



# DOZA

## DESIGN OVERLAY ZONE AMENDMENTS

VOLUME 2 | CODE & MAP AMENDMENTS

Recommended Draft - *As Amended*  
*June 2021*



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## Next Steps

The Portland City Council will hold a public hearing on this *Recommended Draft* of the Design Overlay Zone Amendments (DOZA) in early 2021. The public will be invited to submit formal comments (called public testimony) to the City Council in advance or at their public hearing. At the conclusion of their hearing, the Council may amend the recommendation and subsequently vote to adopt the changes. Please visit [www.portlandoregon.gov/bps/doza](http://www.portlandoregon.gov/bps/doza) for information on hearing dates and how to testify.

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**Portland Citywide Design Guidelines**

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**Volume 4 – Appendices** (under separate cover)

**Appendix A:** BDS Administrative Improvements

**Appendix B: Housing Affordability Memo** (February 6, 2017)

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## Section 6: Zoning Code Amendments

This document is formatted to facilitate readability by showing draft code and map amendments on the right-hand (odd) pages and explanatory commentary on the facing left-hand (even) pages. Underlined formatting indicates added text, while ~~striketrough~~ formatting shows what text is deleted. The table of contents provides page numbers for each affected chapter of the zoning code, sign code and map amendments.

The amendments are organized by code chapter.

Only sections of the code that are amended are included in the document.

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## Commentary

### 33.150 Campus Institutional Zones

#### 33.150.030 Characteristics of the Zone

- C. **IR zone.** This amendment corrects the reference made to the Design overlay zone chapter which is 33.420. The title of Chapter 33.420 is not a design review overlay—it is the Design Overlay Zone.



## 33.150 Campus Institutional Zones

150

### 33.150.030 Characteristics of the Zones

A.-B. [No change.]

- C. **IR zone.** The IR zone is a multi-use zone that provides for the establishment and growth of large institutional campuses as well as higher density residential development. The IR zone recognizes the valuable role of institutional uses in the community. However, these institutions are generally in residential areas where the level of public services is scaled to a less intense level of development. Institutional uses are often of a significantly different scale and character than the areas in which they are located. Intensity and density are regulated by the maximum number of dwelling units per acre and the maximum size of buildings permitted. Some commercial and light industrial uses are allowed, along with major event entertainment facilities and other uses associated with institutions.

Residential development allowed includes all structure types. Mixed use projects including both residential development and institutions are allowed as well as single use projects that are entirely residential or institutional. IR zones will be located near one or more streets that are designated as District Collector streets, Transit Access Streets, or streets of higher classification. The IR zone will be applied only when it is accompanied by the ~~“d”~~ Design Review overlay zone.

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## Commentary

### 33.218 Community Design Standards

#### 33.218.010 Purpose

The rewrite and reconfiguration of the design guidelines and design standards for many areas of the city means that the current Community Design Standards are no longer applicable in areas with the Design overlay zone. The new design standards contained in Chapter 33.420 replace this set of standards for development in the Design overlay zones.

As a result, the purpose of the community design standards is amended to focus the purpose on conservation districts and conservation landmarks. References to the Design overlay zone and design review are removed from the purpose statement.

## 33.218 Community Design Standards

218

### 33.218.010 Purpose

~~Design review and~~ Historic resource review ensures that development conserves and enhances the recognized ~~special design~~ values of a site or area, and promote the conservation, enhancement, and continued vitality of special historic areas of the City.

The Community Design Standards provide an alternative process to ~~design review and~~ historic resource review for some proposals. Where a proposal is eligible to use this chapter, the applicant may choose to go through the discretionary ~~design~~ review process set out in ~~Chapter 33.825, Design Review, and~~ Chapter 33.846, Historic Resource Reviews, or to meet the objective standards of this chapter. If the applicant chooses to meet the objective standards of this chapter, no discretionary review process is required.

The purpose of these standards is to:

- A. Ensure that new development enhances the character and livability of Portland's historic neighborhoods;
- B. Ensure that increased density in established neighborhoods makes a positive contribution to the area's character;
- C. Ensure the historic integrity of conservation landmarks and the compatibility of new development in conservation districts;
- D. Enhance the character and environment for pedestrians in historic areas ~~designated as design zones~~;
- E. Offer developers the opportunity to comply with specific objective standards as a more timely, cost effective, and more certain alternative to the ~~design review and~~ historic resource review process.

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## Commentary

### 33.218.015 Procedure

The rewrite and reconfiguration of the design guidelines and design standards for most of the city means that the current Community Design Standards are no longer applicable in areas with the Design overlay zone. The new design standards contained in Chapter 33.420 replace this set of standards for development in Design overlay zones.

As a result, references to the Design overlay zones and design review are being deleted from the procedures for applying the Community Design Standards.

Additionally, other references to code chapters no longer using the community design standards are being removed to align with the work done in the Residential Infill and Better Housing by Design projects.

### 33.218.015 Procedure

- A. Generally.** This chapter provides an alternative to the ~~design review process~~ or historic resource review process for some proposals. Where a proposal is eligible to use this chapter, the applicant may choose to go through either the discretionary ~~design review~~ process set out in ~~Chapter 33.825, Design Review, and Chapter 33.846, Historic Resource Reviews,~~ or to meet the objective standards of this chapter. If the proposal meets the standards of this chapter, no ~~design review or historic resource review~~ is required. The standards determining which proposals are eligible to use this chapter are in ~~Chapter 33.405, Alternative Design Density Overlay Zone; Chapter 33.420, Design Overlay Zone; Chapter 33.445, Historic Resource Overlay Zone; and Chapter 33.505, Albina Community Plan District.~~

The standards of this chapter do not apply to proposals reviewed through the discretionary design review processes set out in ~~Chapter 33.825, Design Review, and Chapter 33.846, Historic Resource Reviews.~~ Where a proposal is for an alteration or addition to existing development, the standards of this chapter apply only to the portion being altered or added.

- B-D.** [No change.]

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## Commentary

### 33.270 Planned Development

#### 33.270.200 Additional Requirements for Planned Developments in the Commercial/Mixed Use Zones

- D. **Design Review.** The regulations for Planned Developments in the Commercial/Mixed Use zones refer to the current community design standards as an option to design review. The amendments to this section update the references to the new design standards that are located in 33.420, Design Overlay Zones.

## 33.270 Planned Development

270

### 33.270.200 Additional Requirements for Planned Developments in the Commercial/Mixed Use Zones

Planned Developments in the CM2, CM3, and CE zones, and in the CX zone outside the Central City and Gateway plan districts, that are using the Planned Development bonus, must meet all of the following requirements:

**A-C. [No change.]**

**D. Design Review.** All development within the Planned Development site must be approved through ~~D~~design ~~R~~review or meet the design standards in 33.420.050~~Community Design Standards~~ as follows. Development associated with a plaza or park required by Subsection B must go through ~~D~~design ~~R~~review and is not eligible to use the ~~Community D~~design ~~S~~standards:

1. The ~~Community Design overlay zone D~~design ~~S~~standards provide an alternative process to design review for some proposals. Proposals that are within the maximum limits stated in Table 270-1 are allowed to use the objective standards of ~~Chapter Section 33.420.050-218, Community Design Standards~~. The applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, if more flexibility than provided by the standards is desired.

	<b>Maximum Limit</b>
<b>New Floor Area</b>	20,000 sq. ft. of floor area
<b>Exterior Alterations</b>	<ul style="list-style-type: none"><li>• For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the façade.</li><li>• For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.</li></ul>

Notes: [1] There are no maximum limits for proposals where any of the floor area is in residential use.

2. Proposals that are not allowed to use the Design overlay zone design standards~~Community Design Standards~~, or do not meet the design standards~~Community Design Standards~~, must go through the design review process.

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## Commentary

### 33.284 Self-Service Storage

#### 33.284.040.D

The approval criteria listed in the design review section for self-storage facilities refer to the current community design guidelines as the approval criteria for design review. The amendments to this section update the references to the new Portland Citywide Design Guidelines that will be used outside of specific design districts.



## 33.284 Self-Service Storage

284

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### 33.284.040 Design Review

- A. **Purpose.** Design review is required for new buildings in the C and EX zones to ensure that the development has a high design quality appropriate to the desired character of the zone and to avoid the monotonous look of many industrial-style buildings.
- B. **Design review required.** In the C and EX zones, all Self-Service Storage uses to be located in newly constructed buildings must be approved through Design review.
- C. **Procedure.** Design review for Self-Service Storage uses is processed through a Type II procedure. However, uses that require design review because of an overlay zone or plan district are processed as provided for in those regulations.
- D. **Design review approval criteria.** A design review application will be approved if the review body finds that the applicant has shown that the Portland Citywide~~Community~~ Design Guidelines have been met. If the site is within a design district, the guidelines for that district apply instead of the Portland Citywide~~Community~~ Design Guidelines. Design districts are shown on maps 420-1 through ~~420-3 and 420-45~~ through ~~420-6~~. Where two of the design districts shown on those maps overlap, both sets of guidelines apply.

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## Commentary

### 33.420 Design Overlay Zone

#### Background

The amendments in Chapter 33.420 create a new purpose statement for the Design overlay zone. This change supports the new direction of the Design overlay zone resulting from the Comprehensive Plan Update (CPU), which became effective on May 24, 2018. The CPU policies directed growth to many of the city's centers and corridors and the CPU map added the Design overlay zone in many of these areas to help guide that growth.

Several changes within this chapter are the direct result of suggestions made in a consultant assessment of our Design overlay zones. To simplify some of the current processes for applying the Design overlay zone, the chapter language is revised to provide an updated set of exemptions that includes exempting smaller residential projects. Chapter 33.420 also includes a revision to allow smaller projects within the Gateway plan district to choose the objective design standards as an alternative to design review. This removes a required land use process for store-front remodels and smaller development projects.

The new objective design standards are being added to this overlay zone chapter instead of continuing to house them in 33.218, Community Design Standards. The new standards focus on the three tenets of design stated in the purpose statement. To provide flexibility, some of the standards are required with new development and alterations, while other standards are part of a menu approach, with the applicant able to choose a set of standards to attain a required number of points for the project.

#### 33.420.010 Purpose

The purpose statement is revised to reflect the expanded application of the Design overlay zone to areas expected to be the focal points of the city's growth. This focus has expanded beyond the Central City and Gateway to include many of the city's commercial corridors, town & neighborhood centers. In addition to the expanded geographic application, the purpose focuses on three tenets of design, as illustrated in the DOZA assessment. These three tenets (building on context, contributing to the public realm, promoting quality and resilience) are the benchmarks under which the Portland Citywide Design Guidelines and objective design standards have been developed. These three tenets expand the emphasis from building architecture to overall site design and the social and natural relationships.

## 33.420 Design Overlay Zone

420

### Sections:

- 33.420.010 Purpose
- 33.420.020 Map Symbol
- 33.420.021 Applying the Design Overlay Zone
- 33.420.025 Where These Regulations Apply
- 33.420.041 When These Regulations Apply~~Design Review is Required~~
- 33.420.045 Items Exempt From Design Review and Design Standards
- ~~33.420.051 Design Guidelines~~
- ~~33.420.0505 When Community Design Standards May Be Used~~
- ~~33.420.060 When Community Design Standards May Not Be Used~~
- 33.420.060 Design Guidelines

Map 420-1 Design Districts and Subdistricts in the Central City and South Auditorium Plan Districts

Map 420-2 Terwilliger Design District

~~Map 420-4 Sellwood-Moreland Design District~~

Map 420-~~35~~ Marquam Hill Design District

Map 420-~~46~~ Gateway Design District

### 33.420.010 Purpose

The Design overlay zone ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city's evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people's daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

~~The Design Overlay Zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.~~

### 33.420.020 Map Symbol

The Design overlay zone is shown on the Official Zoning Maps with a letter "d" map symbol.

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## Commentary

### **33.420.021 Applying the Design Overlay Zone**

These revisions incorporate the direction contained in the updated Comprehensive Plan for areas that qualify to receive the Design overlay zone. The Design overlay zone has expanded over the years beginning with its start in the downtown core and areas of special features like the Terwilliger Parkway. It was expanded as part of the Albina and Outer Southeast plans. It has more recently been applied to several centers that have undergone area plans such as Hollywood, Gateway and St. Johns. As part of the update to the Comprehensive Plan, the Design overlay zone was applied to many commercial centers and corridors based on the anticipated growth in those areas. The code change recognizes the more general application of the Design overlay zone to areas of growth.

### **33.420.025 Where This Chapter Applies**

These amendments clarify that the regulations of this chapter apply to areas with the Design overlay zone, not just areas subject to discretionary design review.

### **33.420.041 When These Regulations Apply**

The title of and introductory sentence for this section is changed to reflect that the listed situations trigger the requirement to either go through a discretionary design review or meet the objective standards. These options are further clarified within the chapter.

- B. The reference to changes in paint color is dropped because painting does not require a permit and the requirement is difficult to enforce.
- C. This is a new reference addressing bridges as a nonstandard improvement in the right of way. However, an exemption specific to bridges is also added to 33.420.045 - Exemptions, that exempts all bridges from the requirements of the chapter, but requires longer bridges to go through a Design Advice Request (DAR) with the Design Commission.
- E. This amendment clarifies the tree size threshold for design review in South Auditorium plan district.
- F. This provision is moved and reworded to clarify that signs under the thresholds are exempt per the new wording in 33.420.045. The remaining G. and H. are re-lettered to F. and G.

### **33.420.021 Applying the Design Overlay Zone**

The Design ~~o~~Overlay ~~z~~Zone is applied to ~~areas~~current and emerging urban locations including centers and corridors. The Design overlay zone is also applied to areas outside of centers and corridors that have distinct features with important development context, and to specific zones identified through the Comprehensive Plan. ~~where design and neighborhood character are of special concern.~~ Application of the Design ~~o~~Overlay ~~z~~Zone must be accompanied by adoption of design guidelines, or by specifying which guidelines will be used.

~~Many applications of the Design Overlay Zone shown on the Official Zoning Maps~~Some areas of the Design overlay zone are referred to as design districts. A design district may be divided into subdistricts. Subdistricts are created when an area within a design district has unique characteristics that require special consideration and additional design guidelines. The location and name of each design district and subdistrict is shown on maps 420-1 through 420-~~46~~ at the end of this chapter.

~~Other applications of the Design Overlay Zone shown on the Official Zoning Maps are not specific design districts. Some are adopted as part of a community planning project, and some are applied automatically when zoning is changed to CX, CM3, EX, RX, or IR.~~

### **33.420.025 Where These Regulations Apply**

The regulations of this chapter apply to all Design overlay zones. Meeting the regulations of this chapter~~Design review~~ may also be a requirement of a plan district, other overlay zone, or as a condition of approval of a quasi-judicial decision. This chapter does not apply to sites located within the Historic Resources overlay zone.

### **33.420.041 When These Regulations Apply~~Design Review is Required~~**

Unless exempted by Section 33.420.045, Items Exempt From This Chapter~~Design Review~~design review is required for the following must meet the design standards or be approved through design review:

- A. New development;
- B. Exterior alterations to existing development,~~including changes to exterior color when the existing color was specifically required by a design review approval;~~
- C. Nonstandard improvements in the public right-of-way such as street lights, street furniture, planters, public art, sidewalk and street paving materials,~~and~~ landscaping, and new bridges. Nonstandard improvements in the public right-of-way must receive ~~prior~~ approval from the City Engineer prior to applying for design review. Improvements that meet the City Engineer's standards are exempt from this chapter~~design review;~~
- D. Items identified in the Citywide Policy on Encroachments in the Public Right-of-Way or Title 17, Public Improvements, as requiring design review;
- E. Removal of trees 6 or more inches in diameter in the South Auditorium plan district;
- ~~F. Exterior signs larger than 32 square feet, except in the South Auditorium plan district, where all signs are subject to design review;~~
- FG. Where City Council requires design review of a proposal because it is considered to have major design significance to the City. In these instances, the City Council will provide design guidelines by which the proposal will be reviewed, and specify the review procedure; and

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## Commentary

### 33.420.041 (contd)

- I. The reference to formal open areas in Marquam Hill plan district is removed. These proposals have to meet the specific requirements of 33.555 but can potentially meet the Design Standards in 33.420.050. as an option to going through Design Review.

### 33.420.045 Items Exempt from the Chapter

These exemptions consolidate and simplify the current exemptions. They also provide more options to exempt alterations to rooftop equipment and façade changes. There are expanded exemptions that apply to smaller residential projects (up to four units and 35-feet in height). This illustrates the change in design focus to larger projects that have impacts on the site and on adjoining areas. This is consistent with the recent application of the design overlay to areas of growth and change. Exemptions are grouped into three categories: general exemptions, exterior alterations, and geographically specific. Within these areas, exemptions are also grouped to address similar situations, such as rooftop equipment or façade alterations. Some of these exemptions are the same or similar to existing exemptions, while others have been refined.

The commentary below focuses on new or altered/expanded exemptions. If there is no commentary, then the exemption has only been moved, not amended, including the recent exemption for outdoor shelters.

#### A. General Exemptions

2. This is a new exemption that allows smaller residential development up to 4 dwelling units and less than 35-feet in height to avoid to the requirements of this chapter. It will apply to both new development and alterations and additions as long as the total number on site is less than 4 units and all the development on the site remains under 35-feet in height. Residential development will still be subject to the design requirements of the base zone as well as any new requirements being implemented through the Residential Infill and Better Housing by Design projects.
9. This exempts all bridges in the right-of-way from the requirements of the Design overlay zone. However, bridges with a horizontal span over 100 feet must provide a briefing to the Design Commission that meets the administration and noticing requirements of the Design Advice Request (DAR). This provides a public forum and exchange of information between the public, the Commission and the agency developing the bridge.

#### B. Exterior Alterations

2. This existing standard is amended to add a reference to the Oregon Specialty Code. The language is similar to references elsewhere in the code such as in Chapter 33.258, Nonconforming Situations.
4. This new exemption applies to detached accessory structures under 300 square feet in area that are set back from street property lines or placed within an existing developed parking or vehicle area. These structures often include smaller storage buildings, covered garbage enclosures or covered bicycle areas. Accessory structures associated with small residential development are exempt per the general exemption A.2.

~~GH.~~ Floating structures, except individual houseboats, ~~and~~

~~I.~~ In the Marquam Hill plan district, proposals to develop or improve formal open area required by Chapter 33.555. This includes designating existing open areas as formal open areas.

### **33.420.045 Items Exempt From This Chapter ~~Design Review~~**

The following items are exempt from ~~the regulations of this chapter~~ design review:

#### **A. General exemptions:**

1. Development that does not require a permit;
2. Development when:
  - a. The only use on the site will be Household Living;
  - b. There will be no more than four dwelling units total on the site;
  - c. All new buildings and additions to existing buildings on the site are no more than 35 feet in height; and
  - d. The site is not zoned RX, EX, or CX;
3. Houseboats in a houseboat moorage;
4. Manufactured dwelling parks;
5. Outdoor shelters;
6. Development associated with a Rail Lines and Utility Corridor use;
7. Development associated with a Parks and Open Areas use when the development does not require a conditional use review;
8. Anemometers, and small wind energy turbines that do not extend into a view corridor designated in the Scenic Resources Protection Plan; and
9. New bridges in the right-of-way, and alterations to existing bridges in the right-of-way. However, a new bridge in the right-of-way with a horizontal span more than 100 feet must complete a design advice request with the Design Commission as specified in 33.730.050.B.

#### **B. Exterior alterations:**

1. Repair, maintenance, and replacement with comparable materials;
2. Exterior alterations to a structure required to meet the Americans With Disabilities Act's requirements, or as specified in Section 1113 of the Oregon Structural Specialty Code;
3. Exterior work activities associated with an Agriculture use;
4. Detached accessory structures when the structure has a building coverage no more than 300 square feet in area and is located at least 20 feet from all street lot lines, or located within an existing vehicle area;

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## Commentary

### 33.420.045 Items Exempt from the Chapter (contd)

#### B. Exterior Alterations

5. This exemption expands the existing parking lot landscaping exemption to include other improvements such as bike parking and pedestrian walkways that can be triggered as part of a nonconforming upgrade.
6. This exemption replaces a regulation from 33.420.041 that stated the sign threshold for meeting the Design overlay regulations. This is the general sign exemption that applies in most areas of Portland. A different exemption specific to areas in the South Auditorium plan district is listed within paragraph C.1 below.
7. This exemption combines the current façade exemptions, including awnings, louvers and the repair/replacement of storefront glazing systems into one area related to exterior alterations. In some cases, the amendment expands or clarifies exemptions for storefront glazing & mullions, awnings and louvers. The exemption provides an opportunity for modifications to the existing storefront glazing system to move the mullions and doors provided the same material is used and the profile of the mullion (as viewed from a cross section drawing) still match the existing mullion. It adds additional façade exemptions to allow the removal of fire escapes, or to provide radon systems or seismic bracing on a building. It also adds a new exemption, available outside of the Central City, that exempts any other small façade changes of up to 200 square feet, if they meet the conditions listed.



5. Exterior alterations for parking lot landscaping, short-term bicycle parking, and pedestrian circulation systems when all relevant development standards of this Title are met;
6. Except in the South Auditorium plan district, signs with a sign face area of 32 square feet or less;
7. The following alterations to the façade of a building:
  - a. Awnings as follows:
    - (1) If awnings were approved on the same facade through design review, then a new or replacement awning is exempt if it meets the previous design review conditions of approval; or
    - (2) If there are no previous conditions of approval for awnings on the same facade, then a new or replacement awning is exempt if the awning projects at least four feet from the wall, and the area of the awning does not exceed 200 square feet measured from the building elevation, except in the Central City, where it does not exceed 100 square feet measured from the building elevation;
  - b. Alterations to an existing ground floor storefront glazing and mullion system that uses the same materials and profile as the existing system without reducing the percentage of ground floor windows on the facade;
  - c. Louvers or vents for mechanical systems that meet the following:
    - (1) The louver or vent opening affects 1 square foot or less of the façade and is the same color as the adjacent facade; or
    - (2) The louver or vent is placed within an existing window mullion, is the same color as the mullion, and is at least 8 feet above the adjacent grade;
  - d. Radon systems on non-street facing facades;
  - e. The removal of fire escapes;
  - f. Seismic bracing, except on street-facing facades within the Central City plan district; or
  - g. Any other alteration to a façade when the total area of the alteration is 200 square feet of the façade or less measured from the building elevation and the alteration meets one of the following. This exemption does not apply to signs or within the Central City plan district:
    - (1) On street-facing facades, the alteration is above the ceiling of the ground floor or is setback at least 20 feet from the street lot line; or
    - (2) The alteration is on a façade that does not face the street;

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## Commentary

### 33.420.045 Items Exempt from the Chapter (contd)

#### B. Exterior Alterations

8. This amendment combines and expands the various exemptions to rooftop installations on flat roofs. This exemption includes ecoroofs, solar panels, skylights, roof hatches, protective railings, mechanical equipment, vents & ducts, and radio frequency antennas and equipment. Some things are simply exempt while others must meet certain performance standards to be exempt.

In addition, the exemption for roof-mounted radio frequency installations has been expanded to cover the FCC requirement to allow for the modification of existing antennas and equipment for personal wireless systems without land use review.

9. This amendment provides an exemption for alterations to roofs with a sloped roof, to allow the installation of smaller equipment, solar panels, or vents that have a minor projection above the roof to be exempt from the requirements of the design overlay zone.
10. The public art and original art murals exemptions were combined into one exemption.

8. The following alterations to the roof of a building when the roof has a 1/12 pitch or less:
- a. Ecoroofs, landscaping on a roof, solar panels, skylights, and roof hatches;
  - b. Protective railings that project up to 4 feet above the adjoining roof;
  - c. Roof top alterations and equipment that do not increase floor area when:
    - (1) The proposed alteration or equipment is screened by an existing parapet, screen or enclosure that is as tall as the tallest part of the equipment or alteration;
    - (2) The proposed alteration or equipment is set back 4 feet from the edge of the roof for every 1 foot of height above the roof surface or top of parapet;
    - (3) The proposed alteration or equipment is located entirely within 5 feet of the façade of an existing equipment penthouse, does not extend above the penthouse, and is the same color as the penthouse; or
    - (4) The proposed alteration or equipment does not exceed 3 feet in width, depth, length, diameter or height.
  - d. Radio frequency transmission facilities as follows:
    - (1) New or replacement antennas that are mounted to the side of an existing stairwell enclosure or an existing or extended equipment penthouse when the antennas do not extend above the penthouse and are the same color as the existing penthouse or stairwell enclosure.
    - (2) New or replacement equipment associated with the antennas when screened by an existing penthouse or located entirely within 5 feet of the façade of an existing penthouse. As an alternative, an existing penthouse may be extended to screen the equipment if:
      - The penthouse extension is at least 15 feet from any street facing roof edge;
      - The equipment does not extend above the penthouse; and
      - The penthouse extension is the same color as the existing penthouse;
    - (3) Alterations to an existing facility that comply with a previous design review approval for the facility including screening or concealment; or;
    - (4) Alterations to an existing eligible facility, that qualifies under the terms pursuant to 47 U.S.C. §1455, when approved measures of concealment are maintained.
9. The following alterations and additions to the roof of a building when the roof has a pitch that is greater than 1/12:
- a. The addition or alteration is parallel with the roof surface and extends no more than 12 inches above the roof surface; or
  - b. The addition or alteration extend no more than 18 inches from the surface of the roof and is less than 2 feet in diameter.
10. Public Art as defined in Chapter 5.74, or a Permitted Original Art Mural as defined in Title 4.

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## Commentary

### 33.420.045 Items Exempt from This Chapter (contd)

#### C. Geographically Specific

1. This is a special sign exemption for South Auditorium plan district. It adds an exemption to allow some small signage adjacent to the Halprin Open Space sequence, while treating the rest of the plan district similar to the rest of the city (note that Title 32-Signs, still contains special standards for the South Auditorium plan district). The smaller limit, applicable adjacent to the Halprin Open Space sequence, matches the proposed size threshold in the Historic Resource Code Amendment project.

**C. Geographically specific:**

1. In the South Auditorium plan district shown in Map 420-1, signs that meet the following:
  - a. Except within 50 feet of the Halprin Open Space Sequence historic district, signs with a sign face area of 32 square feet or less; and
  - b. Within 50 feet of the Halprin Open Space Sequence historic district, signs with a sign face area of 3 square feet or less;
2. In the Marquam Hill Design District shown on Map 420-3:
  - a. Additions of less than 25,000 square feet of floor area;
  - b. Exterior alterations that affect less than 50 percent of the area of the façade where the area affected is also less than 3,000 square feet;
  - c. Exterior improvements that are less than 5,000 square feet in total area, except for exterior improvements affecting areas counting towards the formal open area requirements of Section 33.555.260; and
  - d. Landscaping not associated with formal open areas required under 33.555.260.

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## Commentary

### 33.420.045 Items Exempt from This Chapter (contd)

All the existing exemptions have been rewritten and condensed above. As a result, these exemptions are being removed.

