



To: City Council

From: Portland: Neighbors Welcome

Re: Pass the Design Overlay Zone Amendments project

Portland: Neighbors Welcome is a grassroots pro-housing, pro-tenant organization dedicated to ensuring that **all Portlanders can find and keep safe, stable, and affordable homes**.

We believe that the **current design process can lead to inequitable results**, such as when the Black developer of the Ankeny Apartments spent over \$200,000 in fees over 5 hearings, only to have his project rejected by the Design Commission, as reported by the [Willamette Week](#). Reducing the time for projects to be approved also reduces the cost of housing and supports greater housing affordability.

We **strongly support the Design Overlay Zone Amendments** project (DOZA), which will encourage more abundant and more affordable housing where it is urgently needed through a welcome simplification of the design review process.

We **support:**

- Raising the **thresholds for use of Design Standards from 55' to 75' to build more homes in our highest-opportunity** centers and corridors including Slabtown, Kerns, and Hollywood. This change expands the number of projects eligible for this straightforward and objective approach which keeps costs down, simplifies reviews, and reduces delays.
- Clarifying that the **Design Commission cannot reduce a project's floor area ratio (FAR) or height of a building** to below the zoning allowance—which can shrink building size, sacrificing crucial homes.
- Limiting **Design Advice Request meetings (DAR) to 1 per project** to better balance public input and time required to approve new housing projects. Currently projects may go through 4 DARs before filing an application, which can delay approval by months.

We believe this project can be **improved** by *(details pg. 2)*:

1. Expanding the option of **Type II Design Review** to **all affordable housing projects and all projects up to 75'**. Affordable housing built without City funds AND projects utilizing the Inclusionary Zoning height bonus should qualify for this thorough staff review.
2. Growing the housing expertise on the **Design Commission by requiring 1 member with experience living in, designing, or developing affordable housing**, without increasing the total number of Design Commissioners. This experience is crucial to highlight the unique constraints of building, funding, and living in affordable housing.



3. **Not increasing the number of Design Standard points required** for buildings over 55'. Taller buildings can lead to more abundant and more affordable housing and should not be penalized. A 36% increase in height should not require 100% more points.

We strongly **oppose** (*details pg. 3*):

- **Privately developed guidelines supported by wealthier communities** that further restrict the creation of housing in high opportunity areas and deepen growing disparities in Portland.
- The **long, overly detailed Character Statements proposed in the "Future Work" section** if they become de facto rezonings or hyperlocal design manuals.

Details on our proposed amendments:

These changes will strengthen DOZA by improving affordability, adding a permanent voice for affordable housing to the design review process, and reducing barriers for abundant housing.

1.A. Expanding the Type II Design Review option to all affordable housing projects.

- Currently only affordable housing projects that qualify as a City Subsidy Project that receive funds from a city agency or bureau would be eligible for a Type II Design Review. This **arbitrarily excludes affordable housing that isn't utilizing City funds.**
- This definition should be expanded to **any project that meets the Portland Housing Bureau's affordability standard** and administrative requirements in Chapter 33.120, which Council recently approved the Residential Infill Project Affordability Bonus.

1.B Expanding the Type II Design Review option to all projects up to 75', so projects utilizing the Inclusionary Zoning height bonus qualify for this thorough staff review.

- We **support the proposal, which allows midsize buildings up to 65' height to use Type II Design Review** in zones like CM3
- Unfortunately, in CM3 zones, **projects utilizing the Inclusionary Zoning height bonus to 75' would be required to use a more expensive and time-consuming Type III Design Review**, discouraging the creation of affordable units with no public subsidy
- Council should **encourage use of Inclusionary Zoning and the creation of more affordable housing by increasing the Type II Design Review threshold to 75' height**
- only an additional 14% increase in height



2. Growing the housing expertise on the Design Commission by requiring 1 member with experience living in, designing, or developing affordable housing, without increasing the total number of Design Commissioners.

