



DOZA

DESIGN OVERLAY ZONE AMENDMENTS

VOLUME 2 | CODE & MAP AMENDMENTS

Proposed Draft - September 2019



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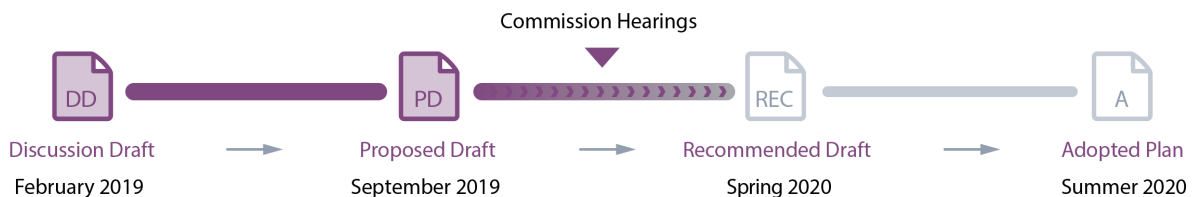
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How to Testify

The Design Overlay Zone Amendments (DOZA) project will be considered by the Portland Planning and Sustainability Commission (PSC) and Design Commission. The public is invited to submit formal comments (called public testimony) to the Commissions in writing, in person at a public hearing or online. Testimony on this *Proposed Draft* is directed to Commissions, which may amend the proposal and subsequently vote to recommend the changes to Portland City Council. This is then called the *Recommended Draft*.

Testify in person at the public hearings:	Testify in writing before the public hearing
<p>Tuesday, October 22, 2019, at 5 p.m. 1900 SW 4th Avenue, Room 2500, Portland, Oregon</p> <p>To confirm the date, time and location, check the PSC calendar at www.portlandoregon.gov/bps/35452</p>	<p>Map App: www.portlandmaps.com/bps/mapapp Click on the DOZA project. Click on the "Testify" button. You can testify about a specific location or on the proposals in general. Testifying in the Map App is as easy as sending an email. Once your testimony is submitted, you can read it in real time.</p> <p>U.S. Mail: Please provide your name and address to receive future notices. Portland Planning and Sustainability Commission DOZA Testimony 1900 SW 4th Ave, Suite 7100 Portland, OR 97201</p>

Next Steps:



The next draft of the proposal – the *Recommended Draft* – will incorporate the changes the Commissions make to the proposal. The *Recommended Draft* will be forwarded to City Council for additional public testimony and hearings, deliberations, possible amendments and vote. The *Recommended Draft* is anticipated to be heard by City Council in Summer 2020.

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Section 5: Zoning Code Amendments

This document is formatted to facilitate readability by showing draft code and map amendments on the right-hand (odd) pages and explanatory commentary on the facing left-hand (even) pages. Underlined formatting indicates added text, while ~~striethrough~~ formatting shows what text is deleted. The table of contents provides page numbers for each affected chapter of the zoning code, sign code and map amendments.

The amendments are organized by code chapter.

Only sections of the code that are amended are included in the document.

33.150 Campus Institutional Zones

33.150.030 Characteristics of the Zone

- C. **IR zone.** This amendment corrects the reference made to the Design overlay zone chapter which is 33.420. The d-overlay is not a design review overlay.

33.150 Campus Institutional Zones

150

33.150.030 Characteristics of the Zones

A.-B. [No change.]

- C. **IR zone.** The IR zone is a multi-use zone that provides for the establishment and growth of large institutional campuses as well as higher density residential development. The IR zone recognizes the valuable role of institutional uses in the community. However, these institutions are generally in residential areas where the level of public services is scaled to a less intense level of development. Institutional uses are often of a significantly different scale and character than the areas in which they are located. Intensity and density are regulated by the maximum number of dwelling units per acre and the maximum size of buildings permitted. Some commercial and light industrial uses are allowed, along with major event entertainment facilities and other uses associated with institutions.

Residential development allowed includes all structure types. Mixed use projects including both residential development and institutions are allowed as well as single use projects that are entirely residential or institutional. IR zones will be located near one or more streets that are designated as District Collector streets, Transit Access Streets, or streets of higher classification. The IR zone will be applied only when it is accompanied by the “d” Design Review overlay zone.

33.218 Community Design Standards

33.218.010 Purpose

The rewrite and reconfiguration of the design guidelines and design standards for many areas of the city means that the current Community Design Standards are no longer applicable in areas with the Design overlay zone. The new design standards placed in Chapter 33.420 replace this set of standards when used in Design overlay zones.

As a result, the purpose of the community design standards is amended to focus the purpose on conservation districts and conservation landmarks. References to the design overlay zone and design review are removed from the purpose statement.

33.218 Community Design Standards

218

33.218.010 Purpose

~~Design review and~~ Historic resource review ensures that development conserves and enhances the recognized ~~special design~~ values of a site or area, and promote the conservation, enhancement, and continued vitality of special conservation areas of the City.

The Community Design Standards provide an alternative process to ~~design review and~~ historic resource review for some proposals. Where a proposal is eligible to use this chapter, the applicant may choose to go through the discretionary ~~design review~~ process set out in ~~Chapter 33.825, Design Review, and~~ Chapter 33.846, Historic Resource Reviews, or to meet the objective standards of this chapter. If the applicant chooses to meet the objective standards of this chapter, no discretionary review process is required.

The purpose of these standards is to:

- A. Ensure that new development enhances the character and livability of Portland's historic neighborhoods;
- B. Ensure that increased density in established neighborhoods makes a positive contribution to the area's character;
- C. Ensure the historic integrity of conservation landmarks and the compatibility of new development in conservation districts;
- D. Enhance the character and environment for pedestrians in historic areas ~~designated as design zones~~;
- E. Offer developers the opportunity to comply with specific objective standards as a more timely, cost effective, and more certain alternative to the ~~design review and~~ historic resource review process.

33.218.015 Procedure

The rewrite and reconfiguration of the design guidelines and design standards for most of the city means that the current Community Design Standards are no longer applicable in areas with the Design overlay zone. The new design standards placed with Chapter 33.420 replace this set of standards when used in Design overlay zones.

As a result, any references to the design overlay zones and design review are being eliminated from the procedures for applying the Community Design Standards.

Additional references to other code chapters no longer using the community design standards is being removed to align with the work done in the Residential Infill and Better Housing by Design projects.

