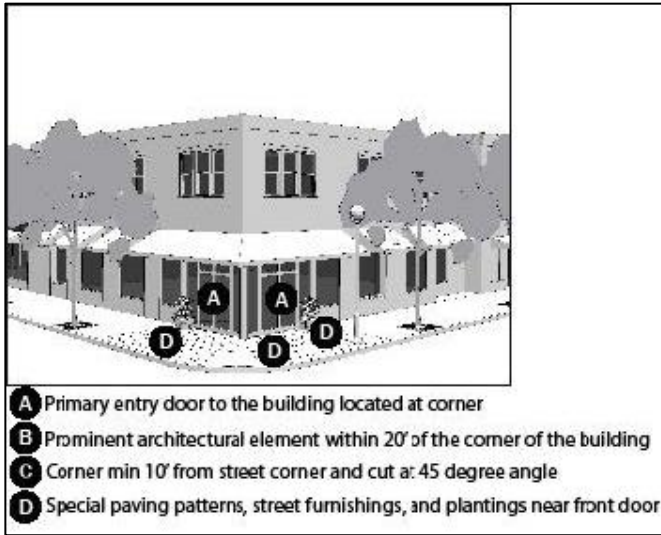
Proposal

New standards requiring nonresidential or mixed-use buildings located at the corner of two public streets or a street and a public area, park, or plaza to incorporate 2 of 4 features reinforcing the corner:

- Locate the primary building entrance at the corner
- Include a prominent architectural element at the corner or within 20 ft
- Cut the corner at a 45 degree angle
- Include a combination of special paving materials, street furnishings, and plantings in addition to the front door.

See Figure 5.

Figure 5. Proposed corner door requirements



Source for all: City of Tigard

4. Weather protection

Intent

Awnings and canopies along the ground floor of buildings protect pedestrians from rain during inclement weather and provide shade in the summer. Overhead protection encourages window shopping and lingering, and creates visual interest on the ground floor of a building.

Related Guideline(s)

Pedestrian Emphasis: Protect the Pedestrian from the Elements (p. 32)

Protect pedestrians from wind, sun and rain.

Relevant recommendations: Canvas fixed or retractable awnings; horizontal metal canopies, especially if transom or clerestory windows are above storefront glazing.

Current standards

There are currently no standards related to weather protection.

Proposal

Require weather protection in the form of awnings, canopies, recesses, or similar protection above building entrances and along at least 50% of the ground floor elevation of buildings that front a sidewalk, civic space, or pedestrian accessway. Second-floor balconies can be used to meet this requirement.

Ground floor dwellings with covered entrances would be exempt from this requirement. See Figures 6-7.

Figure 6. Canvas awning.



Figure 7. Canopy with balcony incorporated.



Source: Matt Arnold, SERA Architects

5. Exterior building materials

Intent

Quality wall materials can provide a sense of permanence in a building, and bring life and warmth to downtown. In addition, contrast in building materials can provide articulation and visual interest to larger buildings.

Related Guideline(s)

Architecture Guidelines: Walls (p. 41)

Use materials that create a sense of permanence.

Relevant recommendations: Natural or subdued building colors; limited use of bright accent trim colors; varied yet compatible cladding materials.

Current standards

Certain materials are prohibited only on the ground floor of buildings, including EIFS or other synthetic stucco panels and split face masonry block.

Other materials are prohibited on all levels of downtown buildings, including: plywood paneling (such as T-111); brick with dimensions larger than 4 by 8 by 2 in; spandrel glazing/curtain wall; vinyl or metal cladding; composite wood fiberboard or composite cement-based siding (such as Hardi-Plank); and metal panels.

Proposal

Revise standards to establish a selection of primary, secondary, and accent materials for use on building facades facing streets, courtyards, and/or public squared in downtown. The materials would be more varied and their use would be controlled through their designation as primary, secondary, accent, and prohibited. Primary materials would need to be used for at least 65% of the building façade; secondary materials could be used for up to 35% of the building façade; and accent materials could be used for up to 5% of the building façade.

Key changes:

- Permitted materials would be explicitly stated and would include brick, stone/masonry, stucco, and glass.
- Spandrel glass would change from a prohibited material to a primary material
- Composite wood fiberboard or composite cement-based siding and finished metal panels would change from prohibited materials to secondary materials.
- Some material distinctions would be made between nonresidential and mixed-use buildings and standalone residential buildings.
- Significant façade renovations would require the removal of any paint, paneling, or other materials covering the original surfaces.

6. Windows and doors

Intent

Long expanses of blank walls facing the street or other public area have negative impacts on the streetscape and the pedestrian environment. To minimize these effects, these requirements are intended to enhance street safety and provide a comfortable walking environment by providing ground-level features of interest to pedestrians.

Related Guideline(s)*Pedestrian Emphasis: Define the Pedestrian Environment (p. 31)*

Provide human scale to the pedestrian environment, with variety and visual richness that enhance the public realm.

Relevant recommendations: Windows - transparent or displays at street level.

Current standards

At least 50% of the ground floor of new buildings along specific sections of Main St must consist of windows or glazed doors (e.g. doors with glass).

Proposal

- Increase the requirement for Main St from 50% to 60%
- New standard of 30% for McLoughlin Blvd
- New standard of 40% for the remainder of downtown
- New standard of 30% for upper stories
- New requirement that at least 60% of upper floor windows be vertically oriented

See Figure 8 items I and J and Figure 9.

Figure 8. Minimum window and door requirements



Source: Matt Arnold, SERA Architects

Figure 9. At least 60% of upper windows must be vertically-oriented



Source: City of Milwaukie

7. Residential doors

Intent

Where a door faces a very active street, it is appropriate to separate the door from the street by a comfortable change of grade, perhaps 2 or 3 ft above street level. For less active areas, transition areas may include porches.

Related Guideline(s)

Architecture Guideline: Residential Doors (p. 40)

Residential front doors should define a friendly transition between the public and private realm.

Relevant recommendations: Doors accessed from porches, terraces, stoops or canopy-covered entries.

Current standards

Standards related to minimum dimensions of porches, courtyards, and balconies, if provided; however, there is no requirement that they be provided. Front entries must face a public street or landscaped courtyard. There are no distinctions between rowhouse and other types of residential development.

Proposal

New "transition area" standard between the public street and ground floor rowhouse units in the areas where they are permitted. This standard could be met through the provision of a porch, stoop, or patio of at least 3 ft deep by 5 ft wide and/or a grade separation of at least 2 but not more than 3 ft. See Figure 10.

Figure 10. Transition area provided by a grade separation and patio (left) and a grad separation (right).



Source: *Milwaukie Downtown and Design Guidelines*

9. Roofs and rooftop equipment

Intent

Building rooflines enliven the pedestrian experience and be of visual interest through details that create a skyline composed of interesting forms and shadows. Mechanical equipment and other penthouse functions must be integrated into the overall building design.

Related Guideline(s)

Architecture Guideline: Silhouette and Roofline (p. 45)

Create interest and detail in silhouette and roofline.

Relevant recommendations: Dormer windows; varied roofline heights; if cornices are used they should be well-detailed.

Architecture Guidelines: Rooftops (p. 46)

Integrate rooftop elements into building design.

Relevant recommendations: Screened mechanical units.

Current standards

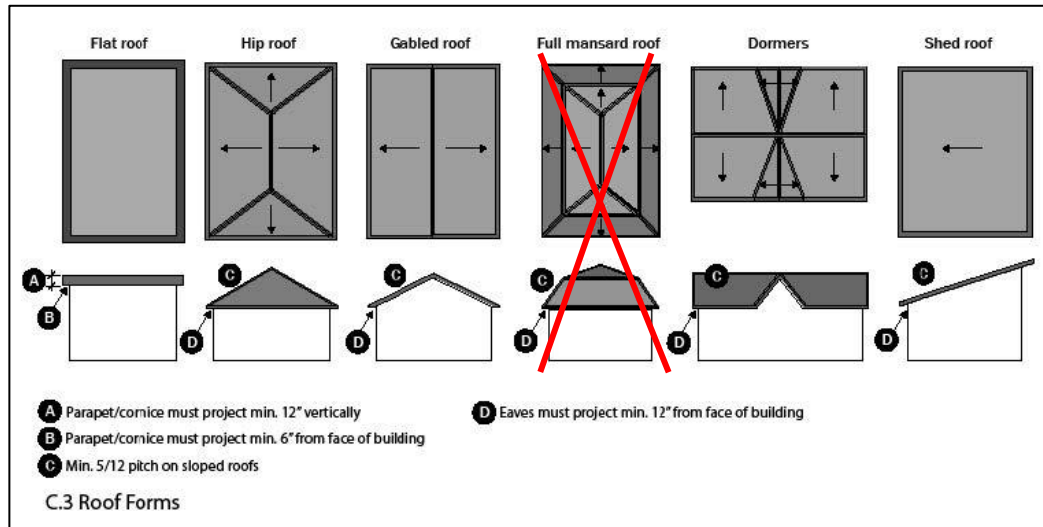
Flat roofs are required to provide a cornice of no less than 12 inches in height and 6 inches in depth; decorative roofs on buildings with more than three stories is prohibited. It is unclear what a "decorative roof" is.

Proposal

Clarify which roof forms are permitted in downtown and how they must be treated (e.g. minimum slope, eaves, cornice/parapets). See Figure 10 for an overview of proposed roof types. Mansard roofs are not currently included in the list of permitted roof forms.

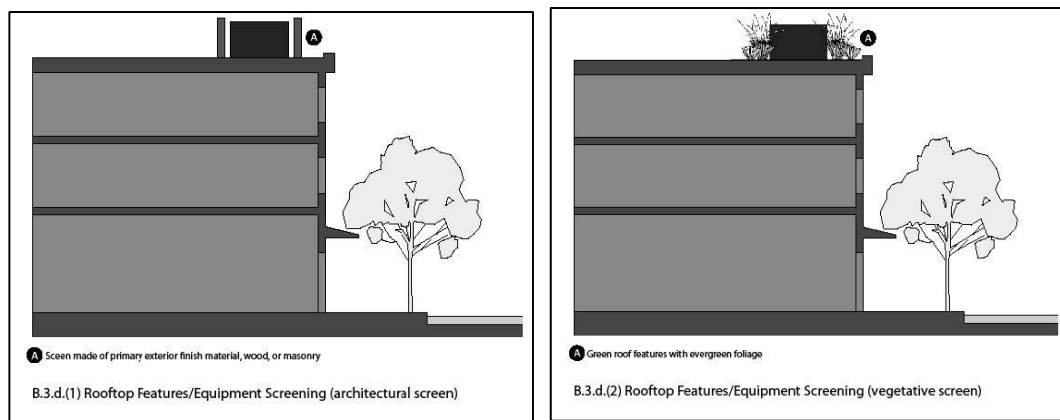
The proposed amendments would also establish screening requirements for rooftop mechanical equipment. See Figure 11.

Figure 11. Proposed allowed roof types.