- ~~A.~~ If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is instead subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone;
- ~~B.~~ Repair, maintenance, and replacement with comparable materials or the same color of paint;
- ~~C.~~ Within the Terwilliger Design District, development that will not be visible from Terwilliger Boulevard;
- ~~D.~~ Alterations to residential structures in RF through R1 zones, where the alterations are valued at \$10,000 or less;
- ~~E.~~ Skylights;
- ~~F.~~ Development associated with Rail Lines And Utility Corridors uses;
- ~~G.~~ Exterior activities and development for Agriculture uses;
- ~~H.~~ Modifications to a structure to meet the Americans With Disabilities Act's requirements in C, E, I, and CI zones;
- ~~I.~~ Development associated with Parks and Open Areas uses that do not require a conditional use review;
- ~~J.~~ Proposals where a building or sign permit is not required;
- ~~K.~~ Development in the IR zone, including alterations, that is not located within the boundaries of an approved Impact Mitigation Plan;
- ~~L.~~ Parking lot landscaping that meets the development standards of this Title;
- ~~M.~~ Rooftop mechanical equipment and associated ductwork, other than radio frequency transmission facilities, that is added to the roof of an existing building if the following are met:
  - 1. The area where the equipment will be installed must have a pitch of 1/12 or less;
  - 2. No more than 8 mechanical units are allowed, including both proposed and existing units;
  - 3. The proposed mechanical equipment must be set back at least 4 feet from the edge of the roof for every 1 foot of height of the equipment above the roof surface or top of parapet; and
  - 4. The proposed equipment must have a matte finish or be painted to match the roof.
- ~~N.~~ Rooftop vents installed on roofs if the vent and associated elements such as pipes, conduits and covers meet the following:
  - 1. The area where the vent and associated elements will be installed must have a pitch of 1/12 or less;
  - 2. The proposed vent and associated elements must not be more than 30 inches high and no larger than 18 inches in width, depth, or diameter;
  - 3. The proposed vent and associated elements must be set back at least 4 feet from the edge of the rooftop for every 1 foot of height above the roof surface or top of parapet; and
  - 4. The proposed vent and associated elements must have a matte finish or be painted to match the roof.

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## Commentary

### 33.420.045 Items Exempt from This Chapter (contd)

These exemptions are replaced by the new list underlined above.



- ~~O.~~ Radio frequency transmission facilities for personal wireless services that meet the following:
- ~~1.~~ The antennas are added to the facade of an existing penthouse that contains mechanical equipment provided the antennas are no higher than the top of the penthouse, are flush mounted, and are painted to match the facade of the penthouse; and
  - ~~2.~~ Rooftop accessory equipment that is:
    - ~~a.~~ Located entirely within 5 feet of the facade of the existing penthouse, is no higher than the top of the penthouse, and is painted to match the facade of the penthouse; or
    - ~~b.~~ Entirely screened behind walls extending one side of the penthouse, provided the walls:
      - ~~(1)~~ Do not extend farther than 10 feet from the facade of the existing penthouse and are not closer than 15 feet to street facing roof edges;
      - ~~(2)~~ Are no taller than the top of the penthouse; and
      - ~~(3)~~ Are painted and textured to match the facade of the penthouse.
- ~~P.~~ Exterior alterations to existing development and construction of detached accessory structures within the Sellwood-Moreland Design District;
- ~~Q.~~ Houseboats;
- ~~R.~~ Within the Marquam Hill Design District:
- ~~1.~~ Additions of floor area less than 25,000 square feet;
  - ~~2.~~ Alterations that affect less than 50 percent of the area of a facade where the area affected is also less than 3,000 square feet;
  - ~~3.~~ Exterior improvements less than 5,000 square feet, except for exterior improvements affecting areas counting towards the formal open area requirements of Section 33.555.260; or
  - ~~4.~~ Landscaping not associated with formal open areas.

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## Commentary

### **33.420.045 Items Exempt from This Chapter (contd)**

These exemptions are replaced by the new list underlined above.

- ~~S.~~ Awnings for each ground floor tenant, which meet the following requirements;
1. ~~If existing awnings on the same building facade have been approved through design review, or have been placed under the provisions of this subsection, the proposed awnings must match the following elements of the existing awnings: the sectional profile, structure, degree of enclosure, and placement vertically on the building. The awning also must meet S.2.c through f, below;~~
  2. ~~If there are no existing awnings on the same building facade that have been approved through design review or placed using the provisions of this subsection, the proposed awnings must be a flat or shed configuration in sectional profile (see Figure 420-1), and meet the following:~~
    - a. ~~Awnings must project at least three feet from the building wall facade;~~
    - b. ~~The front valance of each awning may be no more than 12 inches high. See Figure 420-2;~~
    - c. ~~Illumination may not be incorporated into awnings or awning structures;~~
    - d. ~~One or more awnings may be proposed for each ground floor tenant, but the total area of awnings per ground floor tenant may not exceed 50 square feet, measured from the building elevation. See figure 420-2;~~
    - e. ~~Awning covers must be made of Sunbrella™, Dickson Awning Fabrics™, Para Tempotest™, or a material with equivalent characteristics in terms of: durability, texture, and no-gloss sheen; and~~
    - f. ~~Awnings must be at least 18 inches from all other awnings.~~
- ~~T.~~ Within the St. Johns plan district, alterations to single dwelling detached structures;
- ~~U.~~ Public Art as defined in Chapter 5.74;
- ~~V.~~ Within the North Interstate plan district, alterations to detached houses and accessory structures on sites not fronting on Interstate Avenue;
- ~~W.~~ Permitted Original Art Murals as defined in Title 4; and
- ~~X.~~ Louvers for mechanical ventilation placed within existing ground floor window mullions, which meet the following:
1. ~~The maximum size of each louver is 8 square feet, and the maximum height of each louver is three feet. However, in no case may a louver have a dimension different from the size of the existing window mullion opening;~~
  2. ~~The window system containing the louver must not be higher than the bottom of the floor structure of the second story;~~
  3. ~~The bottom of the louvers must be at least 8 feet above adjacent grade;~~
  4. ~~The louvers may not project out further than the face of the window mullion;~~
  5. ~~The louvers must be painted to match the existing window mullion color/finish;~~

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## Commentary

### **33.420.045 Items Exempt from This Chapter (contd)**

These exemptions are replaced by the new list underlined above.

### **33.420.051 Design Guidelines**

This section is moved from this current position to the end of the chapter (33.420.060) to better align with references to the standards and guidelines.

~~Y.~~ Rooftop solar energy systems that meet the following requirements:

1. ~~On a flat roof. The solar energy system must be mounted flush or on racks, with the system or rack extending no more than 5 feet above the top of the highest point of the roof, not including the parapet. Solar energy systems must also be screened from the street by:~~
  - a. ~~An existing parapet along the street facing facade that is as tall as the tallest part of the solar energy system; or~~
  - b. ~~Setting the solar energy system back from the street facing roof edges. For each foot of height that the portion of the system projects above the parapet, or roofline when there is no parapet, the system must be set back 4 feet.~~
2. ~~On a pitched roof. The plane of the system must be parallel with the roof surface, with the system no more than 12 inches from the surface of the roof at any point, and set back 3 feet from the roof edge and ridgeline.~~

~~Z.~~ Eco-roofs installed on existing buildings when the roof is flat or surrounded by a parapet that is at least 12 inches higher than the highest part of the eco-roof surface, and when no other exterior improvements subject to design review are proposed. Plants must be species that do not characteristically exceed 12 inches in height at mature growth.

~~AA.~~ Anemometers, which measure wind speed; and

~~BB.~~ Small wind energy turbines that do not extend into a view corridor designated by the Scenic Resources Protection Plan. Wind turbines are subject to the standards of Chapter 33.299, Wind Turbines.

~~CC.~~ Manufactured dwelling parks.

**33.420.051 Design Guidelines**

~~Guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-3 and 420-5 through 420-6 at the end of this chapter. All other areas within the Design Overlay Zone use the Community Design Guidelines.~~

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## Commentary

### 33.420.050 Design Standards

#### Table 420-1

This section is reformatted to include all regulations related to the application of the design standards and to include the list of new "Design Standards" added to Subsection C These supersede the Community Design Standards. (Note: The Community Design Standards will still apply to certain historic properties.)

- A. This subsection, the former 33.420.050, spells out the situations when the design standards may be used. Table 420-1 is updated so that the design standards may be used for non-residential projects up to 40,000 square feet (unless noted elsewhere in the Title, like for Planned Developments), an increase from the current threshold of 20,000 square feet. Projects proposing any residential development of any size may choose to meet the design standards as an alternate to design review. This current process is consistent with state law requiring the objective design standards track for residential projects.
- B. This subsection is the former 33.420.060 and lists the situations when the design standards cannot be used. It includes several amended situations as listed below:
  - 2. This amendment allows smaller projects within the Gateway design district to use the design standards. Since its recognition as a regional center, the city has prohibited any proposals (including store-front alterations and renovations) from choosing the clear and objective path provided by the design standards. During stakeholder interviews, the DOZA Assessment team noted that this limitation creates a perceived regulatory and resource barrier for small business development and builders in Gateway. Most areas of the city outside of the Central City have the choice to meet the objective standards or go through the discretionary review. The change allows small-scale development and alterations within the Gateway Design District to meet the Design Standards, or to go through a review.

New development in excess of 35-feet in height (approximately 3-stories), will still need to go through the discretionary review. Projects of this height are more likely to have a transformative impact on the Gateway regional center and warrant the public outreach and city oversight. Note that elements of a project allowed to exceed the height limit that are listed in the base zone can also exceed the 35-foot height limit. This can include parapets, railings, chimneys, some rooftop equipment and other items listed within the base zone height exceptions.

**33.420.0505 ~~When Community Design Standards May Be Used~~**

The ~~Community D~~design ~~S~~standards provide an alternative process to design review for some proposals. Proposals that are eligible to use the design standards are stated in Subsection A. ~~For some proposals, the applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Chapter 33.218, Community Design Standards.~~ The standards for signs are stated in Title 32, Signs and related Regulations. Proposals that do not meet the ~~Community D~~design ~~S~~standards in Subsection C — or where the applicant prefers more flexibility — must go through the design review process.

- A.** ~~Unless excluded by 33.420.060Subsection B, When Community Design Standards May Not Be Used, below,~~ proposals that are within the maximum limits of Table 420-1 may use the ~~Community D~~design ~~S~~standards stated in Subsection C as an alternative to design review.

<b>Table 420-1</b>	
<b>Maximum Limits for Use of the <del>Community</del> Design Standards [1]</b>	
<b>Zones</b>	<b>Maximum Limit—New Floor Area</b>
RM2, RM3, RM4, RX, C, E, <u>I</u> & CI Zones	<u>420,000</u> sq. ft. of floor area
<del>I</del> Zones	<del>40,000</del> sq. ft. of floor area
IR Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.
<b>Zones</b>	<b>Maximum Limit—Exterior Alterations</b>
All except IR	<ul style="list-style-type: none"> <li>• For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the façade.</li> <li>• For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.</li> </ul>
IR Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.

Notes:

[1] There are no maximum limits for proposals where any of the floor area is in residential use.

**33.420.060 ~~When Community Design Standards May Not Be Used~~**

- B.** ~~The Community D~~design ~~S~~standards may not be used as an alternative to design review as follows:

- A1.** ~~In the Central City plan district. See Map 420-1;~~
- B2.** ~~In the Gateway plan district as follows. See Map 420-46;~~
- a. New development and alterations to existing development when any portion of the new development or alteration exceeds 35 feet in height not counting additional height allowed through a base zone height standard exception; and
- b. Development subject to the requirements of 33.526.240, Open Area;

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## Commentary

### 33.420.050.B. (contd)

3. In other areas of the city, the standards cannot be used if the buildings are more than 75-feet in height. This limit is an increase over the current limit of 55-feet that was located within the Community Design Standards. During the work sessions with the Planning and Sustainability Commission, there was a concern among Commission members that the proposed 55-foot height was an artificial ceiling and could impose a required discretionary review on taller buildings located in more intense zones, even if the base zone allows that height by right. Another concern was that some developments choosing to use existing inclusionary housing bonuses to gain additional height would not be allowed to use the standards because of the increased height. The PSC felt that a raised height of 75-feet would remove this barrier. However, this raised height is also accompanied by a greater number of required design standards (shown below) that would apply to buildings between 55 and 75-feet in height.
  
- 4-8. The remainder of the amendments remove the special conditions that limit using standards in very specific situations. These rarely apply and can now be covered with the application of the new standards. This simplifies the current complexity of Design overlay zone processes and removes some of the inconsistencies that have been proposed over time. However, an item has been added to clarify that non-standard improvements in the rights-of-way, or other situations where encroachments occur into the right-of-way, will require review. This would include non-standard oriel window projections. Since the new objective design standards do not provide guidance for projections and other work in the right-of-way, these types of development still need to go through review.

There are still three situations where the Design Standards cannot be used. They reference specific development or bonus development situations that were negotiated during the creation of the St. Johns, East Corridor, and North Interstate plan districts. These plan districts address these specific situations within their regulations and require discretionary design review, so it is necessary that these limitations remain in the code.



3. New buildings or additions when any portion of the new building or addition exceeds 75 feet in height not counting additional height allowed through a base zone height standard exception;
- ~~C.~~ For proposals that do not include any residential uses in the following Design Overlay Zones:
  1. ~~The portion of the South Auditorium plan district outside the Central City plan district. See Map 420-1;~~
  2. ~~The Macadam design district. See Map 420-2; and~~
  3. ~~The Terwilliger design district. See Map 420-3; and~~
  4. ~~The Marquam Hill design district. See Map 420-5;~~
- ~~D.~~ 4. For institutional uses in residential zones, unless specifically allowed by the base zone, overlay zone, plan district, or an approved Impact Mitigation Plan or Conditional Use Master Plan;
- ~~E.~~ For alterations to sites where there is a nonconforming use, unless the nonconforming use is a residential use;
- ~~F.~~ For non-residential development in the RF through RM2 zones;
- ~~G.~~ If the proposal uses Section 33.405.050, Bonus Density for Design Review;
  5. Non-standard improvements in the right-of-way or other encroachments identified in City Titles as requiring design review;
  - ~~H.~~ 6. In the CM3 zone within the St. Johns plan district, structures ~~more than~~that exceed 45 feet in height;
  - ~~I.~~ 7. For motor vehicle fuel sales in the 122nd Avenue subdistrict of the East Corridor plan district; and
  - ~~J.~~ 8. In the North Interstate plan district proposals taking advantage of the additional height allowed by 33.561.210.B.2.

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## Commentary

### C. Design Standards

The design standards replace the current Community Design Standards located in 33.218. They apply to all areas of the City that have a Design overlay zone for projects that can meet the thresholds to use the standards.

The Community Design Standards Chapter will remain in the Zoning Code since they are still applicable as an alternative to historic resource review for conservation landmarks and districts. However, situations citywide that can choose the alternative to design review will need to meet the new objective design standards located here.

These standards were created with the Portland Citywide Design Guidelines in partnership with the consultant DECA. The standards underwent further editing and expansion during the discussion held with the Planning and Sustainability Commission (PSC) and a subgroup of PSC and Design Commission members. The standards have been developed to parallel the direction given under each of the three tenets and are intended to provide objective guidance that align with the 9 Portland Citywide design guidelines. However, they are organized under each tenet by the feature or site/building listed below:

#### Context (18 standards)

- Building Massing and Corners
- Older Buildings/History
- Landscaping
- Adjacent Natural Areas

#### Public Realm (22 standards)

- Ground Floors
- Entries/Entry Plazas
- Weather Protection
- Utilities
- Vehicle Areas
- Art and Special Features

#### Quality and Resilience (23 standards)

- Site Planning and Pedestrian Circulation
- On-site Common Areas
- Windows and Balconies
- Building Materials
- Roofs

Within each tenet are several required standards that must be considered for new development and alterations. Additional standards are reviewed using a point system. New development and major remodels (defined in 33.910 either as increasing floor area by 50 percent or more or where the project cost exceeds the current assessed total site improvement value) will be required to meet a number of these standards based on the point ranking system. The size of the site determines the number of points required, since larger sites can often incorporate more design features. In addition, buildings over 55-feet in height need to meet an accelerated number of additional standards.

**C. Design standards.**

1. New development.

a. Required design standards. New development must meet all the design standards identified in Table 420-2 as required standards. Only the standards applicable to the development apply; and

b. Optional design standards. New development must meet the optional design standards as follows. Unless otherwise stated, if a standard is required, no optional points are earned:

(1) Buildings up to 55 feet tall. New development with buildings that are 55 feet tall or less must meet enough of the standards identified in Table 420-2 as providing optional points to total 20 points, or one point for every 1,000 square feet of site area, whichever is less. For sites that are required to earn 20 points, at least one point must be earned in each of the context, public realm, and quality and resilience categories;

(2) Building more than 55 feet tall. New development with buildings that are more than 55 feet tall must meet enough of the standards identified in Table 420-2 as providing optional points to total 20 points, or two points for every 1,000 square feet of site area, whichever is less. For sites that are required to earn 20 points, at least one point must be earned in each of the context, public realm, and quality and resilience categories.

2. Alterations to existing development must meet all the design standards identified in Table 420-2 as required. Only the standards applicable to the alteration apply. In addition, major remodels must meet enough of the standards identified in Table 420-2 as optional to total 5 points, or one point for every 1,000 square feet of site area, whichever is less.

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## Commentary

### Table 420-2 (New)

#### Commentary on Individual Standards

Where applicable, the commentary indicates where these standards have a link with the Portland Citywide Design Guidelines that are located within Volume 3.

(Note this is a new table so is not underlined.)

#### **Context Design Standards**

The Context standards are identified with the moniker *C*, and number from 1 to 18. 2 standards are required citywide but both apply to a new building or development. 3 additional standards are required for sites in areas of the River overlay zone and the Greenway trail. The remaining standards are optional standards which can be chosen in different combinations for situations that require a certain number of points to be achieved. Additional points can be gained from several required standards, including two within the River overlay if additional features are provided on site. A total of 40 points is possible, although several optional standards offer a range of point possibilities, and not all optional standards could achieve the maximum number of points.

#### ***Building Massing and Corners***

**C1 - Corner Features on a Building.** This standard is intended to foster urban-scale development in the areas planned for growth, which are the town and neighborhood centers. It applies specifically to new development on corner sites with provisions to further activate the areas at the corner. Although the standard is required, there are two options for meeting the standard.

The first option is to encourage an active relationship between the building and the corner. This is done through placing the building close to the corner, requiring the portion close to the corner to have a greater percentage of windows, and having at least one main entrance to a common residential lobby or to a commercial tenant space located near the corner.

The second option is to encourage active area by providing a public plaza at the corner. The plaza has minimum size and dimensional requirements, provides an open area that includes seating and has at least one main entrance that opens up to the plaza. It is anticipated that this option would be used by larger sites located at the corner within a town or neighborhood center.

The standard supports the city's urban design framework and the Context Design Guidelines including, Context Guideline #2 - "Create positive relationships with adjacent surroundings" and Context Guideline #3 - "Integrate and enhance on-site features and opportunities, . . . ". It also provides support to the Public Realm guidelines.

Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

**(New Table – Not Underlined)**  
**Table 420-2**  
**Design Standards**

<b>CONTEXT (C1 – C18)</b>			
The standards for context provide an opportunity for development to respond to the surrounding natural and built environment and build on the opportunities provided by the site itself. The context standards are split into the following categories: Building Massing and Corners, Older Buildings/History, Landscaping, and Adjacent Natural Areas.			
<b>Required (X)</b>	<b>APPLIES TO:</b>	<b>THE DESIGN STANDARD</b>	<b>Optional points</b>
<b>BUILDING MASSING AND CORNERS</b>			
<b>X</b>	<b>C1</b>	<b>Corner Features on a Building</b>	
	New development on a site on a corner lot, located within a neighborhood or town center, where the zoning does not require a minimum building setback from a street lot line:	<p>At least one of the following must be met:</p> <ul style="list-style-type: none"> <li>At least one building must be within 5 feet of the intersecting street lot lines and meet the following:               <ul style="list-style-type: none"> <li>Each street facing wall meeting this standard must be at least 25 feet long;</li> <li>At least 30 percent of the street-facing building wall within 25 feet of the corner must be windows or main entrance doors. Windows and doors used to meet ground floor window requirements may be used to meet this standard; and</li> <li>At least one main entrance to a lobby or individual commercial tenant space must be located within 15 feet of the two intersecting street lot lines, and faces the street with the highest transit designation.</li> </ul> </li> <li>At least one building must abut a plaza at the corner of the two intersecting street lot lines. The plaza must meet the following standards:               <ul style="list-style-type: none"> <li>The plaza must measure at least 20 feet in all directions;</li> <li>The plaza must be hard surfaced for use by pedestrians or be an extension of the sidewalk;</li> <li>No more than 25 percent of the plaza may be covered;</li> <li>The plaza must include benches or seating that provides at least 10 linear feet of seating surface. The seating surface must be at least 15 inches deep, and between 16 and 24 inches above the grade upon which the seating or bench sits; and</li> <li>At least one main entrance to a lobby or commercial tenant space must face the plaza.</li> </ul> </li> </ul>	

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Context Design Standards (contd)

**C2 - Building Facades on Local Service Streets.** This standard encourages a development on the side street to break up their façade into smaller segments which may relate better to the surrounding development that is often found on the side streets. Projects that provide these features achieve 3 points. This standard also supports *Context Design Guideline #2*.

**C3 - Buildings in Inner Neighborhoods with Centers Main Street overlay zone.** This standard applies to new buildings only on sites in areas that also have the *Centers Main Street overlay (m-overlay)* and that are located in the inner pattern area shown on *Map 130-3*. These areas are zoned with a mixed use zone and are generally required to allocate part of their ground floor area for active uses. These standards encourage the development to provide architectural features on the ground floor that provide additional visual interest to pedestrians. They also provide incentives for architectural treatments on the ground and upper floors that can fit with the context of the older commercial areas that are often within the inner pattern area. There are 5 items, each worth one or two points, and a new building can bundle them for up to 4 total points. This standard supports *Context Design Guideline #1 Build on the Character, Local Identity, and Aspiration of the Place* and *Guideline #2 Create Positive Relationships with Surroundings*.

The standard continues onto the next page.

Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>C2</b> <u>Building Facade on Local Service Streets.</u> New building with at least one street-facing facade facing a local service street	Divide the building elevation on the façade facing a local service street into distinct wall planes measuring 1,500 square feet or less.  To qualify, the façade plane must be offset in depth by at least 2-feet from adjacent facades. Facades may also be separated by balconies or architectural projections that project at least 2 feet from adjacent facades for a minimum distance of 8 feet. Projections into street right-of-way do not count toward meeting this standard.	3
	<b>C3</b> <u>Buildings in Inner Neighborhoods with Centers Main Street overlay zone</u> New building located in the Centers Main Street (m) overlay zone within the Inner Pattern area shown on Map 130-3.	Meet any of the following standards up to a maximum of 4 points: <ul style="list-style-type: none"> <li>• The portion of the street-facing façade that fronts a non-residential use must provide the following:               <ul style="list-style-type: none"> <li>• A transom window must be provided above each ground floor window and door opening. The transom window must be at least 12 inches in height and separated from main ground floor windows by at least 4 inches. Mullions within a storefront glazing system do not count toward the window separation.</li> <li>• A base sill or bulkhead must be provided at the ground level. The base must be at least 18 inches above grade, but is not required where access doors are located.</li> <li>• Street-facing ground floor windows must be split up into sections no more than 25 feet wide, separated by a column made up of a different material than the storefront glazing system and at least 12 inches wide.</li> </ul> </li> </ul>	2

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## Commentary

**C3 - Buildings in Inner Neighborhoods with Centers Main Street overlay zone**  
(contd)



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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	C3 (contd)	<ul style="list-style-type: none"> <li>• The following must be provided on street-facing facades:               <ul style="list-style-type: none"> <li>• The ground floor of the building must be visually distinct from upper stories by providing either a cornice, belt course or projecting band between the first and second floor of the building, or a change of material between the first floor and upper floors of the building.</li> <li>• The top of the building must have a parapet or cap that extends at least 18 inches above the roofline and is distinguished from the rest of the building by a different color or material.</li> </ul> </li> </ul>	1
		<ul style="list-style-type: none"> <li>• The street-facing windows on floors above the ground floor must be vertical – taller than it is wide. Street-facing windows on each upper floor must be directly above the one below, excluding the ground floor. Upper floors that step back per the standard below do not need to be vertical or aligned.</li> </ul>	1
		<ul style="list-style-type: none"> <li>• On street-facing facades, floors that are more than 35 feet above the existing or proposed sidewalk adjacent to the site must be set back at least 5 feet from the exterior walls below.</li> </ul>	2
		<ul style="list-style-type: none"> <li>• On corner sites, a main entrance for a ground floor tenant must be located at the corner of the intersecting streets and be at an angle of 30 to 45 degrees from the transit street with the highest classification.</li> </ul>	1

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## Commentary

### *Older Buildings / History*

**C4 - Preservation of Existing Facades.** This standard provides an incentive to preserve the façade of an existing building and incorporate it into the alteration or building addition. This helps link the past with the present. The standard applies only to existing buildings that are at least 50-years old and would be used for a major remodel. Recognizing that this standard may not always be feasible, it is an optional standard worth between 2 and 5 points depending on the amount of the façade or structure preserved. This graduated point system was suggested by the Landmarks Commission and is supported by the Planning and Sustainability Commission. The Landmarks Commission also felt that ensuring an active use on the ground floor should be a requirement for gaining points. The standard supports *Context Guideline #1*, "Build on the character and local identity of the place, while also supporting *Context Guideline #2*, "Create Positive Relationships . . ." and *Quality & Resilience Guideline #9*, "Design for resilience, health and stewardship of the environment, ensuring adaptability to climate change and evolving needs of the city."

**C5 - Vertical Extension to Existing Building.** This standard applies to additions/ remodels and could work with C4 above to provide an additional incentive to preserve an existing façade into a development. Its intent is to help emphasize the existing façade by either setting back any new upper floors, or by integrating existing window patterns into any new upper floors. The standard is worth two points. The standard supports the *Context Guidelines #1 & #2* along with *Quality & Resilience Guideline #9*, "Design for Resilience . . . .", as a way to link and adapt the past development into the new addition.



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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Context Design Standards (contd)

**C6 - Building or Site History Plaque.** This standard applies to an alteration of a building that is at least 50 years old. One point can be earned for providing a plaque that provides information on the site and/or building. The sign must meet some minimum requirements to ensure a quality and long-lasting sign. Combining this standard with C4 and C5 can enable a major remodeling project to potentially meet the number of optional design standards. This supports Context Guideline #1, "Build on the character and local identity of the place".

**C7 - Buildings Abutting a Historic Landmark.** This standard applies as a requirement whenever a new building is built adjacent to the site of an existing historic landmark. One standard must be met, while additional points can be granted, up to a maximum of 3 points, if the project meets additional standards. It should be noted that this standard is not applicable at all if the adjacent landmark is a residential building (i.e. is contains solely residential uses). In those cases, standard C9 would apply instead.

The standards encourage the new building to provide features that create contextual continuity next to the landmark building. These could include matching features on the façade, such as floor or cornice lines, exterior materials or window features, or the new development could defer to the landmark by setting the taller portion of the new building back from the landmark. The applicant may choose what feature to meet. This standard relates to several of the Context Guidelines including Guidelines #1 and #2. Providing these can also improve the sidewalk level of the building, which supports Public Realm Guideline #4, "Design the sidewalk level of buildings to be active and human-scaled".