33.218.015 Procedure

- A. Generally.** This chapter provides an alternative to the ~~design review process~~ or historic resource review process for some proposals. Where a proposal is eligible to use this chapter, the applicant may choose to go through either the discretionary ~~design review~~ process set out in ~~Chapter 33.825, Design Review, and Chapter 33.846, Historic Resource Reviews,~~ or to meet the objective standards of this chapter. If the proposal meets the standards of this chapter, no ~~design review or historic resource review~~ is required. The standards determining which proposals are eligible to use this chapter are in ~~Chapter 33.405, Alternative Design Density Overlay Zone; Chapter 33.420, Design Overlay Zone; Chapter 33.445, Historic Resource Overlay Zone; and Chapter 33.505, Albina Community Plan District.~~

The standards of this chapter do not apply to proposals reviewed through the discretionary design review processes set out in ~~Chapter 33.825, Design Review, and Chapter 33.846, Historic Resource Reviews.~~ Where a proposal is for an alteration or addition to existing development, the standards of this chapter apply only to the portion being altered or added.

- B-D.** [No change.]

33.270 Planned Development

33.270.200 Additional Requirements for Planned Developments in the Commercial/Mixed Use Zones

- D. **Design Review.** The regulations for Planned Developments in the Commercial/Mixed Use zones refer to the current community design standards as an option to design review. The amendments to this section update the references to the new design standards that are located in 33.420, Design overlay zones.

33.270 Planned Development

270

33.270.200 Additional Requirements for Planned Developments in the Commercial/Mixed Use Zones

Planned Developments in the CM2, CM3, and CE zones, and in the CX zone outside the Central City and Gateway plan districts, that are using the Planned Development bonus, must met all of the following requirements:

A-C. [No change.]

D. Design Review. All development within the Planned Development site must be approved through ~~Design Review~~ or meet the design standards in 33.420.050 Community Design Standards as follows. Development associated with a plaza or park required by Subsection B must go through Design Review and is not eligible to use the ~~Community Design Standards~~:

1. The ~~Community Design overlay zone Design Standards~~ provide an alternative process to design review for some proposals. Proposals that are within the maximum limits stated in Table 270-1 are allowed to use the objective standards of ~~Chapter Section 33.420.050-218, Community Design Standards~~. The applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, if more flexibility than provided by the standards is desired.

Table 270-1 Maximum Limits for Use of the Community Design Standards [1]	
	Maximum Limit
New Floor Area	20,000 sq. ft. of floor area
Exterior Alterations	<ul style="list-style-type: none"> • For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the façade. • For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.

Notes: [1] There are no maximum limits for proposals where any of the floor area is in residential use.

2. Proposals that are not allowed to use the Design overlay zone design standards~~Community Design Standards~~, or do not meet the design standards~~Community Design Standards~~, must go through the design review process.

33.284 Self-Service Storage

33.284.040 Design Review

- D. **Design Review Approval Criteria.** The approval criteria listed in the design review section for self-storage facilities refer to the current community design guidelines as the approval criteria for design review. The amendments to this section update the references to the new *Citywide Design Guidelines* that are to be used outside of specific design districts.

33.284 Self-Service Storage

284

33.284.040 Design Review

- A. Purpose.** Design review is required for new buildings in the C and EX zones to ensure that the development has a high design quality appropriate to the desired character of the zone and to avoid the monotonous look of many industrial-style buildings.
- B. Design review required.** In the C and EX zones, all Self-Service Storage uses to be located in newly constructed buildings must be approved through Design review.
- C. Procedure.** Design review for Self-Service Storage uses is processed through a Type II procedure. However, uses that require design review because of an overlay zone or plan district are processed as provided for in those regulations.
- D. Design review approval criteria.** A design review application will be approved if the review body finds that the applicant has shown that the Portland Citywide Community Design Guidelines have been met. If the site is within a design district, the guidelines for that district apply instead of the Portland Citywide Community Design Guidelines. Design districts are shown on maps 420-1 through ~~420-3~~ and 420-5 through ~~420-6~~. Where two of the design districts shown on those maps overlap, both sets of guidelines apply.

33.420 Design Overlay Zone

Background

The amendments in Chapter 33.420 create a new purpose statement for the Design overlay zone. This change supports the new direction of the Design overlay zone resulting from the Comprehensive Plan Update (CPU). The CPU policies directed growth to many of the city's centers and corridors and the CPU map added the Design overlay zone in many of these areas to help guide that growth.

Several changes within this chapter are the direct result of suggestions made by a consultant assessment of our Design overlay zones. To simplify some of the current processes for applying the Design overlay zone, the chapter language is revised to provide a simpler set of exemptions that includes exempting smaller residential projects. Chapter 33.420 also includes a revision to allow smaller projects within the Gateway plan district to choose the objective design standards as an alternative to design review. This removes a required land use process for store-front remodels and smaller development projects.

The new objective design standards are added to the overlay zone chapter instead of referring readers to the Community Design Standards, Chapter 33.218. The new standards focus on the three tenets of design stated in the Purpose Statement. To provide flexibility, some of the standards are required with new development and alterations, while other standards are part of a menu approach, with the applicant able to choose a set of standards to attain a minimum number of points for the project.

33.420.010 Purpose Statement

The purpose statement is revised to reflect the expanded application of the Design overlay zone to areas expected to be the focal points of the city's growth. This focus has expanded beyond the Central City and Gateway to include many of the city's commercial corridors, and town & neighborhood centers. In addition to the expanded geographic application, the purpose focuses on three tenets of design, as illustrated in the DOZA assessment. These three tenets (building on context, contributing to the public realm, promoting quality and resilience) are the benchmarks under which the citywide design guidelines and objective design standards have been developed.

33.420 Design Overlay Zone

420

Sections:

- 33.420.010 Purpose
- 33.420.020 Map Symbol
- 33.420.021 Applying the Design Overlay Zone
- 33.420.025 Where These Regulations Apply
- 33.420.041 When Design Review or Meeting Design Standards is Required
- 33.420.045 Items Exempt From Design Review and Design Standards
- ~~33.420.051 Design Guidelines~~
- ~~33.420.0505 When Community Design Standards May Be Used~~
- ~~33.420.060 When Community Design Standards May Not Be Used~~
- ~~33.420.060 Design Guidelines~~

Map 420-1 Design Districts and Subdistricts in the Central City and South Auditorium Plan Districts

Map 420-2 Macadam Design District

Map 420-3 Terwilliger Design District

~~Map 420-4 Sellwood Moreland Design District~~

Map 420-~~4~~5 Marquam Hill Design District

Map 420-~~5~~6 Gateway Design District

33.420.010 Purpose

The Design overlay zone ensures that Portland is a city designed for people. The Design overlay zone supports the city's evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design guidelines and standards that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people's daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

~~The Design Overlay Zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high density development adjacent to transit facilities. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.~~

33.420.020 Map Symbol

~~The Design oOverlay zZone is shown on the Official Zoning Maps with a letter "d" map symbol.~~

33.420.021 Applying the Design Overlay Zone

These revisions incorporate the changes from the Comprehensive Plan Update for qualifying areas for the Design overlay zone. As part of the update, many commercial centers and corridors were assigned the Design overlay due to the expected growth anticipated in those areas. However, the section still acknowledges the past application of the Design overlay zone to areas that contain a distinct development pattern including such places as the Marquam Hill design district.

