

# ARTICLE 7 DESIGN REVIEW

## SECTION 7.0000 PURPOSE AND AUTHORITY

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### 7.0001 Purpose

Design Review examines most residential, commercial, industrial and institutional developments and developments in Design Districts for compliance with the design criteria of the Community Development Code.

### 7.0002 General

- A.** The scope of Design Review reviews the proposed use, the exterior of the buildings, structures, and other development and the site on which the buildings, structures, and other development is located.
- B.** All Design Review requests shall comply with all applicable standards in the Community Development Code. Development which only affects a portion of a site shall conform with the applicable standards for that portion of the site where development is proposed. Where Nonconforming development exists on part of a site (not being re-developed) compliance with the Standards applicable to Non-Conforming Developments in **Section 8.0200** is required unless otherwise noted.
- C.** In mixed-use projects, the standards and criteria for each component use as described in **Section 7.0100**, **Section 7.0200**, and **Section 7.0500** shall apply to the review of each component of the mixed-use proposal.
- D.** Uses exempt from Design Review include:
  - 1.** Duplexes in the LDR-5, LDR-7, TR, TLDR district, LDR-PV or LDR-SW
  - 2.** Single-Family detached homes
  - 3.** Accessory and Ancillary dwellings
  - 4.** Minor basic utilities
  - 5.** Portable classrooms
  - 6.** Co-located antennas for a wireless communications facility
  - 7.** Renewable energy systems except that the following standards discussing mechanical equipment placement and screening apply:
    - a.** 4.1151(A)(1)(C)(13) and (25)
    - b.** 4.1151(A)(1)(D)(13) and (25)
    - c.** 4.1151(B)(2)(C)(1) and (2)
    - d.** 4.1151(B)(2)(D)(1) and (2)

- e. 4.1250(B)(4)(G2)
- f. 4.1250(B)(4)(S1) and (G1)
- g. 4.1250(B)(4)(S7) and (G7)
- h. 4.1250(B)(7)(S3) and (G3)
- i. 4.1428(G)(11)
- j. 4.1528(G)(9)
- k. 4.1568(B)(15)
- l. 7.0103(B)(2)(C)(2) and (7)
- m. 7.0103(B)(2)(D)(2) and (7)
- n. 7.0103(B)(4)(C)(3)
- o. 7.0103(B)(4)(D)(3)(d)
- p. 7.0201(L)(8)(b), (c) and (d)
- q. 7.0202(Q)
- r. 7.0503(B)(2)(C)(1) and (2)
- s. 7.0503(B)(2)(D)(1) and (2)
- t. 7.0503(C)(1)(C)(1) and (4)
- u. 7.0503(C)(1)(D)(1) and (4)(b)
- v. 7.0503(B)(2)(C)
- w. 7.0503(B)(2)(D)
- x. 7.0603(B)(5)(C)(1)
- y. 7.0603(B)(5)(D)(1)
- z. 7.0603(C)(1)(C)(3) and 7.0603(C)(1)(D)(3)

8. Structures under 200 square feet not visible from a public place.

- E. Exemption from Design Review does not exempt a development from meeting other relevant standards within the Community Development Code including but not limited to: district standards, transit standards, non-conforming development standards, and public facilities standards.
- F. In Design Districts where standards and guidelines have been established, two tracks are available for design review. Under the clear and objective track, applications are evaluated using design standards. Under the discretionary track, applications are evaluated using design guidelines.

### **7.0003 Applications**

An application for Design Review is subject to the highest possible level of review, given the thresholds for different reviews described below. Design Review A is the lowest level; Design Review E is the highest level Design Review. For uses not listed in **Table 7.0003**, the Manager shall determine which level of Design Review is appropriate.

When there is a conflict in the noted Design Review permit types, the more restrictive shall apply.