Language to be **added** is underlined  
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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>C6</b> <u>Historical Plaque.</u> Site that contains a building that is at least 50 years old	Install a plaque on a street-facing façade of the building that provides information on the previous uses of the building or site. The plaque must be: <ul style="list-style-type: none"> <li>• at least 2 square feet in area,</li> <li>• made of metal with stamped lettering and</li> <li>• be permanently secured to the building facade.</li> </ul>	1
X	<b>C7</b> <u>Building Abutting a Historic Landmark</u> New building located on a site that abuts a site containing a Historic Landmark.  If the new building abuts a site containing a historic landmark and the historic landmark contains only residential uses, C9 applies instead of this standard.	Meet one of the following standards. Additional features may be provided for optional points up to a maximum of 3 points. <ul style="list-style-type: none"> <li>• The ground floor height in the new building must match the ground floor height in the Historic Landmark, or be at least 10 feet tall, whichever is greater. This standard only applies to new buildings not subject to Standards PR1 or PR2.</li> <li>• Street-facing ground floor windows in the new building must be as tall as the ground floor windows in the Historic Landmark.</li> <li>• The base of the street-facing ground floor windows must be the same distance above grade as the ground floor windows in the Historic Landmark.</li> <li>• If the Historic Landmark has transom windows on the ground floor, the new building must include transom windows that match in location, size, and distance above grade as the transom window on the historic building.</li> <li>• The exterior materials on the new building must match the exterior materials on the Historic Landmark on at least 80 percent of the new building's street-facing façade.</li> <li>• Floor and cornice bands on the new building must match the width and location of the floor and cornice bands on the Historic Landmark.</li> <li>• If any portion of the new building is taller than the Historic Landmark, that portion of the new building must be setback at least 10 feet from the property line adjacent to the site that contains the Historic Landmark.</li> </ul>	1 1 1 1 1 1 2

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Context Design Standards (contd)

##### **C8 – Building Near Historic Landmark or Property on Historic Resource Inventory**

The standard replicates many of the provisions from C7, but allows a building to gain points by duplicating certain features that are located on a historic landmark located across the street or features located on a property on the City's Historic Resources Inventory (HRI) that is adjacent or across the street from the new building. The standard is an option to be worth up to 2 points. This provision was suggested by the Planning and Sustainability Commission to provide additional contextual continuity in older areas. This standard also relates to the *Context Guidelines*, including *Guidelines #1 and #2*.

Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
<b>C8</b>	<b><u>Building Near Historic Landmark or Property on Historic Resource Inventory.</u></b>		
	New building that is either: <ul style="list-style-type: none"> <li>• located on a site that is across the street from a site containing a historic landmark, or</li> <li>• located on a site that is abuts or is across the street from a site containing a building on the Historic Resources Inventory (HRI)</li> </ul>	Meet any of the following standards, up to a maximum of 2 points: <ul style="list-style-type: none"> <li>• The ground floor height in the new building must match the ground floor height in the Historic Landmark or HRI building, or be at least 10 feet tall, whichever is greater. This standard only applies to new buildings not subject to Standards PR1 or PR2.</li> <li>• Street-facing ground floor windows in the new building must be as tall as the ground floor windows in the Historic Landmark or HRI building.</li> <li>• The base of the street-facing ground floor windows must be the same distance above grade as the ground floor windows in the Historic Landmark or HRI building.</li> <li>• If the Historic Landmark or HRI building has transom windows on the ground floor, the new building must include transom windows that match in location, size, and distance above grade as the transom window on the historic building.</li> <li>• The exterior materials on the new building must match the exterior materials on the Historic Landmark or HRI building on at least 80 percent of the new building's street-facing façade.</li> <li>• Floor and cornice bands on the new building must match the width and location of the floor and cornice bands on the Historic Landmark or HRI building.</li> </ul>	1 1 1 1 1 1

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## Commentary

**C9 - Buildings Abutting a Residential Historic Landmark.** This standard provides an alternative to standard C7. Staff and the Planning & Sustainability Commission recognized that landmark buildings that only contain residential uses might not have the same features as historic mixed use or commercial buildings. It may also be more difficult for a new multi-purpose building to adopt characteristics from these buildings, since the historic building may not have storefronts on the ground floor, transom windows or cornices. However, if there is an abutting residential landmark that has features that can be adapted to a new building to provide contextual continuity, then points can be given for that. This optional standard only applies if the residential landmark is located close to the street so that the architectural connection is more easily identified. Up to two points may be granted. Similar to C7, the standard relates to the Context Guidelines including Guidelines #1 and #2.

### *Landscaping*

**C10- Tree Preservation.** This standard encourages the preservation of larger existing trees, which provide value to the site and neighborhood. The standard provides one point for each tree over 20 inches in diameter that is preserved, up to a maximum of 6 points. The standard supports Context Guideline #3 to "Integrate and enhance on-site features and opportunities to meaningfully contribute to a location's uniqueness."

**C11 - Grouping of Trees.** This standard applies specifically to the East Pattern area where strands of native evergreen trees (primarily Douglas Firs) have been identified as a feature of this area. The standard encourages the planting of native evergreens to provide stands of trees with new development, to maintain this context in East Portland into the future. Two points can be gained for planting 5 trees in a group within an area of at least 500 square feet and 20-feet in dimension. This allows spacing for the trees to reach maturity. The standard further supports Context Guideline #3.



Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>C9</b> <b>Building Abutting a Residential Historic Landmark.</b>		
	New building located on a site that abuts a site that contains a Historic Landmark that: <ul style="list-style-type: none"> <li>• only contains residential uses, and</li> <li>• is located within 10 feet of the street lot line</li> </ul> If the new building abuts a site containing a historic landmark and the historic landmark contains non- residential uses, C7 applies instead of this standard.	Meet any of the following standards up to a maximum of 2 points.	
	<ul style="list-style-type: none"> <li>• The ground floor height in the new building must match the ground floor height in the Historic Landmark, or be at least 10 feet tall, whichever is greater.</li> </ul>	1	
	<ul style="list-style-type: none"> <li>• The exterior materials on the new building must match the exterior materials on the Historic Landmark on at least 80 percent of the new building’s street-facing façade</li> </ul>	1	
	<ul style="list-style-type: none"> <li>• Floor and cornice bands on the new building must match the width and location of the floor and cornice bands on the Historic Landmark.</li> <li>• If any portion of the new building is taller than the Historic Landmark, that portion of the new building must be setback at least 10 feet from the property line adjacent to the site that contains the Historic Landmark.</li> </ul>	2	
<b>LANDSCAPING</b>			
	<b>C10</b> <b>Tree Preservation.</b>		
	Site with at least one tree 20 inches or greater in diameter	Earn one point for each tree 20 inches or greater in diameter that is protected as specified in Title 11, Trees. No more than 6 points can be earned.  A report from a certified arborist is required documenting the diameter of each tree to be preserved and that the trees are not nuisance trees and are not dead, dying or dangerous.	1-6
	<b>C11</b> <b>Grouping of Trees.</b>		
	Site located within the Eastern Pattern Area shown on Map 130-2	Plant a minimum of 5 evergreen trees in an area that is at least 500 square feet in area and measures at least 20 feet in all directions.  Trees planted must be a minimum of 5 feet in height and listed on the Portland Plant List.	2

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## Commentary

**C12 – Native Landscaping.** This standard encourages the use of native plants and trees for the landscaping provided, and it is worth two points. It applies to larger sites that are outside of environmental zones, and it helps to provide a link between development and the native flora that originally made up the area. In addition, encouraging a large majority of the landscaped area to be native plants creates opportunities for interaction with native wildlife, and helps to create natural corridors and areas that can link with the public parks and natural spaces within Portland. This standard further supports *Context Guideline #3*, but also relates to other context guidelines.

**C13 – Trees in Setbacks along a Civic Corridor.** This optional standard has a limited applicability because it only applies within the Civic Corridors that require a 10-ft street setback as shown on Map 130-1. Generally, development along these corridors will provide street trees within the right-of-way. This standard awards one point if an additional set of trees is planted within the civic corridor setback which would create an enhanced amenity along the corridor. The trees could be within a landscaped strip or in tree-wells as part of an extension of a plaza or sidewalk, but it does not count if the trees are part of the perimeter parking lot landscaping. The trees must meet the L1 spacing standard and extend over at least 50 percent of the frontage of the corridor, but in all cases, a minimum of four trees must be planted to qualify for the standard. This is the reason why the standard only applies to sites with over 100-feet of frontage. This supports the urban design framework for these corridors as well as *Context Guideline #3*, "Integrate on-site features and opportunities . . ."

### ***Adjacent Natural Areas***

**C14 – Setback from Waterbodies.** This standard awards 4 points when a project incorporates and preserves a natural water feature (outside of environmental zones) as part of a development proposal. It does this by limiting where the buildings or hard surfaces are located in relationship to the natural water feature. It supports *Context Guideline #3*, "Integrate and enhance on-site features and opportunities to meaningfully contribute to a location's uniqueness."

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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>C12</b> <u>Native landscaping.</u> Site that is 20,000 square feet or larger and located outside of environmental zones	<ul style="list-style-type: none"> <li>Plant at least 80 percent of the total landscaped area with native species listed on the Portland Plant List, and</li> <li>Plant at least 80 percent of all trees on site with native trees listed on the Portland Plant list.</li> </ul>	2
	<b>C13</b> <u>Trees in Setbacks along a Civic Corridor.</u> Site with at least 100 feet of street frontage on a civic corridor identified on Map 130-1	Plant trees within the 10-foot required building setback for the civic corridor. The row of trees must meet the following. <ul style="list-style-type: none"> <li>The row must extend along at least 50 percent of the street frontage.</li> <li>A minimum of 4 trees must be planted and the trees must meet the L1 standard for tree spacing.</li> <li>Trees planted to meet perimeter parking lot landscaping do not count toward meeting this standard.</li> </ul>	1
<b>ADJACENT NATURAL AREAS</b>			
	<b>C14</b> <u>Setback from Waterbodies.</u> Site that: <ul style="list-style-type: none"> <li>Has at least one wetland, water body, seep or spring, and</li> <li>Is located outside of environmental zones</li> </ul>	Locate all buildings, structures, and outdoor common areas that are more than 50 percent impervious a minimum of 50 feet from the edge of wetlands, the top of bank of water bodies, and seeps or springs located on the site.	4

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## Commentary

**C15 - Public View of Natural Feature.** This standard encourages the provision of a public view from the public realm to a site's natural features, such as trees, rock formations or water features. It awards 2 points for providing a view corridor between the street and the feature on site, while also ensuring the preservation of larger trees within this view corridor. This allows for the visual enjoyment of a site's natural features. Similar to C14 above, the standard supports Context Guideline #3.

**C16 - Maximum Building Length Adjacent to Willamette River.** This standard requires buildings that are located in the River overlay zone, and near the Willamette river setback to limit the length of their buildings to 100 feet. It is similar to a building length limitation in the commercial base zones, but the threshold is lower than the base zone standard. The intent is to limit long buildings that can create monotony along the river front. Its applicability is mostly in areas under the Macadam Plan area, although it will have some applicability elsewhere that the Design overlay and Willamette River setback areas overlap. For areas along the River, this standard supports all three of the Context Guidelines, #1-3.

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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>C15</b> <b>Public View of Natural Feature.</b> Site that: <ul style="list-style-type: none"> <li>• Has at least one existing natural feature on site, such as a grove of native trees, rock outcropping, wetland, water body, seep or spring, and</li> <li>• is located outside of environmental zones</li> </ul>	Provide a view corridor between the public street and an existing natural feature on site. The area of the natural feature must be at least 500 square feet and measure 20 feet in all directions. The view corridor must: <ul style="list-style-type: none"> <li>• be a minimum of 20 feet wide and</li> <li>• be landscaped with shrubs and ground cover or include a pedestrian connection to a viewing platform accessible from the street.</li> </ul> Trees greater than 6 inches in diameter that are not on the nuisance plant list must be preserved in the view corridor.	2
X	<b>C16</b> <b>Maximum Building Length Adjacent to Willamette River.</b> In the River overlay zones, a new building located in, or within 25 feet landward of, the river setback.  See 33.475 for a description of the river setback.	The maximum building length of the portion of the building located within 25 feet landward of the river setback is 100 feet The portions of a building subject to this standard must be separated by a minimum of 20 feet when located on the same site. See Figure 130-8.	

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## Commentary

**C17 - Building Features Adjacent to Willamette River.** The intent of this standard is to require buildings within the River overlay zone near the river setback to provide building features that add interest to the facades along the river. This includes providing building articulation, balconies, additional windows or building access along the river. The standard requires a new building to meet one of the provisions, but additional provisions can be met for optional points, up to a maximum of 3 total points. Similar to C16, its applicability is mostly on sites within the Macadam Plan area, although it will have some applicability elsewhere that the Design overlay and River overlay zone overlap. For areas along the river, this standard supports all three of the Context Guidelines, #1-3, and potentially Public Realm Guideline #4, "Design the sidewalk level of building to be active and human scaled", for the ground floor facing the river. It can also support Quality and Resilience Guideline #7, "Support the comfort, safety and dignity of residents, workers and visitors through thoughtful site and building design", depending on the features chosen.

Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
X	<b>C17</b>	<b>Building Features Adjacent to Willamette River.</b>	
	In the River overlay zones, a new building that: <ul style="list-style-type: none"> <li>• is located within 50 feet landward of the River setback; and</li> <li>• contains commercial or residential uses.</li> </ul>	Meet one of the following standards. Additional standards may be met for optional points up to a maximum of 3 points.	
		<ul style="list-style-type: none"> <li>• At least 25 percent of the building façade facing the river must be divided into façade planes that are off-set by at least 2 feet in depth from the rest of the facade. Facade area used to meet the facade articulation standard may be recessed behind or project out from the primary facade plane. See Figure 130-10.</li> </ul>	2
		<ul style="list-style-type: none"> <li>• Provide balconies on at least 75 percent of the dwelling units that have facades that face a lot line abutting the Willamette River and are located above the ground floor.</li> </ul>	1
		<ul style="list-style-type: none"> <li>• Ground floor windows must cover at least 40 percent of the ground floor wall area of facades facing a lot line abutting the Willamette river. Ground floor wall area includes all exterior wall areas from 2 feet to 10 feet above finished grade. Windows must meet the standards for qualifying window features stated in 33.130.230.B.3.</li> </ul>	1
		<ul style="list-style-type: none"> <li>• Windows must cover at least 15 percent of the area of facades facing the property line along the river above the ground level wall areas. This requirement is in addition to any required ground floor windows.</li> </ul>	1
<ul style="list-style-type: none"> <li>• One main entrance must be located on the façade facing a lot line abutting the Willamette river. The main entrance must provide access to a nonresidential tenant space or to a lobby area of a multi-dwelling structure. The entrance must be unlocked during regular business hours.</li> </ul>	1		

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## Commentary

**C18 - Open Area Adjacent to Willamette River Greenway Trail.** This standard requires new development on a larger site located along the Willamette river trail to provide an extension of the linear open space onto the site, through the provision of an open area. The open area has minimum dimensions and a requirement to provide seating. In addition, the applicant must choose one from a menu of features, which may depend on how the development orients the private open area to the greenway trail. Options can range from a landscape buffer between the open area and the trail to providing access between the open area and the trail or the building. This standard supports all three of the *Context Guidelines*, #1-3, and can also support *Quality and Resilience guideline #7*.



Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
X	<p><b>C18</b> <u>Open Area Adjacent to Willamette River Greenway Trail.</u></p> <p>New development on a site that is at least 20,000 square feet in site area, located within the River overlay zone that has the major public trail designation.</p>	<p>Provide an outdoor area of at least 500 square feet and a minimum 20 feet dimension in all directions.</p> <p>The open area must:</p> <ul style="list-style-type: none"> <li>• be adjacent to and landward of the greenway trail.</li> <li>• include a minimum of 15 percent landscaping, with one small canopy tree per 100 square feet of landscaping,</li> <li>• include benches or seating that provides at least 10 linear feet of seats. The seating surface should be at least 15 inches deep and between 16 and 24 inches above the grade upon which the seating or bench sits.</li> <li>• include one of the following:                             <ul style="list-style-type: none"> <li>• The open area must connect directly to the Willamette Greenway trail through a pedestrian connection that is hard surfaced and at least 6 feet wide.</li> <li>• If there is a building located directly adjacent to the open area, the building must have a main entrance to a nonresidential tenant space or to a lobby area of a multi-dwelling structure.</li> <li>• At least 15 percent of the open area is covered by awnings, building eaves or other covered structures.</li> <li>• The open area includes a 5-foot setback from the Willamette Greenway trail landscaped to the L2 standard.</li> </ul> </li> </ul>	

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Public Realm Design Standards

The Public Realm standards are identified with the moniker PR, and number from 1 to 22. 6 standards are required, subject to their applicability, and 2 additional standards are required for buildings over 55-feet in height. The remaining 14 standards are optional standards which can be chosen in different combinations for situations that require a certain number of points to be achieved. A total of 29 points are available from the optional standards.

#### *Ground Floors*

**PR1 - Ground Floor Height.** This standard ensures that ground floor spaces along civic and neighborhood corridors provide a foundation for a variety of activities and active uses along these corridors. It does this by setting a height to the ground floor on new buildings that can support a variety of uses. The standard used is very similar to the standard applied in many of the City's plan districts, including Northwest, Gateway, Hollywood and North Interstate, where flexibility and active uses are desired on certain streets. Tailoring this standard to the existing plan district standard expands the opportunity for ground floor active use without creating a new standard that may conflict with existing standards in the plan district, which can have a Design overlay zone. The standard is required for new buildings. The standard supports Public Realm Design Guideline #4, "Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled".

**PR2 - Ground Floor Height for Taller Buildings.** This standard augments PR1 above by requiring buildings between 55 feet and 75 feet to raise the ground floor height required in PR1 from 12-feet to 15-feet. Taller buildings should have the room for a better proportion between the ground floor and upper floors through a taller ground floor presence. However, a building up to 55 feet in height can gain 2 points by providing this taller ground floor. This standard also supports Public Realm Guideline #4, "Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled".

**PR3 - Ground Floor Commercial Space.** This standard provides an incentive for a building to include space for an active commercial use on the ground floor. It is worth 2 points. Commercial tenant space can provide an amenity for the surrounding residents and businesses and often better activates the sidewalk level of the buildings. However, this standard does not apply in areas that also have a Main Street overlay zone, because that overlay zone already contains requirements for sites on a transit street to have a percentage of ground floor in active use. This standard supports Public Realm Guideline #4 and can support Context Guideline #2.

<b>PUBLIC REALM (PR1 – PR22)</b>				
The standards for public realm provide an opportunity for development to contribute positively to the adjoining sidewalks, streets and trails. They encourage spaces on the ground floor that support a range of uses and create environments that offer people a welcoming and comfortable experience. The public realm standards are split into the following categories: Ground Floors, Entries/Entry Plazas, Weather Protection, Utilities, Vehicle Areas, and Art and Special Features				
Required (X)	APPLIES TO:		THE DESIGN STANDARD	Optional points
<b>GROUND FLOORS</b>				
<b>X</b>	<b>PR1</b>	<b>Ground Floor Height</b>		
		New building with a ground floor that fronts on a street identified as a civic or neighborhood corridor on Map 130-3	At least 50 percent of the ground floor must meet the following: <ul style="list-style-type: none"> <li>The distance from the finished floor to the bottom of the structure above must be at least 12 feet. The bottom of the structure above includes supporting beams; and</li> <li>The area meeting this standard must be at least 25 feet deep measured from the street-facing façade.</li> </ul>	
<b>X</b>	<b>PR2</b>	<b>Ground Floor Height for Taller Buildings</b>		
		New building with a ground floor that fronts on a street identified as a civic or neighborhood corridor on Map 130-3 as follows:  The standard is required for a new building with a height that exceeds 55 feet.  The standard is optional for a building that is 55 feet or less in height.	At least 50 percent of the ground floor must meet the following: <ul style="list-style-type: none"> <li>The distance from the finished floor to the bottom of the structure above must be at least 15 feet. The bottom of the structure above includes supporting beams; and</li> <li>The area meeting this standard must be at least 25 feet deep, measured from the street-facing façade.</li> </ul>	2
	<b>PR3</b>	<b>Ground Floor Active Floor Area</b>		
		Site that is at least 10,000 square feet in total site area except for a site located within the Centers Main Street Overlay Zone or where a commercial use in excess of 1,500 square feet is prohibited.	The site must have: <ul style="list-style-type: none"> <li>at least 1,500 square feet of floor area on the ground floor in one of the following active uses: Retail Sales and Service, Office, Manufacturing and Production, Community Service, or Daycare; and</li> <li>at least one main entrance to the space that faces the street and is within 5-feet of the street lot line.</li> </ul>	2

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## Commentary

### Table 420-2

#### Commentary on Individual Standards (contd)

#### Public Realm Design Standards (contd)

**PR4 - Affordable Ground Floor Commercial Space.** This standard provides an extra incentive for a building to include commercial space on the ground floor that participates in Prosper Portland's affordable commercial tenant program. This program can encourage local and emerging small businesses, while also providing the same kind of activity that is supported by PR3. The standard applies on sites where the commercial use would be allowed under the underlying zone. It is worth an additional 2 points. This standard supports Public Realm Guideline #4 and can support Context Guideline #2.

**PR5 - Oversized Street-Facing Opening.** This standard encourages a new building to open up their wall frontages to the adjacent street to encourage interaction between a ground floor retail establishment and the public realm during periods of nice weather. It is not intended to provide points if the opening is only accessing service areas such as trash, storage or parking areas, so these areas are excluded from the optional points. The standard is worth 2 points and can promote several Design Guidelines, including Public Realm Guideline #4.

**PR6 - Louvers and Vents.** This standard includes two parts. The first requires all new louvers or vents to be of the same color as the adjacent material. This can usually be attained either by having that intrinsic color or by painting it to match. The second requires new louvers and vents placed along street-facing facades near the sidewalk to be located at a height that minimizes the impact to pedestrians who may be next to the wall. The standard applies to any new louver or vent whether part of a new development or part of an alteration to existing development. The standard supports Public Realm Guideline #4, and Design Guideline #6, "Minimize and integrate parking and necessary building services".

Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>PR4</b> <u>Affordable Ground Floor Commercial Space</u> Site where commercial uses are allowed or limited	Provide at least 1,500 square feet of floor area located on the ground floor for an affordable commercial space that meets the affordable commercial space program administrative requirements of the Portland Development Commission. To qualify the applicant must: <ul style="list-style-type: none"> <li>• Submit a letter from the Portland Development Commission certifying that any program administrative requirements have been met; and</li> <li>• Execute a covenant with the City, complying with the requirements of 33.700.060, that ensures that the floor area will meet the administrative requirements of the Portland Development Commission or qualified administrator.</li> </ul>	2
	<b>PR5</b> <u>Oversized Street-Facing Opening</u> New building that has at least one ground floor tenant space with a façade that faces the street lot line and is used for Retail Sales And Service uses	At least 50 percent of the ground floor tenant spaces, with a minimum of one, must meet the following: <ul style="list-style-type: none"> <li>• Provide a roll-up door or movable storefront that provides an opening to the street; and</li> <li>• The opening must be at least 8 feet wide and cannot open onto storage areas, mechanical equipment and utility areas, garbage and recycling areas, or vehicle parking areas.</li> </ul>	1
X	<b>PR6</b> <u>Louvers and Vents</u> New louver or vent	All new louvers or vents must be the same color as the adjacent façade material.  For new louvers or vents on street-facing facades within 5 feet of the street, one of the following standards must be met. The measurement is made from the adjacent grade: <ul style="list-style-type: none"> <li>• The bottom of the louver or vent is at least 7 feet above the adjoining grade; or</li> <li>• The top of the louver or vent is a maximum of 2 feet above the adjoining grade</li> </ul>	

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Public Realm Design Standards (contd)

**PR7 - Exterior Lighting.** This standard is required for new buildings. The intent is to provide standards for lighting on a building that encourages pedestrian interaction between the public realm and the building while promoting the safety and comfort of those entering the building. The standard also ensures that lighting does not shine onto adjoining properties by requiring the light to project downward. The standard supports Design Guideline #4 as well as Context Guideline #2.

**PR8 - Ground Floor Bicycle Parking.** This standard encourages the development of a new building adjacent to a street to locate bicycle parking racks on the ground floor away from exterior walls that face the street. The intent is to keep interior areas closer to the street available for more active uses other than the storage of bikes. The standard is worth 1 point, and supports Design Guidelines #4 and #6

#### *Entries and Entry Plazas*

**PR9 - Main Entrance Location.** This standard is intended to provide separation between the focus of a commercial activity - its main entrance - and residential uses that are located off site. It is required to be met for new main entrances. For alterations to an existing entrance, an applicant can choose to come closer to the standard. This standard is related to the Public Realm Guidelines but also supports Context Guideline #2.

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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
X	<b>PR7</b> <u>Exterior Lighting</u>	Provide exterior light fixtures on the street facing façade that meet the following: <ul style="list-style-type: none"> <li>• The fixtures must be spaced a maximum of 30-feet apart;</li> <li>• The bottom of each fixture is a maximum of 15 feet above the adjoining grade or sidewalk; and</li> <li>• Lights may only project light downward.</li> </ul>	
	New building with a street-facing facade within 20 feet of the street		
	<b>PR8</b> <u>Ground Floor Bicycle Parking</u>	Set back the bicycle racks at least 10 feet from any exterior walls that are adjacent to, and facing, a street lot line.	1
	Long-term bicycle parking racks located within the ground floor of a building		
<b>ENTRIES / ENTRY PLAZAS</b>			
X	<b>PR9</b> <u>Main Entrance Location</u>	Locate the main entrances at least 25-feet from a lot line that abuts an RF through R2.5 zone.  For alterations that impact the location of an existing main entrance, the applicant must either meet the standard or move the existing entrance further from the single dwelling zone lot line.	
	New building with at least one main entrance for a nonresidential tenant space, or an existing building where the main entrance to a nonresidential tenant space is being moved.		

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Public Realm Design Standards (contd)

**PR10 - Residential Entrance.** The intent of this standard is to provide separation and a softer edge between residential entrances on side streets and the public street realm, while still encouraging residential entrances to activate these side streets. The standards provide livability standards that include physical features, landscaping or outdoor space between the public and private realms. In addition, to meet the standard, bedroom windows on the ground floor cannot face the street, since bedrooms situated next to the ground-level street reduce resident livability and limit the activity between the public and private realm. The standard is worth 3 points and supports Public Realm Design Guideline #4, as well as indirectly supporting Quality & Resilience Guideline #8 to "Support the comfort, safety, and dignity of residents . . . through thoughtful site design".



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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<p><b>PR10</b>   <b>Residential Entrance</b></p> <p>New building with ground floor dwelling unit main entrances adjacent to a street that is not identified as a civic or neighborhood corridor on <i>Map 130-3</i>.</p>	<p>At least 50 percent, or four, whichever is more, of the dwelling units on the street-facing ground floor of the building must have a pedestrian connection between the street and the main entrance of the dwelling unit.</p> <p>The entrance must be set back at least 6 feet from the street lot line and have at least two of the following within the setback:</p> <ul style="list-style-type: none"> <li>• A wall or fence that is 18 to 36 inches high;</li> <li>• Landscaping that meets the L2 standard;</li> <li>• A tree within the small tree category identified in 33.248.030;</li> <li>• Individual private open space of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it. The floor of the open space is between 18 and 36 inches above the grade of the right of way; or</li> <li>• A change of grade where the door to the dwelling unit is 18 to 36 inches above the grade of the right of way.</li> </ul> <p>In addition, the dwelling units meeting this standard must not have windows into bedrooms located on the ground floor that face the street.</p>	3

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Public Realm Design Standards (contd)

**PR11 - Separation of Dwelling Unit Entry from Vehicle Areas.** The intent of this standard is to limit the effects of parking and vehicle areas on adjacent ground-floor dwelling units by providing physical separation between the dwelling unit's door and the vehicle area on the site. The standards also provide livability standards that include physical features, landscaping, or outdoor space between the vehicle area and the dwelling unit entry. The standard is worth 2 points and supports both *Public Realm Guideline #6* - "Integrate and minimize the impact of parking and building services and *Quality & Resilience Guideline #7* - "Support the comfort, safety and dignity of residents . . . .".

**PR12 - Seating Adjacent to Main Entrance.** This provision encourages additional areas for seating near a main entrance. The intent is to provide an opportunity for customers or others walking along the sidewalk to be able to sit or rest near the businesses main entrance. The standard is worth 1 point and supports *Public Realm Guideline #5* - "Provide opportunities to pause, sit, and interact".