33.420.025 Where This Chapter Applies

These amendments clarify that the regulations of this chapter apply to areas with the Design overlay zone, not just areas subject to discretionary design review.

33.420.041 When Design Review or Meeting Design Standards is Required

The title and introductory sentence for this section is changed to reflect that the listed situations trigger the requirement to either go through a discretionary design review, or meet the objective standards.

- B. The reference to changes in paint color is dropped because painting does not require a permit and changes are difficult to enforce.
- E. This amendment clarifies the tree size threshold for design review in South Auditorium plan district.
- F. This provision is reworded as an exemption in 33.420.045.

33.420.021 Applying the Design Overlay Zone

The Design ~~o~~Overlay ~~z~~Zone is applied to ~~are~~current and emerging urban locations including centers and corridors. The Design overlay zone is also applied to areas outside of centers and corridors that have distinct features with important development context, and to specific zones identified through the Comprehensive Plan, ~~where design and neighborhood character are of special concern~~. Application of the Design ~~o~~Overlay ~~z~~Zone must be accompanied by adoption of design guidelines, or by specifying which guidelines will be used.

~~Many applications of the Design Overlay Zone shown on the Official Zoning Maps~~Some areas of the Design overlay zone are referred to as design districts. A design district may be divided into subdistricts. Subdistricts are created when an area within a design district has unique characteristics that require special consideration and additional design guidelines. The location and name of each design district and subdistrict is shown on maps 420-1 through 420-6 at the end of this chapter.

~~Other applications of the Design Overlay Zone shown on the Official Zoning Maps are not specific design districts. Some are adopted as part of a community planning project, and some are applied automatically when zoning is changed to CX, CM3, EX, RX, or IR.~~

33.420.025 Where These Regulations Apply

The regulations of this chapter apply to all Design overlay zones. Application of the Design overlay zone~~Design review~~ may also be a requirement of a plan district, other overlay zone, or as a condition of approval of a quasi-judicial decision.

33.420.041 When Design Review or Meeting Design Standards is Required

Unless exempted by Section 33.420.045, Items Exempt From Design Review and Design Standards, ~~design review is required for the following~~ must meet the design standards or be approved through design review:

- A. New development;
- B. Exterior alterations to existing development, ~~including changes to exterior color when the existing color was specifically required by a design review approval;~~
- C. Nonstandard improvements in the public right-of-way such as street lights, street furniture, planters, public art, sidewalk and street paving materials, and landscaping. Nonstandard improvements in the public right-of-way must receive ~~prior~~ approval from the City Engineer prior to applying for design review. Improvements that meet the City Engineer's standards are exempt from this chapter~~design review~~;
- D. Items identified in the Citywide Policy on Encroachments in the Public Right-of-Way or Title 17, Public Improvements, as requiring design review;
- E. Removal of trees 6 or more inches in diameter in the South Auditorium plan district;
- ~~F. Exterior signs larger than 32 square feet, except in the South Auditorium plan district, where all signs are subject to design review;~~
- FG. Where City Council requires design review of a proposal because it is considered to have major design significance to the City. In these instances, the City Council will provide design guidelines by which the proposal will be reviewed, and specify the review procedure; and

33.420.041 (contd)

- I. This specific reference to formal open areas in Macadam is being removed. These proposals have to meet the specific requirements of 33.555 but can potentially meet the Design Standards in 33.420.055 as an option to going through Design Review.

33.420.045 Items Exempt from the Chapter

These exemptions consolidate and simplify the current exemptions. They also provide more options to exempt alterations to rooftop equipment and façade changes. There are expanded exemptions that apply to the new construction of smaller residential projects (up to four units and 35-feet in height) and alterations to existing residential development with four or fewer units. This illustrates the change in design focus to larger projects that have impacts on the site and on adjoining areas. This is consistent with the more recent application of the design overlay to areas of growth and change. Many of the exemptions are the same, or similar to the existing exemptions but grouped together to address similar situations (like rooftop equipment for example). The commentary below focuses on new exemptions.

- D. This is an existing standard that is further clarified with a reference to the Oregon Specialty Code. This updates the language to be similar to references elsewhere such as under the nonconforming upgrades in 33.258.
- E. This is a new exemption that allows smaller residential development up to 4 dwelling units and less than 35-feet in height to avoid to the requirements of this chapter. They will still be subject to the design requirements of the base zone as well as any new requirements being implemented through the Residential Infill and Better Housing by Design projects.
- F. Similar to above, this allows alterations and additions to existing residential development to be exempt, provided that the total number of units remains 4 or fewer.
- K. This is a new exemption that applies to detached accessory structures under 300 square feet in area, if it's located back from street property lines or in an existing developed parking or vehicle area. These structures can often include smaller storage buildings, covered garbage enclosures or covered bicycle areas.
- L. This exemption replaces a regulation that previously stated the sign threshold that triggered an assessment against the Design overlay regulations.
- M. This is a special sign exemption for South Auditorium plan district. It adds an exemption to allow some small signage adjacent to the Halprin Open Space sequence, while treating the rest of the plan district similar to the rest of the city (note that Title 32 - Signs, still contains special standards for the South Auditorium plan district). The smaller limit applicable adjacent to the Halprin Open Space sequence matches the proposed size threshold in the Historic Resource Code Amendment project.