Source: City of Tigard

Figure 12. Rooftop equipment screening options – physical and vegetative screening



Source: City of Tigard

10. Open Space/Plazas

Intent

Open space requirements are established to provide amenities for downtown residents, promote livability, and help soften the effects of built and paved areas. These standards are intended to assure adequate public and private outdoor space downtown, as well as to make sure the outdoor spaces are activated and safe.

Related Guideline(s)*Pedestrian Emphasis: Provide Places for Stopping and Viewing (p. 33)*

Provide safe, comfortable places where people can stop to sit and rest, meet and visit with each other, and otherwise enjoy the downtown surroundings.

Relevant recommendations: Formal or informal seating areas near active retail establishments; places for stopping and viewing adjacent to parks and plazas.

Pedestrian Emphasis: Create Successful Outdoor Spaces (p. 34)

Spaces should be designed for a variety of activities during all hours and seasons.

Relevant recommendations: Courtyards, squares, forecourts, and plazas with active adjacent ground-floor uses.

Current standards

No requirements that new nonresidential development provide open space.

Proposal

- New standard requiring projects larger than 20,000 sq ft to provide at least one public open space with a minimum size of 400 sq ft. See Figure 13.
 - The space must be abutted on at least two sides by primary entrances of adjacent uses in order to activate the space and provide visibility.
 - Required public spaces must be accessible at grade rather than below or above grade.
- New standards for mixed use buildings with residential units and residential-only buildings requiring a minimum square footage of private outdoor space per unit in a development, as well as the provision of shared outdoor space for building with more than 4 residential units.

Figure 13. Outdoor space abutted by active uses.



Source: Matt Arnold, SERA Architects

C. Downtown Design Review

Currently, all new buildings downtown are subject to Type III Downtown Design Review (DDR). Type III DDR includes Design and Landmarks Committee review of the proposal against the Downtown Design Guidelines, and a recommendation by the DLC to the

Planning Commission. The Planning Commission is the decision-making body. Feedback from the development community has suggested that this process can be a disincentive to new development because the up-front design and submittal process is costly and the outcome is unknown.

A key purpose of strengthening the downtown design standards is to provide a more streamlined review option for projects that meet all of the standards. As proposed, a project that meets all of the design standards would be able to select a Type II review process. A Type II review differs in that the Planning Director is the decision-maker; as such, there is no public hearing. However, the Type II process requires public notice and provides for public comment.

If a project was unable to meet one or more of the design standards, or prefers to meet the intent of the Downtown Design Guidelines through a more creative design, a Type III Downtown Design Review process would be required.

D. Discussion

Staff is seeking Committee feedback about the proposed list of revisions to the design standards in the downtown, as well as the proposed approach to streamlining the downtown design review process.

Although expanded, and in some cases new, standards are being proposed, they are intended to provide a higher degree of certainty and confidence both for the community and for developers about what is expected. The goal is to provide enough guidance to prevent "bad" design while allowing a variety of styles and built-in flexibility.

Next Steps

The first Planning Commission hearing for the draft plan and code amendments is tentatively scheduled for Tuesday, November 25, and will focus on draft development standards. Due to the complexity of the package of amendments, staff anticipates that the Planning Commission will hold at least three hearings on the amendments.

ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	DLC Packet	Public Copies	E- Packet
1. MMC Section 19.304 Downtown Zones	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. MMC Section 19.505.3 Multifamily Design Standards	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. Draft MMC Section 19.907 Downtown Design Review (Clean Version)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

DLC Packet = paper materials provided to Design and Landmarks Committee 7 days prior to the meeting.

Public Copies = paper copies of the packet available for review at City facilities and at the Design and Landmarks Committee meeting.

E-Packet = packet materials available online at <http://www.milwaukieoregon.gov/planning/design-and-landmarks-committee-41>.

19.304 DOWNTOWN ZONES

19.304.1 Purpose

This section of the Zoning Ordinance implements the Downtown and Riverfront Land Use Framework Plan, Milwaukie Comprehensive Plan, and Town Center Master Plan. The downtown and riverfront area is envisioned as the focus of the community. Five zones are designated to reflect the distinctions between different areas of the Downtown and Riverfront Land Use Framework Plan. Specific development standards, public area requirements, and design standards are adopted for the downtown zones to assure an active, attractive, and accessible environment for shoppers, employees and residents.

19.304.2 Characteristics of the Downtown Zones

Five specific zones are adopted to implement the Downtown and Riverfront Land Use Framework Plan. The zones are shown on Figure 19.304-1. The “Zoning Map of Milwaukie, Oregon” provides a larger-scale map of zone boundaries. The zones reflect the varied land uses, densities, and urban design character planned for different areas, as described and illustrated in the Downtown and Riverfront Land Use Framework Plan. The characteristics of the individual zones are described below.

A. Downtown Storefront (DS)

The Downtown Storefront Zone is established to preserve and enhance the commercial “Main Street” character of downtown Milwaukie, ensuring that new development in areas designated DS is compatible with this desired character. This zone allows a full range of retail, service, business, and residential uses. Retail or restaurant uses are required as the predominant uses on the ground floors of buildings fronting on Main Street. Residential uses are allowed only on upper floors. Warehousing and industrial uses are not allowed. The desired character for this zone includes buildings that are built to the right-of-way and oriented toward the pedestrian, with primary entries located along streets rather than parking lots. A “Village Concept Area” has been established in the DS Zone to allow a broader mix of uses on the site at the northeast corner of Main and Harrison streets. These uses include rowhouses and multifamily buildings.

B. Downtown Commercial (DC)

The Downtown Commercial Zone is established to allow auto-accommodating commercial development in the area between McLoughlin Boulevard and Main Street, north of Harrison Street. A range of retail, service, office, and residential uses is permitted to support a gradual transition to higher densities and a greater mix of uses. Boulevard enhancements will improve the visual character of McLoughlin Boulevard and provide a link to the riverfront and adjacent downtown zones. The desired character for this zone includes buildings that engage at least 1 street right-of-way and include a pedestrian-oriented entry and well-landscaped parking lots.

C. Downtown Office (DO)

The Downtown Office Zone is established to provide for office, entertainment, and hotel uses along high-visibility major arterial streets, as designated by the City of Milwaukie’s Transportation System Plan. The desired character for this zone will vary depending on the nature of the proposed use and individual site features.

D. Downtown Residential (DR)

The Downtown Residential Zone is established to increase housing opportunities in close proximity to downtown shopping, transit, and open space amenities. The major types of new

19.304

housing will be apartments and condominiums. Minimum densities of 30 units per acre will assure that land is used efficiently and will increase the customer base for nearby businesses. Additionally, the higher densities will support urban features such as parking under structures and durable building materials. Development at minimum densities of 10 units per acre up to a maximum of 30 units per acre will be permitted in the Downtown Residential Transition Area to provide a transition to lower-density residential zones. The desired character for the Downtown Residential Zone includes buildings located close to and oriented to the public sidewalk, with off-street parking located under or internal to building sites.

E. Downtown Open Space (DOS)

The Downtown Open Space Zone is established to implement the “Public” designation of the Milwaukie Comprehensive Plan and to provide a specific zone to accommodate open space, park, and riverfront uses. The Downtown Open Space Zone is generally applied to lands that are in public ownership along the Willamette River, Kellogg Creek, Spring Creek, and Johnson Creek in the downtown area. The desired character for the Downtown Open Space Zone includes parkland, open space, and riverfront amenities.

19.304.3 Uses

A. Permitted Uses

Uses allowed in the downtown zones are listed in Table 19.304.3 with a “P.” These uses are allowed if they comply with the development and design standards, any applicable design guidelines, and other regulations of this title.

Table 19.304.3 Downtown Zones—Uses					
Use Categories	Downtown Storefront	Downtown Commercial	Downtown Office	Downtown Residential	Downtown Open Space
Residential					
Rowhouse	L[1]	N	N	L[1]	N
Multifamily	L[10]	P	N	P	N
Second-floor housing	P	P	P	P	N
Senior and retirement housing	N	P	N	P	N
Commercial/Office¹					
Automobile repair	N	L[2]	N	N	N
Commercial recreation	P	P	P	N	N
Eating/drinking establishment	P	P	L[3]	N	N
Financial institution	P	P	P	N	N
Hotel/motel	N	P	P	N	N
Manufacturing and production	L[11]	L[11]	L[11]	L[11]	N
Office, professional and administrative	L[4]	P	P	L[5]	N
Parking facility	P	P	P	N	L[6]
Personal/business services	L[7]	P	P	L[5]	N
Retail trade	P	P	L[3]	L[5]	N
Theater	P	P	P	N	N

Table 19.304.3 CONTINUED					
Downtown Zones—Uses					
Use Categories	Downtown Storefront	Downtown Commercial	Downtown Office	Downtown Residential	Downtown Open Space
Other					
Community service uses	L[8]	L[8]	L[8]	L[8]	L[8]
Day care/childcare	L[9]	L[9]	L[9]	L[9]	N
Marinas, boat ramp	N	N	N	N	P
Parks, plazas, open space	P	P	P	P	P

B. Limited Uses

Uses that are allowed subject to limitations are listed in Table 19.304.3 with an “L.” These uses are allowed if they comply with the limitations listed in Subsection 19.304.3.G below, and if they comply with the development and design standards, any applicable design guidelines, and other regulations of this title.

C. Nonconforming Uses

Existing structures and uses that do not meet the standards for a particular downtown zone may continue in existence. Alteration of a nonconforming use or structure that is not in compliance with applicable standards shall be subject to the provisions of Chapter 19.800 Nonconforming Uses. For privately owned property with legal nonconforming uses and structures within the Downtown Open Space Zone, Subsection 19.803.2 is not applicable, but all other provisions of Chapter 19.800 shall apply.

D. Prohibited Uses

Uses listed in Table 19.304.3 with an “N,” or uses not listed above, are prohibited as new uses.

E. Accessory Uses

Uses that are accessory to a primary use are allowed if they comply with all development standards. Accessory uses include but are not limited to restrooms in City parks and refreshment stands at the library.

F. Similar Uses

The Planning Director, through a Type I review, may determine that a use that is not listed is considered similar to a listed use in Table 19.304.3. The unlisted use shall be subject to the standards applicable to the similar listed use.

