



City of Portland, Oregon
Bureau of Development Services
Office of the Director

FROM CONCEPT TO CONSTRUCTION

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Report to Council

April 8, 2015

TO: Mayor Charlie Hales
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Steve Novick
Commissioner Dan Saltzman

FROM: Paul L. Scarlett, Director
Bureau of Development Services

PLS

SUBJECT: Portland Design Commission 2015 State of the City Design Report

The attached report is a required Annual Report of the Portland Design Commission State of the City Design Report for 2015. The report is required by the Portland Zoning Code [Title 33] to fulfill the Annual Report requirement for its actions and accomplishments for each fiscal year.

Current Issues and Concerns before Council today:

The Design Commission is a particularly active volunteer Commission, meeting 27 times in 2014 for Land Use cases and holding 26 Design Advice Requests (a form of early assistance to Design Review customers prior to submitting their Design Review applications) and seven briefings on matters ranging in scale from the Oregon Convention Center Hotel in the Lloyd sub-District of Central City to code guides for Street Seats in the Public Rights-of-Way across the City.

Both BDS and the Design Commission see the need to be actively engaged in changes to the Portland Comprehensive Plan and Central City 2035 Quadrant Plan efforts led by the Bureau of Planning and Sustainability. Our specific areas of focus are:

1. Assessing, Improving, and Expanding the “d” Overlay Zone.

The “d” Overlay Zone offers a two-track system in much of the city: offering applicants the choice to either:

- The non-discretionary track - Comply with the objective design standards in Zoning Code Chapter 33.218 – Community Design Standards at the time of Building Permit application (no Design Review); or
- The discretionary track - Apply for a discretionary Design Review where the proposal must satisfy a set of approval criteria and adopted Design Guidelines.
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It has been many years since these two tracks were evaluated in any systematic way to assess how the processes and regulatory tools are working, and the results we're getting in the field. We know the Community Design Standards are not succeeding in getting well-designed projects in many cases, and that they need to be re-written. Also, for the discretionary Design Review process, we need better tools to get the results the community expects and the process deserves. For example, some of the Design Guidelines have not been updated since the 1980's. The city has changed a lot since then, including how we want new development to be designed, but we don't have the tools to achieve those goals. In fact, some of the Design Guidelines are at odds with what we are trying to achieve.

We are supportive of more design oversight around the city, either through the expansion of design districts and/or considering some sort of threshold that would trigger discretionary design review anywhere in the city, for projects of a certain scale, or on main street corridors or other special areas where design oversight would be beneficial. But before expanding this tool to apply in more situations and/or locations, the City must first assess the current issues with the "d" overlay zone, and then update and improve these tools to ensure they are achieving the desired results and working efficiently.

We hope City Council will support a project to both update the Zoning Code's Community Design Standards [Zoning Code Section 33.218], as well as update the Design Guidelines used for the discretionary Design Review track.

2. Reconsider the housing bonus allowed in Central City.

The current construction period has seen a vast amount of residential development driven by the market and Portland being a desirable place to live, not necessarily by the Residential Floor Area Bonus standard in Central City. While noble in its inception to create 24-7 neighborhoods – the Pearl District's growth of condominium buildings in the late 1990's and 2000's is testimony to active mixed use communities where this incentive was utilized frequently – Portland has reached a point where mixed-use buildings are the standard. The time for reconsideration of other bonus incentives in lieu of the Residential Floor Area Bonus might be now.

3. Consider the restructuring of Portland Zoning Code ground floor active use requirements along commercial corridors.

As development activity continues to increase in the city, the Design Commission has taken note of a number of developments along commercial corridors that have placed ground floor residential units, often at the street property line, with little to no activity enhancing design features such as porches, raised stoops or setbacks to encourage an active residential frontage. The result has typically resulted in closed windows with shades drawn, effectively depriving not only the public street of an active frontage condition, but also the lost opportunity of the residents to actively engage the street environment with an appropriate transition area. The livability for residents of these ground floor units is also of concern, given the lack of privacy, as well as the security concerns if they have their windows open, etc. These conditions negatively impact the economic vitality of the commercial corridor as much as the residents' livability.

BDS staff possess expertise in the issues and problems with the existing codes and processes, and we are committed to working with the Bureau of Planning and Sustainability [BPS] and the community on assessing and improving the design tools we have. We realize this is a large but necessary project, and are in the process of building the staffing capacity at BDS to participate in this project. On the issue of residential ground floors along commercial corridors, the Design Commission has met twice already with BPS since February 2015 to explore options with the current Mixed-Use Zone Project already underway. I look forward to working with you and the Design Commission in my capacity as the Director of BDS, as we work together to make these needed improvements.

Background:

The Design Commission provides leadership and expertise on urban design and architecture and on maintaining and enhancing Portland's historical and architectural heritage.

The Design Commission consists of seven members, none of whom may hold public elective office. The Commission must include a representative of the Regional Arts and Culture Council, one person representing the public at-large, and five members experienced in either design, engineering, financing, construction or management of buildings, and 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.

The Design Commission meets at least once a month and as necessary to act on reviews assigned to them by this Title 33. 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.

The Design Commission may divide its membership into special subcommittees which are authorized to act on behalf of the Commission for an assigned purpose. Three members of the Commission constitute a quorum on such subcommittees. Subcommittee actions require the affirmative vote of at least three members.

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:

1. Recommending the establishment, amendment, or removal of a design district to the Planning and Sustainability Commission and City Council;
2. Developing design guidelines for adoption by City Council for all design districts except Historic Districts and Conservation Districts;

3. Reviewing major developments within 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.
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TO THE COUNCIL

The Commissioner of Public Utilities concurs with the recommendations of the Director of the Bureau of Development Services and

RECOMMENDS:

That the Council accepts this Portland Design Commission State of the City Design Report to Council and report as set forth in Exhibit A.

Respectfully submitted,
Commissioner Amanda Fritz

Agenda No.
REPORT NO.
Title

Accept the Portland Design Commission 2015 State of the City Design Report (Report)

<p>INTRODUCED BY Commissioner/Auditor: Commissioner Amanda Fritz</p>	<p>CLERK USE: DATE FILED <u>APR 03 2015</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>Amanda Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p style="text-align: center;"><i>Mary Hull Caballero</i></p> <p>By: _____ Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Bureau of Development Services Bureau Head: <i>P. Scarlett</i></p> <p>Paul L. Scarlett, Director</p> <p>Prepared by: Leanne Torgerson Date Prepared: 3/30/15</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	<p>ACTION TAKEN:</p> <p>APR 08 2015 ACCEPTED</p>
<p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p> <p>Council Meeting Date 4/8/15, 9:30 TC</p>	

AGENDA

TIME CERTAIN
Start time: **9:30 TC**

Total amount of time needed: 45 Minutes
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	_____	
4. Novick	4. Novick	✓	
Hales	Hales	✓	