GH. Floating structures, except individual houseboats, ~~and~~

~~I. In the Marquam Hill plan district, proposals to develop or improve formal open area required by Chapter 33.555. This includes designating existing open areas as formal open areas.~~

33.420.045 Items Exempt From Design Review and Design Standards

The following items are exempt from design review ~~and design standards~~:

- A.** If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is instead subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone;
- B.** Repair, maintenance, and replacement with comparable materials ~~or the same color of paint~~;
- C.** Development that does not require a permit;
- D.** Alterations to a structure required to meet the Americans With Disabilities Act's requirements, or as specified in Section 1113 of the Oregon Structural Specialty Code;
- E.** New development when:
 - 1.** The only use on the site will be residential;
 - 2.** No more four dwelling units are proposed.
 - 3.** All buildings on the site are no more than 35 feet in height; and
 - 4.** The site is not zoned RX, EX, or CX;
- F.** Alterations to a site with existing development when:
 - 1.** The only use on the site is residential;
 - 2.** There will be no more than four dwelling units on the site; and
 - 3.** All new buildings and additions to existing buildings are no more than 35 feet in height;
- G.** Houseboats in a houseboat moorage;
- H.** Manufactured dwelling parks;
- I.** Development associated with a Rail Lines and Utility Corridor use,
- J.** Development associated with a Parks and Open Areas use when the development does not require a conditional use review;
- J.** Exterior work activities associated with an Agriculture use;
- K.** Detached accessory structures no more than 300 square feet in floor area when located at least 20 feet from all street lot lines, or within an existing vehicle area;
- L.** Except in the South Auditorium plan district, signs that are 32 square feet or less in size;
- M.** In the South Auditorium plan district signs that meet the following:
 - 1.** Except within 50 feet of the Halprin Open Space Sequence historic district, signs that are 32 square feet or less in size; and
 - 2.** Within 50 feet of the Halprin Open Space Sequence historic district, signs that are 3 feet or less in size;

33.420.045 Items Exempt from the Chapter (contd)

- N. This exemption combines and simplifies the current façade exemptions, including awnings, louvers and the repair/replacement of storefront glazing systems. It adds additional façade exemptions to allow the removal of fire escapes, and seismic bracing. It also adds a new exemption, available outside of the Central City, that exempts small façade changes of any kind (up to 200 square feet).

- O. This amendment combines and simplifies the various exemptions to rooftop installations, including ecoroofs, solar panels, skylights, roof hatches, mechanical equipment, vents & ducts, and radio frequency antennas and equipment. Some things are simply exempt while others must meet some performance standards to be exempt. The general exemption has been expanded to allow greater flexibility for the variety of things that are placed on a roof.

N. The following alterations to the façade of a building:

1. Awnings as follows:
 - a. If awnings were approved on the same facade through design review then a new or replacement awning is exempt if it meets the previous design review conditions of approval; or
 - b. If there are no previous conditions of approval for awnings on the same facade, then a new or replacement awning is exempt if the awning projects at least four feet from the wall, and affects 200 square feet or less of the façade, except in the Central City, where it can only affect up to 100 square feet of the façade;
2. Alterations to an existing ground floor storefront glazing and mullion system that uses the same storefront components as the existing system without reducing the percentage of ground floor windows on the facade;
3. Louvers or vents for mechanical systems that meet the following:
 - a. The louver or vent opening affects 1 square foot or less of the façade; or
 - b. The louver or vent is placed within existing window mullions and is at least 8 feet above the sidewalk grade;
4. The removal of fire escapes;
5. Voluntary or required seismic bracing. Within the Central City plan district, seismic bracing on a street-facing facade is not exempt
6. Alterations to the façade of a building, other than signs, that affect no more than 200 square feet of the total façade. This exemption does not apply in the Central City plan district;

O. Alterations and additions to a roof as follows:

1. Alterations and additions to a roof that has a 1/12 pitch or less:
 - a. Ecoroofs, plants on a roof, solar panels, skylights, and roof hatches;
 - b. Rooftop additions and alterations that do not increase floor area when:
 - (1) The proposed addition or alteration is screened by an existing parapet that is as tall as the tallest part of the addition or alteration;
 - (2) The proposed addition or alteration is set back 4 feet from the edge of the roof for every 1 foot of height above the roof surface or top of parapet;
 - (3) The proposed addition or alteration occurs within 5 feet of the façade of an existing equipment penthouse, does not extend above the penthouse, and is painted to match the façade of the penthouse; or
 - (4) The proposed addition or alteration does not exceed 3 feet in width, depth, length, diameter or height.

33.420.045 Items Exempt from This Chapter (contd)

- P. This exemption expands the existing parking lot landscaping exemption to include other improvements such as bike parking and pedestrian walkways that can be triggered as part of a nonconforming upgrade.

The large majority of the existing exemptions (C through CC) have been rewritten and condensed. As a result, the existing exemptions are being removed.

c. Radio frequency transmission facilities as follows:

(1) New or replacement facilities when:

- The facility is mounted to the side of an existing equipment penthouse or located entirely within 5 feet of the façade of an existing penthouse, the facility does not extend above the penthouse, and the facility is painted to match the façade of the penthouse; or
- The facility is screened by an extension of an existing equipment penthouse, the extension is at least 15 feet from street-facing edges of the roof, the facility does not extend above the penthouse, and the facility is painted to match the facade of the penthouse;

(2) Alterations and additions to facilities that comply with previous design review conditions of approval for screening;

2. Alterations and additions to a roof that has a greater than 1/12 pitch as follows:

- a. The addition or alteration is parallel with the roof surface, extends no more than 12 inches above the roof surface, and is set back at least 3 feet from the roof edges and ridge lines; or
- b. The addition or alteration extend no more than 18 inches from the surface of the roof, and is less than 2 feet in diameter.

P. Alterations to a site with existing development for parking lot landscaping, short-term bicycle parking, and pedestrian circulation systems that meet the development standards of this Title;

Q. Public Art as defined in Chapter 5.74, or Permitted Original Art Murals as defined in Title 4

R. Anemometers, and small wind energy turbines that do not extend into a view corridor designated in the Scenic Resources Protection Plan; and

S. In the Marquam Hill Design District:

- 1 Additions of less than 25,000 square feet of floor area;
2. Alterations that affect less than 50 percent of the area of a façade where the area affected is also less than 3,000 square feet;
3. Exterior improvements less than 5,000 square feet, except for exterior improvements affecting areas counting towards the formal open area requirements of Section 33.555.260; and
4. Landscaping not associated with formal open areas required under 33.555.260.

33.420.045 Items Exempt from This Chapter (contd)

These exemptions are replaced by the new list underlined above.