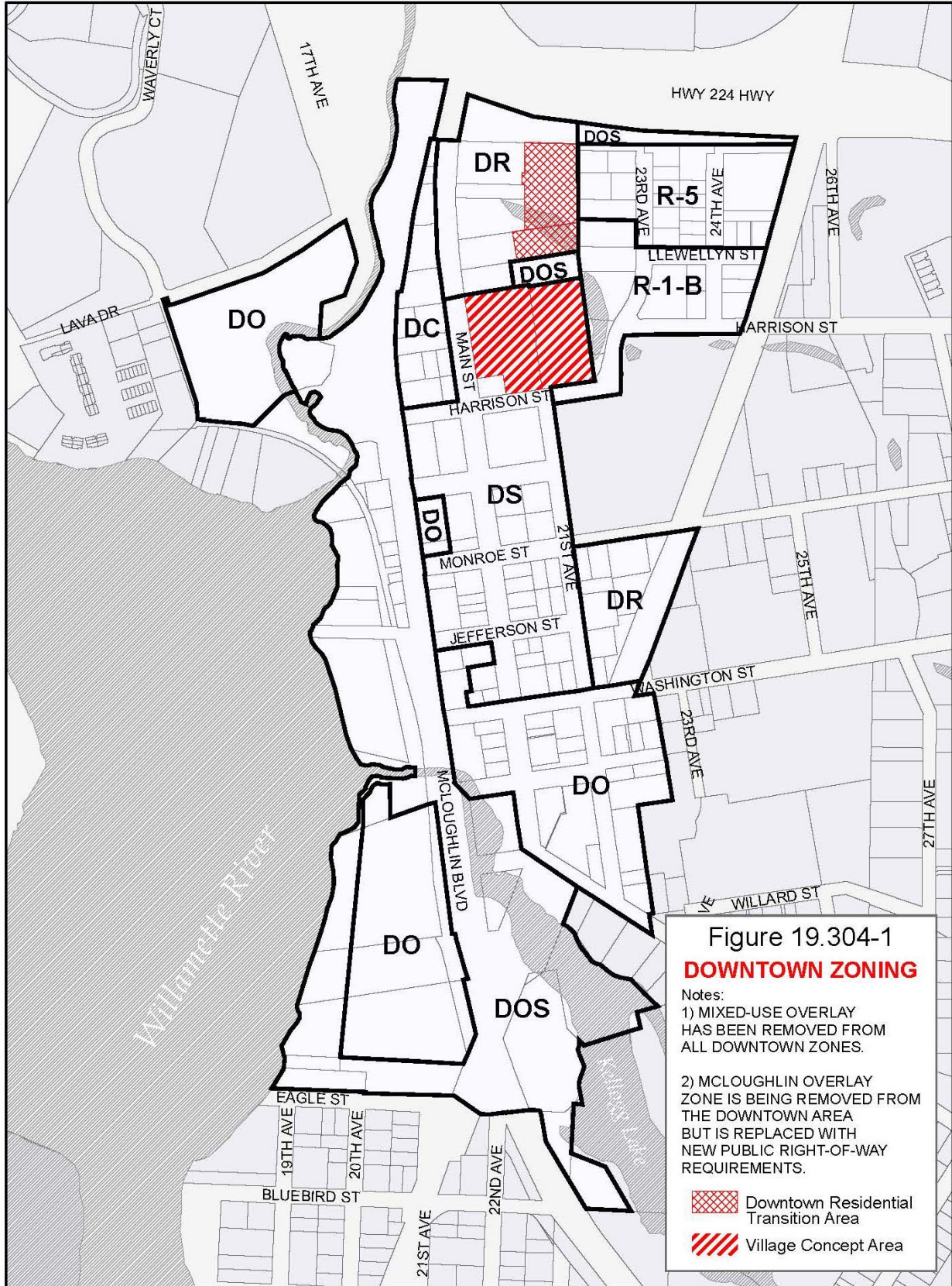
G. Use Limitations

The following provisions describe the use limitations and correspond with the footnote numbers for uses listed with an “L” in Table 19.304.3.

1. Townhouse development is permitted only in a limited area of the Downtown Residential Zone as identified on the Zoning Map (see “Downtown Residential Transition Area” on Figure 19.304-1). This limited use provision is intended to provide an opportunity for owned, attached housing at a minimum density of 10 units per acre. Townhouse development is permitted only in a limited area of the Downtown Storefront Zone as identified on the Zoning Map (see “Village Concept Area” on Figure 19.304-1).

Townhouses shall not be located within 50 ft of the Main Street frontage within the "Village Concept Area."

2. Automobile/motor vehicle repair (excluding body and fender repair and painting) is permitted in the Downtown Commercial Zone when conducted within a completely enclosed building.
3. In the Downtown Office Zone, eating and drinking establishments and retail trade uses are limited to 5,000 sq ft in floor area per use on the ground floor. An additional 5,000 sq ft in floor area per use on the ground floor is allowed for manufacturing or production areas associated with, and accessory to, eating or drinking establishments or retail trade uses. For purposes of this subsection, manufacturing and production involve goods that are sold or distributed beyond or outside of the associated on-site eating or drinking establishment or retail trade use. For example, a brewing facility that distributes or sells its products elsewhere would be considered a manufacturing and production use, while a restaurant kitchen that prepares food that is purchased on-site would not be considered manufacturing or production.
4. In the portions of the Downtown Storefront Zone where ground-floor retail/restaurant uses are required (see Figure 19.304-2), office uses are only allowed on or above the second floor.
5. Office, personal service, and retail trade uses in the Downtown Residential Zone may only be developed as part of a mixed use building that includes housing. Office, personal service, and retail trade uses in the Downtown Residential Zone are limited to the ground floor; and an individual office, personal service, or retail use may not exceed 5,000 sq ft in floor area. Home occupations are permitted in accordance with Section 19.507 of this title.
6. Parking facilities in the Downtown Open Space Zone are limited to surface lots.
7. In the portions of the Downtown Storefront Zone where ground-floor retail/restaurant uses are required (see Figure 19.304-2), personal/business service uses are limited to a maximum of 25% of the ground floor area of an individual building.
8. A new community service use, or expansion/alteration of an existing community service use, may be permitted if approved under Section 19.904 and shall comply with the development and design standards of this section.
9. Day care and childcare uses are limited to 3,000 sq ft.
10. Multifamily building development is permitted only in a limited area of the Downtown Storefront Zone as identified on the Zoning Map. See "Village Concept Area" on Figure 19.304-1.
11. Manufacturing and production are only permitted in combination with a retail or eating/drinking establishment use.



19.304

19.304.4 Development Standards**A. Purpose**

The development standards address several issues of particular importance to maintaining the appropriate character for the downtown zones. Table 19.304.4 summarizes the development standards that apply in the downtown zones.

Table 19.304.4 Downtown Zones—Development Standards					
Standard	Downtown Storefront	Downtown Commercial	Downtown Office	Downtown Residential	Downtown Open Space
1. Minimum lot size	750 sq ft	10,000 sq ft	5,000 sq ft	750/5,000 sq ft ¹	None
2. Minimum street frontage	15'	30'	30'	15'/30' ¹	None
3. Floor area ratio Minimum Maximum	1:1 4:1	0.3:1 2:1	0.5:1 3:1	NA NA	NA NA
4. Building height (see Figure 19.304-3) Minimum Maximum	35' 45'-55'	25' 55'	25' 65'	None 45'-65'	None None
5. Residential density Minimum Maximum	None None	None None	None None	10-30 U/Acre None	None None
6. Street setback (see Figure 19.304-4) Minimum Maximum	0' 10'	0' 50'	0' 10'	0' None	0' None
7. Other setbacks (side and rear)	None	None	None	15' ²	None
8. Ground-floor retail with limited personal/business services (see Figure 19.304-2)	Yes	Yes	Yes	No	No
9. Ground-floor windows/doors (see Figure 19.304-5)	Yes	Yes	Yes	No	No
10. Drive-through facilities	No	No	No	No	No
11. Off-street parking required	No	Yes	No/Yes ³	Yes	Yes
12. Landscaping	None	10%	None	15%	20%

¹ Townhouse lots may be as small as 750 sq ft, with a minimum street frontage of 15 ft. All other lots created in the DR Zone shall be a minimum of 5,000 sq ft, with a minimum street frontage of 30 ft.

² Setbacks are required only where the DR Zone abuts a lower-density residential zone.

³ Off-street parking is not required in the DO Zone to the north of Washington Street and east of McLoughlin Boulevard. Off-street parking is required in the DO Zone located outside of this boundary.

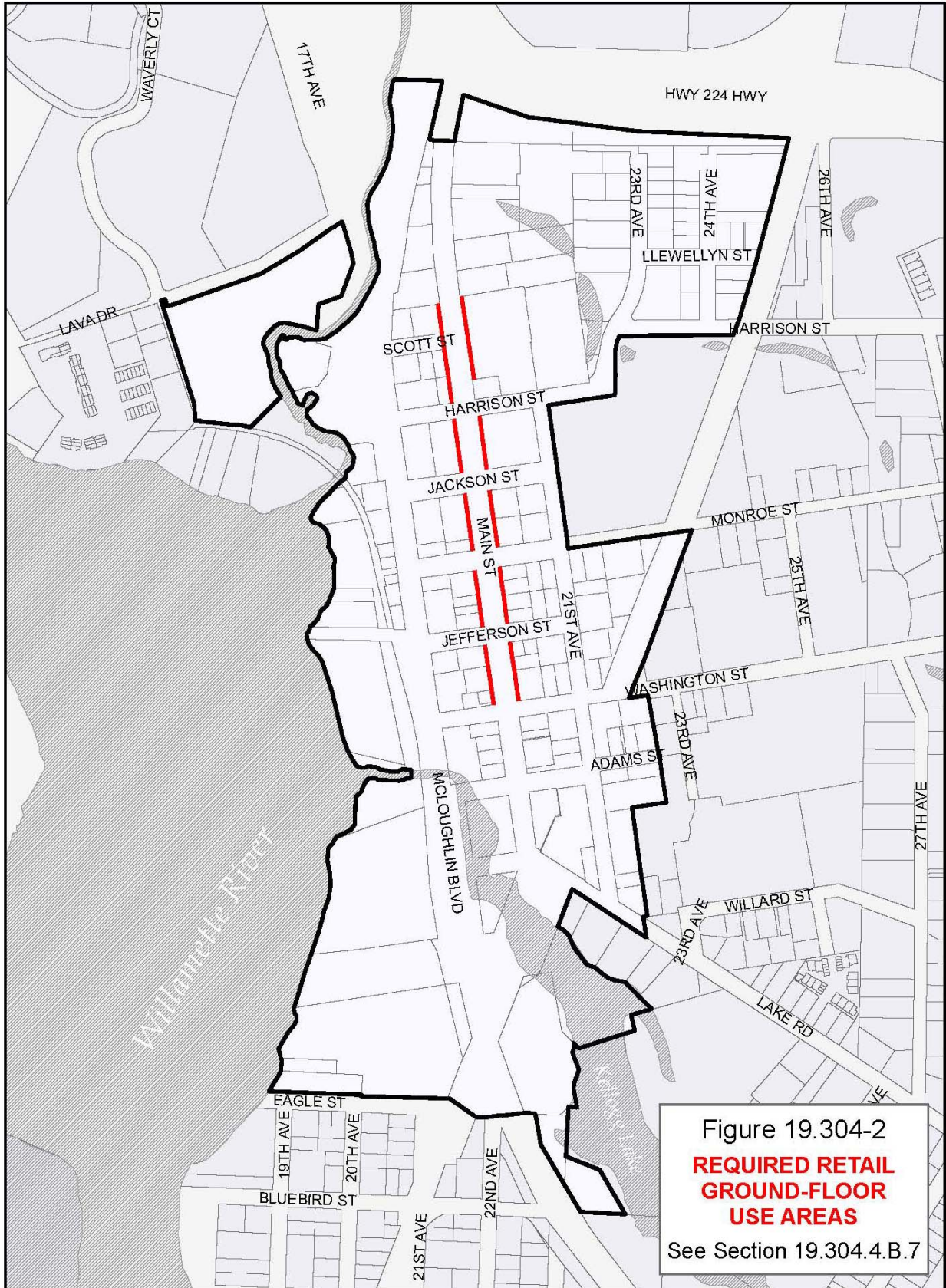
Table 19.304.4 is supplemented by the explanation of the development standards provided in Subsection 19.304.4.B below, and the following figures:

