

May 12, 2020

Sam Stuckey

samuel.stuckey@gmail.com

Attn: Design Overlay Zoning Amendments Project

Dear Mayor and Council members,

I wanted to thank you for the chance to share my support for DOZA at Wednesday's hearing and I appreciate the opportunity to further expand on some key points here in writing. As a licensed and practicing architect myself, I noticed a troubling - albeit unsurprising - pattern in the testimony of my colleagues in the industry. Without getting into the specifics of anyone's personal views, I do want to share a little context around the dynamic relationship between architects like myself and Portland's discretionary review process.

Land Use Review vs. Permitting

You would be hard-pressed to find an architect in this city that doesn't take issue with Portland's building permitting process. If it wasn't made abundantly clear in testimony already, our permitting process is terribly inefficient, unacceptably slow, and frustratingly unpredictable. You'll hear no argument to the contrary from me. That said, while permit delays may be the *main* issue, they're not the *only* issue and they're not related to DOZA. The city has created two distinct and disconnected bottlenecks in housing creation, and the land use approval process is certainly one of them.

Land use approvals for medium-sized multi-family projects take a median of more than six months[1], and that time has slowed by more than 30% since the first half of the 2010's.[2] These timelines create added expense for everyone involved in a project. **Through DOZA, the creation of an objective and points-based path to approval will speed up the time it takes new housing to get off the drafting table and into the ground without sacrificing quality.**

The Value of Design Review

While Design Review has been described as a burden by some, the truth is, to many architects Design Review has great value. Although I would strongly disagree with any assertion that our discretionary review process separates the "*good*" architects from the "*bad*" ones, it is true that there are some who are so skilled and experienced at navigating the system that they typically "sail through" Design Review.

For many of us, our ability to gain approvals in Design Review is a genuine, marketable skill that we can sell to clients. Discretionary review can be a delicate process, it is one where experience and reputation matter, and being able to show a track record of success in front of the Design Commission is something that can certainly help land a client.

Where this becomes problematic is when this process itself becomes a barrier to entry. Without an objective path to approval, our system rewards architects who are good at the *process*, not necessarily those who can deliver the greatest *design*. The architecture field is already one of great inequity and I am disappointed that so many of my colleagues are more interested in maintaining their relationship with the current system, rather than supporting new paths to participation in the design of our city.

Accountability in Design

One area in which I find discretionary review to be most effective in creating quality design is the accountability that approval brings with it. Discretionary review approval holds both designers and developers to promises made during the design process and prevents anyone from deciding at the eleventh hour (or even during construction) that “balconies are too expensive”, or “cheaper materials provide a better ROI”, or “rainwater harvesting is a maintenance headache”. Whatever the “thing” is, we frequently must deal with last-minute efforts to save money. Having design approval requirements in hand helps architects like myself ensure that the project delivered is of the same quality as the project that was designed and approved.

It is in this area that I hold great hope for DOZA’s updated Design Standards. These standards should be robust enough that they still result in high-quality design, flexible enough to allow design freedom, and enforceable all the way through construction. **Just as discretionary review creates accountability, the new Design Standards will too.**

Design Quality – “the human touch”

As architects, we are all familiar with the building code. It drives so much of what we do, and it is a hearty, objective, and clear (though not always “concise”) document that protects the safety and well-being of the public. It provides necessary limits and boundaries within which we work, it is applied broadly and completely, and it is respected and trusted by everyone in (and outside of) our industry. Because of this, no one doubts that a building “built to code” will be safe to inhabit and efficient to operate. Even “code minimum” buildings meet rigorous standards for safety, structural integrity, and energy efficiency. **Well-designed buildings are the inevitable outcome of a well-written code document.**

There are times, however, when for whatever reason we just need to color outside the lines a little. Even a black-and-white document like the building code doesn’t cover *everything*. For cases like these we can appeal for an alternative approval path. Building code appeals allow for

discretionary review by a plans examiner, so long as we can meet or exceed the code standards through alternative design. This invaluable option allows architects to do what we do best and find creative solutions to difficult design problems, without sacrificing the public's well-being.

There is ALWAYS room for dialogue and discourse in design and just because an objective path to approval is *available* does not mean that it will be the right fit for every project.

Designing to meet DOZA's updated Design Standards isn't a way to skirt design oversight anymore than adhering to the building code is a way to evade life safety requirements. As Commissioner Kat Schultz (also an architect) has clearly stated, the **Design Standards have been evaluated and tested against current projects and they ensure that projects achieve the same design goals that discretionary review does.**

Thank you for your time and consideration on such an important project.

Sincerely,

Sam Stuckey

[1] "From 2010 to 2020, obtaining a land use review approval for 5 to 19 units or lots took a median of about 6.5 months." <https://www.envisionpdxrends.com/zoning>

[2] "A land use review application submitted in the years 2015-2019 takes about 31% longer than one submitted in the years 2010-2014." <https://www.envisionpdxrends.com/zoning>