- ~~C.~~ Within the Terwilliger Design District, development that will not be visible from Terwilliger Boulevard;
- ~~D.~~ Alterations to residential structures in RF through R1 zones, where the alterations are valued at \$10,000 or less;
- ~~E.~~ Skylights;
- ~~F.~~ Development associated with Rail Lines And Utility Corridors uses;
- ~~G.~~ Exterior activities and development for Agriculture uses;
- ~~H.~~ Modifications to a structure to meet the Americans With Disabilities Act's requirements in C, E, I, and CI zones;
- ~~I.~~ Development associated with Parks and Open Areas uses that do not require a conditional use review;
- ~~J.~~ Proposals where a building or sign permit is not required;
- ~~K.~~ Development in the IR zone, including alterations, that is not located within the boundaries of an approved Impact Mitigation Plan;
- ~~L.~~ Parking lot landscaping that meets the development standards of this Title;
- ~~M.~~ Rooftop mechanical equipment and associated ductwork, other than radio frequency transmission facilities, that is added to the roof of an existing building if the following are met:
 - ~~1.~~ The area where the equipment will be installed must have a pitch of 1/12 or less;
 - ~~2.~~ No more than 8 mechanical units are allowed, including both proposed and existing units;
 - ~~3.~~ The proposed mechanical equipment must be set back at least 4 feet from the edge of the roof for every 1 foot of height of the equipment above the roof surface or top of parapet; and
 - ~~4.~~ The proposed equipment must have a matte finish or be painted to match the roof.
- ~~N.~~ Rooftop vents installed on roofs if the vent and associated elements such as pipes, conduits and covers meet the following:
 - ~~1.~~ The area where the vent and associated elements will be installed must have a pitch of 1/12 or less;
 - ~~2.~~ The proposed vent and associated elements must not be more than 30 inches high and no larger than 18 inches in width, depth, or diameter;
 - ~~3.~~ The proposed vent and associated elements must be set back at least 4 feet from the edge of the rooftop for every 1 foot of height above the roof surface or top of parapet; and
 - ~~4.~~ The proposed vent and associated elements must have a matte finish or be painted to match the roof.

33.420.045 Items Exempt from This Chapter (contd)

These exemptions are replaced by the new list underlined above.

- ~~O.~~ Radio frequency transmission facilities for personal wireless services that meet the following:
- ~~1.~~ The antennas are added to the facade of an existing penthouse that contains mechanical equipment provided the antennas are no higher than the top of the penthouse, are flush mounted, and are painted to match the facade of the penthouse; and
 - ~~2.~~ Rooftop accessory equipment that is:
 - ~~a.~~ Located entirely within 5 feet of the facade of the existing penthouse, is no higher than the top of the penthouse, and is painted to match the facade of the penthouse; or
 - ~~b.~~ Entirely screened behind walls extending one side of the penthouse, provided the walls:
 - ~~(1)~~ Do not extend farther than 10 feet from the facade of the existing penthouse and are not closer than 15 feet to street facing roof edges;
 - ~~(2)~~ Are no taller than the top of the penthouse; and
 - ~~(3)~~ Are painted and textured to match the facade of the penthouse.
- ~~P.~~ Exterior alterations to existing development and construction of detached accessory structures within the Sellwood Moreland Design District;
- ~~Q.~~ Houseboats;
- ~~R.~~ Within the Marquam Hill Design District:
- ~~1.~~ Additions of floor area less than 25,000 square feet;
 - ~~2.~~ Alterations that affect less than 50 percent of the area of a facade where the area affected is also less than 3,000 square feet;
 - ~~3.~~ Exterior improvements less than 5,000 square feet, except for exterior improvements affecting areas counting towards the formal open area requirements of Section 33.555.260; or
 - ~~4.~~ Landscaping not associated with formal open areas.

33.420.045 Items Exempt from This Chapter (contd)

These exemptions are replaced by the new list underlined above.

- S.**— Awnings for each ground floor tenant, which meet the following requirements;
- 1.— If existing awnings on the same building facade have been approved through design review, or have been placed under the provisions of this subsection, the proposed awnings must match the following elements of the existing awnings: the sectional profile, structure, degree of enclosure, and placement vertically on the building. The awning also must meet S.2.c through f, below;
 - 2.— If there are no existing awnings on the same building facade that have been approved through design review or placed using the provisions of this subsection, the proposed awnings must be a flat or shed configuration in sectional profile (see Figure 420-1), and meet the following:
 - a.— Awnings must project at least three feet from the building wall facade;
 - b.— The front valance of each awning may be no more than 12 inches high. See Figure 420-2;
 - c.— Illumination may not be incorporated into awnings or awning structures;
 - d.— One or more awnings may be proposed for each ground floor tenant, but the total area of awnings per ground floor tenant may not exceed 50 square feet, measured from the building elevation. See figure 420-2;
 - e.— Awning covers must be made of Sunbrella™, Dickson Awning Fabrics™, Para Tempotest™, or a material with equivalent characteristics in terms of: durability, texture, and no-gloss sheen; and
 - f.— Awnings must be at least 18 inches from all other awnings.
- T.**— Within the St. Johns plan district, alterations to single dwelling detached structures;
- U.**— Public Art as defined in Chapter 5.74;
- V.**— Within the North Interstate plan district, alterations to detached houses and accessory structures on sites not fronting on Interstate Avenue;
- W.**— Permitted Original Art Murals as defined in Title 4; and
- X.**— Louvers for mechanical ventilation placed within existing ground floor window mullions, which meet the following:
- 1.— The maximum size of each louver is 8 square feet, and the maximum height of each louver is three feet. However, in no case may a louver have a dimension different from the size of the existing window mullion opening;
 - 2.— The window system containing the louver must not be higher than the bottom of the floor structure of the second story;
 - 3.— The bottom of the louvers must be at least 8 feet above adjacent grade;
 - 4.— The louvers may not project out further than the face of the window mullion;
 - 5.— The louvers must be painted to match the existing window mullion color/finish;

33.420.045 Items Exempt from This Chapter (contd)

These exemptions are replaced by the new list underlined above.

33.420.051 Design Guidelines

This section is moved from this current position to the end of the chapter (33.420.060) to better align with references to the standards and guidelines.

~~Y.~~ Rooftop solar energy systems that meet the following requirements:

- 1.— On a flat roof. The solar energy system must be mounted flush or on racks, with the system or rack extending no more than 5 feet above the top of the highest point of the roof, not including the parapet. Solar energy systems must also be screened from the street by:
 - a.— An existing parapet along the street facing facade that is as tall as the tallest part of the solar energy system; or
 - b.— Setting the solar energy system back from the street facing roof edges. For each foot of height that the portion of the system projects above the parapet, or roofline when there is no parapet, the system must be set back 4 feet.
- 2.— On a pitched roof. The plane of the system must be parallel with the roof surface, with the system no more than 12 inches from the surface of the roof at any point, and set back 3 feet from the roof edge and ridgeline.