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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<p><b>PR11</b> <u>Separation of Dwelling Unit Entry from Vehicle Areas</u></p> <p>New building with ground floor dwelling unit entrances adjacent to a parking area</p>	<p>At least four of ground floor dwelling units must provide pedestrian entrances adjacent to a parking area.</p> <p>Doors leading to the ground floor dwelling units that face a vehicle area on site must be set back at least 8 feet from the vehicle area and have at least two of the following within the setback:</p> <ul style="list-style-type: none"> <li>• A wall or fence that is 18 to 36 inches high;</li> <li>• Landscaping that meets the L2 standard;</li> <li>• A tree within the small tree category identified in 33.248.030;</li> <li>• Individual private open space of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it. The floor of the open space is between 18 and 36 inches above the grade of the vehicle area; or</li> <li>• A change of grade where the door to the dwelling unit is 18 to 36 inches above the grade of the vehicle area.</li> </ul>	2
	<p><b>PR12</b> <u>Seating Adjacent to Main Entrance</u></p> <p>Main entrance to a lobby or to a non-residential tenant space.</p>	<p>Provide at least 10 linear feet of seating or bench within 25 feet of a main entrance. The seating or bench must be accessible to the sidewalk or a completed trail and the access must be open to the public. The seating surface must be at least 15 inches deep and between 16 and 24 inches above the grade upon which the seating or bench sits.</p>	1

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Public Realm Design Standards (contd)

**PR13 - Pedestrian Access Plaza.** Similar to some of the standards for providing outdoor area (generally for residents), this standard awards 4 points if a new development provides a plaza that is directly accessible to the public realm. To qualify, the plaza must be a minimum size of 500 square feet and a minimum dimension of 20-feet and be mostly open to the sky. It should have a combination of seating areas and landscaping. It should be noted that a plaza built on a corner to satisfy Standard C1 can't also be used to meet this standard. This standard supports Public Realm Guidelines #4 & #5, as well as Quality & Resilience Guideline #7, "Support the comfort, safety and dignity of residents workers and visitors through thoughtful site and building design."

#### *Weather Protection*

**PR14 - Weather Protection at Entrances.** This required standard applies to a new building and to existing buildings that are proposing new main entrances. The standard ensures that new entrances facing the street include weather protection to protect customers and others entering the building from the elements. This standard ensures that the weather protection meets minimum size, projection and height standards to provide adequate protection. The standard supports Public Realm Guideline #4 and Quality & Resilience Guideline #7.

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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>PR13</b> <b>Pedestrian Access Plaza.</b> New development	Provide an outdoor plaza that abuts a sidewalk on a public right-of-way. The plaza must meet the following requirements: <ul style="list-style-type: none"> <li>• designed so that it is at least 500 square feet in area and must measure at least 20-feet in all directions.</li> <li>• A maximum of 25 percent of the plaza may be covered by structures or overhangs.</li> <li>• A minimum of 15 percent of the plaza must be landscaped with a small canopy tree for each 100 square feet of landscaping.</li> <li>• The plaza must include benches or seating that provides at least 10 linear feet of seats. The seating surface should be at least 15 inches deep and between 16 and 24 inches above the grade upon which the seating or bench sits.</li> <li>• A plaza provided to meet C1 does not count toward meeting this standard.</li> </ul>	4
<b>WEATHER PROTECTION</b>			
X	<b>PR14</b> <b>Weather Protection at Entrances</b> New main entrances at a new or existing building	Provide weather protection at new main entrances that face a street lot line. The weather protection may be an awning, a portion of the building, a balcony, or other covered structure. The weather protection must meet the following: <ul style="list-style-type: none"> <li>• The weather protection must project out at least 4 feet from the wall above the doorway;</li> <li>• The weather protection is four feet wider than the doorway, unless there is a building wall that prohibits this width; and</li> <li>• The height of the weather protection must be between 9 feet and 15 feet above the grade underneath it.</li> </ul>	

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Public Realm Design Standards (contd)

**PR15 - Weather Protection along a Transit Street.** This standard is required for taller buildings over 55-feet in height and is an option for 2 points for buildings up to 55-feet in height with a façade width of at least 50 feet in length. For street-facing facades that are located within 20-feet of the street, weather protection is required along 50 percent of that façade to meet this standard. The weather protection must also meet similar size and height standards as PR14. This affords pedestrians the opportunity to escape the weather, even in situations where they are not adjacent to an entrance. Making the extended weather protection a requirement for taller buildings can help break up the vertical massing of the taller building as well as limit potential wind/rain patterns that can occur next to taller buildings. Along with supporting Public Realm Guideline #4 as above, this supports Public Realm Guideline #5 by providing "opportunities to pause, site and interact".

#### *Utilities*

**PR16 - Location of Utilities.** This standard requires non-exempt radon equipment, electric and gas meters located at the ground level (i.e. at the level of the pedestrian) to be placed on the building or site in a way that minimizes the impact of these building services on the public realm. The standard offers four ways that these utilities may be screened: 1) placed in the building, screened from the street by a wall, mounted to a side wall that is not facing the street, or set back 20-feet from the street. The standard supports both the Public Realm Guidelines #4 and #6. The standard can also support Quality & Resilience Guideline #8, 'Design for quality, using enduring materials and strategies with a clear and consistent execution".

Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
X	<b>PR15</b> <b>Weather Protection Along a Transit Street</b>	Weather protection must be provided along at least 50 percent of the street-facing façade located within 20 feet of a transit street lot line. The weather protection must meet the following: <ul style="list-style-type: none"> <li>• The weather protection must project out at least 4 feet from the adjoining wall.</li> <li>• The height of the weather protection must be between 9 feet and 15 feet above the grade underneath it.</li> </ul> When this standard is met as an optional standard, the street facing façade within 20 feet of a transit street lot line must have a length of at least 50 feet.	2
	New building on a transit street as follows:  The standard is required for a new building with a height that exceeds 55 feet.  The standard is optional for new buildings that are 55 feet or less in height		
<b>UTILITIES</b>			
X	<b>PR16</b> <b>Location of Utilities</b>	Screen new electric meters, gas meters and radon mitigation equipment located at ground level from the street or a completed major recreational trail by meeting one of the following standards: <ul style="list-style-type: none"> <li>• The meters or equipment are enclosed by a building;</li> <li>• The meters or equipment are screened by a fence or wall meeting the F2 standards that is as tall as the tallest part of the meters or equipment, excluding the conduit or pipe;</li> <li>• The meters or equipment are mounted to a wall that does not face a street or major recreational trail. Electric and gas meters must be set back at least 5-feet from a street lot line or lot line along a major recreational trail; or</li> <li>• The meters or equipment are set back at least 20-feet from all street lot lines or a major recreational trail.</li> </ul>	
	New electric meters, gas meters and radon mitigation equipment located at the ground level of a building		

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Public Realm Design Standards (contd)

##### *Vehicle Areas*

**PR17 – Pervious Paving Materials.** This standard can be used for new parking lots with at least 10 parking spaces. The size minimum ensures a greater benefit of having pervious pavement. It provides 2 points for surfacing at least 50% of the vehicle areas with pervious paving materials. To qualify, the pervious pavement must be in compliance with the Stormwater Management Manual as approved by the Bureau of Environmental Services (BES). The requirement is similar to the language in 33.130.225 of the Commercial/Mixed Use Zones. The standard supports both Public Realm Guideline #6, "Integrate and minimize the impact of parking and necessary building services", and Quality & Resilience Guideline #8, "Design for quality, using enduring materials and strategies with a coherent approach".

**PR18 – No Parking Areas.** This awards one point for projects on larger sites that don't provide parking. Removing areas dedicated for parking can free up the site to provide other design features. This standard is available in places where parking is not required. Otherwise, an adjustment would be required to invoke the standard. This standard complements Public Realm Guideline #6.

**PR19 – Structured Parking and Vehicle Areas.** This standard incentivizes incorporating the parking and vehicle areas into the building to limit the amount of surface parking located on site. The standard is worth 2 points and supports Public Realm Guideline #6. PR19 is limited to parking under a building, while PR20 provides some other alternatives in terms of shading and amount, so these standards cannot be used together.

**PR20 – Alternative Shading of Vehicle Areas.** This standard provides an alternative to PR19. Vehicle and parking areas may choose to apply other shade options such as roofed or shade structures or trees. The standard has a lower percentage threshold as some options like tree canopy may not be able to gain as much shade covering. It is worth 1 point and supports Public Realm Guideline #6, but it can also support Quality & Resilience Guideline #7.



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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
<b>VEHICLE AREAS</b>			
	<b>PR17</b>	<b>Pervious Paving Materials</b>	
	New parking area with at least 10 parking spaces	At least 50 percent of the vehicle area must be paved with pervious pavement, approved by the Bureau of Environmental Services as being in compliance with the Stormwater Management Manual.	2
	<b>PR18</b>	<b>No Parking Area</b>	
	Site with a minimum area of 10,000 square feet	Provide no parking areas on site.	1
	<b>PR19</b>	<b>Structured Parking and Vehicle Areas</b>	
	New vehicle area	At least 80 percent of the proposed vehicle area is covered by a building. The vehicle area may meet PR19 or PR20, but not both.	2
	<b>PR20</b>	<b>Alternative Shading of Vehicle Areas</b>	
	New vehicle area	At least 50 percent of the proposed vehicle area is covered by buildings, structures containing photovoltaic panels, reflective roof shade structures with a Solar Reflectance Index (SRI) greater than 75, or tree canopy. The amount of shade from tree canopy is determined by the diameter of the mature crown spread stated for the species of tree. The vehicle area may meet PR19 or PR20, but not both.	1

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Public Realm Design Standards (contd)

##### *Art and Special Features*

**PR21 - City-Approved Art Installation.** This standard encourages a development to incorporate art into the proposal. This standard awards 2 points for working with the Regional Arts and Culture Council (RACC) to propose and gain approval for an art installation or mural as part of the permit review. To qualify, the art installation should be located in close proximity to a street to encourage public viewing or interaction. Art installations may support Context Guideline #1 as well as the Public Realm Guidelines #4 and #5, especially since the standard encourage the artwork to be placed close to the street.

**PR22 - Water Feature.** This standard encourages the provision of a water feature, in close proximity to the street. The water feature may take one of several forms and is worth 1 point. To provide an opportunity to enjoy the feature, the standard includes a requirement to provide seating adjacent to it. A water feature supports the similar guidelines as the artwork above

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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
<b>ART AND SPECIAL FEATURES</b>			
	<b>PR21</b> <b>City Approved Public Art Installation</b>  Any site	Provide an art feature or mural on the site that has been approved by the Regional Arts and Culture Commission (RACC).  The feature must be set back a maximum of 15 feet from the street lot line with the highest street classification.  To meet this option, the applicant must provide the following prior to the issuance of the building permit: <ul style="list-style-type: none"> <li>• A letter from the RACC indicating the approval of the art.</li> <li>• A covenant in conformance with 33.700.060, Covenants with the City. The covenant must state the steps to be taken by the property owner and RACC to ensure the installation, preservation, maintenance, and replacement of the public art.</li> </ul>	2
	<b>PR22</b> <b>Water Feature</b>  Any site	Provide a water feature, such as a fountain, waterfall, or reflecting pool. The feature must be setback a maximum of 20 feet from the street lot line with the highest street classification. The water feature must have the following: <ul style="list-style-type: none"> <li>• A feature area of at least 6 square feet that contains water year-round; and</li> <li>• A bench or seat with 6 linear feet of seating adjacent to it.</li> </ul>	1

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## Commentary

### **Quality and Resilience Design Standards**

The Quality and Resilience standards are identified with the moniker QR, and number from 1 to 23. 6 standards are required subject to their applicability, and 1 additional standard is required for buildings over 55-feet in height. The remaining 16 standards are optional standards which can be chosen in different combinations for situations that require a certain number of points to be achieved. A total of 28 points are available from the optional standards.

### ***Site Planning and Circulation***

**QR1 - On-site Building Separation.** This standard provides a separation between residential buildings with walls that face each other, when there are ground floor dwelling units. The separation, at 10-feet establishes a minimum requirement which is intended to provide useable space between buildings and limit the narrow dark passageways that often get placed between buildings. It is required for new development and for a new building with ground floor residential units placed on a site with existing development. This standard supports Quality & Resilience Guideline #7, "Support the comfort, safety and dignity of residents, workers and visitors through thoughtful site design."

**QR2 - Vertical Clearance to Pedestrian Circulation System.** This standard ensures that any new building that includes building projections takes care to ensure that there is enough clearance between the projection and walkways underneath that make up the pedestrian circulation system on-site. The standard requires a 9-foot clearance between the path and the building projection. The standard supports Quality & Resilience Guideline #7.

**QR3 - Pedestrian Connection to a Major Public Trail.** This optional standard applies in the circumstance where a major trail designation is located next to the site. In these situations, new development gains one point if it connects its pedestrian circulation system to the trail and maintains access between the trail and the site during business or daylight hours. Note the standard is not relevant in situations where the trail runs along a street right-of-way, since the system would connect to the street anyway. This standard supports Quality & Resilience Guidelines #7 (stated above) and #9 "Design for resilience, health and stewardship of the environment, ensuring adaptability to climate change and the evolving needs of the city", as well as Context Guideline #2.

**QR4 - Windows Facing a Pedestrian Walkway.** This standard encourages new buildings facing a site's pedestrian circulation system to provide natural surveillance or "eyes on the street" similar to residential units on street-facing facades. The standard provides one point for buildings that have 15% of their façade facing the walkway as windows or main entrance doors. The intent is to encourage a visual link to ensure the safety and integration of the buildings and the pedestrian circulation paths. The standard meets Quality & Resilience Guideline #7.

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<b>QUALITY AND RESILIENCE (QR1 – QR23)</b>			
The standards for Quality and Resilience provide an opportunity for development of quality buildings that provide benefits to current users and can adapt to future changes. They also provide an opportunity for successful site designs that enhance the livability of those who live, work and shop at the site. The quality and resilience standards are split into the following categories: Site Planning and Pedestrian Circulation, On-site Common Areas, Windows and Balconies, Building Materials, and Roofs.			
<b>Required (X)</b>	<b>APPLIES TO:</b>	<b>THE DESIGN STANDARD</b>	<b>Optional points</b>
<b>SITE PLANNING AND PEDESTRIAN CIRCULATION</b>			
<b>X</b>	<b>QR1</b>	<b>On-site Building Separation</b>	
	New building containing dwelling units on the ground floor	Set back any building on the site that contains dwelling units on the ground floor at least 10 feet from other buildings on the site that contain dwelling units on the ground floor.	
<b>X</b>	<b>QR2</b>	<b>Vertical Clearance to Pedestrian Circulation System</b>	
	New building	Projections from a building, such as a balcony, bay window, or skybridges must be at least 9 feet above the grade of any pedestrian circulation system below.	
	<b>QR3</b>	<b>Pedestrian Connection to a Major Public Trail</b>	
	New development on a site with the major public trail designation.	Provide a pedestrian connection from a completed trail to the site’s pedestrian circulation system. The pedestrian connection must be unlocked during business or daylight hours. This standard is not available if the major public trail designation is located within a street.	1
	<b>QR4</b>	<b>Windows Facing a Pedestrian Walkway</b>	
	New buildings that are within 15 feet of, and face the on-site pedestrian circulation system	At least 15 percent of the area of each façade that faces the circulation system must be windows or main entrance doors.	1

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Quality and Resilience Design Standards (contd)

##### On-site Common Areas

**QR5 - On-site Outdoor Common Area.** This standard provides an incentive for creating outdoor areas, primarily for the use of residents and tenants, although they could also be made available to the public. The standard awards 2 points for a project that provides either a common open area, a common garden area or a children's play area. Each of these types of areas have their own set of requirements. The amount of area depends on location of the project. In close-in areas, a minimum of 600 square feet must be provided, and in outlying areas, 800 square feet must be provided. This is due to the difference in the lot pattern in the city where lots close-in tend to be smaller. In either case, the outdoor area must include a minimum 20-ft by 20-ft area within it. This standard should work in conjunction with some of the new requirements put forward by the Better Housing by Design code project. The standard supports Quality & Resilience Guideline #7 and could support Context Guideline #2 as well.

**QR6 - Buildings Walls Adjacent to Outdoor Common Area.** This standard promotes the on-site interaction between buildings and any outdoor common areas provided through the zoning code regulations. The standard requires new buildings that are located close to the outdoor area to provide windows on the walls facing the outdoor area and at least one pedestrian connection into the building. It supports Quality & Resilience Guideline #7.

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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
<b>ON-SITE COMMON AREAS</b>			
	<b>QR5</b>	<b>On-site Outdoor Common Area</b>	
	New Development	<p>Provide a common outdoor area designed so that it is at least 600 square feet in area and measures 20 feet in all directions. On sites in the Western or Eastern pattern area identified on Map 130-2, provide a common outdoor area designed so that it is at least 800 square feet in area and measures 20 feet in all directions. Up to 20 percent of the outdoor area may be landscaped to the L1 standard. The remainder of the outdoor area must meet one of the following:</p> <ul style="list-style-type: none"> <li>• The outdoor area is hard-surfaced or meets the surfacing materials requirement in 33.130.228.B.3. The outdoor area includes at least 4 linear feet of seating per 100 square feet of area;</li> <li>• The entire outdoor area is a community garden with the area divided into individual raised garden beds. The beds are raised at least 12 inches above grade and can each be between 12 and 50 square feet in area. Individual beds are separated by pathways at least 3 feet in width; or</li> <li>• The entire outdoor area is a children’s play area that includes a play structure at least 100 square feet in area and manufactured to the American Society for Testing and Materials (ASTM) standards for public playground equipment. At least 4 linear feet of seating per 100 square feet of area must be located adjacent to the play structure.</li> </ul>	2
<b>X</b>	<b>QR6</b>	<b>Building Walls Adjacent to Outdoor Common Area</b>	
	New building with facade facing and within 10 feet of an outdoor common area	<p>Meet the following standards:</p> <ul style="list-style-type: none"> <li>• At least 15 percent of the façade that faces the outdoor common area must be windows; or doors leading to lobbies, tenant spaces or dwelling units; and</li> <li>• Pedestrian access must be provided between the outdoor common area and at least one entrance for a lobby, tenant space or dwelling unit.</li> </ul>	

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Quality and Resilience Design Standards (contd)

**QR7 - Buildings Surrounding Outdoor Common Area.** This standard encourages light and air above the outdoor common area. It does this by limiting a new building's height immediately around the outdoor area. The standard is worth 2 points and contributes to *Quality & Resilience Guideline #7*.

#### *Windows and Balconies*

**QR8 - Street-Facing Window Detail.** This requirement is an expansion of an existing standard within the *Community Design Standards* for street facing trim. However, this standard includes the option to either provide trim around the windows, or recess the windows from the building wall. Either of these provide a dimensional relief to the street-facing façade. The standard supports *Design Guideline #8*, "Design for quality, using enduring materials and strategies with a clear and consistent execution".

**QR9 - Upper Floor Windows.** This standard provides 2 points for projects willing to provide more window glazing than allowed through the base zone. The 2 points are awarded if the percentage of street-facing windows or balcony doors on upper floors are at least 30 percent of the total street-facing wall area. This percentage is still feasible to attain within the building energy codes, and these energy codes also ensure that very large expanses of glazing are balanced by other energy saving measures. The standard supports both *Quality & Resilience Guideline #7* and *Public Realm Guideline #4*.



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Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>QR7</b> <b>Buildings Surrounding Outdoor Common Area</b>		
<b>X</b>	<b>QR8</b> <b>Street-Facing Window Detail</b> New street-facing facade	Walls located within 10 feet of an outdoor common area meeting QR5 must not be taller than two-times the shortest width of the outdoor area. As an example, if the outdoor area is 20-feet by 30-feet, the building walls within 10-feet of this open area may be up to 40-feet above the grade of the open area.  Meet the following window standard on the street-facing facade: <ul style="list-style-type: none"> <li>• Provide trim that is at least 3 inches wide around 80 percent of the windows; or</li> <li>• Recess the window glazing at least 3 inches behind the exterior wall or window frame for 80 percent of the windows.</li> </ul> Ground floor storefront or curtain wall glazing systems are exempt from this standard. Alterations must either meet this standard or match the window trim and recess of the existing building for all new windows on street facing facades.	2
	<b>QR9</b> <b>Upper Floor Windows</b> New building, and an expansion of existing building above the ground floor	At least 30 percent of the area of the new street-facing facade above the ground floor must be: <ul style="list-style-type: none"> <li>• Windows; or</li> <li>• Doors opening up to balconies.</li> </ul>	2

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Quality and Resilience Design Standards (contd)

**QR10 - Street-Facing Balconies.** This standard encourages the provision of balconies on the street-facing elevation of upper floors. The balconies provide outdoor space immediately accessible to residents and ensures a visual connection between public and private realms. The minimum size is consistent with some of the base zone regulations. The standard is worth 3 points and supports Quality & Resilience Guidelines #7 and #8, and Context Guideline #2.

**QR11 - Sunshades for Windows.** This standard encourages the provision of a projecting awning or eave on the south and west facing windows of a building. This adds both a design element and helps to control the temperature of the interior environment. To qualify, the awning or eave must be on a façade within 45 degrees of a true south or west face. The standard is worth 2 points and supports Context Guideline #2 as well as Quality & Resilience Guidelines #7 and #9.

**QR12 - Bird-safe Glazing for Windows.** This standard encourages bird-safe glazing on any facades that contain more than 30% glazing. It awards 2 points if the development applies an approved bird-safe glazing technique to at least 90 percent of the upper floor windows on these facades. The standard supports Quality & Resilience Guideline #9.

**QR13 - Windows on Upper Level Units.** This standard awards 1 point by ensuring that upper floor dwelling units or tenant spaces provide at least one operable window for the unit to allow natural ventilation of the space. The standard only applies on the upper floors of buildings. The standard supports Design Guideline #10.

**QR14 - Ground Floor Windows.** This standard applies to new buildings and encourages a greater amount of ground floor glazing over both the base zone and other façade standards. The standard is required for taller buildings over 55-feet in height, while it is an optional standard, worth 2 points, for buildings up to 55-feet. The new building must include 60 percent glazing along the ground floor. The standard supports Quality & Resilience Guideline #8, "Design for quality, using enduring materials and strategies. . . . ." but also further supports Public Realm Guideline #4.

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 Language to be **deleted** is shown in ~~strikethrough~~

Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>QR10</b> <b>Street-Facing Balconies</b> New building	Provide balconies for at least 50 percent, or six whichever is greater, of the dwelling units with facades that face a street lot line and are located above the ground floor. The balconies must be designed so that a 4-foot by 6-foot dimension will fit entirely within it. If the balcony has glazed railings, they must have a treatment pattern that is applied using techniques from the <i>Portland Bird Safe Windows</i> list.	3
	<b>QR11</b> <b>Sunshades for Windows</b> New windows above the ground floor on facades that face south or west	Provide awnings or eaves directly above 50 percent of the window openings on facades that are facing within 45 degrees of south or west. The awning or eave must project out at least 2 feet.	2
	<b>QR12</b> <b>Bird-Safe Glazing for Windows</b> Façades that contain more than 30 percent glazing	At least 90 percent of the windows must provide bird-safe glazing. Treatment patterns and application techniques must be from the <i>Portland Bird Safe Windows</i> list.	2
	<b>QR13</b> <b>Operable Windows on Upper Level Units</b> Dwelling units or commercial tenant spaces located above the ground floor	Provide at least one operable window in an exterior wall of each dwelling unit or tenant space. Each window meeting this standard must provide an operable opening of at least 6 square feet.	1
X	<b>QR14</b> <b>Ground Floor Windows</b> New building as follows:  The standard is required for a new building with a height that exceeds 55 feet.  The standard is optional for new buildings that are 55 feet or less in height	The 60 percent ground floor window standard in 33.415.340 of the Centers Main Street Overlay Zone applies to all street-facing elevations. Other ground floor window standards of the base zone apply.	2

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Quality and Resilience Design Standards (contd)

##### *Building Materials*

**QR15 - Exterior Finish Materials.** This standard ensures that new buildings over 5,000 square feet and alterations to these buildings choose materials that meet minimum standards for quality and resiliency, while still providing flexibility on the type of materials. The standard also allows for some usage of materials not included on the list, for up to 10-20% of the façade depending on the façade location. To promote a consistent approach to types of material, the building is limited to using three material types. The list of materials and material types is provided on Table 420-3. This standard aligns with *Quality & Resilience Guideline #8*, "Design for quality, using enduring materials and strategies with a clear and consistent execution".

**QR16 - Exterior Finish Materials Option.** This standard is an optional standard that augments QR15. It provides 2 points to a new building that uses the exterior materials listed in Table 420-3 for 100% of the exterior, excluding windows, doors and trim. Similar to QR15, this standard further supports *Quality & Resilience Guideline #8*.

**QR17 - Building Materials Application to Side Walls of Building.** This standard encourages an applicant to continue the pattern of materials used on street facing facades over to a portion of the side wall to provide more continuity in the materials. The standard applies to new buildings. It is an optional standard worth 1 point and supports *Design Guideline #8*.

**QR18 - Sustainable Wood.** This standard encourages an applicant to choose sustainable certified wood products in situations where wood is being chosen. The products must be Forest Stewardship Council certified to qualify for the 1 point. This standard supports *Design Guidelines #8* and *#9* by providing opportunities to combine quality materials with stewardship of the environment.

Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
<b>BUILDING MATERIALS</b>			
<b>X</b>	<b>QR15</b>	<b>Exterior Finish Materials</b>	
	<p>New building that has a net building area of at least 5,000 square feet</p> <p>Alterations to buildings with a net building area of at least 5,000 square feet may choose to meet the standard above or use materials which are the same as, or visually match the appearance of, those on the existing building.</p>	<p>Meet the following standards:</p> <ul style="list-style-type: none"> <li>The exterior finish materials on 80 percent of the building must be materials listed on the approved materials list in Table 420-3 excluding windows and doors.</li> <li>The exterior finish materials on 90 percent of the street facing façade of the ground floor must be materials listed on the approved materials list in Table 420-3 excluding windows and doors.</li> <li>No more than 3 exterior finish material types listed on Table 420-3 may be used per building.</li> <li>There may be no more than one unlisted material used per façade.</li> </ul>	
	<b>QR16</b>	<b>Exterior Finish Materials Option</b>	
	New building	The exterior finish materials on 100 percent of the building must be materials listed on the approved materials list in Table 420-3 excluding windows and doors. No more than 3 exterior finish material types listed in Table 420-3 may be used per building.	2
	<b>QR17</b>	<b>Building Materials Application to Side Walls of Building</b>	
	New building located 20 feet or closer to the street lot line	Exterior finish materials on the street-facing facade of buildings located 20 feet or closer to a street lot line and on the first 2 feet of the adjoining, but not street-facing, facades must be the same exterior finish materials.	1
	<b>QR18</b>	<b>Sustainable Wood</b>	
	Building using wood products where allowed as an exterior material in Table 420-3	<p>Provide at least one of the following Forest Stewardship Council (FSC) certified materials on at least 500 square feet of the exterior of a building:</p> <ul style="list-style-type: none"> <li>Salvaged/reclaimed wood having “FSC Recycled” certification.</li> <li>Wood from well-managed forests having a “FSC 100%” certification.</li> </ul>	1

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## Commentary

### Table 420-2

Commentary on Individual Standards (contd)

#### Quality and Resilience Design Standards (contd)

**QR19 - Low Carbon Concrete.** This standard encourages a project to use a low carbon mix of concrete in situations where concrete is proposed. To qualify, the concrete must exceed the City standards for Global Warming Potential (GWP) limits by 15 percent. The City's Procurement Office is working with Oregon DEQ and other technical experts to establish a standard for low-carbon concrete for City projects. While the new standard is appropriate for City projects which mostly use concrete for horizontal flatwork, it is not a reach for private developers that mostly use concrete for vertical walls; hence a more aggressive target of 15% lower than the City established standard is used. This standard is worth 1 point and supports Quality & Resilience Guideline #9.