- The Planning and Sustainability Commission recently added two new subject matter expert categories to the Design Commission: sustainable building practices and natural resource management. **Affordability should be a permanent voice** among subject matter experts on the commission.
- Affordable housing has unique constraints in its financing and its operation that may result in different design choices. Having this domain knowledge on the commission will **ensure recommendations are better tailored to affordable projects.**

3. Not increasing the number of Design Standard points required for buildings over 55'

- DOZA will allow more projects to qualify for the use of Design Standards. This welcome change directly supports the stated goals of increasing the efficiency, predictability, and speed of design review.
- One place **we don't agree** is the requirement for up to **twice** as many Design Standards points when a building is between 55' and 75'. Since the greatest possible height is only 36% more than what is currently allowed, requiring 100% more points unfairly penalizes slightly larger projects.
- We propose that **no additional optional points be required for taller buildings** that can bring more abundant housing and, through inclusionary zoning, more affordable housing to our neighborhoods. Let's treat all projects consistently regardless of height.

Details on provisions we oppose:

We oppose privately developed guidelines supported by wealthier communities that further restrict the creation of housing in high opportunity areas and deepen growing disparities in Portland.

- **Reject guidelines being proposed by PDX Main Streets** and wealthy, close-in neighborhoods that propose restrictions on the style, size, and form of new buildings.
- These guidelines **codify a 1920s brick building aesthetic in conflict with DOZA's value** that designs "should not exclusively promote Western European architecture"
- Adopting these guidelines would **increase cost and decrease development of housing in our highest opportunity neighborhoods** that provide the best access to jobs, transit, services, and schools.
- Bureau of Development Services staff identified potential legal and implementation challenges with these guidelines in their November 5, 2019 DOZA comments:



Allowing community-guided sources to be referenced presents several challenges

- a. They may not align with information provided by the other listed sources.*
- b. Such resources have not been vetted or adopted by the City, which includes publicly involved processes to create such documents.*
- c. It is possible that a community could produce multiple community guided sources which would result in confusion for all participants.*

The reference to community-guided sources should be removed from the code.

We oppose the long, overly detailed Character Statements proposed in the "Future Work" section if they become de facto rezonings or hyperlocal design manuals.

- **Character statements should be very short - even as little as a single sentence** - concentrating on details that comprise character, enhance neighborhood identity, and offer architects useful guidance during project design.
- **Statements should not become de facto rezonings prescribing height, FAR, or massing** or hyperlocal design manuals that can kill projects or drive up costs, like the Macadam Character Statement with phrases like “new development should be designed to limit scale impacts”.
- **Portland’s Black, Indigenous, and other Communities of Color should drive the creation of their own character statements**, considering the impacts to residents, designers, and developers from those communities.
- The **Spatial Justice Planning Project or the Anti-Displacement Action Plan may be appropriate channels** for these communities to determine how they want to develop their own character statements.

Furthering Portland's housing goals

With the recent passage of Better Housing by Design, the Residential Infill Project, and soon the Shelter to Housing Continuum project, we're making great strides to grow the number of homes affordable to Portlanders of all incomes. Creating **fairness and consistency in design review** and **reducing the time and cost for project approval** are key components to meet that goal.

Adopting the Design Overlay Zone Amendments project and the amendments Portland: Neighbors Welcome has proposed represents another step towards housing Portlanders in buildings that contribute meaningfully to their neighborhoods through their design. **Let's pass DOZA** and take an important step towards addressing our ongoing housing crisis.

Sincerely,

Doug Klotz, Jóhann Hannesson, Luke Norman,
Equitable Zoning Work Group, Portland: Neighbors Welcome



Examples of Staff-led Design Review Outcomes

Portland has examples of attractive and affordable housing projects approved through the Type IIx Design Review process - proof that staff approvals do not lower the quality of projects.



Nick Fish Apartments at Gateway Discovery Park: approved by staff.



The Vera Riverplace Apartments: approved by staff.