~~Z.~~ Eco-roofs installed on existing buildings when the roof is flat or surrounded by a parapet that is at least 12 inches higher than the highest part of the eco-roof surface, and when no other exterior improvements subject to design review are proposed. Plants must be species that do not characteristically exceed 12 inches in height at mature growth.**~~AA.~~** Anemometers, which measure wind speed; and**~~BB.~~** Small wind energy turbines that do not extend into a view corridor designated by the Scenic Resources Protection Plan. Wind turbines are subject to the standards of Chapter 33.299, Wind Turbines.**~~CC.~~** Manufactured dwelling parks.**33.420.051 Design Guidelines**

Guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-3 and 420-5 through 420-6 at the end of this chapter. All other areas within the Design Overlay Zone use the Community Design Guidelines.

33.420.050 Design Standards**Table 420-1**

This section is reformatted to include all regulations related to the design standards and to include the list of new "Design Standards" added to Subsection C, which replace the Community Design Standards. (Note: The Community Design Standards will still be used for reviews of certain historic properties.)

- A. This subsection is the former 33.420.050 and spells out the situations when the design standards may be used. Table 420-1 is updated so that the Design Standards may be used for non-residential projects up to 40,000 square feet, an increase from the current threshold of 20,000 square feet. Projects proposing any residential development of any size may choose to meet the Design Standards as an alternate to Design Review. This is the current process for residential projects and is consistent with state law requiring an objective design standards track for residential projects.

- B. This subsection is the former 33.420.060 and lists the situations when the design standards cannot be used. It includes several amended situations as listed below:
 2. This amendment allows smaller projects within the Gateway design district to use the design standards. Since its recognition as a regional center, the city has prohibited any proposals (including store-front alterations and renovations) from choosing the clear and objective path provided by the Design Standards. During stakeholder interviews, the DOZA Assessment team noted that this limitation creates a perceived regulatory and resource barrier for small business development and builders. Most areas of the city outside of the Central City have the choice to meet the objective standards or go through the discretionary review.

This amendment provides a choice to most small-scale development and alterations within the Gateway Design District to meet the Design Standards, or to go through a review. New development in excess of 35-feet in height (approximately 3-stories), will still need to go through the discretionary review. Projects of this height are more likely to have a transformative impact on the Gateway regional center and warrant the public outreach and city oversight.

 3. In other areas of the city, the standards cannot be used if the buildings are more than 55-feet in height. This limit is currently located within the Community Design Standards, and was originally included as a new design standard (BM1 in the Discussion Draft). However, the regulation is a qualifying situation and is moved to be with the other qualifying situations. Generally, this height limit is within the maximum limit for many of our current zones. The intent is for taller buildings to have the public engagement and discussion that is part of a discretionary design review.

33.420.0505 When Community Design Standards May Be Used

The Community Design Standards provide an alternative process to design review for some proposals. Proposals that are eligible to use the design standards are stated in Subsection A. Proposals that may not use the design standards are stated in Subsection B. The design standards are stated in Subsection C. The standards for signs are stated in Title 32, Signs and related Regulations. Proposals that do not meet the design standards — or where the applicant prefers more flexibility — must go through the design review process. For some proposals, the applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Chapter 33.218, Community Design Standards. The standards for signs are stated in Title 32, Signs and related Regulations. Proposals that do not meet the Community Design Standards — or where the applicant prefers more flexibility — must go through the design review process.

- A. Unless excluded by 33.420.060 Subsection B, When Community Design Standards May Not Be Used, below, proposals that are within the maximum limits of Table 420-1 may use the Community Design Standards stated in Subsection C as an alternative to design review.

Table 420-1 Maximum Limits for Use of the Community Design Standards [1]	
Zones	Maximum Limit—New Floor Area
RM2, RM3, RM4, RX, C, E, I, & CI Zones	420,000 sq. ft. of floor area
I Zones	40,000 sq. ft. of floor area
IR Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.
Zones	Maximum Limit—Exterior Alterations
All except IR	<ul style="list-style-type: none"> • For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the façade. • For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.
IR Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.

Notes:
[1] There are no maximum limits for proposals where any of the floor area is in residential use.

33.420.060 When Community Design Standards May Not Be Used

- B. The Community Design Standards may not be used as an alternative to design review as follows:
 - A1. In the Central City plan district. See Map 420-1;
 - B2. In the Gateway plan district as follows. See Map 420-56:
 - a. New development and alterations to existing development when the new development or alteration exceeds 35 feet in height; and
 - b. Development subject to the requirements of 33.526.240, Open Area;
 - 3. New buildings or additions that exceed 55 feet in height;

33.420.050.B. (contd)

4-7. The remainder of the amendments remove the special conditions that limit using standards in very specific situations. These rarely apply and can now be covered with the application of the new standards. This simplifies the current variety of Design overlay zone processes and removes some of the inconsistencies that have been proposed over time. One item has been added to address non-specific improvements in the rights-of-way. Since the new design standards do not consider work in the right-of-way, these types of development still need to go through review.

In addition, there are three situations where the Design Standards cannot be used. They reference specific development or bonus development situations that were negotiated during the creation of the St. Johns, East Corridor, and North Interstate plan districts. These plan districts address these specific situations within their regulations and require discretionary design review, so it is necessary that these limitations remain in the code.

- ~~C.~~ For proposals that do not include any residential uses in the following Design Overlay Zones:
- ~~1.~~ The portion of the South Auditorium plan district outside the Central City plan district. See Map 420-1;
 - ~~2.~~ The Macadam design district. See Map 420-2; and
 - ~~3.~~ The Terwilliger design district. See Map 420-3; and
 - ~~4.~~ The Marquam Hill design district. See Map 420-5;
- ~~D4.~~ For institutional uses in residential zones, unless specifically allowed by the base zone, overlay zone, plan district, or an approved Impact Mitigation Plan or Conditional Use Master Plan;
- ~~E.~~ For alterations to sites where there is a nonconforming use, unless the nonconforming use is a residential use;
- ~~F.~~ For non-residential development in the RF through RM2 zones;
- ~~G.~~ If the proposal uses Section 33.405.050, Bonus Density for Design Review;
- ~~E.~~ Non-standard improvements in the right-of-way or other encroachments identified in other City Titles as requiring design review;
- ~~H5.~~ In the CM3 zone within the St. Johns plan district, structures more than 45 feet in height;
 - ~~I6.~~ For motor vehicle fuel sales in the 122nd Avenue subdistrict of the East Corridor plan district; and
 - ~~J7.~~ In the North Interstate plan district proposals taking advantage of the additional height allowed by 33.561.210.B.2.