#### **Roofs**

**QR20 - Rooftop Equipment.** This standard applies to new installations of rooftop equipment, which can include any type of installation on the roof, including mechanical equipment, antennas, vents, fans, air ducts, conduits, etc. This standard provides a little more flexibility than the exemption listed earlier in the chapter. The standard supports Quality & Resilience Guideline #8 to "Design for Quality . . .", as well as Public Realm Guideline #7, since setting back equipment from the edge of the roof makes it less visible from the public realm.

**QR21 - Ecoroof.** This standard encourages an ecoroof of a size large enough to provide an ecological benefit to the development and the area. The standard is worth 2 points and supports Quality & Resilience Guideline #9, "Design for resilience, considering adaptability to the changing needs of the city, climate change impacts, and the health and stewardship of the environment".

**QR22 - Solar Energy System.** Similar to QR21, this encourages an applicant to dedicate a significant portion of their roof area to provide a solar installation large enough to provide an ecological benefit to the development and the area. The standard is worth 2 points and supports Quality & Resilience Guideline #9.

**QR23 - Reflective Roof Structure.** This standard provides one point for treating the roof area with a reflective surface, which can reduce energy consumption and the heat-island effect. The standard is an alternative to meeting QR21 or 22. This standard also supports Quality & Resilience Guideline #9.

Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

Required (X)	APPLIES TO:	THE DESIGN STANDARD	Optional points
	<b>QR19</b> <u>Low Carbon Concrete</u> New building using concrete as allowed for an exterior material in Table 420-3	Use mixes that have a global warming potential (GWP) that is 15 percent lower than the GWP limits referenced in the City’s Pre-Approved Concrete Mix Design List maintained by the Bureau of Environmental Services’ materials testing lab.	1
<b>ROOFS</b>			
X	<b>QR20</b> <u>Rooftop Equipment</u> New rooftop equipment	New rooftop equipment must be screened by a parapet that is as tall as the equipment, or the rooftop equipment must be set back 3 feet for every 1 foot of height above the roof or parapet.	
	<b>QR21</b> <u>Ecoroof</u> New building or alteration	Provide an ecoroof that covers at least 40 percent of the total building roof area or 2,000 square feet whichever is greater. The ecoroof must meet the Stormwater Management Manual’s <i>Ecoroof Facility Design Criteria</i> .	2
	<b>QR22</b> <u>Solar Energy System</u> New building or alteration	Provide a rooftop solar energy system that covers at least 40 percent of the total building roof area or 2,000 square feet whichever is greater.	2
	<b>QR23</b> <u>Reflective Roof Surface</u> New building or alteration	Meet the Energy Star requirements for solar reflectance on at least 90 percent of the roof area not covered by rooftop equipment, vents, skylights, stairwells or elevator enclosures.  This standard does not apply if either standard QR21 or QR22 are met.	1

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## Commentary

### Table 420-3 Approved Exterior Materials List for Design Standards

Table 420-3 is a new table created to apply the Quality and Resilience Standards for Exterior Materials; QR15 - 17. It also provides direction for application of the sustainable wood and concrete materials incentivized through QR 18 & 19. Standard QR15 requires new buildings/alterations over 5,000 square feet in net building area to apply the exterior materials listed in the table to at least 80% to 90% of their façade, depending on the location of the facade. The table is organized by material category and material type, with the understanding that there can be many different material types within each material category, and that the various material types within a category can have vastly different appearances. To avoid creating a cluttered material facade, the number of materials from the list is limited to three material types (second column) per building. Additional points may be granted for projects that choose materials from the table for 100% of their façade through standard QR16.

The intent of the materials list is to provide an applicant with a flexible palette of materials to use on their building while ensuring that a base quality and consistency of material categories and types is provided. A list that is applicable to design standards is more prescriptive than the criteria within the Design Guidelines, because the standards must be applied objectively at the time of building permit.

The focus is on the type of exterior cladding or siding that is applied to a building. It includes both traditional types of materials (brick or wood) along with more modern types of materials (metal and fiber cement panels). In some cases, materials are limited to certain thicknesses or board strength to ensure resilience and a long-lasting quality.

The material categories allowed through the standards, either by right, or with conditions include:

- Brick and Brick Veneer
- Stucco
- Wood
- Metal Siding/Wall Panels
- Fiber Cement Siding/Wall Panels
- Concrete

Within these material categories, distinctions are made between material types such as patterns (i.e. boards versus shakes for wood, or narrow versus wide panels for metal for fiber cement materials).

The standard QR16 allows up to 10 or 20 percent of an area's façade to choose materials that are not listed in Table 420-3. This flexibility allows a range of materials to be used as accents or secondary materials to the primary type of exterior cladding.

For all projects, an applicant can choose to go through Design Review to propose materials that are not listed here.



<b>Table 420-3</b>		
<b>Approved Exterior Finish Materials</b>		
<b>Material Category and Approved Usage by Material Category</b>	<b>Material Type</b>	<b>Additional Approved Usage by Material Type</b>
<b>Brick</b>		
<u>All brick and brick veneer</u>	<u>Brick and Brick veneer</u>	<u>n/a</u>
<b>Stucco</b>		
<u>Stucco that is one of the following:</u> <ul style="list-style-type: none"> <li>• <u>Portland cement based three coat stucco system; or</u></li> <li>• <u>Cement board stucco system</u></li> </ul>	<u>Stucco</u>	<u>n/a</u>
<b>Wood</b>		
<ul style="list-style-type: none"> <li>• <u>The wood must be painted or sealed. If clear-finished or stained wood is used on a facade, the façade that contains this wood product must be protected from the elements. Protection from the elements means the wood is recessed at least two feet back from the exterior walls, or there is an eave or awning that extends out two feet from the edge of the wood wall; and</u></li> <li>• <u>On the ground floor, the wood must be at least 6 inches above the foundation grade.</u></li> </ul>	<u>Wood: boards</u>	<ul style="list-style-type: none"> <li>• <u>The boards have a width of 6 inches or less.</u></li> <li>• <u>Wood with a larger dimension must contain a reveal or board pattern that has dimension of 6 inches or less.</u></li> </ul>
	<u>Wood: shakes/ shingles</u>	<u>The shingles or shakes must contain a reveal of 10 inches or less.</u>

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## Commentary

### Table 420-3 Approved Exterior Materials List for Design Standards

Continuation of Table 420-3.

For metal panels, please note that use of both narrow format panels and larger format panels would count as two of the three allowed material types on a building. However, if large format panels are used, they could have different reveal patterns while still counting as one material type.

A similar distinction is made for fiber cement siding boards/planks versus larger format panels.

<b>Table 420-3</b>		
<b>Approved Exterior Finish Materials</b>		
<b><u>Material Category and Approved Usage by Material Category</u></b>	<b><u>Material Type</u></b>	<b><u>Additional Approved Usage by Material Type</u></b>
<b><u>Metal Wall Cladding</u></b>		
<p><u>The cladding must have a factory applied color or coat finish. Exterior paint applied to the panels does not count to meet this requirement. Metal wall cladding made of zinc or copper does not need a factory applied color or coat finish;</u></p>	<p><u>Metal: narrow format panels</u></p>	<p><u>If the material has a vertical or horizontal dimension of 12 inches or less, the material must have a minimum thickness of 24-gauge.</u></p>
	<p><u>Metal: large format panels</u></p>	<p><u>If the material has a vertical or horizontal dimension greater than 12 inches, the material must meet one of the following:</u></p> <ul style="list-style-type: none"> <li>• <u>The material has a minimum thickness of 20-gauge. The panels must include a rib or reveal of 4 inches or less. The rib or reveal must have a minimum depth of 7/8 inch.</u></li> <li>• <u>The material is bonded to a minimum 1/8" thick solid phenolic resin or plastic core.</u></li> </ul>
<b><u>Fiber Cement Wall Cladding</u></b>		
<p><u>In Town Centers and on Civic Corridors, fiber cement wall cladding cannot be used on the ground floor except on the portion of the ground floor containing residential uses;</u></p>	<p><u>Fiber Cement: planks</u></p>	<p><u>If the product has a vertical or horizontal dimension of 6 inches or less, it must have a thickness of at least 5/8 inch.</u></p>
	<p><u>Fiber cement: shake/shingles</u></p>	<p><u>If the product is composed of shingles or shakes, the installation of the shingles or shakes must contain a reveal of 10 inches or less and have a thickness of at least 5/8 inch.</u></p>
	<p><u>Fiber cement: panels</u></p>	<p><u>If the product has a vertical or horizontal dimension greater than 6 inches, the panel must have a density greater than 80 pounds per cubic foot.</u></p>

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## Commentary

### Table 420-3 Approved Exterior Materials List for Design Standards

Continuation of Table 420-3.  
Concrete Materials.

In general, concrete is limited either to the foundation if CMU blocks or to the top of the first floor if standard poured-in-place concrete is used as an exterior material. However, the Planning and Sustainability Commission recommended to allow greater flexibility to use "architectural concrete" as an exterior material on more floors through the standards. This material is held to specific mix and finishing standards resulting in a product that is also more visually appealing.

**33.420.065 Design Guidelines.** This paragraph is moved from earlier in the chapter to this location since it provides a more linear pattern between exemptions, standards and guidelines for design review. In addition, a reference is re-instated to clarify that all of the South Auditorium plan district area is subject to the Downtown subdistrict of the Central City Fundamental Design Guidelines. This was inadvertently removed in a previous project.

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 Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 420-3</b>		
<b>Approved Exterior Finish Materials</b>		
<u>Material Category and Approved Usage by Material Category</u>	<u>Material Type</u>	<u>Additional Approved Usage by Material Type</u>
<b><u>Concrete</u></b>		
	<u>Concrete: Poured in Place</u>	<ul style="list-style-type: none"> <li>• <u>Poured in place Architectural Concrete meeting ACI 117 Class A Surface and ACI 301 Surface Finish 3.0, used as an exterior material; or</u></li> <li>• <u>Poured in place concrete used as an exterior material for the foundation and ground floor up to the floor level of the second floor;</u></li> </ul>
	<u>Concrete Masonry Units (CMU)</u>	<u>CMU may be used as a foundation material if the material is not revealed more than 3 feet above the finished grade adjacent to the foundation wall.</u>

**33.420.065 Design Guidelines**

For projects subject to design review, guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-4 at the end of this chapter. Projects within the South Auditorium Plan District use the Central City Fundamental Design Guidelines for the Downtown Subdistrict. All other areas within the Design overlay zone use the Portland Citywide Design Guidelines.

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## Commentary

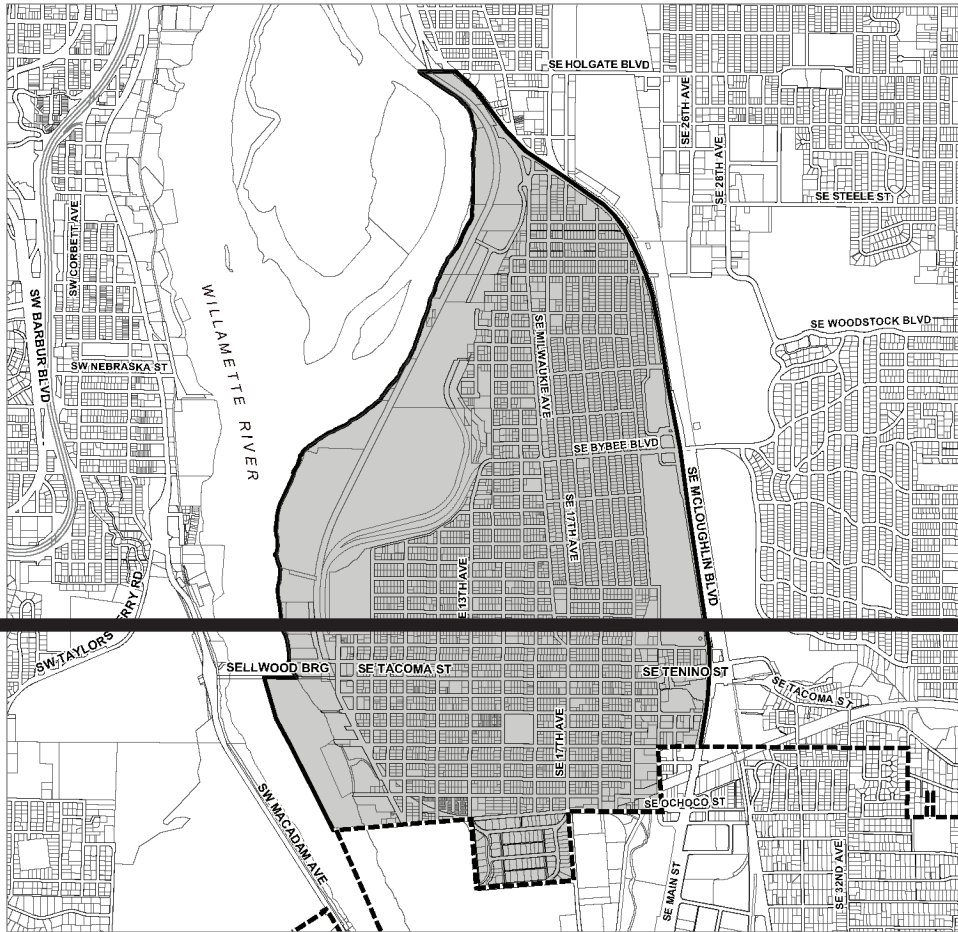
Map 420-4 is deleted since there is no longer a reference to a Sellwood/Moreland Design District within any of the exemptions or thresholds, and there are no district-specific guidelines, nor have there ever been any Sellwood/Moreland Design guidelines in the past. The other design districts all have their own design guidelines which are referenced elsewhere in this chapter. Maps 420-5 & 6 will be renumbered to 4 & 5.

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Language to be **deleted** is shown in ~~strikethrough~~

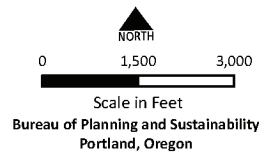
# Sellwood-Moreland Design District

# Map 420-4

Map Revised July 24, 2015



- City Boundary
- Design District Boundary



Renumber maps 420-5 & 6 to 420-4 & 5.

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## Commentary

### 33.510 Central City Plan District

#### 33.510.210.D.2

The South Waterfront area has a provision where an applicant may ask for additional height as a modification through design review. To be considered for this bonus, the applicant is required to first submit for a Design Advice Request prior to applying for the design review. This updates the reference to the Design Advice Request provision based on the changes being made to 33.730.

#### 33.510.255.G

No code amendment is proposed, or shown, but we note that the current code section includes references to a required Design Advice Request prior to submitting for a Central City Master Plan review.



## 33.510 Central City Plan District

# 510

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### 33.510.210 Height

A.-C. [No change]

D. **Bonus height options.** Bonus height can be achieved through the following options:

1. [No change]
2. South Waterfront height opportunity area.
  - a. [No change]
  - b. Additional building height may be requested as a modification through design review as follows:
    - (1)-(6) [No change]
    - (7) The applicant must request advice from the Design Commission as described in 33.730.050.BF. The design advice request must be submitted before the request for a pre-application conference. In providing their advice to the applicant, the Design Commission will consider protection and enhancement of public views from both the east and west, as identified in adopted plans; development of a diverse, varied and visually interesting skyline; and creation of a district that is visually permeable. These factors will be considered at different scales, including the site of the proposal, the site and adjacent blocks, and the subdistrict as a whole.

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## Commentary

### 33.520 Division Street Plan District

#### 33.520.110 Exterior Finish Materials

This is a standard that was transferred from the Main Street overlay zone for Division Street as part of implementation of the Comprehensive Plan Update. This standard requires development in the multi-dwelling zones to meet the exterior material standards within the community design standards

The amendment removes the wording related to gaining approval through design review. The standards apply even though the multi-dwelling zones in the Division Street plan district do not have a Design overlay zone applied to them. Therefore, design review is not required. The mechanism for modifying this standard would be to request an adjustment and make findings against the purpose statement for the plan district. Since this is the common procedure for modifying a standard, it does not need to be specifically stated.

## 33.520 Division Street Plan District

520

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### 33.520.110 Exterior Finish Materials

- A. **Where the standard applies.** The exterior finish materials standard applies in multi-dwelling residential zones.
- B. **Exterior finish materials standard.** ~~Unless the building is approved through Design Review, a~~All buildings must meet the foundation material standard of 33.218.110.I, and the exterior finish materials standards of 33.218.110.J. The standards must be met on all building facades.

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## Commentary

### 33.521 East Corridor Plan District

The table of contents is being updated to reflect the removal of 33.521.310. See commentary on pg. 100.

## 33.521 East Corridor Plan District

# 521

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### Sections:

#### General

- 33.521.010 Purpose
- 33.521.020 Where These Regulations Apply

#### Use Regulations

- 33.521.100 Purpose
- 33.521.110 Prohibited Uses
- 33.521.120 Housing Regulations

#### Development Standards

- 33.521.200 Purpose
- 33.521.210 Building Height
- 33.521.220 Floor Area Ratios
- 33.521.230 Connectivity
- 33.521.240 Pedestrian Standards
- 33.521.250 Entrances
- 33.521.260 Building Design
- 33.521.270 Exterior Display and Storage
- 33.521.280 Drive-Through Facilities
- 33.521.290 Parking
- 33.521.300 Additional Standards in the 122nd Avenue Subdistrict
- ~~33.521.310 Required Design Review~~

Map 521-1 East Corridor Plan District

Map 521-2 Maximum Building Heights

Map 521-3 Floor Area Ratios

Map 521-4 Areas Where Exterior Display and Storage are Allowed

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## Commentary

### **33.521.300.F.2.f**

This subsection allows motor vehicle fuel sales, which is a type of drive-through facility, to be located on larger sites within CM3 zones in the 122<sup>nd</sup> Avenue subdistrict when certain requirements are met. One of the requirements is that any development involving motor vehicle fuel sales be approved through design review, and not through the use of community design standards. This amendment updates the code to refer to the new design standards that are located in 33.420, Design overlay zone, instead of the community design standards.

### **33.521.310 Required Design Review**

This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This language is unnecessary, because regulations of the Design overlay apply everywhere in the city where the d-overlay is applied.

### **33.521.300 Additional Standards in the 122nd Avenue Subdistrict**

A-B. [No change]

#### **F. Motor vehicle fuel sales in the CM3 zone.**

1. [No change]
2. Motor vehicle fuel sales, including drive-through facilities associated with motor vehicle fuel sales, are allowed in the CM3 zone if the following are met. Drive-through facilities serving or associated with other uses are prohibited:
  - a.-e. [No change.]
  - f. The proposed development must be approved through ~~discretionary~~ design review; the ~~Community Design overlay zone design~~ standards in 33.420.050 may not be used.

#### **~~33.521.310 Required Design Review~~**

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

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## Commentary

### 33.526 Gateway Plan District

The table of contents is updated to reflect the changes to the code sections explained on page 104.



## 33.526 Gateway Plan District

526

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### Sections:

#### General

- 33.526.010 Purpose
- 33.526.020 Where These Regulations Apply
- 33.526.030 Early Project~~Design~~ Consultation

#### Use Regulations

- 33.526.100 Purpose
- 33.526.110 Prohibited Uses
- 33.526.120 Retail Sales and Service and Office Uses

#### Development Standards

- 33.526.200 Purpose
- 33.526.210 Building Height
- 33.526.220 Floor Area Ratio
- 33.526.230 Floor Area and Height Bonus Options
- 33.526.240 Open Area
- 33.526.250 Connectivity
- 33.526.260 Pedestrian Standards
- 33.526.270 Entrances
- 33.526.280 Enhanced Pedestrian Street Standards
- 33.526.290 Ground Floor Windows
- 33.526.300 Required Windows Above the Ground Floor
- 33.526.310 Exterior Display and Storage
- 33.526.320 Drive-Through Facilities
- 33.526.330 Gateway Master Plan
- 33.526.340 Parking
- ~~33.526.350 Required Design Review~~

#### Map 526-1 Gateway Plan District

#### Map 526-2 Maximum Heights

#### Map 526-3 Floor Area Ratios

#### Map 526-4 Enhanced Pedestrian Streets

#### Map 526-5 Bonus Option Areas

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## Commentary

### 33.526.030 Early Project Consultation

The title of this Section is changed from "Early Design Consultation" to "Early Project Consultation" in order to avoid confusion with Design Advice Requests, which are an early design consultation with the Design Commission. This consultation provides an opportunity for larger projects to discuss regulatory issues and funding partnership opportunities with Portland Parks and Recreation, Portland Development Commission, Portland Bureau of Transportation and other bureaus. It is not focused on design issues.

### 33.526.240 Open Areas

#### D. Additions of Floor Area to the Site

This subsection requires larger sites (those 5 acres or larger) that expand their building square footage by more than 5,000 square feet to provide outdoor area at a rate of 0.5 square feet of open area for each square foot of new floor area up to a maximum of 15% of the site. This regulation anticipates that all development in the Gateway plan district will be subject to discretionary design review. However, with the changes to 33.420, some building additions in Gateway will be allowed to use the new design standards as an option to going through design review. The current regulation does not include enough specificity for it to be used in non-discretionary situations

To balance the expansion of the use of standards against the objective to gain new open area, the current regulation is amended to increase the threshold that triggers the requirement from 5,000 square feet to 10,000 square feet. At the same time, the thresholds within 33.420 are amended to require situations in Gateway that trigger this open area to go through the discretionary approval process. This strikes a balance between the changes in the base zone and the current requirements in the Gateway plan district. While the threshold is increasing, the actual open area requirements located in sub paragraphs a-f are staying the same. These require 0.5 square foot of open area for each square foot of new floor area up to a maximum requirement of 15% of the site area. The open area is intended to be parks, plazas or similar spaces approved through design review.

### 33.526.350 Required Design Review

This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This language is unnecessary, because regulations of the Design overlay apply everywhere in the city where the d-overlay is applied.

### **33.526.030 Early Project Design Consultation**

Applicants are encouraged to meet with staff of the Bureau of Planning and Sustainability, the Bureau of Development Services, the Portland Development Commission, the Portland Office of Transportation, and Portland Parks and Recreation three to six months before applying for a pre-application conference or a land use review. This consultation provides an opportunity for both funding and regulatory agencies to work closely with the property owner to determine the best combination of plan, regulation, and urban renewal involvement to meet the fiscal needs and responsibilities of the owner, accomplish public purposes, and leverage public dollars on behalf of new development.

### **33.526.240 Open Area**

A.-C. [No change.]

**D. Additions of floor area to the site.** The requirements of this subsection apply to sites where the proposal will result in an increase of at least 105,000 square feet of floor area on the site. The applicant may choose from the three options below:

1. On-site option. If the open area will be on-site, the following standards must be met:
  - a.-f. [No change]
- 2.-3. [No change]

E. [No change]

### **~~33.526.350 Required Design Review~~**

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

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## Commentary

### 33.534 Hillsdale Plan District

#### Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of the section explained below.

#### 33.534.240 Required Design Review

This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This language is unnecessary, because regulations of the Design overlay apply everywhere in the city where the d-overlay is applied.

## 33.534 Hillsdale Plan District

534

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### Sections:

#### General

33.534.010 Purpose

33.534.020 Where These Regulations Apply

#### Use Regulations

33.534.100 Purpose

33.534.110 Prohibited Uses

#### Development Standards

33.534.200 Purpose

33.534.210 Setbacks

33.534.220 Exterior Display, Storage and Work Activities in the IR and C Zones

33.534.230 Drive-Through Facilities

~~33.534.240 Required Design Review~~

#### Map 534-1 Hillsdale Plan District

### ~~33.534.240 Required Design Review~~

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay zone.~~

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## Commentary

### 33.536 Hollywood Plan District

#### Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of the section explained below.

#### 33.536.310 Required Design Review

- A. **Purpose.** The Purpose Statement for the Design overlay zone is being updated through this project and provides a more in-depth citywide description, including consideration for the context and features of the area. Many provisions in the Hollywood district purpose statement are related to development standards that are part of the plan district. To avoid confusion with multiple purpose statements, this purpose statement is being removed, and the Purpose Statement listed in 33.420 is the purpose for having the 'd' overlay in this area of the city.
- B. **Required Design Review.** This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This language is unnecessary, because regulations of the Design overlay apply everywhere in the city where the d-overlay is applied.

## 33.536 Hollywood Plan District

536

### Sections:

#### General

- 33.536.010 Purpose
- 33.536.020 Where These Regulations Apply

#### Use Regulations

- 33.536.100 Purpose
- 33.536.110 Prohibited Uses
- 33.536.120 Required Residential Uses
- 33.536.130 Commercial Parking in the CM2 and CM3

#### Development Standards

- 33.536.200 Purpose
- 33.536.210 Prohibited Development
- 33.536.220 Maximum Building Height
- 33.536.230 Transition Between Residential and Commercial/Mixed Use Zones
- 33.536.235 Transition Between Commercial/Mixed Use Zones
- 33.536.240 Floor Area Ratio
- 33.536.250 Bonus Options
- 33.536.260 Building Facades Facing Sandy Boulevard
- 33.536.280 Enhanced Pedestrian Street Standards
- 33.536.290 Maximum Parking Allowed in the RX, CM2, and CM3 Zones
- 33.536.300 On-Site Location of Vehicle Areas Along Sandy Boulevard
- ~~33.536.310 Required Design Review~~
- 33.536.320 Nonconforming Development

Map 536-1 Hollywood Plan District and Subdistricts

Map 536-2 Hollywood Plan District: Maximum Building Heights

Map 536-3 Hollywood Plan District: Enhanced Pedestrian Streets

### ~~33.536.310 Required Design Review~~

- ~~**A. Purpose.** Design review ensures attractive, quality design and a pedestrian friendly character in the areas planned for urban-scale development in Hollywood. Design review also promotes a relationship between new development and historic building along Sandy Boulevard, and creates a special identity for the district's business core. Finally, design review ensures design quality and promotes better transition of scale and character to the areas adjoining the business core.~~
- ~~**B. Required Design Review.** The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

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## Commentary

### 33.538 Kenton Plan District

#### Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of the section explained below.

#### 33.538.260 Required Design Review

- A. **Purpose.** The Purpose Statement for the Design overlay zone is being updated through this project and provides a more in-depth citywide description. The provisions in the new Purpose Statement cover the need to consider context of the area and quality materials. In addition, much of the commercial core of the Kenton plan district is within the Kenton Historic District while the area surrounding the Historic District is within the Kenton Conservation District. Thus, development in these areas is subject to provision of our Historic Resource overlay chapter, 33.445, rather than the Design overlay. In the few areas within the Kenton plan district where there is no overlap with the historic/conservation districts, then the new general Purpose Statement provides the guidance for development within the 'd' overlay.
  
- B. **Required Design Review.** This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This language is unnecessary, because regulations of the Design overlay apply everywhere in the city where the d-overlay is applied.



## 33.538 Kenton Plan District

538

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Sections:

General

- 33.538.010 Purpose
- 33.538.020 Where These Regulations Apply

Use Regulations

- 33.538.100 Prohibited Uses
- 33.538.110 Limited Uses

Development Standards

- 33.538.200 Drive-Through Facilities
- 33.538.210 Maximum Building Height
- 33.538.220 Floor Area Ratio
- 33.538.230 Required Building Lines
- 33.538.240 Active Use Areas
- 33.538.250 Parking Access Restricted Streets
- ~~33.538.260 Required Design Review~~

Map 538-1 Kenton Plan District

Map 538-2 Maximum Building Heights

Map 538-3 Floor Area Ratio

Map 538-4 Required Building Lines

Map 538-5 Active Building Use Areas

Map 538-6 Parking Access Restricted Streets

### ~~33.538.260 Required Design Review~~

- ~~**A. Purpose.** Design review ensures attractive, quality design and a pleasant pedestrian environment in the plan district. Design review also promotes a relationship between new development and the historic commercial buildings along Denver Avenue. Finally, design review ensures design quality and compatibility of character with the areas adjoining the commercial corridor.~~
- ~~**B. Required Design Review.** The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

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## Commentary

### 33.545 Lombard Street Plan District

#### 33.545.120 Additional Standards in the RM2 Zone

This is a standard that was transferred from the Main Street overlay zone for Lombard Street as part of implementation of the Comprehensive Plan Update. The standards include a provision that requires multi-dwelling development in the RM2 multi-dwelling zone to meet specific exterior material requirements within the Community Design Standards. These standards apply even though the multi-dwelling zones in this plan district do not have a Design overlay zone applied to them.