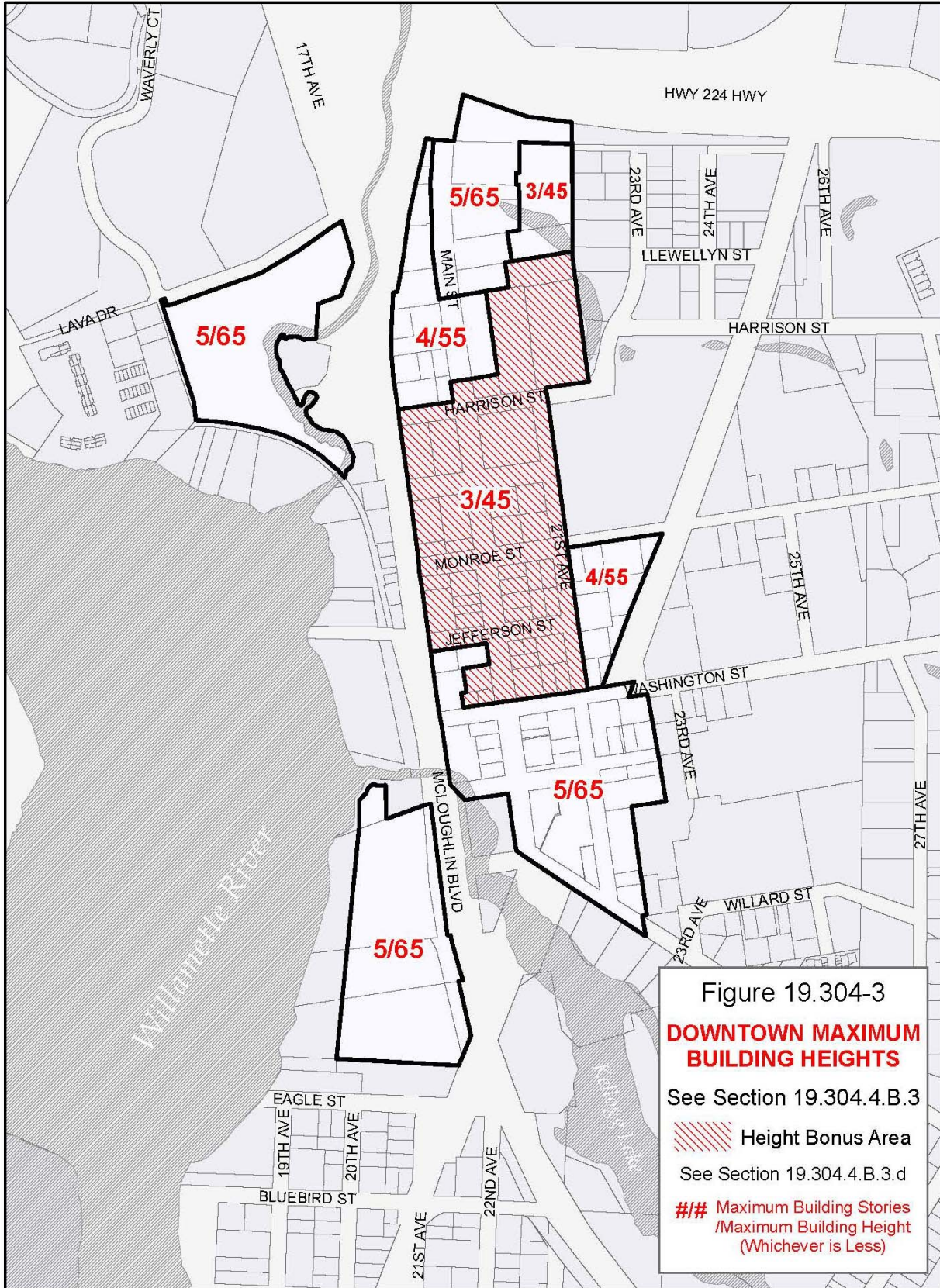
Figure 19.304-2—Required Retail Ground-Floor Use Areas

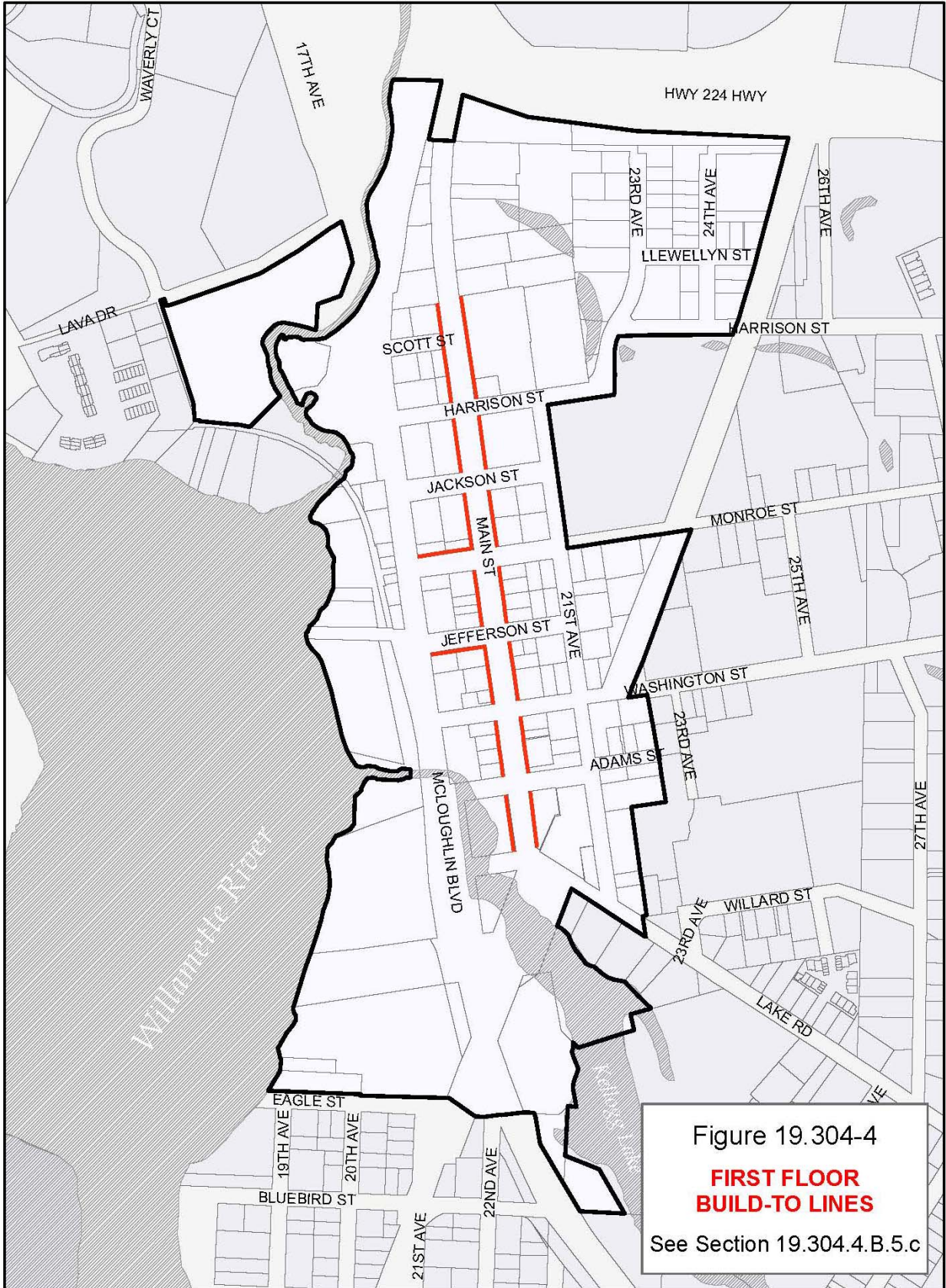
Figure 19.304-3—Maximum Building Heights

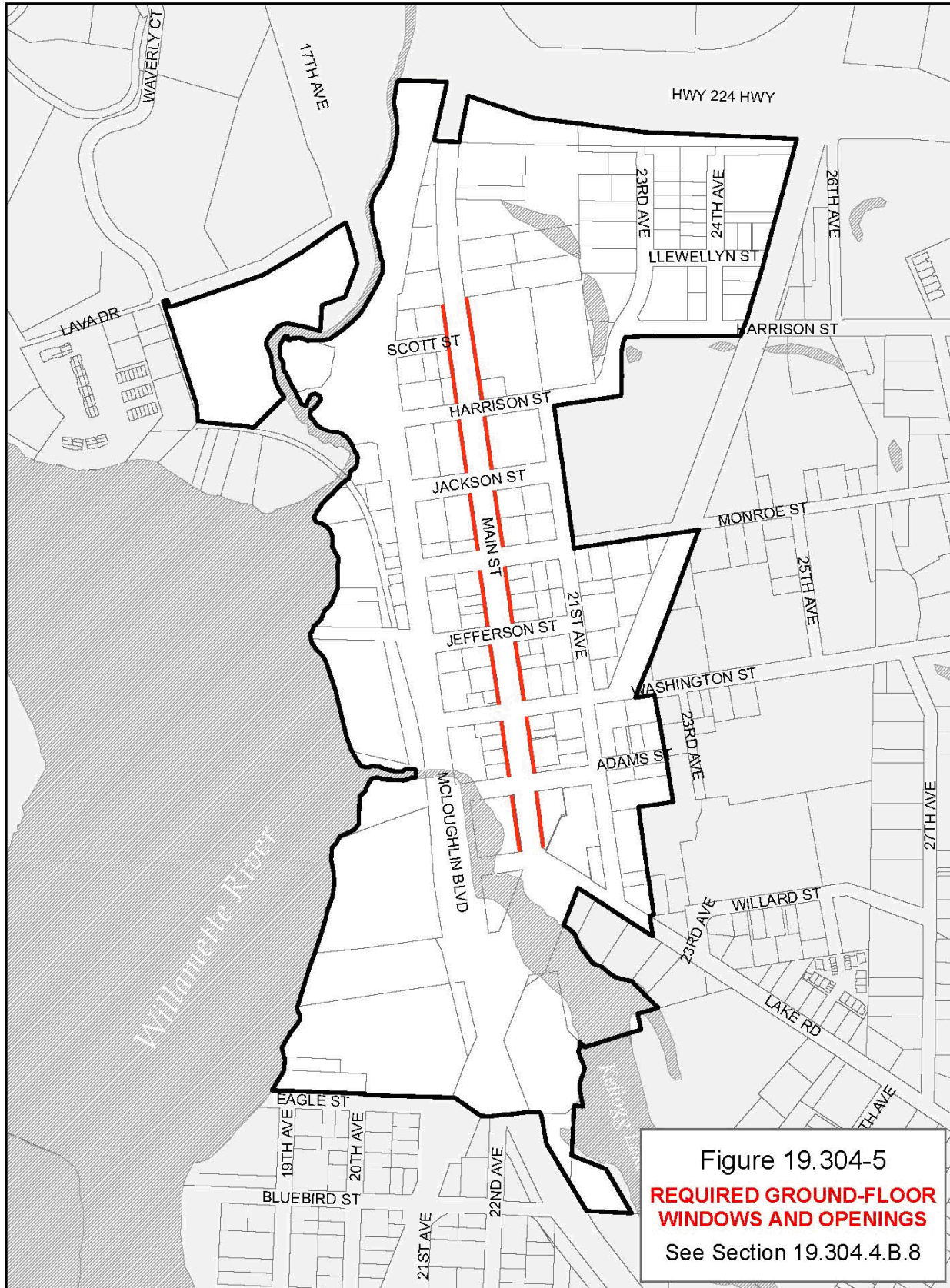
Figure 19.304-4—Build-to Lines

Figure 19.304-5—Required Ground-Floor Windows and Openings









B. Explanation of Development Standards

1. Minimum Lot Size

New lots created in the downtown zones shall meet the minimum lot size standards of Table 19.304.4 as further described below.