Table 7.0003 Design Review Categories

CATEGORY	PROCESS	CONDITIONS	DEVELOPMENT TYPE
DR-A	Type I reviewed with Building Permit unless otherwise noted.	Primary Use is not changing <sup>1</sup>	<ol style="list-style-type: none"> <li>1. <b>All Districts:</b> Interior tenant improvements.</li> <li>2. <b>All Districts:</b> Additions to or alterations of canopies, awnings, windows, doors or other alterations to mounted structures on the roof or façade.</li> <li>3. <b>All Districts:</b> New structures without floor areas (such as carports) not exceeding 1000 square feet in size and not visible from a public place.</li> <li>4. <b>All Districts:</b> Outdoor area additions of 5% of the existing outdoor area or 1000 square feet, whichever is less. <sup>2</sup></li> <li>5. <b>All Districts:</b> Accessory Dwellings meeting the standards of <b>Section 10.0100</b> and located within the existing primary home.</li> <li>6. <b>DCC, DMU, DTM, DRL-1, DRL-2, CNRM:</b> Accessory Dwellings of no more than 750 square feet.</li> <li>7. <b>Design Districts:</b> Floor area additions of no more than 1000 sf, up to 5% of the floor area of the entire site and adding less than 50' of building frontage on a street<sup>2</sup> and using all clear and objective standards.</li> <li>8. <b>Design Districts:</b> Accessory structures of no more than 1000 sf, up to 5% of the entire site that add less than 50' of building frontage on a street<sup>2</sup> and using all clear and objective standards.</li> <li>9. <b>Design Districts:</b> Changes to facades of one-story buildings no more than 160 feet in width and using all clear and objective standards</li> <li>10. <b>Design Districts:</b> Structures under 200 square feet visible from a public place using all clear and objective standards. No building permit required.</li> </ol>

CATEGORY	PROCESS	CONDITIONS	DEVELOPMENT TYPE
DR-B	Type I application.	<ul style="list-style-type: none"> <li>- Outside of Design Districts</li> <li>- Primary Use is not changing<sup>1</sup></li> <li>- Parking, landscaping and buffering requirements met</li> <li>- Public facilities adequate</li> <li>- No additional residential units</li> <li>- Thresholds of DR-A exceeded</li> </ul>	<p>1. <b>Industrial Designations:</b></p> <ul style="list-style-type: none"> <li>- Additions over 1000 square feet and not exceeding 25,000 square feet</li> <li>- Additions not to exceed 25% of existing floor area</li> </ul> <p>2. <b>Non-Industrial Designations:</b><sup>2</sup></p> <ul style="list-style-type: none"> <li>- No new structures</li> <li>- Additions over 1000 square feet and not exceeding 25,000 square feet</li> <li>- Floor area additions not exceeding 25% of existing floor area.</li> <li>- New outdoor areas over 1,000-sf or outdoor area additions exceeding 1,000-sf, but not to exceed 25% of the existing outdoor area of the entire site.</li> </ul>
DR-C	Type II application.  No pre-application except those involving building design standards.  No Neighborhood Meeting required.	<ul style="list-style-type: none"> <li>- No increase in residential density that requires an increase in building area.</li> <li>- No new buildings proposed</li> </ul>	<p>1. <b>All Districts:</b></p> <ul style="list-style-type: none"> <li>- Change to a primary use<sup>1</sup></li> <li>- Change to public facility requirements</li> <li>- Changes to buffers including alternate buffers</li> <li>- New driveway access</li> <li>- Change in landscaping requirements</li> <li>- Expansion of an existing parking lot</li> <li>- New parking lots</li> <li>- New outdoor areas or additions to outdoor areas exceeding those allowed in DR-A and DR-B</li> </ul> <p>2. <b>Downtown Plan District: Duplexes</b></p> <p>3. <b>Design Districts:</b></p> <ul style="list-style-type: none"> <li>- Exceeds DR-A thresholds</li> <li>- Structures of less than 200 sf visible from a public place and using up to three discretionary standards.</li> <li>- All clear and objective standards or no more than three discretionary standards: <ul style="list-style-type: none"> <li>• Addition of less than 50 feet of building frontage along a street</li> <li>• Exterior façade changes exceeding one story or 160 feet in length</li> <li>• New structures or additions with a total of no more than 2000 sf or new structures or additions without floor area not to exceed 2000 sf in area <sup>2</sup></li> </ul> </li> </ul>

