

Doug Klotz
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5-6-21

Re: Design Overlay Zone Amendments (DOZA)

Mayor Wheeler and Commissioners:

I would like to thank the BPS Staff and the Planning and Sustainability Commission, as well as the Design Commission, for accomplishing an entire re-write and re-thinking of the “d” overlay zones in Portland. This DOZA proposal is truly a “two-track” effort, as ORS 197.307 requires. After broad and focused staff outreach, to different geographies and stakeholders, the two Commissions collaborated to produce a “clear and objective” Standards document, as well as a discretionary “Guidelines” document.

This draft will finally fulfill what the state regulations envisioned, and result in parity between buildings permitted through Standards, and those permitted through a Design Review process. This will be a great benefit, most importantly, to non-profit Affordable Housing developers. The Standards track now offers flexibility that the old Community Design Standards did not. For these institutions, the ability to avoid Design Review and the risk of costly and delaying bad-faith appeals, is essential to their work. These improvements will reduce costs and increase certainty for the important mission of increasing affordable housing, at all levels, in our City.

In addition to the writing and refining of the whole list of Standards, and of the comprehensive, illustrated Guidelines, several other new features are welcome:

1. Increasing the height to which Design Standards can be used, from the current 55’ to 75’, brings Portland closer to the intent of ORS 197.307, and allows Standards use not only in, e.g., CM2 zones, but in CM3 zones where they occur, in places like inner Sandy Blvd., in Slabtown, and other higher density areas outside the Central City. This will allow many more affordable projects to be built.
2. Clarifying that Design Commission, in their reviews, cannot reduce the allowed Floor Area Ratio (FAR) or the height of a building that is allowed in the zoning, ensuring that such review will not remove housing capacity.
3. Limiting Design Advice Requests to one per project. This allows more certainty for applicants, and reduces the number of meetings for all, including the public who wants to provide comments.

I endorse the Portland: Neighbors Welcome suggested improvements to the proposal:

1. Expand the option, when choosing Design Review, of using a Type II procedure for 100% affordable projects, This Review should be available for all of these projects, regardless of whether they use city funds or not. In addition, Type II should be available for projects up to 75’ (instead of the proposed 65’). This allows it’s use when using Inclusionary Zoning in the 65’ CM-3 zone, which provides a bonus of 10’ to get a maximum height of 75’. It makes sense to also offer the Type II review to this height to allow the IZ bonus to be used.
2. Add a Design Commission member with experience living in, designing, or building Affordable Housing.

3. When using Standards for buildings between 55' and 75' high, the number of points required should not be doubled, but remains the same as lower buildings. There are already three specific points required for these taller buildings, which will address any increased impacts.

Some **opposition** to the DOZA plan has emerged from a couple of groups. **I do not agree with these proposals:**

1. Community-sourced "Main Street Design Recommendations", as well as the "Sellwood-Moreland Design Guidelines" are being promoted for adoption. These well-meaning efforts misunderstand the nature of DOZA. The DOZA Standards and Guidelines respond to today's situation, where the need for affordable housing is great, and indeed there is a need for all housing. DOZA seeks to allow durable materials that are commonly used today, and can efficiently deliver housing at an affordable price, across the city.

These community-sourced documents call for specific "old-fashioned" building heights and step-backs, window patterns with transoms and mullions, surface details, and roof shapes that all add costs and reduce housing. Their desire for Design Commission review of more and smaller buildings also adds to costs and possible delays, which will discourage a sizable number of builders. These documents were not developed to the city's public input standards, and seem to mainly reflect a small portion of the city. These documents should not be adopted, neither for the whole city, nor for individual neighborhoods.

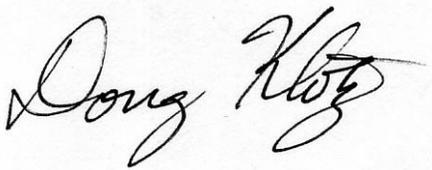
The Design Commission, despite their collaboration with PSC on DOZA, seem to have re-surfaced some disputes. I disagree with their preference for Type III reviews of affordable housing, when most affordable housing developers prefer the Type II review. Type II and Type III have to meet the same standards, so there should be no way to distinguish the results. And, while that commission professes that they never reduce FAR or height, they oppose codifying that practice. I oppose them and support what is in the proposal.

Finally, I echo P:NW's concern about detailed "Character Statements" for each area of "d" overlay. The goal of DOZA is to simplify building, and a simple, even one-sentence Character statements can provide a little "flavor" difference in different areas. But when such Statements become paragraphs and pages, and refer to building heights and shapes, they are de-facto rezoning, and should not be allowed.

And, as Portland: Neighbors Welcome notes, "Black, Indigenous, and other Communities of Color should drive the creation of their own Character Statements..." PNW also notes that other projects such as the Spatial Justice Planning Project or the Anti-displacement Action Plan may be better venues for these discussions.

I urge you to **adopt the DOZA Recommended Draft, with the changes suggested by Portland: Neighbors Welcome,** and further the progress Portland needs to make in our regulations and practices, in order to comfortably and creatively house all who live or wish to live in Portland.

Thank you.

A handwritten signature in black ink, appearing to read "Doug Klotz". The signature is fluid and cursive, written on a light-colored background.