- a. New lots in the Downtown Storefront Zone and townhouse lots in the Downtown Residential Zone (in the Downtown Residential Transition Area only) shall be a minimum of 750 sq ft, with a minimum street frontage of 15 ft.
- b. New lots in the Downtown Office and Downtown Residential Zones (other than those in the Downtown Residential Transition Area) shall be a minimum of 5,000 sq ft, with a minimum street frontage of 30 ft.
- c. New lots in the Downtown Commercial Zone shall be a minimum of 10,000 sq ft, with a minimum street frontage of 30 ft.
- d. Land divisions shall comply with applicable provisions of the Land Division Ordinance (Title 17 of the Milwaukie Municipal Code).

2. Floor Area Ratios

The floor area ratio (FAR) is a tool for regulating the intensity of development. Minimum floor area ratios help to ensure that the intensity of development is controlled and that more intense forms are confined to appropriate areas of the downtown.

- a. The minimum floor area ratios in Table 19.304.4 apply to all nonresidential building development.
- b. Required minimum floor area ratios shall be calculated on a project-by-project basis and may include multiple contiguous parcels. In mixed use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.
- c. If a project is to be developed in phases, the required FAR must be met for the land area in the completed phase(s), without consideration of the land area devoted to future phases.
- d. The following uses are exempt from the minimum floor area ratios: commercial parking facilities and public parks and plazas.

3. Building Height

Minimum and maximum building height standards serve several purposes. They promote a compatible building scale and relationship of one structure to another. Building height standards also establish a consistent streetscape.

- a. Minimum building heights are specified in Table 19.304.4. The minimum building height of 35 ft for the Downtown Storefront Zone applies only to buildings that front on Main Street. Buildings fronting on other streets in the Downtown Storefront Zone shall be a minimum height of 25 ft.
- b. The minimum building height standards apply to new commercial, office, and mixed use buildings. The standards do not apply to additions to existing buildings, accessory structures, or to buildings with less than 1,000 sq ft of floor area.

- c. Maximum building heights are specified in Table 19.304.4 and illustrated on Figure 19.304-3. If there is a conflict between Table 19.304.4 and Figure 19.304-3, the maximum building height provisions of Figure 19.304-3 shall control.
- d. An opportunity is provided for a height bonus in a defined area of the downtown plan. For the area identified on Figure 19.304-3 as the height bonus area, the base building height is 3 stories or 45 ft, whichever is less. However, if at least one floor or 25% of the gross floor area is devoted to residential uses, the building is allowed a height of 4 stories or 55 ft, whichever is less.

4. Residential Density

There is a minimal amount of land available for new housing development within the downtown zones. Minimum densities are applied in the Downtown Residential Zone to assure efficient use of land at densities that support transit use and nearby downtown businesses.

- a. Minimum densities for the downtown residential transition area shall be 10 units per acre (see Figure 19.304-1). The maximum density for the residential transition area shall be 30 units per acre.
- b. Minimum densities for stand-alone multifamily dwellings and senior/retirement housing in the Downtown Residential and Downtown Commercial Zones shall be 30 units per acre. Maximum residential densities are controlled by height limits.
- c. There are no minimum density requirements when residential units are developed as part of a mixed use building in the Downtown Storefront, Downtown Commercial, and Downtown Office Zones. The minimum density standards apply only to stand-alone residential buildings. Second-floor housing is allowed in the Downtown Storefront, Downtown Commercial, and Downtown Office Zones. Maximum residential densities for mixed use buildings are controlled by height limits.

5. Street Setbacks

Buildings are allowed and encouraged to build up to the street right-of-way in all downtown zones. Required build-to lines are established in specific areas of the downtown to ensure that the ground floors of buildings engage the street right-of-way (see Figure 19.304-4). The build-to line ensures compatibility and harmony between buildings, enabling a series of different buildings to maintain or establish a continuous vertical street wall.

- a. No minimum street setbacks are required in any of the downtown zones.
- b. The downtown zones are exempt from the clear vision area requirements of Chapter 12.24 of the Milwaukie Municipal Code, with the exception of driveway and street intersections with McLoughlin Boulevard.
- c. First-floor build-to lines (required zero setbacks) are established for block faces identified on Figure 19.304-4. The build-to line includes a necessary degree of flexibility:
 - (1) Projections or recesses of up to 18 in are allowed.
 - (2) Doorways may be set back a maximum of 8 ft from the build-to line.
- d. Maximum street setbacks of 10 ft are established for the Downtown Storefront and Downtown Office Zones. The 50-ft maximum setback for the Downtown Commercial

Zone applies only to the McLoughlin Boulevard frontage. A build-to line (zero setback) is established for the Downtown Commercial Zone along the Main Street frontage.

6. Other Setbacks

No specific side or rear yard setbacks are required for the downtown zones with the exception of the Downtown Residential Zone, where a minimum 15-ft side/rear yard setback is required where the Downtown Residential Zone abuts lower-density residential zones.

7. Ground-Floor Retail/Restaurants

Retail uses and eating/drinking establishments are required at the ground floors of buildings fronting on Main Street and identified on Figure 19.304-2. This requirement will ensure that continuous retail storefronts and eating/drinking establishments are established and maintained along Main Street, to attract pedestrians and strengthen the shopping environment. When required, the retail uses and/or eating/drinking establishments must comprise at least 75% of the ground floor area of a building. Personal/business services are limited uses that are allowed to occupy a maximum of 25% of the ground-floor area within these buildings.

New buildings in the required ground-floor active use areas shall be designed and constructed to accommodate active uses such as retail and eating/drinking establishments. This standard is met where no less than 75% of the ground-floor space in a new building fronting Main Street meets the following requirements.

- a. The ground-floor height must be at least 12 feet, as measured from the finished floor to the ceiling, or from the finished floor to the bottom of the structure above (as in a multistory building). The bottom of the structure above is the lowest portion of the structure and includes supporting beams, and any heating, ventilation and/or fire suppression sprinkler systems.
- b. The interior floor area adjacent to Main St. must be at least 25 feet deep, as measured from the inside building wall or windows facing Main Street.

8. Ground-Floor Windows/Doors

Long expanses of blank walls facing the street or other public area have negative impacts on the streetscape and the pedestrian environment. To minimize these effects, the standards of this section are intended to enhance street safety and provide a comfortable walking environment by providing ground-level features of interest to pedestrians in specific areas of the downtown zones.

For block faces identified on Figure 19.304-5 (Ground-Floor Windows and Openings), the exterior wall(s) of the building facing the street/sidewalk must meet the following standards:

- a. 50% of the ground-floor street wall area must consist of openings; i.e., windows or glazed doors. The ground-floor street wall area is defined as the area up to the finished ceiling height of the space fronting the street or 15 ft above finished grade, whichever is less.
- b. Doors and/or primary entrances must be located on the block faces identified on Figure 19.304-5, and must be unlocked when the business located on the premises is open. Doors/entrances to second-floor residential units may be locked.

- c. Clear glazing is required for ground-floor windows. Nontransparent, reflective, or opaque glazings are not permitted.
- d. Ground-floor windows for buildings on the block faces identified on Figure 19.304-5 shall allow views into storefronts, working areas, or lobbies. No more than 50% of the window area may be covered by interior furnishings including but not limited to curtains, shades, signs, or shelves. Signs are limited to a maximum coverage of 20% of the window area.

9. Drive-Through Facilities

Drive-through facilities can conflict with the easy, safe, and convenient movement of pedestrians. Therefore, drive-through facilities are prohibited in the downtown zones to create a pedestrian-friendly environment where transit, bicycles, and walking are encouraged.

10. Off-Street Parking

The desired character for the Downtown Storefront Zone, particularly along Main Street, is defined by a continuous façade of buildings close to the street, with adjacent on-street parking.

- a. Development in the Downtown Storefront Zone, and the portion of the Downtown Office Zone located to the north of Washington Street and east of McLoughlin Boulevard, is exempt from the maximum and minimum quantity requirements for vehicle parking in Section 19.605.
- b. With the exception of the two areas identified in Subsection 19.304.4.B.10.a above, standards and provisions of Chapter 19.600 shall apply to development in the downtown zones.
- c. Off-street surface parking lots (including curb cuts) shall not be located within 50 ft of the Main Street right-of-way. The Planning Commission may permit off-street parking lots and curb cuts within 50 ft of the Main Street right-of-way only on the finding in a public hearing that:
 - (1) The overall project meets the intent of providing a continuous façade of buildings close to Main Street;
 - (2) The off-street parking area or curb cut is visually screened from view from Main Street; and
 - (3) The community need for the off-street parking area or curb cut within 50 ft of Main Street outweighs the need to provide a continuous façade of buildings in that area.

11. Minimum Landscaping/Open Space

The minimum landscaping/open space requirements are established to provide amenities for downtown residents, promote livability, and help soften the effects of built and paved areas.

- a. Required landscaping/open space in the downtown zones may include courtyards, roof top gardens, balconies, terraces, and porches.

- b. Where possible, jointly improved landscaped areas are encouraged to facilitate continuity of landscape design. Street trees are required in all downtown zones as outlined in the Milwaukie Downtown and Riverfront Plan: Public Area Requirements.
- c. All material in the minimum required landscaped area shall be live plant material. Materials such as bark or river rock may be used only if approved as part of the overall landscaping plan.

12. Right-of-Way Projections

Right-of-way projections of up to 4 ft are permitted in all downtown zones for upper-level, unenclosed balconies. All applicable building, fire, safety and public works standards shall also be met prior to permitting such balcony projections.