CATEGORY	PROCESS	CONDITIONS	DEVELOPMENT TYPE
DR-D	Type II application.  Pre-application and Neighborhood Meeting unless otherwise noted.	<ul style="list-style-type: none"> <li>- Thresholds of DR-A through DR-C exceeded</li> <li>- DR-E threshold not met</li> </ul>	<p>1. <b>All Districts:</b> Developments of less than 10,000 sf (less than 20,000 sf in Corridor Districts) or less than 50 feet of new building frontage on a street including new buildings or additions to existing buildings.</p> <p>2. <b>Design Districts:</b> New commercial, institutional and mixed use building(s) proposing the use of up to three discretionary. Uses include:</p> <ul style="list-style-type: none"> <li>- Multi-Family</li> <li>- Single Family Attached</li> <li>- Manufactured Dwelling Parks</li> <li>- Commercial construction</li> <li>- Mixed Use Construction</li> <li>- Institutional Use Construction</li> <li>- Parking Garages</li> </ul> <p>3. <b>Design Districts:</b> Additions to commercial, institutional and mixed use proposing the use of up to three discretionary standards and exceeding the thresholds of DR-A through DR-C, but not exceeding 10,000 sf (20,000 sf in the Corridor Districts).</p> <p>Developments that include residential development and are adding five or fewer more units if adjacent to LDR-5, LDR-7, TR, DRL-1, DRL-2, LDR-PV, LDR-SW or within TLDR, DRL-1 or DRL-2.</p> <p>Developments that include residential development and are adding more than 10 units if adjacent to any other land use district.</p> <p>4. <b>Design Districts:</b> Developments that exceed the threshold of DR-C but propose the use of all clear and objective standards.</p> <p>5. <b>Industrial Districts:</b> Construction not requiring a Neighborhood Meeting:</p> <ul style="list-style-type: none"> <li>- Industrial Office</li> <li>- Information Services</li> <li>- Manufacturing</li> <li>- Trade Schools</li> <li>- Transportation/Distribution</li> <li>- Warehousing/Storage</li> </ul> <p>6. <b>Industrial Districts:</b> Construction requiring a Neighborhood Meeting:</p> <ul style="list-style-type: none"> <li>- Construction</li> <li>- Exclusive Heavy Industrial</li> <li>- Miscellaneous Industrial</li> <li>- Waste Management</li> <li>- Wholesale Trade</li> </ul>

CATEGORY	PROCESS	CONDITIONS	DEVELOPMENT TYPE
DR-E	Type III application.  Design Commission hearing. Pre-application and Neighborhood Meeting.	- Design Districts only  - Thresholds of DR-A through DR-D exceeded	<b>Design Districts:</b> - Structures of less than 200 square feet, visible from a public place and using more than three discretionary standards. - Additions of more than 5 dwelling units to existing multi-family developments abutting LDR-5, LDR-7, TR, TLDR, DRL-1, DRL-2 or within TLDR, DRL-1 and DRL-2 and using at least one discretionary standard. - Additions of more than 10 dwelling units to existing multi-family developments abutting all other districts and using at least one discretionary standard. - Any other development, regardless of size, proposing more than three discretionary standards.

<sup>1</sup> A change in use from an allowed commercial use to a use subject to Special Use Review and a change to an allowed commercial use is not considered a change in use for the purpose of this section.

<sup>2</sup> If another application is submitted for additional area less than 12 months after any previous application submittals, the total floor area increase for all applications during that 12-month period will be added together to determine the level of review.

See applicability statements in individual design review district sections for exceptions, and also **Table 11.0204** Land Use Applications and Review Authorities.

### 7.0004 Phased Design Review

- A. Purpose:** The purpose of a Phased Design Review is to review and approve a specific design proposal for a site that is achieved over a longer time horizon than what is typical without having to go through a new design review for future phases.
- B. Time Scope:** The Manager may authorize a time schedule for developing the various phases in periods of time in excess of two years, but in no case shall the total time period for all stages exceed seven years. Each stage shall conform to the applicable requirements of the Code.
- C. When Modifications are Required:** Modifications may be required to portions of a Phased Design Review developed after the passage of one year to comply with change(s) in the Community Development Code. Modifications are not required for components of the site approved and developed under previous approvals.
- D. How Modifications are Reviewed:** A modification to a Phased Design Review to meet new Code standards shall be reviewed through the highest applicable Design Review procedure specified in **Section 7.0000**. However, modifications are not subject to a pre-application conference or an early neighborhood meeting. Modifications must meet standards in the Development Code, unless meeting standards requires the removal of improvements approved and developed made under previous approvals.
- E.** If a phased development or subdivision is proposed or developed for an MDR-24 development with single family attached dwellings, or for single family attached dwelling in the RTC, SC, CMF, or CMU districts, each phase shall comply with all applicable Design Review requirements.

