



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Office of the Director**  
FROM CONCEPT TO CONSTRUCTION

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**Report to Council**

April 19, 2017

TO: Mayor Ted Wheeler  
Commissioner Chloe Eudaly  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Dan Saltzman

FROM: Paul L. Scarlett, Director  
Bureau of Development Services

PLS

SUBJECT: **Portland Design Commission 2017 State of the City Design Report**

The attached report is the Annual Report of the Portland Design Commission State of the City Design Report for 2017. The report is required by the Portland Zoning Code [Title 33] to fulfill the Annual Report requirement for its actions and accomplishments for each fiscal year.

**Current Issues and Concerns before Council today:**

The Design Commission is a particularly active volunteer Commission, meeting 38 times in 2016 for Land Use cases and holding 24 Design Advice Requests (a form of early assistance to Design Review customers prior to submitting their Design Review applications) and eleven briefings on matters ranging in scale from the Design Overlay Zoning Assessment, Central City 2035 Planning and Zone Changes, Mixed-Use Zone Project, and Inclusionary Zoning.

Both BDS and the Design Commission see the need to be closely engaged in changes to the Portland Central City 2035 Plan and the Design Overlay Zoning Assessment efforts led by the Bureau of Planning and Sustainability. Our specific areas of focus are:

1. **Design Overlay Zoning Assessment [DOZA] - Assessing, Improving, and Expanding the "d" Overlay Zone.** The DOZA Project, which the City Council will hear final recommendation on April 26, 2017, highlights many new opportunities and already successful aspects of Design Review. The Portland Design Commission has three specific areas to emphasize: Rewrite the Community Design Standards, Simplify the Design Guidelines and Establish a Citizen Academy.
  - a. **Rewrite the Community Design Standards**  
The "d" Overlay Zone offers a two-track system in much of the city, offering applicants the choice to either:

- The non-discretionary track - Comply with the objective design standards in Zoning Code Chapter 33.218 – Community Design Standards at the time of Building Permit application (no Design Review); or
- The discretionary track - Apply for a discretionary Design Review where the proposal must satisfy a set of approval criteria and adopted Design Guidelines.

The Community Design Standards are not succeeding in producing well-designed buildings, nor contextually responsive projects in many cases; they need to be re-written. We need better tools to get the results the community expects and the process deserves. For example, the Standards are based on the Albina Plan Area Character; however they have been applied City-wide. Additionally, many of the Design Standards have not been updated since the late 1990's. The City has experienced significant change since then, including our views on how design can impact the urban environment, but we don't have the tools to achieve those goals. The Portland Design Commission wholeheartedly supports the DOZA Reports recommendation that the Community Design Standards of the Portland Zoning Code are rewritten before the implementation of addition Design Overlay Zoning.

- b. **Simplify the Design Guidelines.** As noted in the DOZA report, the current list of Design Guidelines are too complex, many outdated [some date back to the 1980's] and ultimately bogging down the overall Design Review process, adding delays in processing and in some cases, inhibiting better design solutions. Again, Portland is a different City from when our tools were crafted; it is time our Design Guidelines reflect current thinking and practices. The Portland Design Commission wholeheartedly supports the recommendation that the Design Guidelines are simplified to help streamline the overall approval criteria for the Design Review process.
  - c. **Establish a Citizen Academy.** As discussed in the DOZA report, more public outreach and education is needed to help support an active and thriving Design Review process. The Portland Design Commission wholeheartedly supports this recommendation.
2. **Expand the Active Ground Floor Use Definition.** As development activity continues to increase in the City, the Design Commission has taken note of a number of developments along commercial corridors that have placed ground floor residential units, often at the street property line, with little to no activity-enhancing design features such as porches, raised stoops or setbacks to encourage an active residential frontage. The result has typically resulted in closed windows with shades drawn, effectively depriving not only the public street of an active frontage condition, but also the lost opportunity of the residents to actively engage the street environment with an appropriate transition area. The livability for residents of these ground floor units is also of concern, given the lack of privacy, as well as the security concerns if they have their windows open, etc. These conditions negatively impact the economic vitality of the commercial corridor as much as the residents' livability. The Portland Design Commission supports the continued efforts by BPS in current and upcoming legislative efforts to better define minimum Zoning requirements for ground floor frontage to require active and safe urban street conditions.