19.304.5 Public Area Requirements

A. Purpose

The Milwaukie Downtown and Riverfront Plan: Public Area Requirements (PAR) is an ancillary document to the Milwaukie Comprehensive Plan. The purpose of the PAR is to ensure that, as revitalization occurs in downtown, there will be a consistent and high-quality public right-of-way that establishes a safe, comfortable, contiguous pedestrian-oriented environment. Public area requirements are defined as improvements within the public right-of-way and include, but are not limited to, sidewalks, bicycle lanes, on-street parking, curb extensions, lighting, street furniture, and landscaping. The PAR is implemented through Chapter 19.700 and the Milwaukie Public Works Standards.

B. Applicability, Review Process, and Standards

Development in downtown zones is subject to the review process and standards of Chapter 19.700 as specified in the chapter's applicability provisions. Required public improvements along rights-of-way included in the PAR shall be consistent with the PAR as implemented in the Milwaukie Public Works Standards.

19.304.6 Design Standards

A. Purpose

The design standards contained in this section are intended to encourage building design and construction with durable, high-quality materials. The design standards, together with the public area requirements, will support the development of a cohesive, attractive, and safe downtown area and encourage private investment. The design standards do not prescribe a particular building or architectural style. The standards are intended to be clear and objective, and compliance with the standards is checked as part of building plan review.

B. Applicability

The design standards are applicable to all new construction and to major exterior alterations in the downtown zones. Standards regarding prohibited materials are applicable to minor exterior alterations in the downtown zones. Exterior maintenance and repair of buildings in the downtown zones are exempt from compliance with the design standards. Definitions of exterior maintenance and repair, minor exterior alteration, and major exterior alteration follow.

1. Exterior maintenance and repair includes refurbishing, painting, and weatherproofing of deteriorated materials, and in-kind restoration or replacement of damaged materials. Exterior maintenance and repair does not include replacement of materials due to

obsolescence or when associated with minor or major exterior renovation, as defined below. Exterior maintenance and repair does not include the placement of signs.

The design standards are not applicable to exterior maintenance and repair as defined above.

2. Minor exterior alterations include the exterior alterations of any portion of a structure that do not fall within the definitions of “exterior maintenance and repair” or “major exterior alterations.” Minor exterior alterations include, but are not limited to, the application or installation of finish building treatments, including windows and other glazing, doors, lintels, copings, vertical and horizontal projections including awnings, and exterior sheathing and wall materials. Minor exterior alteration does not include the placement of signs.

Additions not exceeding 250 sq ft may be permitted under a minor exterior alteration only when the additional floor area is designed and used for utility, HVAC, other mechanical equipment, ADA upgrades, or egress required by applicable fire safety or building codes.

The design standards pertaining to prohibited exterior building materials (see Subsection 19.304.6.C below) are applicable to minor exterior alterations. No other design standards apply to minor exterior alterations.

3. Major exterior alterations include any of the following:
 - a. Alterations that do not fall within the definitions of “exterior maintenance and repair” or “minor exterior alterations”;
 - b. Demolition or replacement of more than 25% of the surface area of any exterior wall or roof;
 - c. Floor area additions that exceed 250 sq ft or do not meet the limited purposes as defined under the minor exterior alteration (ADA upgrades, etc.).

The design standards are applicable to major exterior alterations as described below:

- (1) Major exterior alterations involving a wall(s) shall comply with the design standards for walls and the design standards for windows for that wall(s).
- (2) Major exterior alterations involving a roof shall comply with the design standards for roofs.

C. Design Standards

1. Design Standards for Residential

The following standards are applicable to “stand-alone” residential buildings in the Downtown Residential and Downtown Commercial Zones. Additional standards pertaining to walls, windows, and roofs are also applicable to residential buildings and are addressed in Subsections 19.304.6.C.2 through 4 below.

- a. Residential Entries and Porches
 - (1) Porches, if provided, shall be a minimum of 6 ft deep by 8 ft wide.
 - (2) Front entries must face a public street or a landscaped courtyard.
- b. Garages and Parking Areas

Garage entrances and parking areas shall not be located between the residential building(s) and the abutting public street.

c. Residential Courtyards, if Provided

- (1) Courtyards shall have a minimum width of 30 ft.
- (2) Up to 15% of the courtyard area may be claimed as private space. The remainder shall be common space.
- (3) The courtyard shall be enclosed on a minimum of 2 sides by residential front entry doors.
- (4) Garage doors shall not front onto the courtyard.

d. Residential Balconies

Balconies for residential units shall have a minimum depth of 6 ft and minimum width of 8 ft.

2. Design Standards for Walls

The following standards are applicable to the exterior walls of buildings facing streets, courtyards, and/or public squares in all of the downtown zones.

- a. Exterior wall-mounted mechanical equipment is prohibited.
- b. The following wall materials are prohibited at the street level of the building:
 - (1) EIFS or other synthetic stucco panels;
 - (2) Splitface or other masonry block.
- c. The following wall materials are prohibited at all levels of the building in all downtown zones:
 - (1) Plywood paneling;
 - (2) Brick with dimensions larger than 4 by 8 by 2 in;
 - (3) Spandrel glazing/curtain wall;
 - (4) Vinyl or metal cladding;
 - (5) Composite wood fiberboard or composite cement-based siding, except as permitted in the Downtown Residential Zone in Subsection 19.304.6.C.2.d.(3);
 - (6) Metal panels, except at penthouse level.
- d. The following wall materials are permitted only in the Downtown Residential Zone where densities are less than 30 units per acre:
 - (1) Board and batten cladding (limited to a maximum of 20% of the wall area);
 - (2) Wood shingles;
 - (3) Composite wood fiberboard or composite cement-based siding.

3. Design Standards for Windows

The following standards are applicable to building windows facing streets, courtyards, and/or public squares in all of the downtown zones.

- a. Windows shall be “punched” openings recessed a minimum of 2 in from the wall surface.
- b. Window height shall be equal to or greater than window width.
- c. The following windows are prohibited:
 - (1) Reflective, tinted, or opaque glazing;
 - (2) Simulated divisions (internal or applied synthetic materials);
 - (3) Exposed, unpainted metal frame windows.

4. Design Standards for Roofs

The following standards are applicable to building roofs in all of the downtown zones.

- a. Flat roofs shall include a cornice with no less than 6 in depth (relief) and a height of no less than 12 in.
- b. Mansard or decorative roofs on buildings less than 3 stories are prohibited in all downtown zones.
- c. Metal roofs are prohibited only in the Downtown Residential Zone.

(Ord. 2059 § 2, 2013; Ord. 2051 § 2, 2012; Ord. 2025 § 2, 2011)

Multifamily Housing Design Standards (19.505.3)

(Current as of November 2012 supplement, which goes through Ord. 2051) No changes with May 2013 supplement.

19.505 BUILDING DESIGN STANDARDS**19.505.3 Design Standards for Multifamily Housing****A. Purpose**

The purpose of these design standards is to facilitate the development of attractive multifamily housing that encourages multimodal transportation. They encourage good site and building design, which contributes to livability, safety, and sustainability; helps create a stronger community; and fosters a quality environment for residents and neighbors.

The guidelines and standards are intended to achieve the following principles that the City encourages for multifamily development:

1. Livability

Development should contribute to a livable neighborhood by incorporating visually pleasing design, minimizing the impact of vehicles, emphasizing pedestrian and bicycle connections, and providing public and private open spaces for outdoor use.

2. Compatibility

Development should have a scale that is appropriate for the surrounding neighborhood and maintains the overall residential character of Milwaukie.

3. Safety and Functionality

Development should be safe and functional, by providing visibility into and within a multifamily development and by creating a circulation system that prioritizes bicycle and pedestrian safety.

4. Sustainability

Development should incorporate sustainable design and building practices, such as energy conservation, preservation of trees and open space, quality building materials, and alternative transportation modes.

B. Applicability

The design elements in Table 19.505.3.D in this subsection apply, as described below, to all multifamily and congregate housing developments with 3 or more dwelling units on a single lot, except within the downtown zones of Section 19.304. Cottage cluster housing and rowhouses on their own lots are subject to separate standards and are therefore exempt from Subsection 19.505.3. Housing development that is on a single lot and emulates the style of cottage cluster housing or rowhouses is subject to the standards of this subsection.

1. All new multifamily or congregate housing development is subject to the design elements in this subsection.
2. The following design elements are applicable for work that would construct a new building or increase the floor area on the site by more than 1,000 sq ft. Elements that are applicable only to additions do not apply to the site's existing development.
 - a. Subsection 19.505.3.D.1 Private Open Space, for the entire site.
 - b. Subsection 19.505.3.D.2 Public Open Space, for the entire site.
 - c. Subsection 19.505.3.D.5 Building Orientation and Entrances, only for additions or new buildings.

- d. Subsection 19.505.3.D.6 Building Façade Design, only for additions or new buildings.
 - e. Subsection 19.505.3.D.7 Building Materials, only or additions or new buildings.
 - f. Subsection 19.505.3.D.8 Landscaping, for the entire site.
 - g. Subsection 19.505.3.D.9 Screening, only for additions or new buildings.
 - h. Subsection 19.505.3.D.11 Sustainability, only for new buildings.
 - i. Subsection 19.505.3.D.12 Privacy Considerations, only for additions or new buildings.
 - j. Subsection 19.505.3.D.13 Safety, only for additions or new buildings.
3. Table 19.505.3.D.7 Building Materials is applicable for work that would replace more than 50% of the façade materials on a building within a 12-month period. The element applies only to the building on which the new façade materials are installed.
 4. Any activity not described in Subsections 19.505.3.D.2.a-c is exempt from the design elements in this subsection.

C. Review Process

Two possible review processes are available for review of multifamily or congregate housing development: objective and discretionary. An applicant may choose which process to use. The objective process uses clear objective standards that do not require the use of discretionary decision-making. The discretionary process uses design guidelines that are more discretionary in nature and are intended to provide the applicant with more design flexibility. Regardless of the review process, the applicant must demonstrate how the applicable standards or guidelines are being met.

1. Projects reviewed through the objective process will be evaluated through a Type I development review, pursuant to Chapter 19.906.
2. Projects reviewed through the discretionary process will be evaluated through a Type II development review, pursuant to Chapter 19.906.
3. A project can be reviewed using only one of the two review processes. For example, a project may not use some of the objective standards and some of the discretionary guidelines in one application.

D. Design Guidelines and Standards

Applicable guidelines and standards for multifamily and congregate housing are located in Table 19.505.3.D. These standards should not be interpreted as requiring a specific architectural style.