### **7.0005 Models in the Downtown Plan Area**

- A.** For proposals that were approved through the design review process in the area shown on **Figure 7.0005**, a three-dimensional, basswood (or similar material as approved by the Manager) model of the approved proposal is required for new developments or for existing buildings where expansion will increase the building footprint by more than 50 percent.
- B.** The three-dimensional model of the proposal as approved must be submitted to be placed in the City's Downtown model prior to the issuance of a building permit.
- C.** The scale of the model must be 1 inch equals 50 feet.
- D.** The model requirements will be waived if the application does not involve a change in the bulk of buildings on a site for which the City possesses an accurate model.

**(Figure 7.0005 follows)**

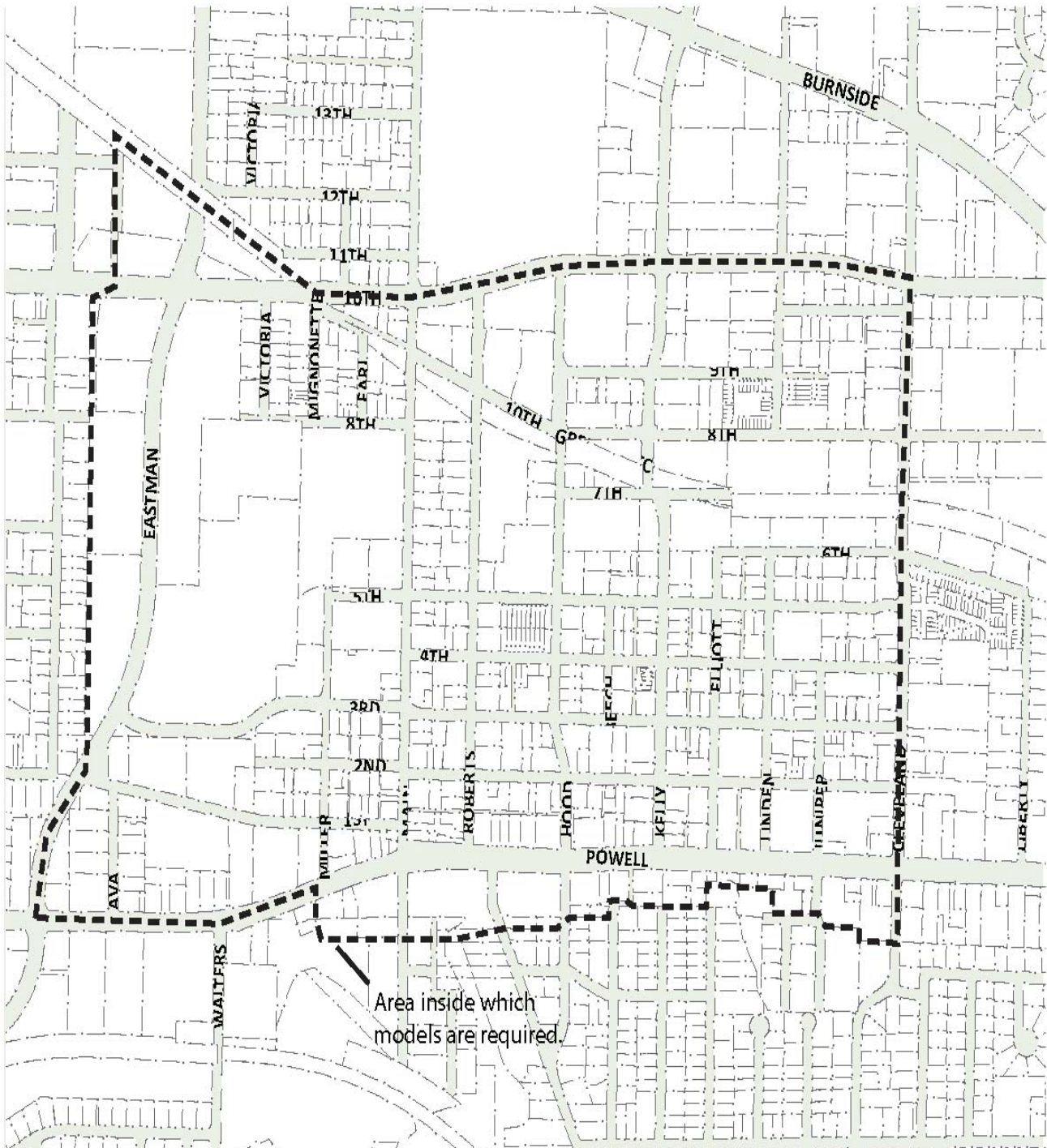


Figure 7.0005