The amendment removes the wording related to gaining approval through design review. The appropriate review for modifying this standard is to request an adjustment and make findings against the purpose statement for the plan district. Since this is the common procedure for modifying a standard, it does not need to be specifically stated.

## 33.545 Lombard Street Plan District

545

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### 33.545.120 Additional Standards in the RM2 Zone

A-B. [No change]

C. **Standards.** ~~Adjustments may be requested to these standards; they may not be modified through design review.~~

1-3. [No change]

4. Exterior finish materials. ~~Unless the building is approved through Design Review, a~~ All buildings must meet the foundation material standard of 33.218.110.I, and the exterior finish materials standards of 33.218.110.J. The standards must be met on all building facades.

5-6. [No change]

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## Commentary

### 33.550 Macadam Plan District

#### Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of the section explained below.

#### **33.550.290 Required Design Review**

This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This language is unnecessary, because regulations of the Design overlay apply everywhere in the city where the d-overlay is applied.

## 33.550 Macadam Plan District

550

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### Sections:

#### General

33.550.010 Purpose

33.550.020 Where the Regulations Apply

#### Use Regulations

33.550.100 Prohibited Uses

#### Development Standards

33.550.200 Floor Area Ratio

33.550.210 Building Height

33.550.220 Building Setbacks

33.550.230 Building Coverage

33.550.240 Building Length

33.550.250 View Corridors

33.550.260 Exterior Display and Storage

33.550.270 Drive-Through Facilities

33.550.280 Signs

~~33.550.290 Required Design Review~~

Map 550-1 Macadam Avenue Plan District

### ~~33.550.290 Required Design Review~~

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

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## Commentary

### 33.555 Marquam Hill Plan District

#### 33.555.300 Required Design Review

In most plan districts, this section of code is being removed, since it does not provide any additional information related to specific plan districts, and those other areas are being updated to use the citywide guidelines and additional standards.

However, the Marquam Hill Purpose Statement is very specific to the types of development envisioned in the plan district. It also refers to specific provisions within the Marquam Hill Design Guidelines. For this reason, the code language is kept for this plan district.

Some smaller edits are done to clarify that not all projects/alterations are subject to design review, and that the thresholds of 33.420 are the guiding principle to the triggers for design review.

## Design Review

### 33.555.300 Design Review

- A. Purpose.** Design review ensures that institutional development is physically and visually integrated within the plan district and with the surrounding neighborhoods, open space areas, Terwilliger Parkway, and the skyline associated with Marquam Hill. It also ensures that the pedestrian environment within the institutionally developed portions of Marquam Hill incorporates quality design providing an attractive and safe environment for pedestrian passage within and through the plan district and an integrated relationship between structures and the pedestrian environment. Design review also promotes the protection and enhancement of views within and to and from the plan district, as well as sustainable development, protection of environmentally sensitive resources, and the incorporation of site amenities within the pedestrian environment. Additionally, design review promotes an efficient and functional arrangement of institutional development within the plan district and improvements to vehicular access and circulation patterns.
- B. ~~Required Design overlay zone~~ Review.** The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design ~~o~~Overlay z~~Zone~~.

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## Commentary

### 33.561 North Interstate Plan District

#### Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of 33.561.320 explained on page 120.



## 33.561 North Interstate Plan District

# 561

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Sections:

General

33.561.010 Purpose

33.561.020 Where These Regulations Apply

Use Regulations

33.561.100 Commercial Uses in the RH Zone

Development Standards

33.561.210 Maximum Building Height

33.561.220 Floor Area Ratios

33.561.230 Transition Between Zones

33.561.240 Minimum Density in the RH Zone

33.561.250 Exterior Display and Storage

33.561.260 Off-Site Impacts of Industrial Uses in the CM3 Zone

33.561.270 Required Building Lines

33.561.280 Active Building Use Areas

33.561.300 Motor Vehicle Access

33.561.310 Compatibility Standards in the R2.5 and R2 Zones

~~33.561.320 Required Design Review~~

Map 561-1 North Interstate Plan District

Map 561-2 North Interstate Plan District: Maximum Building Heights

Map 561-3 North Interstate Plan District: Floor Area Ratios

Map 561-4 North Interstate Plan District: Required Building Lines/Active Building Use Areas

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## Commentary

### 33.561.210 Maximum Building Heights

- B. **Maximum Building Heights.** This regulation allows an applicant to request greater building heights through a discretionary design review. However, it references the current Community Design Standards. Since these standards are no longer the option, the reference to the standards is updated to refer to the design standards now located in 33.420.

An additional change is made to amend the updated reference to the Design Advice Request.

**33.561.320 Required Design Review.** This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This language is unnecessary, because regulations of the Design overlay apply everywhere in the city where the d-overlay is applied.

### **33.561.210 Maximum Building Height**

**A. Purpose.** [No change.]

**B. Maximum building heights.**

1. Generally. The maximum building heights are shown on Map 561-2, except as specified in Section 33.561.230. Adjustments to maximum heights are prohibited, but modifications through Design Review may be requested.
2. In the height opportunity areas shown on Map 561-2, buildings may be up to 125 feet high if:
  - a. The applicant meets with the Design Commission to discuss the proposal before applying for Design Review. As specified in 33.730.050.BF, the applicant must submit a design advice request to schedule this meeting; and
  - b. The applicant requests ~~discretionary D~~design review, rather than using the ~~Community Design overlay zone design S~~standards in 33.420.050.

### **~~33.561.320 Required Design Review~~**

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

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## Commentary

### 33.562 Northwest Plan District

#### Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of 33.562.310 explained on page 124.

## 33.562 Northwest Plan District

# 562

### Sections:

#### General

- 33.562.010 Purpose
- 33.562.020 Where These Regulations Apply

#### Use Regulations

- 33.562.100 Residential Use Limitation
- 33.562.110 Retail Sales And Service Uses in the EG and CM3 Zones
- 33.562.120 Retail Sales And Service and Office Uses in the RH Zone
- 33.562.130 Commercial Parking in Multi-Dwelling Zones

#### Development Standards

- 33.562.200 Purpose
- 33.562.210 Maximum Height
- 33.562.220 Floor Area Ratios
- 33.562.230 Bonus Options
- 33.562.240 Standards on Main Streets and the Streetcar Alignment
- 33.562.250 Drive-Through Facilities Prohibited
- 33.562.260 Mechanical Equipment in the CM3 Zone
- 33.562.270 Minimum Active Floor Area
- 33.562.280 Parking
- 33.562.290 Use of Accessory Parking for Commercial Parking
- 33.562.300 Northwest Master Plan
- ~~33.562.310 Required Design Review~~

#### Map 562-1 Northwest Plan District

#### Map 562-2 Limited Use Areas

#### Map 562-3 Commercial Parking in Multi-Dwelling Zones

#### Map 562-4 Maximum Heights

#### Map 562-5 Floor Area Ratios

#### Map 562-6 Bonus Areas

#### Map 562-7 Areas with Special Development Standards

#### Map 562-8 Sites where Accessory Parking May be Operated as Commercial Parking

#### Map 562-9 Northwest Master Plan Required

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## Commentary

### 33.562.300 Northwest Master Plan

- D. **Components of a Northwest Master Plan.** These regulations state what information is needed to file for a Northwest Master Plan. The current standards include references to the *Community Design Guidelines* and *Community Design Standards* for proposals within the Design overlay zone. Both of these documents are being replaced by the *Portland Citywide Design Guidelines* and the additional design standards located in 33.420. The amendments update these references.

**33.562.310 Required Design Review.** This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

### **33.562.300 Northwest Master Plan**

A-C. [No change]

**D. Components of a Northwest Master Plan.** The applicant must submit a Northwest Master Plan with all of the following components:

1-4. [No change]

5. Development and design standards and criteria. The Northwest Master Plan must set out how specific development and use proposals will be reviewed, and the standards, guidelines, and approval criteria used to evaluate each proposal. The Northwest Master Plan may include standards that are in addition to or instead of standards in other sections of the Zoning Code. The Northwest Master Plan must address such things as height limits, setbacks, FAR limits, landscaping requirements, parking requirements, entrances, sign programs, view corridors and facade treatments. Because the Northwest Master Plan is used in the EX zone, design review is required. The Northwest Master Plan must describe how design review will be implemented in the plan area. Generally, the Portland ~~Citywide Community~~ Design Guidelines and Community the Design overlay zone design standards in 33.420.050 will apply; however, the Northwest Master Plan may augment those standards and guidelines for the area covered by the Northwest Master Plan.

6-9. [No change]

**E. Review Procedure.** [No change]

### **~~33.562.310 Required Design Review~~**

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

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## Commentary

### 33.580 South Auditorium Plan District

#### Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the changes to the sections explained below.

**33.580.030 Required Design Review.** This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

In addition, provisions within 33.825.065 *Design Guidelines* are amended to clarify that projects within the South Auditorium plan district should use the *Central City Fundamental Design Guidelines*. This is not currently clear because only a portion of the South Auditorium plan district overlaps with the *Central City*.

**33.580.150 Roof Top Screening.** This standard overlaps, and is very similar to, the current standards that apply to the exemptions for rooftop equipment in all of the Design overlay zones. This standard predates many of the changes and additions that have been made with the Design overlay zone. To reduce confusion, this specific standard is eliminated and the overlay zone exemptions and thresholds will apply.



## 33.580 South Auditorium Plan District

580

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Sections:

- 33.580.010 Purpose
- 33.580.020 Where the Regulations Apply
- ~~33.580.030 Required Design Review~~
- 33.580.040 Portland Development Commission

Development Standards

- 33.580.100 Floor Area Ratios
- 33.580.110 Landscaped Areas
- 33.580.120 Parking Lot Landscaping
- 33.580.130 Preservation of Existing Trees
- 33.580.140 Sign Restrictions
- ~~33.580.150 Roof Top Screening~~

Map 580-1 South Auditorium Plan District

Map 580-2 South Auditorium Plan District Maximum Floor Area Ratio

Map 580-3 Pedestrian Mall and Open Area Landscaping

### **~~33.580.030 Required Design Review~~**

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

### **~~33.580.150 Roof Top Screening~~**

~~All mechanical equipment, duct work, and structures that house mechanical equipment on a roof must be hidden by sight-obscuring screening. Satellite dishes on a roof require screening, unless the review body finds that the dish design is consistent with the design guidelines.~~

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## Commentary

### 33.583 St. Johns Plan District

#### Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the changes to the sections explained below.

**33.583.250 Maximum Building Height.** This section references both the *Community Design Guidelines* and *Community Design Standards* as provisions to work with the height limits and bonuses. Both of these documents are being replaced by the *Portland Citywide Design Guidelines* and the additional *Design Standards* located in 33.420. The amendments update the reference to send readers to the *Design Overlay zone, 33.420*, which also provide the procedure for height bonuses in this plan district.

**33.583.290 Required Design Review.** This provision states that the regulations of the *Design overlay zone* apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the *Design overlay* apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate

## 33.583 St. Johns Plan District

# 583

### Sections:

#### General

- 33.583.010 Purpose
- 33.583.020 Where These Regulations Apply

#### Use Regulations

- 33.583.100 Purpose
- 33.583.110 Prohibited Uses
- 33.583.120 Retail Sales And Service Uses in the CM3 Zone

#### Development Standards

- 33.583.200 Purpose
- 33.583.210 Drive-Through Facilities
- 33.583.220 Exterior Activities in the EG and CM3 Zones
- 33.583.230 Detached Houses Prohibited in the CM3 Zone
- 33.583.240 Minimum Density in the R1 Zone
- 33.583.250 Maximum Building Height
- 33.583.270 Building Coverage in the CM3 Zone
- 33.583.280 Residential Uses in the EG1 Zone
- 33.583.285 Additional Regulations in the Riverfront Subdistrict
- ~~33.583.290 Required Design Review~~

Map 583-1 St. Johns Plan District

Map 583-2 Maximum Heights

### 33.583.250 Maximum Building Height

- A. Purpose.** The height regulations in the plan district protect public views and the character of St. Johns, the waterfront, and the residential area along the hillside. The height regulations work together with the ~~Community-Design overlay zone design Standards and the Portland Citywide Design Guidelines~~ to ensure that the character and scale of new development is appropriate for this mixed-use area, and for the zone.
- B. Standards.** The maximum building height for all sites is shown on Map 583-2 at the end of this chapter. In the CM3 zone, increased height may be requested as a modification through Design Review, up to the maximums shown in parenthesis on Map 583-2. Heights greater than shown in parenthesis on Map 583-2 are prohibited, and adjustments to maximum height are prohibited in all other zones.

### ~~33.583.290 Required Design Review~~

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

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## Commentary

### 33.700 Administration and Enforcement

**33.700.075 Automatic Changes to Specific Dollar Thresholds.** Currently, Table 825-1 uses a dollar value to determine the type of land use review for design reviews. This table is getting updated to change the thresholds that trigger the type of land use review and it will no longer be based on a dollar value. As a result, the table no longer should be referenced here to get an automatic increase based on the Construction Cost Index.

## 33.700 Administration and Enforcement

# 700

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### 33.700.075 Automatic Changes to Specified Dollar Thresholds

The sections listed below include dollar thresholds. These thresholds will be increased or decreased each year on March 1. The change will occur automatically, and the new dollar amount will be placed in the Zoning Code without being subject to the procedures for amending the Zoning Code. The change will be based on the annual national average of the Construction Cost Index (CCI), as published in the second January issue of the Engineering News-Record.

**A. The following sections are subject to this regulation.** Any increase or decrease that is not a multiple of \$50 will be rounded to the nearest multiple of \$50:

1. 33.258.070.D.2.a;
2. 33.258.070.D.2.d(2);
3. 33.440.230.D.1;
4. 33.510.253.D.1.a;
5. 33.515.278.B.17.a(1);
6. 33.560.020
7. 33.565.310.B.2
- ~~8. Table 825-1~~
89. Table 846-1; and
910. Table 846-3

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## Commentary

### 33.710 Review Bodies

#### Background

The main focus of these amendments is to update the purpose statement of the Design Commission to align with the purpose of the Design overlay zone, and amend the membership composition of the commission to require a wider variety of interests while also ensuring a position for a member at large not affiliated with the development process.

#### 33.710.050 Design Commission

- A. **Purpose.** The Design Commission's purpose statement is amended to update and align it with the new purpose statement for the Design overlay zone.
- B. **Membership.** The membership requirement for the Design Commission is expanded to require a wider variety of expertise within the Commission. While the overall number of Commission members remains constant at seven members, the expansion includes the following changes:
  - The language referencing the public-at-large member is clarified to state that they are not currently employed in the development related fields.
  - The subject expert related group is amended to include professionals in expanded and additional fields including natural resource management, sustainable building practices, planning and landscape architecture. The resiliency of the built form benefits from knowledge in sustainable building and their relationships with the natural environment. In addition, urban planners and designers can provide larger site and context perspectives for an area. Landscape architects have expertise in the space between buildings and can provide an added dimension to discussions relating to context and the public realm.
- C. **Meetings, officers and subcommittees.** The new language clarifies the role of commission meetings to provide a public forum for the reviews undertaken by the Design Commission. These meetings include public hearings at which a decision is made on a land use proposal.
- D. **Powers and Duties.** The amendments to this paragraph clarify the existing language regarding the Design Commission's duties, and to make changes in the listing order of their duties, since the main duty and time spent of the Design Commission is in the review of Type III Design Reviews and appeals of Type II Design Reviews.

## 33.710 Review Bodies

# 710

### 33.710.050 Design Commission

- A. Purpose.** The Design Commission provides leadership and expertise on urban design and architecture and advances on maintaining and enhancing Portland's the purpose of the Design overlay zone historical and architectural heritage.
- B. Membership.** The Design Commission consists of seven members, none of whom may hold public elective office. The Commission must include:
1. One representative of the Regional Arts and Culture Council;
  2. One person representing the public at-large. The public-at-large member must not be employed in one of the areas of expertise listed in Paragraph B.3; and
  3. Five members experienced in either urban planning, design, architecture, landscape architecture, natural resource management, sustainable building practices, engineering, financing, construction or management of buildings, and/or 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.

- C. Meetings, officers, and subcommittees.**
- The Design Commission meets at least once a month and as necessary to act on reviews assigned to them by this Title. 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.
  - [No change.]
- D. Powers and duties.** The Design Commission has all of the powers and duties which are assigned to it by this Title or by City Council. The Commission powers and duties include:
- Reviewing major developments within Design overlay zones except those projects involving or located within the following:
    - Historic Districts;
    - Conservation Districts;
    - Historic Landmarks; and
    - Conservation Landmarks.

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## Commentary

### 33.710.050 Design Commission (contd)

#### D. Powers and Duties.(contd)

5. Often, the Design Commission is asked for advice from other development/review bureaus within the city as well as by agencies such as Tri-met. This amendment clarifies that the Design Commission may provide advice if it is requested by one of these bureaus or agencies.

- E. **Annual Report.** The current regulatory requirement is for the Design Commission to provide an annual report within 3 months of the end of the previous fiscal year. While this may make sense from a budgetary perspective, it does not align with how BDS catalogs their land use reviews. Land use reviews are listed based upon the calendar year, and the BDS analysis focuses on the calendar year. This amendment changes the date for providing the annual review to allow the summary to be made following the previous calendar year. The annual report deadline is for filing the report with the Director of BDS. This deadline acknowledges that there can be scheduling issues in presenting the report to the City Council.



2. Recommending the establishment, amendment, or removal of the Design overlay zone and design districts to the Planning and Sustainability Commission and City Council;
  3. Recommending Developing design guidelines for adoption by City Council for all design districts except for guidelines for Historic Districts and Conservation Districts;
  3. ~~Reviewing major developments within design overlay zones and 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, and other City Bureaus or public agencies when necessary or requested.~~
- E. Annual report.** The Commission must make an annual report of its actions and accomplishments for each ~~calendar~~fiscal year. The report must be filed with the Director of BDS by the first working day of ~~April of the following year~~September. The Director of BDS may combine the report with annual reports of other bodies for transmission to City Council.

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## Commentary

### 33.720 Assignment of Review Bodies

#### Background

The intent of these regulations is to clarify and align the process for legislative land use proposals and the role of the Design and Historic Landmarks commission, which is similar to the Planning and Sustainability Commission's role. In all cases, the City Council is the final deciding body. This is consistent with the recommendation above.

#### 33.720.030 Legislative Land Use Reviews

- B. The Historic Landmarks Commission uses historic design guidelines as approval criteria in the review of projects, so they should also have a critical role in reviewing the establishment of design guidelines. However, their role is as a recommending body for establishment of these guidelines. The City Council is the deciding body for all legislative zoning code changes.
- C. The Design Commission uses design guidelines as approval criteria in the review of projects, so they should also have a critical role in reviewing the establishment of design guidelines. However, their role is as a recommending body for establishment of the guidelines. The City Council is the deciding body for all legislative zoning code changes.

However, since design guidelines are recommended through the Design Commission and objective design standards are recommended by the Planning and Sustainability Commission, there are instances where it makes sense to hold a joint hearing. This provision references the location in 33.740 where that determination is made.

## 33.720 Assignment of Review Bodies

720

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### 33.720.030 Legislative Land Use Reviews

- A. Legislative land use reviews, unless stated otherwise in Subsections B or C, ~~below~~, are assigned to the Planning and Sustainability Commission, who will make a recommendation to City Council.
- B. Design Guidelines in Historic Districts and Conservation Districts ~~are adopted by~~ require a recommendation from the Historic Landmarks Commission ~~before being submitted to the City Council for adoption.~~
- C. Design guidelines ~~in design districts are adopted by~~ require a recommendation from the Design Commission before being submitted to the City Council for adoption. In some cases, a joint hearing with the Design and Planning and Sustainability commissions is required. See 33.740.020.
- D. Final action on all legislative land use reviews is by the City Council.

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## Commentary

### 33.730 Quasi-Judicial Procedures

#### Background

The Design Overlay Zone Assessment had recommended the city better align its process with an applicant's plan/design process. This would include greater coordination between the timeline for the pre-application conference, the design advice request (DAR) and the formal land use review (LUR) process. For the current Type III land use process for design/historic reviews, the pre-application conference is required with staff, but the DAR in front of the appropriate commission is voluntary. Suggestions included in the assessment were to make the DAR a mandatory pre-submittal for all Type III Design Review LURs, and reduce the number of projects that may be subject to the higher review. The intent was to require the DAR to give applicants the direction they need earlier in the process, potentially making the overall process more seamless, but without a large increase in workload by focusing that process to the very largest projects.

However, the city also must align its land use review process with State land use law requirements. For the public to have meaningful engagement with standing to appeal, they have to participate in the formal LUR process. Comments during earlier phases do not provide participants the standing to appeal a project later. In addition, the LUR must address all the approval criteria that is required through the land use process. There is no ability for a decision body to provide a tentative approval during any of the preliminary processes that are set up outside the land use review time frame.

BPS staff analyzed Type III Design Review LUR cases to see if there was a current link between the efficiency of cases that went through a DAR versus those that didn't. While the number of projects that currently go through a Type III Design Review have a wide range of complexity, BPS staff was not able to determine a correlation of LUR efficiency between projects that were subject to the DAR and those that weren't.

During the Discussion Draft, there was support for having DARs within the overall process. However, the support was often tied to the idea that DARs acted like a preliminary land use review with public comment and a tentative decision or direction. Staff had a concern about the perception of requiring a DAR in front of the hearing body outside of the land use process.

As a result, the amendments keep the DAR as an optional choice for all Design and Historic Resource reviews, unless the review is required in another part of the Zoning Code (currently applicable to Central City Master Plans and bonus height requests in the North Interstate plan district). However, to allow for greater transparency, specific notification and processing regulations are added as part of a new DAR subsection within 33.730.050. This process is incorporated with BDS administrative improvements to further clarify the distinction between the DAR and the LUR.

The table of contents for 33.730 is amended to reflect the new title for 33.730.050

## 33.730 Quasi-Judicial Procedures

730

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### Sections:

#### General

33.730.010 Purpose

#### Basic Procedures

33.730.013 Expedited Land Division Procedure

33.730.014 Type I Procedure

33.730.015 Type Ix Procedure

33.730.020 Type II Procedure

33.730.025 Type IIx Procedure

33.730.030 Type III Procedure

33.730.031 Type IV Procedure

33.730.040 Final Council Action Required

#### General Information on Procedures

33.730.042 Concurrent Reviews

33.730.050 Pre-Application Conference and Other Early Assistance Meetings

33.730.060 Application Requirements

33.730.070 Written Notice Requirements

33.730.080 Posting Requirements

33.730.090 Reports and Record Keeping

33.730.100 Public Hearing Requirements

33.730.110 Ex Parte Contact

#### After a Final Decision

33.730.120 Recording an Approval

33.730.130 Expiration of an Approval

33.730.140 Requests for Changes to Conditions of Approval

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## Commentary

### 33.730.013 Expedited Land Division Procedure

- B. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

### 33.730.020 Type II Procedure

- A. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

### 33.730.025 Type IIx Procedure

- A. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

### 33.730.030 Type III Procedure

- A. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

### 33.730.031 Type IV Procedure

- A. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

### **33.730.013 Expedited Land Division Procedure**

The Expedited Land Division (ELD) procedure provides an alternative to the standard procedures for some land divisions. The applicant may choose to use the ELD process if the land division request meets all of the elements specified in ORS 197.360. The steps of this procedure are in ORS 197.365 through .375. The application requirements are listed in Section 33.730.060, below. Two additional steps are required for land division requests using the ELD Procedure:

- A. Neighborhood Contact.** The applicant must complete the steps in Section 33.700.025, Neighborhood Contact, before applying for an ELD review.
- B. Pre-application conference.** A pre-application conference is required for all land division requests processed through the ELD procedure. See 33.730.050.A., Pre-Application Conference. The pre-application conference must be held before applying for an ELD review.

### **33.730.020 Type II Procedure**

The Type II procedure is an administrative process, with the opportunity to appeal the Director of BDS's decision to another review body.

- A. Pre-application conference.** A pre-application conference is optional unless it is a specific requirement of a review. See 33.730.050.A., Pre-Application Conference.
- B.-I.** [No change]

### **33.730.025 Type IIx Procedure**

The Type IIx procedure is an administrative process, with the opportunity to appeal the Director of BDS's decision to another review body.

- A. Pre-application conference.** A pre-application conference is optional. See 33.730.050.A., Pre-Application Conference.
- B.-I.** [No change]

### **33.730.030 Type III Procedure**

A Type III procedure requires a public hearing before an assigned review body. Subsections A through D apply to all sites. If the site is within the City of Portland, Subsections E through H also apply. If the site is in the portion of unincorporated Multnomah County that is subject to City zoning, Subsection I also applies.

- A. Pre-application conference.** A pre-application conference is required for all requests processed through a Type III procedure. See 33.730.050.A., Pre-Application Conference.
- B.-I.** [No change]

### **33.730.031 Type IV Procedure**

- A. Pre-application conference.** A pre-application conference is required for all requests processed through a Type IV procedure. See 33.730.050.A., Pre-Application Conference.
- B.-F.** [No change]

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## Commentary

### **33.730.050 Pre-Application Conference and Other Early Assistance Meetings**

This section is reorganized and expanded to reference and separate the procedures for the pre-application conference from other early assistance meetings such as the design advice request (DAR).

- A. Pre-application conference.** This amendment reorganizes the current pre-application conference regulations into a separate set of subparagraphs, to distinguish this process from the design advice requests or other early assistance meetings.

There are no changes to the process for pre-application conferences. The provision for a time limit for the validity of the pre-application conference is moved to be within the sub section that now contains the regulations.



### **33.730.050 Pre-Application Conference and Other Early Assistance Meetings**

#### **A. Pre-Application Conference**

- ~~A.~~1. Purpose. The pre-application conference informs the applicant of the substantive and procedural requirements of this Title, provides for an exchange of information regarding applicable requirements of other City Codes, and identifies policies and regulations that create opportunities or pose significant problems for a proposal. Technical and design assistance is available at the conference which will aid in the development of an application. The pre-application conference also informs recognized organizations about the proposal and promotes communication between the organizations and the applicant.
- ~~B.~~2. Requirements. Forms for pre-application conferences are available from the Director of BDS. A fee is required and must be paid at the time the request for a pre-application conference is submitted. The applicant must submit a written proposal or sketched site plan of the proposal. A pre-application conference must be held within 42 days of receipt of a completed request form.
- ~~C.~~3. Participants. The applicant meets with BDS staff at the pre-application conference. In addition, City urban service or technical representatives and representatives of affected recognized organizations are invited to attend.
- ~~D.~~4. Pre-application conference recommendations. The BDS staff will mail the applicant a written summary of the pre-application conference within 21 days of the conference. The written summary will include suggestions and information that were raised at the conference for inclusion in an application. If the approval criteria for the land use review involve a determination of adequacy of the transportation system, the Office of Transportation may require a Transportation Impact Study to be submitted with the land use application.
- ~~E.~~5. Pre-application conference prior to application submittal. Application for a land use review may not be submitted before the required pre-application conference is held. This allows information obtained at the conference to be incorporated in the application submittal.
6. Time limit. A pre-application conference is valid for two years. If more than two years has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.

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## Commentary

### 33.730.050 Pre-Application Conference and Other Early Assistance Meetings (contd)

- B. Design advice requests.** This amendment expands and clarifies the early assistance process known as the “design advice request” or “DAR” for short. This process is currently intended to be used in situations where the Design or Historic Landmarks Commission may hear a future land use review. However, the current regulations do not provide any guidance on this process.