Table 19.505.3.D Multifamily Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
1. Private Open Space	<p>The development should provide private open space for each dwelling unit. Private open space should have direct access from the dwelling unit and should be visually and/or physically separate from common areas.</p> <p>The development may provide common open space in lieu of private open space if the common open space is well designed, adequately sized, and functionally similar to private open space.</p>	<p>Private open space (patios or balconies) shall be provided as follows:</p> <ol style="list-style-type: none"> For each dwelling unit located on the ground floor, or within 5 ft of finished grade, a minimum of 96 sq ft of private open space, with a minimum dimension of 5 ft. For each dwelling unit located more than 5 ft above finished grade, a minimum of 48 sq ft of private open space. For each dwelling unit with private open space, the private open space shall be directly accessible from the interior of the dwelling unit. Private open space shall be separated from common open space and adjacent dwelling units through the use of landscaping, fencing, or a wall.
2. Public Open Space	<p>The development should provide sufficient open space for the purpose of outdoor recreation, scenic amenity, or shared outdoor space for people to gather.</p>	<p>Common open space shall be provided as follows:</p> <ol style="list-style-type: none"> For buildings with more than 5 dwelling units, a minimum of 10% of the gross site area, or 750 sq ft, whichever is greater, shall be designated as common open space. The minimum dimension for any common open space shall be 20 ft. Projects with 20 units or less shall provide at least 2 of the following common open space features. Projects with more than 20 units shall provide at least 4 of the features: recreation area, play fields, children's play area, sport courts, gardens, permanent picnic tables, swimming pools, walking trails, pedestrian amenities, or similar items. If a development includes a children's play area, the play area shall be located such that it is visible from at least 50% of the abutting units. Play areas shall not be located within required yards. User amenities—such as tables, benches, trees, shrubs, planter boxes, garden plots, drinking fountains, spas, or pool—may be placed in the outdoor area.
3. Pedestrian Circulation	<p>Site design should promote safe, direct, and usable pedestrian facilities and connections throughout the development. Ground-floor units should provide a clear transition from the public realm to the private dwellings.</p>	<p>The on-site pedestrian circulation system shall include the following:</p> <ol style="list-style-type: none"> Continuous connections between the primary buildings, streets abutting the site, ground level entrances, common buildings, common open space, and vehicle and bicycle parking areas. At least 1 pedestrian connection to an abutting street frontage for each 200 linear ft of street frontage. Pedestrian walkways shall be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards. Walkways shall be constructed with a hard surface material, shall be permeable for stormwater, and shall be no less than 5 ft wide. If adjacent to a parking area where vehicles will overhang the walkway, a 7-ft-wide walkway shall be provided. The walkways shall be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials.

Table 19.505.3.D CONTINUED		
Multifamily Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
		e. On-site walkways shall be lighted to an average 5/10-footcandle level. Stairs or ramps shall be provided where necessary to provide a direct route.
4. Vehicle and Bicycle Parking	Vehicle parking should be integrated into the site in a manner that does not detract from the design of the building, the street frontage, or the site. Bicycle parking should be secure, sheltered, and conveniently located.	<p>Parking for the development shall comply with the following:</p> <p>a. On-site surface parking areas, garages, and vehicle maneuvering areas shall not be located directly between the façade of a primary building(s) and an abutting street right-of-way.</p> <p>b. Parking located to the side of a dwelling structure shall be limited to 50% of the linear frontage of that side. Drive aisles without adjacent parking spaces do not count as parking areas for purposes of this standard.</p> <p>c. All garages that are part of the same structure that contains dwelling units shall be located at least 4 ft behind the front building façade.</p> <p>d. For developments with more than 20 units, the covered bicycle parking required by Subsection 19.609.2.B shall meet the following standards. These standards apply instead of, and not in addition to, the standards in Subsections 19.609.3 and 4.</p> <p>(1) The parking area shall be inside a building or sheltered to provide complete, year-round protection from precipitation.</p> <p>(2) Entrance to the parking area shall be secured by lock so that only residents have access to the area.</p> <p>(3) The area shall have permanently mounted bicycle racks or hangers that allow the bicycle frame to be locked to the rack or hanger.</p> <p>(4) Spaces and aisles within the parking area shall allow for storage and movement of a bicycle width of 2.5 ft and length of 6.5 ft.</p> <p>(5) The parking area shall have an average illumination of at least 1.0 foot candle.</p> <p>(6) Parking areas not located within a dwelling structure or structured parking shall be located no further than 30 ft from the main entrance of a dwelling structure.</p>
5. Building Orientation & Entrances	Buildings should be located with the principal façade oriented to the street or a street-facing open space such as a courtyard. Building entrances should be well-defined and protect people from the elements.	<p>a. The primary building entry, or entries, for ground-floor units shall face the street right-of-way or a central common open space. Secondary entries may face parking lots or other interior site areas.</p> <p>b. Building entrances shall be emphasized through the use of features or elements such as recesses, projections, corner entries, or landscape treatments.</p> <p>c. For sites not on an arterial street, at least 50% of a site's street frontage, excluding driveways, shall be occupied by buildings that are located no further than 10 ft from the required setback line.</p> <p>d. For sites on an arterial street, at least 50% of a site's street frontage, excluding driveways, shall be occupied by buildings that are located no further than 20 ft from the required setback line.</p>

Table 19.505.3.D CONTINUED		
Multifamily Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
6. Building Façade Design	<p>Changes in wall planes, layering, horizontal datums, vertical datums, building materials, color, and/or fenestration shall be incorporated to create simple and visually interesting buildings.</p> <p>Windows and doors should be designed to create depth and shadows and to emphasize wall thickness and give expression to residential buildings.</p> <p>Windows should be used to provide articulation to the façade and visibility into the street.</p> <p>Building facades shall be compatible with adjacent building façades.</p> <p>Garage doors shall be integrated into the design of the larger façade in terms of color, scale, materials, and building style.</p>	<p>a. Street-facing building facades shall be divided into wall planes. The wall plane on the exterior of each dwelling unit shall be articulated by doing one or more of the following:</p> <ol style="list-style-type: none"> (1) Incorporating elements such as porches or decks into the wall plane. (2) Recessing the building a minimum of 2 ft deep x 6 ft long. (3) Extending an architectural bay at least 2 ft from the primary street-facing façade. <p>b. Windows shall occupy a minimum of 25% of the total street-facing façade.</p> <p>c. Buildings shall have a distinct base and top. The base of the building (ground-floor level) shall be considered from grade to 12 ft above grade. The base shall be visually distinguished from the top of the building by any of the following physical transitions: a change in brick pattern, a change in surface or siding materials, a change in color, or a change in the size or orientation of window types.</p> <p>d. To avoid long, monotonous, uninterrupted walls, buildings shall incorporate exterior wall off-sets, projections and/or recesses. At least 1 ft of horizontal variation shall be used at intervals of 40 ft or less along the building's primary façade on the ground-floor level.</p> <p>e. Blank, windowless walls in excess of 750 sq ft are prohibited when facing a public street, unless required by the Building Code. In instances where a blank wall exceeds 750 sq ft, it shall be articulated or intensive landscaping shall be provided.</p> <p>f. Garage doors shall be painted to match the color or color palette used on the rest of the buildings.</p>
7. Building Materials	<p>Buildings should be constructed with architectural materials that provide a sense of permanence and high quality.</p> <p>Street-facing façades shall consist predominantly of a simple palette of long-lasting materials such as brick, stone, stucco, wood siding, and wood shingles.</p> <p>A hierarchy of building materials shall be incorporated. The materials shall be durable and reflect a sense of permanence and quality of development.</p> <p>Split-faced block and gypsum reinforced fiber concrete (for trim elements) shall only be used in limited quantities.</p> <p>Fencing shall be durable, maintainable, and attractive.</p>	<p>a. The following building materials are prohibited on street-facing building facades and shall not collectively be used on more than 35% of any other building façade:</p> <ol style="list-style-type: none"> (1) Vinyl PVC siding (2) T-111 Plywood (3) Exterior insulation finishing (EIFS) (4) Corrugated metal (5) Plain concrete or concrete block (6) Spandrel glass (7) Sheet pressboard <p>b. The following fence materials are prohibited.</p> <ol style="list-style-type: none"> (1) Plastic or vinyl (2) Chain link

Table 19.505.3.D CONTINUED		
Multifamily Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
8. Landscaping	Landscaping of multifamily developments should be used to provide a canopy for open spaces and courtyards, and to buffer the development from adjacent properties. Existing, healthy trees should be preserved whenever possible. Landscape strategies that conserve water shall be included. Hardscapes shall be shaded where possible, as a means of reducing energy costs (heat island effect) and improving stormwater management.	<p>a. For every 2,000 sq ft of site area, 1 tree shall be planted or 1 existing tree shall be preserved.</p> <p>(1) New trees must be listed as native trees in the Milwaukie Native Plant List.</p> <p>(2) Preserved tree(s) must be at least 6 in diameter at breast height (DBH) and cannot be listed as a nuisance species in the Milwaukie Native Plant List.</p> <p>b. Trees shall be planted to provide, within 5 years, canopy coverage for at least 1/3 of any common open space or courtyard. Compliance with this standard is based on the expected growth of the selected trees.</p> <p>c. On sites with a side or rear lot line that abuts an R-10, R-7, or R-5 Zone, landscaping, or a combination of fencing and landscaping, shall be used to provide a sight-obscuring screen 6 ft high along the abutting property line. Landscaping used for screening must attain the 6 ft height within 24 months of planting.</p> <p>d. For projects with more than 20 units:</p> <p>(1) Any irrigation system shall minimize water use by incorporating a rain sensor, rotor irrigation heads, or a drip irrigation system.</p> <p>(2) To reduce the "heat island" effect, highly reflective paving materials with a solar reflective index of at least 29 shall be used on at least 25% of hardscape surfaces.</p>
9. Screening	Mechanical equipment, garbage collection areas, and other site equipment and utilities should be screened so they are not visible from the street and public or private open spaces. Screening should be visually compatible with other architectural elements in the development.	<p>Mechanical and communication equipment and outdoor garbage and recycling areas shall be screened so they are not visible from streets and other ground-level private open space and common open spaces.</p> <p>a. Appropriate screening for rooftop equipment includes parapet walls or architecturally compatible fabricated enclosures such as panels and walls.</p> <p>(1) The Planning Director may require a review of rooftop equipment screening by requesting sight line studies.</p> <p>(2) Solar energy systems are exempt from this requirement.</p> <p>b. Utilities such as transformers, heating and cooling, electric meters, and other utility equipment shall be not be located within 5 ft of a front entrance and shall be screened with sight-obscuring materials.</p>
10. Recycling Areas	Recycling areas should be appropriately sized to accommodate the amount of recyclable materials generated by residents. Areas should be located such that they provide convenient access for residents and for waste and recycling haulers. Recycling areas located outdoors should be appropriately screened or located so that they are not prominent features viewed from the street.	<p>A recycling area or recycling areas within a multifamily development shall meet the following standards.</p> <p>a. The recycling collection area must provide containers to accept the following recyclable materials: glass, newspaper, corrugated cardboard, tin, and aluminum.</p> <p>b. The recycling collection area must be located at least as close to the dwelling units as the closest garbage collection/container area.</p> <p>c. Recycling containers must be covered by either a roof or weatherproof lids.</p> <p>d. The recycling collection area must have a collection capacity of at least 100 cu ft in size for every 10 dwelling units or portion thereof.</p>

