

Greetings, Mayor and Commissioners, and thank you for the opportunity to submit written testimony on the Design Overlay Zones amendment project.

Design Review isn't "broken." So says the DOZA Assessment from April 2017. Yet I watched the testimony presented to the City Council on May 12, 2021 with consternation at the number of testifiers who spoke in favor of development at all costs—and in favor of developers who provide only the minimum number of affordable units required, and often none at all, even as they allow hundreds of apartments (many of which are large and luxurious) to sit vacant, rather than lowering rents to house more families. While these testifiers are certainly well-meaning in their desire to see more affordable housing in Portland, it frankly seems like they have been *astroturfed* into thinking that reducing community participation in development—particularly for large buildings—is a virtue. This participation often only ever takes place during the Design Review process, and is particularly necessary for buildings over 5 stories tall in our neighborhoods, regardless of who lives inside when the building is complete. When outside of our central city, buildings over 5 stories tall should be subject to Design Review.

Many testifiers cited the time involved, costs, and uncertainty that stems from Design Review, but these issues are either easily ameliorated with simple project planning—speaking with planners, neighbors, and other stakeholders early in the process—or are part of the design process—making revisions and iterations as the building's design progresses from the schematic stages to the permitting stages. (Strangely, most left out the uncertainty and extreme length of time that the actual *permitting process* takes in Portland, which frankly is a much more pressing issue.)

Testifiers also cited the delays caused by appeals and the perceived (and sometimes real) NIMBYism of many of them. These are legitimate concerns, though rather than dispensing with Design Review, consider instead raising the cost and criteria for filing appeals to Design Review decisions.

Many testifiers also implied that Design Review is about *style*. In my experience, that can't be further from the truth. Design Review isn't about a building's style or ornamentation, its about ensuring quality in design and consciously designing the spaces between buildings—which is to say, the life we live in our streets! One good ground floor is worth more than a thousand decorative cornices, and in many ways, the proposed new design standards (as opposed to the Citywide Design Guidelines) ignore this fact.

Which leads me to my next point: the proposed new design standards in chapter 33.420 of the zoning code are intended to "provide objective guidance that align[s] with the 9 Portland Citywide design guidelines"; however, the number of points that need to be earned will leave projects using these standards far out of the alignment this project seeks. Much new development in our neighborhoods will be located on small infill lots of between 5,000 and 10,000 square feet, meaning that buildings of a typical 5-story height will need to earn only 5 to 10 points to receive their permit. Many of the standards offering points convey little value to our urban environment (or are utterly worthless) yet receive a large

number of points. Please take the time to critically examine these standards. Ask your trusted staff, friends, and neighbors as to whether these standards will result in the kind of urban environment our city has become famous for. (For an example: what value is really provided by recessing a wall or “façade plane” 2 feet?)

Finally, to circle back to the beginning, why focus on exempting affordable housing from Design Review. Why not go further and exempt affordable housing from the *entirety* of the zoning code? (It’s over 1,700 pages long—easily one of the longest and most complex zoning codes in the nation!) Why is the line drawn at Design Review and not Environmental Reviews, too? I suspect you know the answer is because these rules, standards, and guidelines help us live amicably with each other and our environment. The same is true of Design Review.

Thank you for taking the time to read my testimony and for the hard work you have ahead of you.

Respectfully,

D. James Butler