C Design Standards

The design standards replace the current Community Design Standards located in 33.218. They apply to all areas of the City that have a Design overlay zone for projects that can meet the thresholds to use the standards.

The Community Design Standards Chapter will remain in the Zoning Code since they are still applicable as an alternative for historic resource review for conservation landmarks and districts. However, situations citywide that can choose the alternative to design review will need meet the new objective design standards located within 33.420.

These standards were created with the Citywide Design Guidelines in partnership with the consultant DECA. The standards have been developed to parallel the direction given under each of the three tenets and are intended to provide objective guidance that parallels the 10 guidelines. However, they are organized under each tenet by the feature or site/building listed below:

Context (12 standards)

- Building Massing and Corners
- Landscaping
- Older Buildings/History
- Adjacent Natural Areas

Public Realm (26 standards)

- Ground Floors
- Entries/Entry Plazas
- Weather Protection
- Utilities
- Vehicle Areas
- Art and Special Features

Quality and Resilience (24 standards)

- Site Planning and Pedestrian Circulation
- On-site Common Areas
- Windows and Balconies
- Building Materials
- Roofs

Within each tenet are a number of required standards that must be considered for new development and alterations. Additional standards are reviewed using a point system. New development and major remodels of existing development (defined in 33.910 as either increasing floor area by 50 percent or more or where the project cost exceeds the current assessed total site improvement value) will be required to meet a number of these standards based on the point ranking system. The size of the site determines the number of points required, since larger sites can often incorporate more design features.

C. Design standards. The design standards apply as follows:

1. New development must meet all the standards identified in Table 420-2 as required. Only the standards applicable to the development apply. In addition, new development must meet enough of the standards identified in Table 420-2 as optional to total 20 points, or one point for every 1,000 square feet of site area, whichever is less. Unless otherwise stated, if a standard is required, no optional points are earned. For sites that are 20,000 square feet or greater in total site area, at least one optional point must be earned in each of the following categories:
 - a. Context;
 - b. Public Realm; and
 - c. Quality.
2. Alterations to existing development must meet all the standards identified in Table 420-2 as required. Only the standards applicable to the alteration apply. In addition, major remodels must meet enough of the standards identified in Table 420-2 as optional to total 5 points, or one point for every 1,000 square feet of site area, whichever is less.

Table 420-2

Commentary on Individual Standards

Context Design Standards

The Context standards are identified with the moniker *C*, and number from 1 to 12. 2 standards are required but both apply to new buildings. The remaining standards are optional standards which can be chosen in different combinations for situations that require a certain number of points to be achieved. In addition, additional points can be gained from required standards *C1* or *C10* if additional features are provided on site. A total of 29 points is possible.

C1 - Corner Features on a Building. This standard is intended to foster urban-scale development in areas that are anticipate for growth, which are the town and neighborhood centers. It applies specifically to corner sites with provisions to further activate the areas at the corner. This standard has both a required portion and an optional portion to gain points. The standard includes a menu of items for a development to propose. The first element is required, and any additional elements can gain points up to a maximum of four additional points. The standards support several of the Context Design Guidelines including, *Guideline #1 - "Respond to the citywide urban design framework, . . ."*, *Guideline #3 - "Create positive relationships with adjacent surroundings"* and *Guidelines #4 - "Integrate and enhance on-site features and opportunities, . . ."*, as well as provide support to the Public Realm guidelines. The features that are part of this standard are:

- Building setback at the corner. This encourages buildings to be built up to the corner intersection to provide a direct relationship with the street. It awards one point (as optional).
- Building massing at the corner. This encourages buildings to emphasize the corner intersection by including their highest vertical feature within 20-feet of the corner. It awards one point (as optional).
- Building plaza at the corner. This standard awards two points (as an optional standard) if a development provides a publicly accessible plaza at the corner. Note that this standard would be used instead of some of the other items listed here.
- Main entrance at the corner. As an alternate to providing an publicly accessible plaza, this standard awards one point by providing a main entrance to a tenant space or to a residential lobby in close proximity to the corner.

The following two additional standards are shown on the next page.

- Additional window requirements. This encourages a building to concentrate additional glazing within 30-feet of the corner to provide additional visual interaction between the building and the corner. It awards one point (if optional).
- Building signage at the corner. The standard encourages the placement of projecting signage close to the corner. Signage directs people's attention the location. By limiting the size to 32 square feet or less, it allows the sign itself to be exempt from specific standards or a design review, and makes it a size more amenable to pedestrian traffic. It awards one point (if optional).

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
<u>Context (C1 – C12)</u>			
<p>The standards for context provide an opportunity for development to respond to the surrounding natural and built environment and build on the opportunities provided by the site itself. The context standards are split into the following categories: Building Massing and Corners, Landscaping, Older Buildings/History, and Adjacent Natural Areas</p>			
<u>Building Massing and Corners</u>			
C1	<p>Corner Features on a Building. The following applies to a new building on a site that has frontage on more than one intersecting street, and where the lot frontages intersect, is located within a town center or neighborhood center, and is in a zone that does not have a minimum building setback from a street lot line. One of the following features must be provided. Additional features may be provided for optional points up to a maximum of 4 points:</p> <ul style="list-style-type: none"> • <u>The building must be within 5 feet of both intersecting street lot lines. Each street facing wall meeting this standard must be at least 25 feet long.</u> • <u>The highest point of the building’s street-facing elevations must be within 20 feet of the corner of both intersecting street lot lines. This wall must project 3 feet above an adjacent wall elevation.</u> • <u>The building must include a plaza at the corner of the two intersecting street lot lines. The plaza has minimum dimensions of 15 feet by 15 feet, and must be hard-surfaced for use by pedestrians or an extension of the sidewalk. The plaza must include benches or seating that provides at least 10 linear feet of seating surface. The seating surface must be at least 15 inches deep, and between 16 and 24 inches above the grade upon which the seating or bench sits. At least one main entrance to a commercial tenant space or a residential lobby must face the plaza.</u> • <u>If a plaza is not provided, at least one main entrance to a commercial tenant space or residential lobby must be located within 15 feet of the two intersecting street lot lines, and face the street with the highest transit designation.</u> 	X	<p><u>If done as additional option:</u></p> <p style="text-align: right;"><u>1 pt</u></p> <p style="text-align: right;"><u>1 pt</u></p> <p style="text-align: right;"><u>2 pts</u></p> <p style="text-align: right;"><u>1 pt</u></p>

Table 420-2

Commentary on Individual Standards (contd)

Context Design Standards (contd)

C1 – Corner Features on a Building (contd). See previous commentary page.