Table 19.505.3.D CONTINUED		
Multifamily Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
		<ul style="list-style-type: none"> e. The recycling collection area must be accessible to collection service personnel between the hours of 6:00 a.m. and 6:00 p.m. f. The recycling collection area and containers must be labeled, to indicate the type and location of materials accepted, and properly maintained to ensure continued use by tenants. g. Fire Department approval will be required for the recycling collection area. h. Review and comment for the recycling collection area will be required from the appropriate franchise collection service.
11. Sustain-ability	<p>Multifamily development should optimize energy efficiency by designing for building orientation for passive heat gain, shading, day-lighting, and natural ventilation. Sustainable materials, particularly those with recycled content, should be used whenever possible. Sustainable architectural elements shall be incorporated to increase occupant health and maximize a building's positive impact on the environment.</p> <p>When appropriate to the context, buildings should be placed on the site giving consideration to optimum solar orientation. Methods for providing summer shading for south-facing walls, and the implementation of photovoltaic systems on the south-facing area of the roof, are to be considered.</p>	<p>In order to promote more sustainable development, multifamily developments shall incorporate the following elements.</p> <ul style="list-style-type: none"> a. Building orientation that does not preclude utilization of solar panels, or an ecoroof on at least 20% of the total roof surfaces. b. Windows that are operable by building occupants. c. Window orientation, natural shading, and/or sunshades to limit summer sun and to allow for winter sun penetration. d. Projects with more than 20 units shall incorporate at least 2 of the following elements: <ul style="list-style-type: none"> (1) A vegetated ecoroof for a minimum of 30% of the total roof surface. (2) For a minimum of 75% of the total roof surface, a white roof with a Solar Reflectance Index (SRI) of 78 or higher if the roof has a 3/12 roof pitch or less, or SRI of 29 or higher if the roof has a roof pitch greater than 3/12. (3) A system that collects rainwater for reuse on-site (e.g., site irrigation) for a minimum of 50% of the total roof surface. (4) An integrated solar panel system for a minimum of 30% of the total roof or building surface. (5) Orientation of the long axis of the building within 30 degrees of the true east-west axis, with unobstructed solar access to the south wall and roof. (6) Windows located to take advantage of passive solar collection and include architectural shading devices (such as window overhangs) that reduce summer heat gain while encouraging passive solar heating in the winter.

Table 19.505.3.D CONTINUED		
Multifamily Design Guidelines and Standards		
Design Element	Design Guideline (Discretionary Process)	Design Standard (Objective Process)
12. Privacy Considerations	Multifamily development should consider the privacy of, and sight lines to, adjacent residential properties, and be oriented and/or screened to maximize the privacy of surrounding residences.	<p>In order to protect the privacy of adjacent properties, multifamily developments shall incorporate the following elements:</p> <ol style="list-style-type: none"> The placement of balconies above the first story shall not create a direct line of sight into the living spaces or backyards of adjacent residential properties. Where windows on a multifamily development are within 30 ft of windows on adjacent residences, windows on the multifamily development shall be offset so the panes do not overlap windows on adjacent residences, when measured at right angles. Windows are allowed to overlap if they are opaque, such as frosted windows, or placed at the top third of the wall, measured from floor to ceiling height in the multifamily unit.
13. Safety	<p>Multifamily development should be designed to maximize visual surveillance, create defensible spaces, and define access to and from the site. Lighting should be provided that is adequate for safety and surveillance, while not imposing lighting impacts to nearby properties. The site should be generally consistent with the principles of Crime Prevention Through Environmental Design:</p> <ul style="list-style-type: none"> Natural Surveillance: Areas where people and their activities can be readily observed. Natural Access Control: Guide how people come to and from a space through careful placement of entrances, landscaping, fences, and lighting. Territorial Reinforcement: Increased definition of space improves proprietary concern and reinforces social control. 	<ol style="list-style-type: none"> At least 70% of the street or common open space frontage shall be visible from the following areas on 1 or more dwelling units: a front door; a ground-floor window (except a garage window); or a second-story window placed no higher than 3.5 ft from the floor to the bottom of the windowsill. All outdoor common open spaces and streets shall be visible from 50% of the units that face it. A unit meets this criterion when at least 1 window of a frequently used room—such as a kitchen, living room and dining room, but not bedroom or bathroom—faces a common open space or street. Uses on the site shall be illuminated as follows: <ol style="list-style-type: none"> Parking and loading areas: 0.5 footcandle minimum. Walkways: 0.5 footcandle minimum and average of 1.5 footcandles. Building entrances: 1 footcandle minimum with an average of 3.5 footcandles, except that secondary entrances may have an average of 2.0 footcandles. Maximum illumination at the property line shall not exceed 0.5 footcandles. However, where a site abuts a nonresidential district, maximum illumination at the property line shall not exceed 1 footcandle. Developments shall use full cut-off lighting fixtures to avoid off-site lighting, night sky pollution, and shining lights into residential units.

Clean Amendments – DISCUSSION DRAFT

OCTOBER 2014

Zoning Ordinance

CHAPTER 19.900 LAND USE APPLICATIONS

19.907 DOWNTOWN DESIGN REVIEW

19.907.1 Purpose

Downtown Design Review is intended to achieve the following purposes:

- A. Preserve and enhance the character of downtown Milwaukee;
- B. Ensure a degree of order, harmony, and quality in the downtown, providing buildings and projects that are attractive individually yet contribute to a downtown that is unified and distinctive as a whole;
- C. Ensure that new development and alterations or enlargement of existing development are consistent with the Downtown Design Standards or Guidelines and Downtown and Riverfront Land Use Framework Plan; and
- D. Provide a design review process that allows applicants to choose standards or more flexible discretionary guidelines.

19.907.2 Downtown Design Review Approval Process

- A. To achieve the purpose of the downtown design standards, there are three Downtown Design Review processes through which to apply for approval:
 1. Type I. The ministerial review track provides for a Type I review process pursuant to Section 19.1004 using the design standards in Section 19.508. It is generally intended for smaller building and site renovation projects listed in Subsection 19.907.3.A.
 2. Type II. The administrative review track provides for a Type II process pursuant to Section 19.1005 that requires staff review utilizing the standards in Section 19.508. It generally applies to new development and renovation/remodeling projects listed in Subsection 19.907.3.B.
 3. Type III. The discretionary review track provides for a Type III review process pursuant to Section 19.1006 through which the Design and Landmark Committee and Planning Commission determine conformance with the *Downtown Design Guidelines*.
- B. Designing a project to the design standards would result in a Type I or II review process. However, applicants, at their option, may choose to use Type III discretionary review. Applicants can address Downtown Design Review requirements through a combination of satisfying certain design standards, and in instances where they elect not to utilize design standards, satisfy applicable design guidelines instead. In such a case, the public hearing and decision will focus on whether or not the project satisfies the requirements of the applicable design guidelines only.

19.907.3 Downtown Design Review Applicability

Applications for Downtown Design Review shall be processed through a Type I, II, or III procedure in accordance with Chapter 19.1000, as follows:

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- A. Exemptions. Downtown Design Review does not apply to the following projects:
1. Demolition, unless listed on the City of Milwaukie Historic Resource Inventory and subject to the standards of Chapter 19.403.
 2. Building additions less than 250 square feet that do not face a street
 3. Maintenance, restoration and repair of a building in a manner that is consistent with previous approvals and/or necessary for safety. Examples include paint retouching and other routine upkeep of the building exterior, and replacement of damaged siding, and restoration of building components back to their original state.
 4. Projects undertaken to bring an existing development into compliance with the Americans with Disabilities Act
 5. Exterior painting and weatherproofing
 6. Any exterior project that doesn't require a building permit
 7. Interior remodeling
- B. Type I
1. Applicability
 - a. Demolition or replacement of less than 25% of the surface area of any exterior wall or roof
 - b. Addition, elimination, or change in location of windows that does not decrease the overall percentage of window coverage
 - c. Addition, elimination, or change in location of entry doors and loading doors.
 - d. Addition of new, or change to existing, awnings, canopies, and other mounted structures to an existing façade
 - e. For commercial and mixed use developments, modification of up to [15] % of on-site landscaping with no reduction overall landscaping percentage. Modification refers to changing the hardscape elements and the location of required landscaped areas and/or trees
 - f. Modification of an off-street parking area with no reduction in parking spaces or increase in paved area
 - g. Addition of new fences, retaining walls, or both
 - h. Change of existing grade
 - i. An increase in floor area proposed for a nonresidential use of less than 10% or under 2,000 square feet, whichever is greater.
 - j. A reduction in the area reserved for common open space and/or usable open space which does not reduce the open space area below the minimum required or reduces the open space area by less than 10%
 - k. A new stand-alone multifamily residential building that meets the objective design standards in Table 19.505.3.D
- C. Type II
1. Applicability
 - a. New development that meets the design standards of Section 19.508.

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- b. An increase in the height of an existing building
- c. An increase in floor area proposed for a nonresidential use by more than 10% or 2,000 square feet, whichever is greater.
- d. A reduction in the area reserved for common open space and/or usable open space which reduces the open space area below the minimum required or reduces the open space area by more than 10%.
- e. A new stand-alone multifamily residential building that satisfies the design guidelines in Table 19.505.3.D

D. Type III

- 1. Applicability
 - a. Any project, at the applicant's option
 - b. A project that is unable to meet one or more of the design standards of Sections 19.508.

19.907.4 Application

Applications for Downtown Design Review shall be filed with the Planning Department on forms prescribed by the Planning Director. The applicant shall demonstrate compliance with applicable zoning criteria. In addition to all information specified on the "Submittal requirements" and "Site plan requirements" forms, each application for Downtown Design Review shall be accompanied by the following information:

- A. Completed Downtown Design Review checklist (for Type III only).
- B. Written statement that describes the following:
 - 1. For Type I and II Downtown Design Review, how the proposal is consistent with applicable downtown design standards in Section 19.508.
 - 2. For Type III Design Review, how the proposal meets applicable design guidelines in the *Milwaukie Downtown Design Guidelines* document.
- C. Show footprints of surrounding buildings, including driveways and pedestrian connections.
- D. Location, dimension, and setbacks of all proposed buildings, structures, walls, and fences.
- E. Dimensioned building elevations indicating height, exterior materials, colors, and details of exterior architectural features, such as cornices, windows, and trim.
- F. A streetscape drawing showing the relationship of the proposed project to adjacent buildings.
- G. Frontage improvements in the public right-of-way per the Public Works Standards.

19.907.5 Approval Criteria for Design Review

The approval authority may approve, approve with conditions, or deny Downtown Design Review based on the following approval criteria:

- A. Compliance with Title 19;
- B. For Type I Downtown Design Review, compliance with applicable design standards in Section 19.508 and any prior land use approvals;
- C. For Type II Downtown Design Review, compliance with applicable design standards in Section 19.508;

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- D. For Type III Downtown Design Review, substantial consistency with the applicable Downtown Design Guidelines.

19.907.6 Report and Recommendation by Design and Landmarks Committee

The Design and Landmarks Committee shall hold a public meeting and prepare a Downtown Design Review report for Type III applications pursuant to Section 19.1011. The Planning Commission shall consider the findings and recommendations contained in the Downtown Design Review report during the public hearing on the proposal.

19.907.7 Variances

- A. Variances cannot be granted for the downtown design standards of Section 19.508. Applications unable to meet a standard must use the Type III discretionary Downtown Design Review process.
- B. For applications using the Type III Downtown Design Review process, adjustments will only be allowed for the development standards and design standards that could not be met. Variances to the design guidelines themselves will not be granted.

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