3. **Incentivize the East Burnside Arcade District.** In a celebrated collaboration with the Portland Bureau of Transportation, and former Commissioner-in-Charge Steve Novick, the required Major Encroachment Review Process for arcades in this district was eliminated. This change in policy broke down a 6-month barrier to achieving a required arcade Design Guideline for the East Burnside Arcade District between NE Martin Luther King Jr. Boulevard and NE 12<sup>th</sup> Avenue. The final step to complete this Arcade District effort would be to eliminate the associated fee for building area over the sidewalk right-of-way still required by PBOT. The Portland Design Commission supports the continued collaboration with PBOT and current Commissioner-in-Charge Dan Saltzman to eliminate the lease fee for buildings over the right-of-way to better incentivize the East Burnside Arcade District.
4. **Minimum Development [Floor Area Ratio and Height].** As we are seeing with the development of low-rise buildings in South Waterfront, the goals and aspirations for higher density in some subdistricts of the Central City is not being realized. Given the pace of development and the historic underutilization of land within the Central City, the Commission is concerned that allowing buildings to be built below—sometimes far below—established FAR and height targets raises the question of how much land will actually be developed in a manner consistent with the goals of Central City 2035. Considering the minimum FARs and minimum heights as proposed with the Central City 2035 Plan, a larger minimum of 75% FAR of the Central City 2035 should be considered.
5. **Establish a comprehensive strategy for truck loading and services.** The Design Commission has seen an increase in large scale mixed-use development, which triggers a requirement for two 35' deep loading stalls per the Portland Zoning Code. While certain situations may necessitate this deep and double-wide loading dock condition, the impact on the urban environment – particularly when the loading docks are not being used – creates an inactive frontage and a missed opportunity for additional retail and otherwise more pedestrian active streetscape condition. As discussed in recent hearings with PBOT and the Design Commission, both groups support forwarding efforts to the Bureau of Planning and Sustainability to consider a reduction in this requirement.

#### **Background:**

The Design Commission provides leadership and expertise on urban design and architecture and on maintaining and enhancing Portland's historical and architectural heritage.

The Design Commission consists of seven members, none of whom may hold public elective office. The Commission must include a representative of the Regional Arts and Culture Council, one person representing the public at-large, and five members experienced in either design, engineering, financing, construction or management of buildings, and land development. No more than two members may be appointed from any one of these areas of expertise. The Regional Arts and Culture Council member is nominated by the Regional Arts and Culture Council chair and approved by the Mayor. The other members are appointed by the Mayor and confirmed by the City Council.

The Design Commission meets at least once a month and as necessary to act on reviews assigned to them by this Title 33. Meetings are conducted in accordance with adopted rules of procedure.

Four members constitute a quorum at a meeting. The election of officers takes place at the first meeting of each calendar year.

The Design Commission may divide its membership into special subcommittees which are authorized to act on behalf of the Commission for an assigned purpose. Three members of the Commission constitute a quorum on such subcommittees. Subcommittee actions require the affirmative vote of at least three members.

**Powers and duties:**

The Design Commission has all of the powers and duties which are assigned to it by Title 33 or by City Council. The Commission powers and duties include:

1. Recommending the establishment, amendment, or removal of a design district to the Planning and Sustainability Commission and City Council;
2. Developing design guidelines for adoption by City Council for all design districts except Historic Districts and Conservation Districts;
3. Reviewing major developments within design districts, except those projects involving or located within the following:
  - a. Historic Districts;
  - b. Conservation Districts;
  - c. Historic Landmarks; and
  - d. Conservation Landmarks.
4. Reviewing other land use requests assigned to the Design Commission; and
5. Providing advice on design matters to the Hearings Officer, Planning and Sustainability Commission, Historic Landmarks Commission, Portland Development Commission, and City Council.

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**TO THE COUNCIL**

The Commissioner of Public Safety concurs with the recommendations of the Director of the Bureau of Development Services and

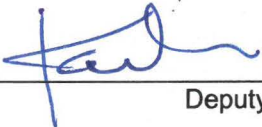
**RECOMMENDS:**

That the Council accepts this Portland Design Commission State of the City Design Report to Council and report as set forth in Exhibit A, B, and C.

Respectfully submitted,  
Commissioner Chloe Eudaly

Agenda No.  
**REPORT**  
Title

Accept the Portland Design Commission 2017 State of the City Design Report (Report)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Commissioner Chloe Eudaly</b></p>	<p>CLERK USE: DATE FILED <u>APR 11 2017</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly <i>CDE</i></p>	<p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Bureau of Development Services</p> <p>Bureau Head: <i>P. Scarlett</i> Paul L. Scarlett, Director</p>	<p><b>ACTION TAKEN:</b></p> <p>APR 19 2017 <b>ACCEPTED</b></p>
<p>Prepared by: Leanne Torgerson Date Prepared: 4/6/17</p>	
<p><b>Impact Statement</b></p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p><b>City Auditor Office Approval:</b> required for Code Ordinances</p>	
<p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date <b>4/19/17, 2:00TC</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: <b>2:00 TC</b></p> <p><b>Total amount of time needed: 1 hour</b> (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	_____	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	