During the DOZA Assessment and the *Discussion Draft* there was discussion about whether the DAR should be a required element of any Type III Design or Historic Resource review. During research into the current process, it was inconclusive whether adding this review made the overall land use process more or less efficient. As a result, the amendments keep the DAR as an optional process. Note that design advice can also be given by land use staff during the required pre-application conference. For some submittals, this may be enough.

1. **Purpose.** This paragraph includes the current information about design advice requests but adds a provision to further clarify the purpose and role of these early assistance meetings. The decision whether or not to submit for the DAR is the applicant's decision to make, since it won't be required for any level of review.
2. **Application.** This is a new paragraph of information to guide an applicant to provide submittal requirements to allow the DAR to be taken in and scheduled in a timely manner.
3. **Schedule of request.** Similar to pre-application conferences, this paragraph provides the time window within which a DAR needs to be scheduled with the respective commissions.
4. **Notification.** This paragraph provides new guidance on the notification required prior to holding the meeting on a DAR. While this is not part of the land use review, the DARs are a public meeting where issues and concerns of a potential development may be raised. Comments raised at the DAR can provide the link between the neighborhood contact conversations and testimony given at the land use stage. This amendment requires that a mailed and posted notice be provided for all DARs.
5. **Meeting.** There has been concern that DAR meetings can often get extended over multiple dates which can span several months. This amendment limits the DAR to one meeting which shares similarities with the pre-application conference, which is always held at one meeting. Note that projects involving multiple buildings may ask for an additional meeting.
6. **Summary of design advice request meeting.** Similar to the pre-application conference, this amendment sets the standards and timely release of notes from the DAR, to enable the applicant to develop the land use application soon after holding the DAR.

**BF. Design advice requests~~Other pre-application advice.~~**

1. Purpose. Design advice requests provide a public forum for the preliminary discussion and exchange of information between the applicant, BDS staff, the public, and the representative commission. An applicant may request advice from the Design Commission or Historical Landmarks Commission prior to submitting a land use request that would be heard by these commissions. In some cases, a design advice request may be required by a provision of this title. These requests are known as "design advice requests". These requests do not substitute for a required pre-application conference with the BDS staff and other City urban service or technical representatives. A fee is charged for design advice requests as stated in the Fee Schedule.
2. Requiements. Forms for design advice requests are available from the Director of BDS. A fee is required and must be paid at the time of the submittal for the design advice request. The applicant must submit a written proposal, information on the physical and social characteristics of the area, a conceptual site plan and elevations of the project. The applicant may also include details of the project that are associated with specific questions they may have as part of the design advice request. The design advice request must be held within 56 days of receipt of a completed request form.
4. Notification. The following notification will be provided prior to the design advice request meeting:
  - a. Mailed notice. At least 20 days before the scheduled meeting, the Director of BDS will mail a notice of the request to the owner, the applicant if different, all property owners within 400 feet of the site, and to recognized organizations in which the site is located. The notice should include the file number, the name of the person requesting the advice, the name of the property owner, the name and phone number of the BDS staff member assigned to the file, the date of the meeting, the address or geographic location of the request, the current zoning of the site, a brief description of the proposal, and a conceptual site plan.
  - b. Posting notice on the site. At least 20 days before the scheduled meeting, the person requesting the advice must place a public notice of the design advice request adjacent to each street frontage on the site. The notice should include the file number, the date of the meeting, the name and phone number of the BDS staff member assigned to the file, the current zoning of the site, and a brief description of the proposal.
5. Meeting. The design advice request meetings are limited to one meeting per application. Additional meetings may be granted for proposals that include more than one building proposed on a site.
6. Design advice request recommendations. BDS staff will mail the applicant a written summary of the design advice request within 21 days of the meeting. The written summary will include suggestions and information that were raised at the meeting for inclusion in the land use application.

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## Commentary

### 33.730.050 Pre-Application Conference and Other Early Assistance Meetings (contd)

- C. **Other pre-application advice.** This is a new subsection that identifies that other preliminary, or early assistance meetings may be established by the Bureau of Development services. Current processes include early zoning and infrastructure meetings with development services and other bureau staff.
  
- G. **Time limit.** This subsection is only relevant to the pre-application conference and has been moved to be within the section on pre-application conferences (33.750.050.A).

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

- C. Other pre-application advice.** An applicant may choose to meet with BDS staff to discuss preliminary proposals prior to the submission of a land use review or building permit. The process for setting up these meetings is developed by the Director of BDS and the meetings are advisory only.
- G. ~~Time limit.~~** ~~A pre-application conference is valid for two years. If more than two years has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.~~

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## Commentary

### 33.740 Legislative Procedure

#### 33.740.020 Commission Review

- A. Hearing Required.** As discovered during the legislative process for DOZA, there are benefits to coordinating the recommendations of the Design Commission and the Planning and Sustainability Commission (PSC). As stated in 33.720, the Design Commission is the recommending body for the establishment of, or amendments to the Design Guidelines. This role parallels the role that the Planning and Sustainability Commission have in recommending design standards which are in the Zoning Code.

To ensure future consistency and parity in the criteria/standards, any legislative projects that include new or amended design guidelines or standards will need to hold a joint hearing of the Design Commission and the Planning and Sustainability Commission prior to their provision of the recommendations or either commission to City Council. In all cases, the City Council is the deciding body for all legislative zoning code changes.

- B. Public notice for the hearing.** This clarifies that in some cases, the initial hearing on a matter may be a joint hearing.

## 33.740 Legislative Procedure

740

### 33.740.020 Commission Review (Amended by Ord. No. 170704, effective 1/1/97.)

#### A. Hearing required.

1. A Commission must hold at least one public hearing before recommending action on a legislative matter.
2. When a legislative matter includes the establishment or amendment of any design standards in 33.420 or the establishment or amendment of any design guidelines for design review, at least one joint public hearing with the Planning and Sustainability Commission and the Design Commission is required before each commission recommends action on the subject matter assigned to them.

#### B. Public notice for the hearing.

- 1.-3. [No change]
4. More than one Commission or hearing involved. The notice requirements of Paragraph 1. above apply to the initial hearing on the legislative matter, whether it is held by the Planning and Sustainability Commission, Design Commission, or Historical Landmarks Commission, or is a joint hearing. When more than one hearing is held, additional notice will be made as follows:
  - a. To a specific time and place. If notice of a subsequent hearing is made at a public hearing on the same legislative matter and the specific time and place of the subsequent hearing are stated, then no additional notice is required.
  - b. Undetermined time and place. If a subsequent hearing has not been scheduled at the time of a previous hearing, as provided in Subparagraph a. above, then notice of the subsequent hearing must be mailed to all persons who responded to the matter in writing, testified at the previous hearing, or have requested such notice. The notice must be mailed at least 14 days before the hearing.

#### C.-E. [No change]

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## Commentary

### 33.825 Design Review

#### Background

The amendments in this chapter replace the current table that assigns the type of design review to the project proposal. The amendments also align portions of the chapter with the changes made in 33.420, including the Purpose Statement. The main change, impacting Table 825-1, assigns the type of design review to the scale of the proposal. The new table creates a set of thresholds within the Central City and a set for the rest of the city, which was a recommendation of the assessment. This replaces the current table which contained a confusing mix of thresholds for different plan districts and overlay zone areas.

The other main change clarifies the scope of design review to align it with city and state policy, including recent changes to state statutes that limit the ability to reduce density (or height if it ultimately reduces density) through discretionary reviews.

**33.825.010 Purpose.** The purpose statement is revised to link the design review process to the updated role of the Design overlay zone as recommended in the DOZA Assessment report. The three tenets of building on the context, contributing to the public realm and ensuring quality and resilience is repeated here. Design review is the discretionary procedure contained within the Design overlay zone. As a discretionary procedure, design review provides additional flexibility in the way a development proposal can meet these three tenets of good design, and provides an option to meeting the set of objective standards that are available outside of the Central City.



## 33.825 Design Review

825

Sections:

- 33.825.010 Purpose
- 33.825.025 Review Procedures
- 33.825.035 Factors Reviewed During Design Review
- 33.825.040 Modifications That Will Better Meet Design Review Requirements
- 33.825.055 Approval Criteria
- 33.825.065 Design Guidelines
- 33.825.075 Relationship to Other Regulations

~~Map 825-1 Albina Community Plan Area~~

~~Map 825-2 Outer Southeast Community Plan Area~~

~~Map 825-3 Southwest Community Plan Area~~

### **33.825.010 Purpose**

Design review implements the Design overlay zone, strengthening these areas as places designed for people. Design review supports development that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces. Design Review offers opportunities for increased flexibility over the design standards within Chapter 33.420.

~~Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area and to promote quality development near transit facilities. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.~~

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## Commentary

**33.825.025 Review Procedures.** The amendments to the introductory paragraph align the design review procedure with the recent direction for assigning the Design overlay zone. The review is no longer specific to a design district. In addition, language is removed that refers to determining the type of review based upon the valuation of a project. As shown on Table 825-1, different thresholds have been developed to determine the type of review process.

- A. These amendments update the conditions for determining the type of review process for proposals subject to multiple reviews including design review. Since project valuation is no longer relevant, different examples need to be provided to aid the reader in determining the correct type of review.
  
- B. This subsection was originally inserted during a previous regulatory improvement project to provide a clear regulatory process for determining how to review changes to an approved design review that proposed revisions while under construction. The threshold was based on changes in value, which is no longer used to determine thresholds in 825-1. The amendment revises the allowance for a Type III approved project that is still being planned/built to go through a Type II revision process as long as there is no increase in size and if each individual façade area is altered a maximum of 30 percent. Changes in excess of this will need to repeat the Type III Design Review process.

### 33.825.025 Review Procedures

This section lists procedures for design review for proposals in Ddesign overlay zones. These procedures also apply where design review is required by the regulations of a plan district or overlay zone, or as a condition of approval of a quasi-judicial decision.

The procedures stated in this section supersede procedural and threshold statements in the City's adopted design guidelines documents. Procedures for design review vary with the type of proposal being reviewed and the geographic area~~design district~~ in which the site is located. Some proposals in the Central City plan district must provide a model of the approved proposal, as set out in Subsection D. ~~When determining procedure type for exterior alterations based on project valuation, the dollar amount refers to the value of the exterior changes and any new floor area only. It does not include interior or subgrade alterations.~~

- A. Proposals subject to design review are reviewed according to the procedure type listed in Table 825-1. When a proposal is subject to more than one procedure type, the higher procedure type applies. For example, a proposal may include both an alteration and an addition to a building. If the alteration located in the Central City Plan District may not exceed the dollar threshold is subject to a~~for a~~ Type II procedure, but the addition is subject to a Type III procedure, because it is also in the Downtown Design District and it exceeds the square footage threshold for a ~~Type II procedure,~~ the proposal would be subject to a Type III procedure.
- B. Minor changes to an approved design review prior to issuance of final permit approval. Minor changes to an approved design review that was originally processed through a Type III procedure are reviewed through a Type II procedure when all of the following are met. Alterations to a structure after the final building permit approval are exempt from this regulation:
1. The original design review has not expired;
  2. The building permit for the project has not received final approval;
  3. The change will not modify any condition of approval. Changes to an approved exhibit are allowed; and
  4. The change alters no more than 30 percent of any façade and does not increase the approved floor area.~~The cumulative value of the changes will not result in an increase or decrease in the original project value by more than 15 percent.~~
- C-D. [No change.]

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## Commentary

### Table 825-1

#### Procedure Type for Design Review Proposals

The City's design review process has expanded over the past 30 years, after beginning with projects in the Central City. Each time a plan area was added to the Design overlay zone, a set of new review thresholds was added to the table. Over time this has created an overly complex and inconsistent set of thresholds that don't necessarily align a project's impact with the design scrutiny that should apply.

This was why the first recommendation of the Assessment was to adjust the thresholds into a system that better coordinates review process with development intensity. The assessment recognized that the legacy of Design review within the Central City warrants a higher level of scrutiny than in other areas of the city. However, the assessment recommendation for a single set of review thresholds for the rest of the city would simplify and increase understanding of the role of design review in these areas. The result is the creation of a more concise table, split into Central City versus Citywide and by new development/buildings versus alterations/additions.

For new buildings, the threshold is based upon the height and/or overall size of the building. As an example, in most areas of the City, a building that is either at least 80,000 square feet in floor area or more than 65 feet high would go through a Type III Design Review, which requires a preapplication conference first and then a public hearing in front of the Design Commission. These buildings are often transformative in scope, generally filling a full block frontage such as some of the larger developments in Lents, on SE Division and 50<sup>th</sup>, or on North Interstate. This could also require large retail buildings/shopping centers to go through a Type III review. Smaller infill buildings would be a Type II review, where the decision is made by Planning Staff after a public notification process.

Lower thresholds within the Central City plan district trigger a Type III review, although a smaller infill project, such as a 3-4 story infill building on a 5,000 square foot lot would likely be a Type II review, unlike today, where nearly any new building triggers the Type III review.

All alterations that do not add significant new floor area will be processed under a Type II staff review, both within the Central City and elsewhere in the City. If the alteration also involves a larger increase in floor area to a taller building, then a Type III review process is triggered.

Note that a new Type I staff level review is proposed for small-scale alterations. This review has a much shorter timeline and is not subject to appeal.

Two footnotes have been added. The first clarifies that threshold height is determined similar to base zones. The second relates to affordable housing and is discussed on the next commentary page.

Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 825-1</b>			
<b>Procedure Type for Design Review Proposals</b>			
<b><u>Geographic Area</u></b>	<b><u>Proposal</u></b>	<b><u>Threshold</u></b>	<b><u>Procedure</u></b>
<u>Central City Plan District</u>	<u>New development or new building(s) on a site with existing development</u>	<u>1) New floor area is &gt; 25,000 s.f. or</u> <u>2) New building height is &gt; 45 ft.[1]</u>	<u>Type III[2]</u>
		<u>All other new development or new buildings</u>	<u>Type II</u>
	<u>Exterior alteration to existing development</u>	<u>Addition to an existing building &gt; 45 ft height [1], and adds &gt; 25,000 s.f. of floor area</u>	<u>Type III [2]</u>
		<u>Exterior alteration affecting 500 s.f. or less of façade or roof area</u>	<u>Type I</u>
		<u>All other exterior alterations</u>	<u>Type II</u>
	<u>All Other Areas Subject to Design Review</u>	<u>New development or new building(s) on a site with existing development</u>	<u>1) New floor area is &gt; 80,000 s.f. or</u> <u>2) New building height is &gt; 65 ft. [1]</u>
<u>All other new development or new buildings</u>			<u>Type II</u>
<u>Exterior alteration to existing development</u>		<u>Addition to an existing building &gt; 65 ft height [1], and adds &gt; 50,000 s.f. of floor area</u>	<u>Type III [2]</u>
		<u>Exterior alteration affecting 500 s.f. or less of façade or roof area</u>	<u>Type I</u>
		<u>All other exterior alteration</u>	<u>Type II</u>
<u>Exterior development not listed above</u>			<u>Type II</u>

[1] The height threshold does not include additional height allowed through a height exception in the bases zone.

2] An affordable housing project may choose a Type II review procedure if at least 50 percent of the total number of dwelling units on the site are affordable to those earning no more than 60 percent of the area median income or an affordability level established by Title 30. If a Type II review procedure is chosen, the applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability requirement and any administrative requirements of the Portland Housing Bureau and a design advice request is required. See 33.730.050.B. The application for design review may not be submitted before the required design advice request is held.

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## Commentary

### Table 825-1 Procedure Type for Design Review Proposals

Footnote #2, listed on the previous page, allows specific affordable housing projects to choose a Type II review with a required design advice request, if they would normally trigger the Type III process which would require a pre-application meeting. This is based on a current provision developed during the current housing emergency, but has been amended to line up more closely with current land use review processes and to provide opportunities to affordable housing projects citywide that are not specifically requesting a city subsidy, but are providing a significant percentage of affordable housing units. .

The process created through the housing emergency established a unique Type IIx process that required a design advice request (DAR). The provision only applied within the Central City and Gateway plan districts. While the intent of this temporary change was to create a simpler process for affordable housing projects with the Housing Bureau, only two projects have used this provision since 2015. Rather than just formally codify the current, unique land use approach, the amendment expands the types of affordable housing eligible beyond city subsidy projects and the two plan districts. It allows a qualified affordable housing projects to elect to go through a Type II land use review overseen by staff as an option for Type III reviews. However, City Council felt that there was still value in continuing the requirement for a design advice request (DAR) prior to submittal. The DAR allows for potential issues affecting the design to be discussed up front prior to the formal staff level review of the Type II.

This option is available citywide to projects that would normally trigger the Type III design review. To qualify for this choice, the project will be required to allocated 50 percent of their units to households earning a maximum up to 60 percent median income. Portland Housing Bureau will need to update Title 30 (under separate ordinance) to align their programs with this regulation. Confirmation of this agreement will be provided by the Housing Bureau and will be required at the time of the Design Review process and monitored during the subsequent building permit.

Whether the project goes through the Type II or Type III design review, the same approval criteria (i.e. design guidelines) will apply in either case.

### Removal of existing Table 825-1

The following two pages show the existing Table 825-1 that is replaced with the previous page.

Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 825-1</b>			
<b>Procedure Type for Design Review Proposals</b>			
<b>Design Districts</b>	<b>Proposal</b>	<b>Threshold</b>	<b>Procedure</b>
Downtown Design District	New floor area	> 1,000 s.f.	Type III
		≤ 1,000 s.f.	Type II
	Exterior alteration	Value > \$459,450	Type III
		Value ≤ \$459,450	Type II
River District Design District	New floor area or Exterior alteration in CX or OS zone	>1,000 s.f. <u>and</u> value > \$459,450	Type III
		≤ 1,000 s.f. <u>or</u> value ≤ \$459,450	Type II
Gateway Design District	Development proposals	Value > \$2,297,050 included in a Gateway Master Plan Review	Type III
		Value ≤ \$2,297,050 and not part of Gateway Master Plan Review	Type II
Marquam Hill Design District	Development proposals	In-design overlay zones	Type II
Sellwood-Moreland Design District			
Terwilliger Parkway Design District	Proposals that are visible from Terwilliger Boulevard	Non-single dwelling development	Type III
		Single dwelling development	Type II
Central Eastside	Development proposals	Value > \$2,297,050	Type III
Goose Hollow			
Lloyd District			
Macadam		Value ≤ \$2,297,050	Type II
River District			
South Waterfront			
<b>Community Plans</b>			
Albina Community Plan area, including Lower Albina	Development proposals	In-design overlay zones	Type II
Outer Southeast Community Plan area, excluding Gateway Design District			
Southwest Community Plan Area, excluding Macadam & Terwilliger Design Districts			

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## Commentary

### Table 825-1 Procedure Type for Design Review Proposals

Replacement contd.



Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 825-1</b>			
<b>Procedure Type for Design Review Proposals</b>			
<b>Plan Districts</b>	<b>Proposal</b>	<b>Threshold</b>	<b>Procedure</b>
Central City Plan District, excluding Lower Albina	Development proposals	In design overlay zones and value > \$2,297,050	Type III
Northwest Plan District		In design overlay zones and value ≤ \$2,297,050	Type II
South Auditorium Plan District			
Albina Plan District	Development proposals	In design overlay zones	Type II
Hollywood Plan District			
North Interstate Plan District			
St. Johns Plan District			
<b>Overlay Zones</b>			
“a” Alternative Density overlay	Additional density in R3, R2, R1 zone	Using bonus density provisions in 33.405.050	Type III
	Using other provisions in 33.405	Not subject to 33.405.050	Type II
“d” Design overlay	Development proposals	Not identified elsewhere in this table and value > \$2,297,050	Type III
		Not identified elsewhere in this table and value ≤ \$2,297,050	Type II
<b>Base Zones</b>			
All zones	Signs	In design overlay zones	Type II
	Exterior mechanical equipment		
	New or replacement awnings		
C-zones	Planned Development	Using the Planned Development bonus provision described in 33.130.212	Type III
C, E, I, RX, CI zones	Facade alteration	≤ 500 square feet in design overlay zones	Type II
RF—R2.5 zones	Subject to section 33.110.213, Additional Development Standards	Requests to modify standards	Type II
IR zone site with an approved Impact Mitigation Plan (IMP)	Proposals that are identified in IMP	IMP design guidelines are qualitative	Type II
	Proposals that are identified in IMP	IMP design guidelines are objective or quantitative	Type Ix

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## Commentary

### **33.825.035 Factors Reviewed During Design Review.**

This section's original intent was to illustrate the aspects of a proposal that may be reviewed when determining whether a project meets relevant design guidelines. The list is not intended to be an exhaustive list, and most development factors can be considered if they have relevance to the design guidelines, which are the approval criteria for the project.

A new provision is added to clarify that a design review approval cannot be contingent on an applicant reducing or increasing the floor area ratio (FAR) or height proposed for a project, if the proposed FAR or height is within zone allowances, and isn't a bonus that is subject to design review or modification through design review. The FAR and height standards are determined during policy discussions of the base and overlay zones, or for plan districts. These legislative decisions set the road map for the intensity of future development and can result in both maximum and minimum floor area requirements. Although height maximums are also set during zoning creation, it is possible to maneuver the tallest part of a building on the site to react to contextual issues or to create a better site layout. So, discussion can still take place about the distribution of the mass on the site.

The amendment codifies the general implementation practice which avoids limiting floor area and maximum height as part of the discretionary design review process in most instances. However, some areas may grant additional height only through design review approval or through the modification process as part of a design review. In these cases, the review has the ability to determine if this additional height meets the design guidelines and/or the approval criteria for granting modifications.

The amendment is intended to align with recent changes in the State land use laws that limit a city from reducing the density or height of housing if the density is an amount allowed through the local regulation, or the reduction of height results in reduction of density. Since Portland is using floor area and height to regulate both residential and commercial building intensity, the standard is written to regulate floor area and height. However, this limitation does not allow an applicant to gain approval to adjust or modify development standards solely based on their need to achieve their proposed floor area ratio. Adjustments or modifications to standards should be reviewed independently of their potential effect on the applicant's requested floor area or height.

### **33.825.Modifications That Will Better Meet Design Review Requirements**

Two amendments are made to this section. The first amendment to the introductory paragraph further clarifies the types of regulations that can be modified versus those that require an adjustment. Other standards that are based upon the intensity of a use (such as a minimum number of parking spaces calculated on the size of the use) are also use-related standards subject to the adjustment criteria instead of a modification.

The second change adds a modification approval criteria *C* to state that mitigation may be needed (but not always required) to address the potential impacts of granting the modification. This is similar to the approval criteria that apply to adjustment requests. Additional modification requests may create cumulative impacts needing mitigation, but that this isn't always the case.

### **33.825.035 Factors Reviewed During Design Review.**

The review may evaluate the architectural style; structure placement, dimensions, height, and bulk; lot coverage by structures; and exterior alterations of the proposal, including building materials, color, off-street parking areas, open areas, landscaping, and tree preservation.

While the review may evaluate the distribution of massing and placement of structures on the site, the review may not require the applicant to reduce or increase the total floor area or height, except when the height being proposed includes bonus height, and the bonus requires approval through design review or a modification through design review.

The review body is not obligated to approve modifications or adjustments that are requested in order to achieve the proposed development intensity.

### **33.825.040 Modifications That Will Better Meet Design Review Requirements**

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. The review body may not consider modifications to standards for which adjustments are prohibited. Modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or other standards that are calculated based upon the size or intensity of the use such as the quantity of parking and loading spaces~~concentration of uses~~) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.
- C. Mitigation of impacts.** Any impacts resulting from the modifications are mitigated to the extent practical.

### **33.825.055 Approval Criteria**

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

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## Commentary

**33.825.065 Design Guidelines** The amendments in the section accomplish two things. First, they align the purpose of the design guidelines with the revised purpose statements for design review and for the Design overlay zone. Second, they emphasize the Design overlay zone over specific design districts since much more of the city is now assigned the Design overlay zone without it being part of a specific district.

Included in this clarification is a reference in Subsection B that all of the South Auditorium plan district area is subject to the Downtown subdistrict of the Central City Fundamental Design Guidelines. This was removed in a previous project.

### 33.825.065 Design Guidelines

- A. Purpose.** Design guidelines are the approval criteria used to review new development and ~~alterations~~modifications to existing development. They ensure that the development builds on the context of the area, contributes to the public realm and promotes quality and long-term resilience within the Design overlay zone~~the conservation and enhancement of the special characteristics of each design district.~~
- B. Design guidelines.** Guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-~~43~~ and ~~420-5~~ through 420-6. Where two of the design districts shown on those maps overlap, both sets of guidelines apply. Projects within the South Auditorium Plan District use the Central City Fundamental Design Guidelines for the Downtown Subdistrict.

All other areas within the Design ~~o~~Overlay zZone or proposals subject to design review use the Portland ~~Citywide~~Community Design Guidelines.

~~The~~A district's design guidelines are mandatory approval criteria used in design review procedures. Within design districts, ~~t~~he design guidelines may consist of a common set of design guidelines for the whole district and special design guidelines for subdistricts. Where subdistrict guidelines conflict with the district guidelines, the subdistrict guidelines control.

- C. Waiver of design guidelines.** If a design district's design guidelines document includes goals for the design district, the review body may waive one or more of the guidelines as part of the design review of a development procedure in order to meet the goals.

### 33.825.075 Relationship to Other Regulations

Design review approval by BDS does not imply compliance with the other requirements of the Zoning Code or other City, Regional, State, and Federal agencies.

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## Commentary

### 33.835 Goal, Policy and Regulation Amendments

#### Background

The changes to this chapter are housekeeping measures, to provide clarification and transparency on the oversight of the Design Commission

**33.835.020 Initiating a Text Amendment** This clarifies that the design commission can initiate a regulatory amendment for all design guideline criteria, not just for design districts.

#### 33.835.040 Approval Criteria

- D. **Design Guidelines.** This amendment clarifies that design guidelines are developed for all applications of the Design overlay zone, not just for design districts, and that approval criteria to change these guidelines must maintain and enhance the characteristic of the overlay zone or district, depending on the background document for that overlay.

## 33.835 Goal, Policy, and Regulation Amendments

835

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Sections:

- 33.835.010 Purpose
- 33.835.020 Initiating a Text Amendment
- 33.835.030 Procedure
- 33.835.040 Approval Criteria

### 33.835.010 Purpose

This chapter states the procedures and review criteria necessary to amend the land use goals, policies, and regulations of the City. For the purposes of this chapter, regulation includes all land use standards, guidelines, area plans, or other similar text. For convenience, all of these amendments are referred to as "text amendments".

### 33.835.020 Initiating a Text Amendment

Text amendments may be initiated by the Planning and Sustainability Director, the Planning and Sustainability Commission, or by the City Council. The Historical Landmarks Commission may initiate amendments concerning historic districts, and the Design Commission may initiate amendments concerning design guidelines~~districts~~. Others may make a request to the Planning and Sustainability Commission to consider a text amendment initiation, except for design guidelines. Requests for amendments to design guidelines in historic districts are made to the Historical Landmarks Commission and to the Design Commission for design guideline amendments in ~~other~~ the Design overlay zone~~districts~~. Initiations by a review body are made without prejudice towards the final outcome.

### 33.835.030 Procedure

Text amendments are reviewed through the legislative procedure stated in Chapter 33.740, Legislative Procedure.

### 33.835.040 Approval Criteria

**A-C. [No change.]**

- D. Design guidelines.** Design guidelines ~~for design districts~~ must be found to both maintain and enhance the characteristics ~~which~~ that distinguish the ~~Design overlay zone or design district~~ and be consistent with the reasons for establishing the ~~Design overlay zone or design district~~.

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## Commentary

### 33.854 Planned Development Review

#### 33.854.310 Approval Criteria for Planned Developments in All Zones

**A. Urban Design and development framework.**

This change removes the reference to the *Community Design Guidelines*, leaving the reference to "applicable" design guidelines. The new design guidelines are reference in 33.420 and provided in Volume 3 of the DOZA package. Other specific areas have their own applicable design guidelines.



## 33.854 Planned Development Review

854

### 33.854.310 Approval Criteria for Planned Developments in All Zones

Criteria A through F apply to proposals for additional height or FAR in the CM2, CM3, CE, and CX zones that are taking advantage of 33.270.100.I. If the Planned Development is not proposing additional height or FAR as allowed by 33.270.100.I, then only criteria E and F apply.

#### A. Urban design and development framework.

1. The proposed overall scheme and site plan provide a framework for development that meets applicable Community Design Guidelines and will result in development that complements the surrounding area;
2. Scale and massing of the development addresses the context of the area, including historic resources, and provides appropriate scale and massing transitions to the adjacent uses and development specifically at the edges of the Master Plan area;
3. Proposed plazas, parks, or open areas are well located to serve the site and public, and are designed to address safety and comfort of users; and
4. The site plan promotes active ground floor uses on key streets to serve the development and surrounding neighborhood, ~~and~~

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## Commentary

### 33.855 Zoning Map Amendments

#### Background

The changes to this chapter are additional housekeeping measures, to provide clarification and transparency on the oversight of the Design Commission.

**33.855.020 Initiating a Zoning Map Amendment** The Design Commission does not have more regulatory oversight than other individuals and groups in proposing a map amendment to a Design overlay zone boundary. Originally, the Design overlay was only applied in specific design districts. This is no longer the case, so a special reference to the commission and design districts is out of date. Since quasi-judicial or legislative amendments have their standard procedure for recommendation and approval, there is no need to call out the design commission.

## 33.855 Zoning Map Amendments

855

### 33.855.010 Purpose

This chapter states the procedures and approval criteria necessary to process an amendment to the base zones, overlay zones, plan districts, and other map symbols of the Official Zoning Maps. The chapter differentiates between amendments which are processed in a quasi-judicial manner and those processed in a legislative manner. A discussion of quasi-judicial and legislative is found in 33.700.070.

### 33.855.020 Initiating a Zoning Map Amendment

- A. **Quasi-Judicial.** Requests for a zoning map amendment ~~which~~that are quasi-judicial may be initiated by an individual, a representative of the owner, the Planning and Sustainability Commission, or the City Council. The Historical Landmarks Commission may initiate amendments concerning historic districts,~~and the Design Commission may initiate amendments concerning design districts.~~ The Director of BDS may request amendments for initiation by the Planning and Sustainability Commission. Initiations by a review body are made without prejudice towards the outcome.
- B. **Legislative.** Requests for zoning map amendments ~~which~~that are legislative may be initiated by the Planning and Sustainability Commission or the City Council. The Historical Landmarks Commission may initiate amendments concerning historic districts,~~and the Design Commission may initiate amendments concerning design districts.~~ Others may request to the Planning and Sustainability Commission to initiate a legislative zoning map amendment. The Planning and Sustainability Commission will review these amendment requests against adopted initiation criteria. Initiations by a review body are made without prejudice towards the outcome.

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## Commentary

## Section 7: Title 32 – Sign Code Amendments

The following amendments affect Title 32, Signs and Related Regulations. These amendments are to ensure consistency between the zoning code and the sign code.

The section is formatted to show draft code amendments on the right-hand (odd) pages and related commentary on the facing left-hand (even) pages. Generally, code language that is removed is indicated through a strike-through, while new code language is indicated through the use of underlining of the code. In some instances, such as the provision of a new table, the new code may not be underlined to help in clarity of reading. These situations are specifically pointed out.

Only sections of the code that are amended are included in the document.

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## Commentary

### 32.34 Additional Regulations for Specific Uses, Overlay Zones and Plan Districts

#### 32.34.020 Additional Standards in Overlay Zones

- B. Design Overlay Zone.

The Sign Code currently has a set of regulations and references that are related to the Design overlay zone. The changes in this section are made so that regulations in this section are consistent with the changes made in Title 33.

  - 1. Where these regulations apply. This amendment updates the threshold for signs to match the updates made in 33.420. Specifically, the allowance for signage within the South Auditorium plan district will more closely match the sign exemption for the rest of the city, with the exception of signs placed within 50-feet of the recently created Halprin Open Space Sequence historic district. The lower threshold is intended to match the threshold currently proposed for signage in other historic districts.

## CHAPTER 32.34 - ADDITIONAL REGULATIONS FOR SPECIFIC USES, OVERLAY ZONES, AND PLAN DISTRICTS

### Sections:

- 32.34.010 Additional Standards for Specific Uses.  
32.34.020 Additional Standards in the Overlay Zones.  
32.34.030 Additional Standards in the Plan Districts.

### **32.34.010 Additional Standards for Specific Uses.**

A-C. [No change.]

### **32.34.020 Additional Standards in Overlay Zones.**

(Amended by Ordinance Nos. 176469, 178172, 179092, 185915 and 188959, effective May 24, 2018.) Overlay zones are shown on the Official Zoning Maps.

A. Buffer Overlay Zone

1-2. [No change]

B. Design Overlay Zone

1. Where these regulations apply. The regulations of this subsection apply to exterior signs in excess of 32 square feet within the Design Overlay Zone, and ~~all signs~~ over 3 square feet if they are within 50 feet of the Halprin Open Space Sequence historic district in the South Auditorium plan district. However, signs are not required to go through design review if they meet one of the following standards:
  - a. The sign is a portable sign, lawn sign, directional sign or temporary sign; or
  - b. The sign is a part of development exempt from design review under Section 33.420.045, Exempt from Design Review.
2. Awnings. Awnings within the Design Overlay Zone are subject to Chapter 33.420. Awnings must also meet the requirements of Chapter 32.52 of this Title.

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## Commentary

B. Design Overlay Zone.

3. Regulations. The amendment to this subsection is intended to provide consistent language with the zoning code regulations for the Design overlay zone. The zoning code will no longer use the term Community Design Standards and will be referring to these as "Design Standards". This amendment creates a similar reference for the additional standards that apply in the Design overlay zone.

Note that historic and conservation areas will still refer to the Community Design Standards in the zoning code, so this change is not extended to the Historic Resource overlay zone.



**3. Regulations.**

- a.** Generally. Signs must either meet the ~~Community~~ Design Standards in Subparagraph B.3.c., below or go through Design Review, as described in this paragraph. The ~~Community~~ Design Standards provide an alternative process to design review for some proposals. Where a proposal is eligible to use the ~~Community~~ Design Standards, the applicant may choose to go through the discretionary design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Subparagraph B.3.c., below. If the proposal meets the ~~Community~~ Design Standards, no design review is required. Proposals that are not eligible to use the ~~Community~~ Design Standards, that do not meet the ~~Community~~ Design Standards, or where the applicant prefers more flexibility, must go through the design review process.
- b.** When ~~Community~~ Design Standards may be used. See Chapter 33.420, Design Overlay Zone.
- c.** ~~Community~~ Design Standards for signs. In the C, E, and I zones, signs must meet the sign regulations of the RX zone. Signs with a sign face area of over 32 square feet may not face an abutting regional trafficway or any Environmental Protection Overlay Zone, Environmental Conservation Overlay Zone, or River Natural Greenway Overlay Zone that is within 1,000 feet of the proposed site.

**C. Historic Resource Overlay Zone**

**1-2.** [No change.]

**D. Scenic Resource Overlay Zone**

**1-2.** [No change.]

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## Commentary

### 32.34.030 Additional Standards in Plan Districts

- F. South Auditorium plan district
  - 2. Standards. This amendment is consistent with the amendments made under the applicability of Design overlay zone. This updates the thresholds of how to apply the Design overlay zone for signs within the South Auditorium plan district. Not all signs within the plan district will be subject to a discretionary design review. The amendment references the zoning code provision in 33.420 where many portions of the plan district will exempt signs under 32 square feet. However, the standards within paragraph #2 will apply whether or not the sign is exempt or goes through design review.

**32.34.030 Additional Standards in Plan Districts.**

(Amended by Ordinance Nos. 176469, 179092, 182072 and 188959, effective May 24, 2018.) Plan districts are shown on the Official Zoning Maps.

**A-E.** [No change.]

**F.** South Auditorium plan district

**1.** Where these regulations apply. The regulations of this subsection apply to the South Auditorium plan district.

**2.** Standards.

**a.** Design review. Unless exempted under Subparagraphs F.2.f. and g., below, all exterior signs are subject to the regulations of ; ~~regardless of size, are subject to design review.~~ See Chapter 33.420, Design Overlay Zone.

**b-g.** [No change.]

**G-I.** [No change.]

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## Commentary

## Section 8: Zoning Map Amendments

The following provides an overview of the zoning map amendments proposed amendments affect Title 32, Signs and Related Regulations. These amendments are to ensure consistency between the zoning code and the sign code.

The section is formatted to show draft code amendments on the right-hand (odd) pages and related commentary on the facing left-hand (even) pages. Generally, code language that is removed is indicated through a strike-through, while new code language is indicated through the use of underlining of the code. In some instances, such as the provision of a new table, the new code may not be underlined to help in clarity of reading. These situations are specifically pointed out.

Only sections of the code that are amended are included in the document.

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## Commentary

### Removal Design Overlay from Single Dwelling Zoned Properties

The update in the regulations for the Design overlay zone has focused on developing guidelines and standards to apply to larger multi-dwelling, mixed use, and commercial developments. In addition, the new Design overlay regulations exempt new development and alterations to development for residential only proposals that involve 4 units or less.

However, there are several areas of the city that have single-dwelling zones, including R5 and R2.5, that also have the Design overlay zone. Many of these areas were assigned the 'd' overlay as part of an old planning process. At that time, there were no design standards that applied to single-dwelling zones other than basic setback, height and building coverage limits. Since that time, many design oriented standards have been added to the base zones. These standards limit the amount of garage frontage, require additional street-facing windows and provide design standards for taller accessory buildings. Many of these base zone standards were originally part of the Community Design Standards.

As a result, the DOZA project is removing the mapped 'd' overlay from all single-dwelling zones up to R2.5. The one exception is for the design overlay that is currently part of the Terwilliger Design District. This area was created with a goal of preservation of the landscaping and views along the Terwilliger Parkway. Additional analysis and study needs to take place along this area to determine if the goals of the parkway can be better served through environmental or conservation regulations.

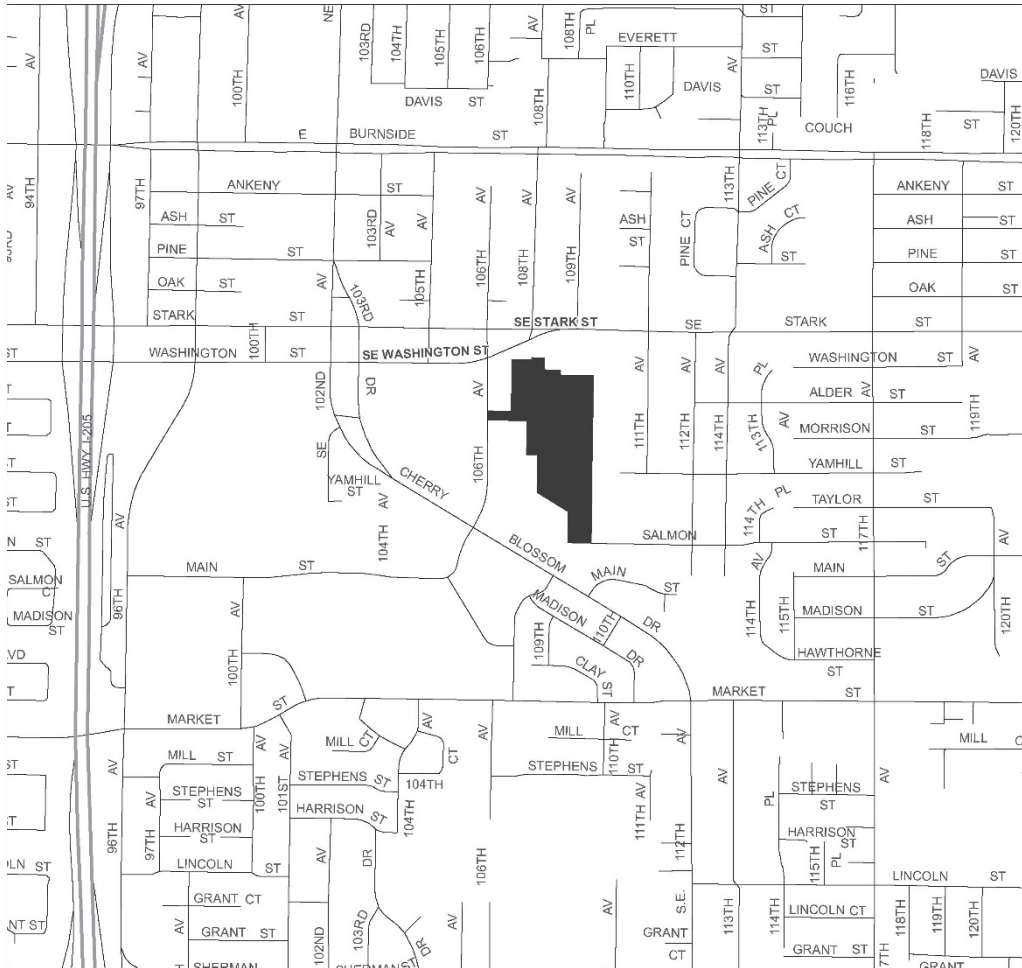
In the interim, the 'd' overlay will continue to apply within this district. However, the base exemption to smaller scale residential will still apply, and all residential development that is not exempt will be able to follow the new design standards. Discretionary Design Review will be implemented mostly for non-residential projects, including potential transportation linkages between the OHSU campuses.

**Following are five maps showing the areas in the city where the design “d” overlay is being removed.**

#### Gateway Map Changes

The following map shows the changes proposed in the Gateway/East Portland area, which only removes the 'd' zoning from Floyd Light School, which is zoned R5.

# MAP AMENDMENTS






September 5, 2019  
 City of Portland, Oregon |  
 Bureau of Planning and Sustainability |  
 Geographic Information Systems

## Single Dwelling Zone Areas with Design Overlay Removed

### Legend

#### Zone

-  Residential 2,500 (R2.5)
-  Residential 5,000 (R5)
-  City Boundary



The information on this map was derived from City of Portland GIS databases. Care was taken in the creation of this map but it is provided "as is". The City of Portland cannot accept any responsibility for error, omissions or positional accuracy.



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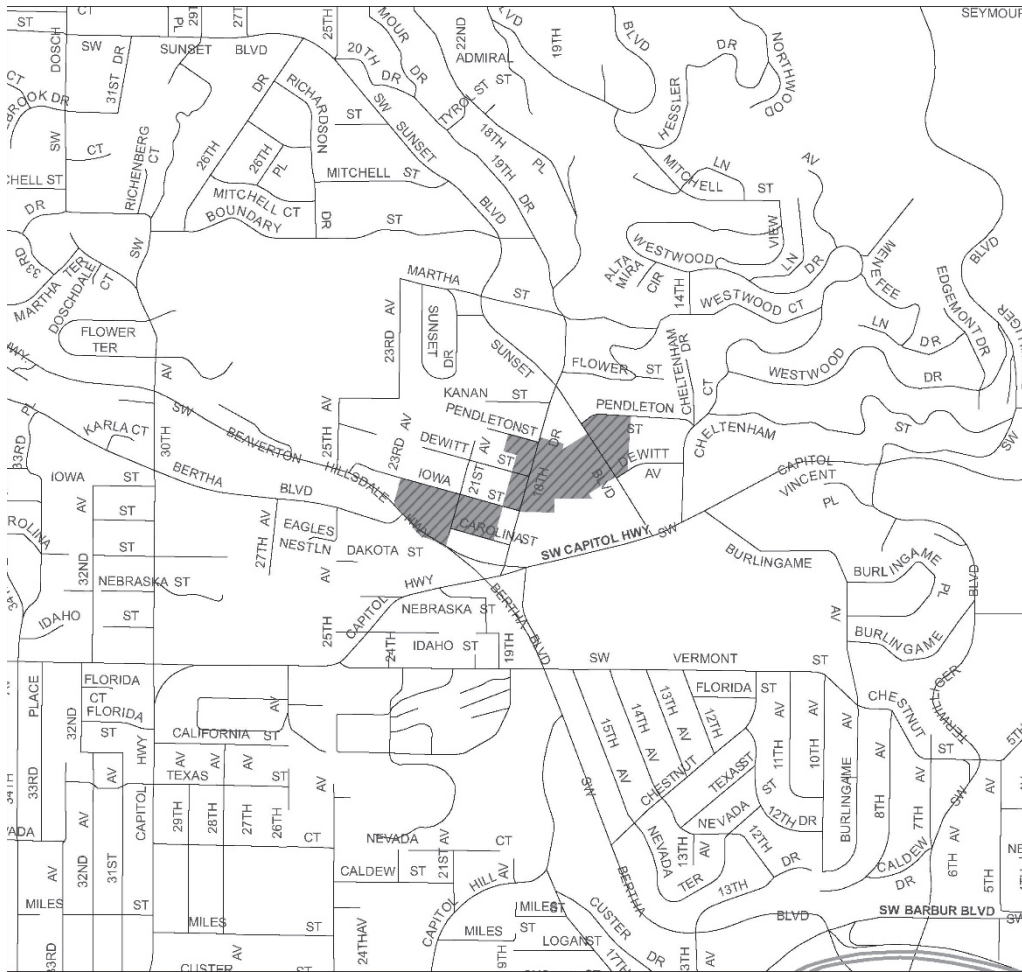
## Commentary

### Hillsdale Map Changes

The following map shows the changes proposed in the Hillsdale area. This removes the 'd' overlay from R2.5 zones that were part of the Hillsdale plan district. The zoning in this plan district was implemented before the city had created any design standards for single dwelling development in these zones.






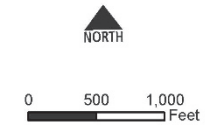
# MAP AMENDMENTS



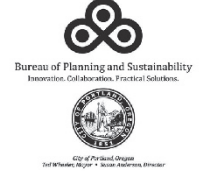
September 5, 2019  
 City of Portland, Oregon ||  
 Bureau of Planning and Sustainability ||  
 Geographic Information Systems

## Single Dwelling Zone Areas with Design Overlay Removed

- Legend
- Zone
  -  Residential 2,500 (R2.5)
  -  Residential 5,000 (R5)
  -  City Boundary



The information on this map was derived from City of Portland GIS databases. Care was taken in the creation of this map but it is provided "as is". The City of Portland cannot accept any responsibility for error, omissions or positional accuracy.



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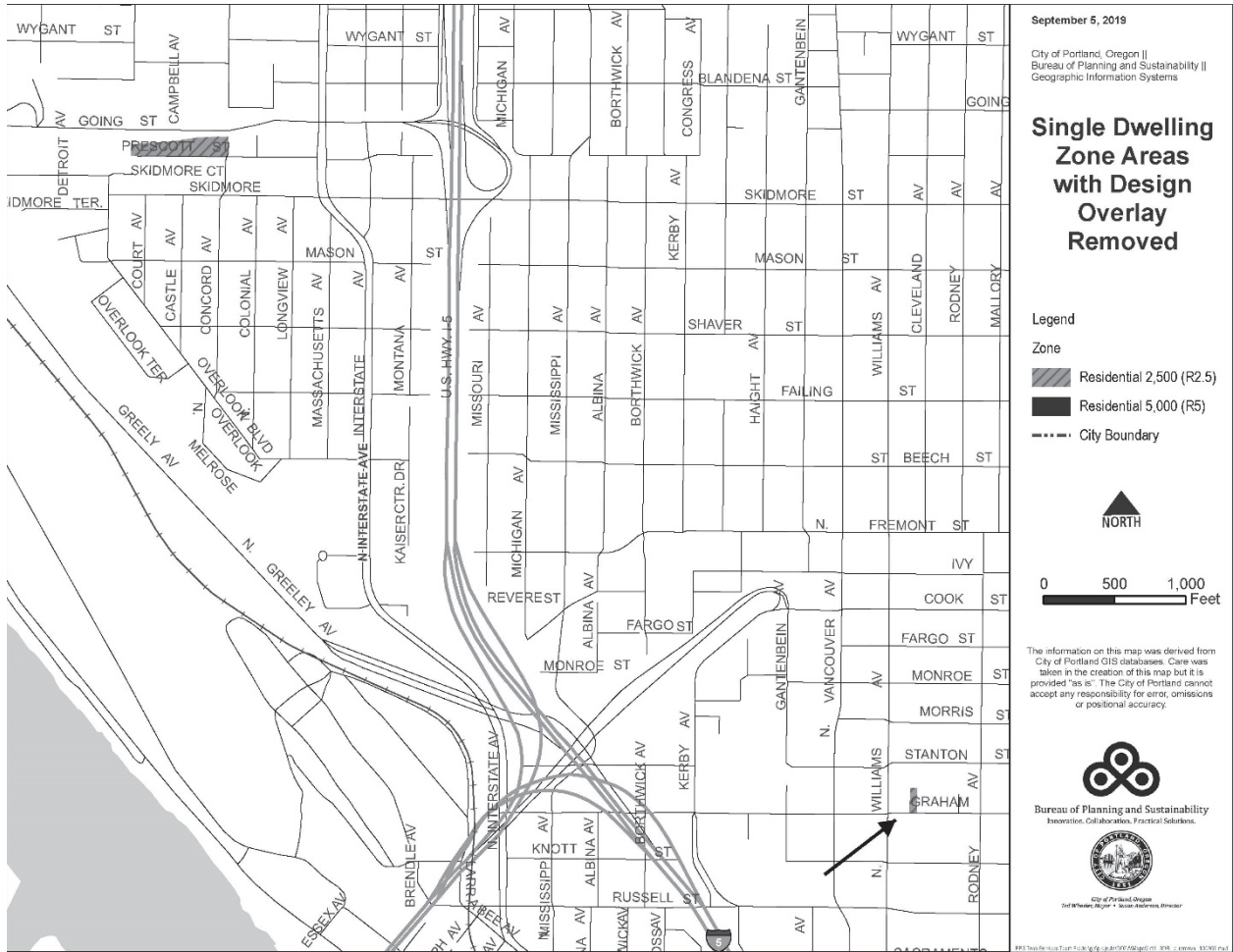
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## Commentary

### North Portland Map Changes

The following map shows the changes proposed in North Portland area. This removes the 'd' overlay from R2.5 zones along a block of North Prescott west of Interstate that are part of the North Interstate plan district. This plan district includes special compatibility standards for all R2.5 zones that borrow from current Community Design Standards. These plan district standards are sufficient and the new design standards are not created to regulate small scale residential.

# MAP AMENDMENTS



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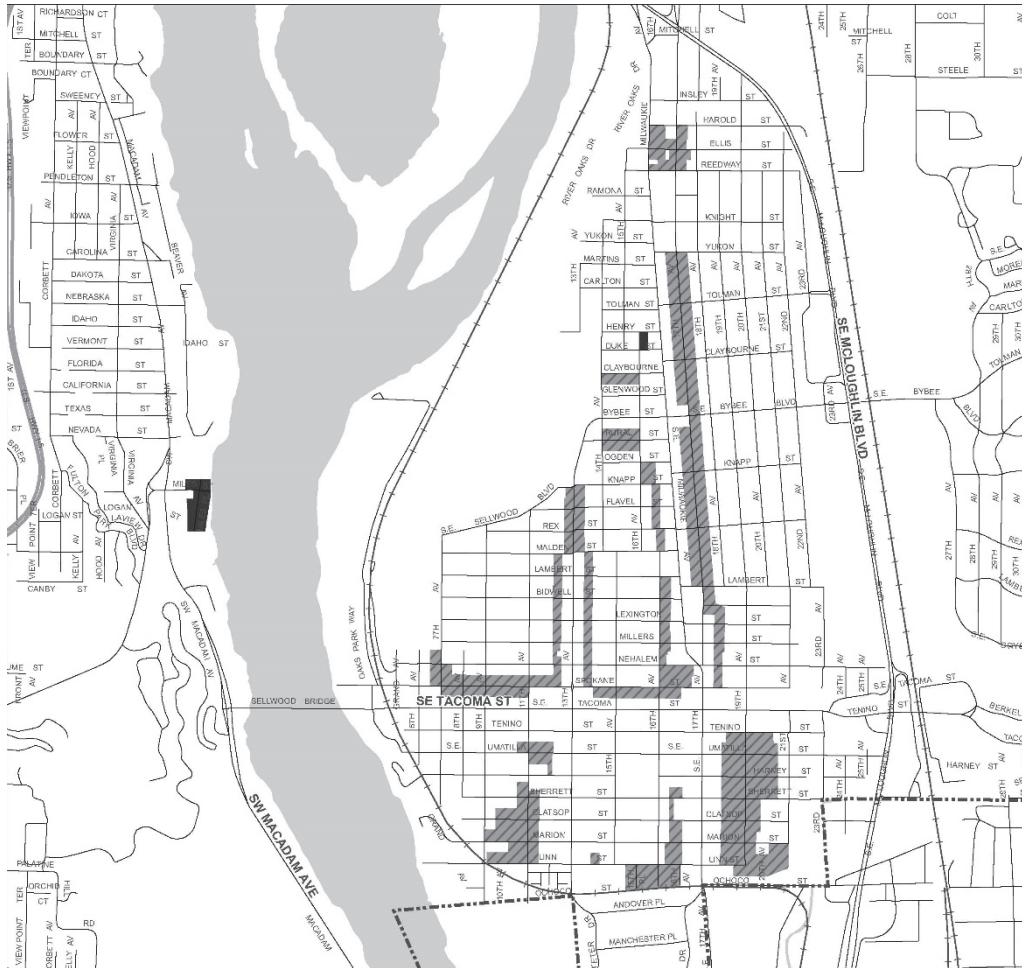
## Commentary

### Sellwood/Westmoreland & Miles PI Map Changes

The following map shows the changes proposed in the Sellwood/Westmoreland area. This removes the 'd' overlay from R2.5 zones that were part of the Sellwood/Westmoreland neighborhood plan. The zoning resulting from this plan was implemented before the city had created any design standards for single dwelling development in these zones.

There is also an R5 area on the west side of the Willamette south of Willamette Park known as Miles Place. This area is an eclectic area that originally consisted of houseboats but is now more permanent homes. The area has several other issues that affect development including the Greenway overlay zone and flood plain and is part of the Macadam plan district. The overlay created as part of this district pre-dates any single dwelling design standards that are now in the base zone. The new design standards were not created to further regulate small scale residential development.

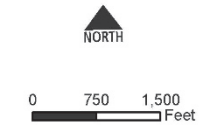
# MAP AMENDMENTS



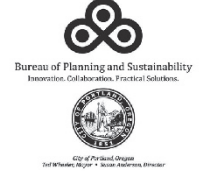
September 5, 2019  
 City of Portland, Oregon |  
 Bureau of Planning and Sustainability |  
 Geographic Information Systems

## Single Dwelling Zone Areas with Design Overlay Removed

- Legend**
- Zone**
- Residential 2,500 (R2.5)
  - Residential 5,000 (R5)
  - City Boundary



The information on this map was derived from City of Portland GIS databases. Care was taken in the creation of this map but it is provided "as is". The City of Portland cannot accept any responsibility for error, omissions or positional accuracy.



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## Commentary

### Southeast Portland (outside of Sellwood/Westmoreland) Map Changes

The following map shows the changes proposed in Southeast Portland area, not in the Sellwood area shown above. This removes the 'd' overlay from one R2.5 zoned property on SE Caruthers west of SE 37<sup>th</sup>. All the remaining R2.5 lots along SE Caruthers do not have the 'd' overlay. The new design standards are not created to regulate small scale residential.

**MAP AMENDMENTS**