C2 – Building Facades on Local Service Streets. This standard encourages a development on the side street to break up their façade into smaller segments which may relate better to smaller development that is often found on the side streets. Projects that provide these features achieve 3 points. This standard also supports Design Guideline #3. (This was BM12 in Discussion Draft.)

C3 – Tree Preservation. This standard encourages the preservation of larger existing trees, which have value to the site and neighborhood. The standard provides one point for each tree over 20 inches in diameter that is preserved, up to a maximum of 4 points. The standard supports Design Guideline #4 to “Integrate and enhance on-site features and opportunities to meaningfully contribute to a location’s uniqueness.” (This was SP15 in Discussion Draft.)

C4 – Grouping of Trees. This standard applies specifically to the East Pattern area where strands of native evergreen trees (primarily Douglas Firs) have been identified as a feature of this area. The standard encourages the planting of native evergreens to provide for future stands of trees with new development. A total of 2 points can be gained for planting 5 trees in a group. The standard further supports Design Guideline #4 . (This was SP 18 in Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
C1 (contd)	<ul style="list-style-type: none"> • <u>At least 30 percent of each street-facing facade located within 30 feet of the intersecting street lot lines must be windows or main entrance doors. Windows and doors used to meet ground floor window requirements may be used to meet this standard.</u> • <u>At least one sign must be provided within 10 feet of the intersecting street lot lines. The sign may be up to 32 square feet in area and meet the requirements of Title 32.</u> 		<u>1 pt</u> <u>1 pt</u>
C2	<u>Building Facades on Local Service Streets.</u> Buildings with street-facing facades on local service streets must divide the building elevations into distinct wall planes measuring 1,500 square feet or less. To qualify, the façade plane must be offset in depth by at least 2-feet from adjacent facades. Facades may also be separated by a balcony or architectural projection that projects at least 2 feet from adjacent facades for a minimum distance of 8 feet. Projections into street right-of-way do not count toward meeting this standard.		<u>3 pts</u>
<u>Landscaping</u>			
C3	<u>Tree Preservation.</u> Preserve existing trees. For each tree preserved that is greater than 20 inches in diameter, <u>1 pt. may be earned up to a maximum of 4 pts. An arborists report must be provided that identifies the diameter of each tree to be preserved and verifies that it is not dead, dying or dangerous, and that it is not on the Nuisance Plants list.</u>		<u>4 pts max</u>
C4	<u>Grouping of Trees.</u> Within the eastern pattern area shown on Map 130-2, plant at least 5 evergreen trees in a group. Trees must be a minimum of 5 feet in height, planted no more than 15 feet apart, and listed on the Portland Plan List.		<u>2 pts</u>

Table 420-2

Commentary on Individual Standards (contd)

Context Design Standards (contd)

C5 – Native Landscaping. This standard encourages the use of native plants and trees for the landscaping provided, and awards one point for meeting the standard. It is intended to apply outside of environmental zones, and helps to provide a link between development and the native flora that originally made up the area. In addition, requiring the vast majority of trees to be native creates opportunities for interaction with native wildlife, and reflects on the existing landscaping within many parks and natural areas of the city. This standard further supports Design Guideline #4, but also relates to other context guidelines. (This combines the previous standards SP16 and 17 in the Discussion Draft which treated plants and trees separately.)

C6 – Trees in Setbacks along a Civic Corridor. This standard has a limited applicability because it only applies within the Civic Corridors that require a 10-ft street setback as shown on Map 130-1. Generally, new buildings along these corridors will provide street trees within the right-of-way. This standard awards one point if an additional row of trees is planted within the civic corridor setback which would create an enhanced amenity along the corridor. The trees could be within a landscaped strip or in treewells as part of an extension of the plaza or sidewalk, but does not count if the trees are part of the perimeter parking lot landscaping. A minimum of four trees must be planted to qualify for the standard. This supports Design Guidelines #1, "Respond to citywide urban design framework", and Guideline #4, "Integrate on-site features. . . ." (This is a new standard that was not in the Discussion Draft.)

Older Buildings / History

C7 – Preservation of Existing Facades. This standard provides an incentive to preserve the façade of an existing building and incorporate it into the alteration or building addition. This helps to link the past with the present. The standard is worth 3 points to acknowledge the potential engineering effort to satisfy the standard. The standard supports Guideline #2, "Build on the character and local identity of the place, while also supporting Guidelines #3 and #10, (This was BM6 in the Discussion Draft.)

C8 – Vertical Extension of Existing Building Features. This standard is intended to work with C7 above to provide an additional incentive to preserve an existing façade into a development and to carry on features such as vertical columns or window patterns into any new upper stories. The standard includes minimum requirements to achieve the one point. Similar to C7, the standard supports the context Guidelines #2 & #3 along with Guideline #10 as a way to link the past development into the new addition. (This is expanded from BM7 in the Discussion Draft.)

C9 – Building or Site History Plaque. This standard applies to an alteration of a building that is at least 50 years old. One point can be earned for providing a plaque that provides information on the site and/or building. Combining this standard with C7 and C8 can enable a major remodeling project to meet the design standards. This supports Design Guideline #2, "Build on the character and local identity of the place". (This was SF10 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
<u>C5</u>	Native landscaping. <u>On sites that are 20,000 square feet or larger, at least 30 percent of the total landscaped area must be planted with native species listed on the Portland Plan List, and 80percent of all trees planted on site must be native trees listed on the Portland Plant list.</u>		<u>1 pt</u>
<u>C6</u>	Trees in Setbacks along a Civic Corridor. <u>On sites located on a civic corridor shown on Map 130-1, plant trees within the required building setback from the civic corridor. A minimum of 4 trees must be planted and the trees must meet the L1 spacing standards. Areas dedicated to parking lot landscaping do not count toward meeting this standard</u>		<u>1 pt</u>
<u>Older Buildings /History</u>			
<u>C7</u>	Preservation of Existing Facades. <u>When altering or adding on to a building that is at least 50 years old and has at least 4,000 square feet of net building area, retain more than 50 percent of the area of the existing street-facing building façade.</u>		<u>3 pts</u>
<u>C8</u>	Vertical Extension of Existing Building Features. <u>When vertically adding on to a building that is at least 50 years old, include one of the following features as part of the addition:</u> <ul style="list-style-type: none"> • <u>If the existing building contains vertical building columns or pilasters, the columns or pilasters are expanded vertically into the expansion. To qualify, the existing column or pilaster must be at least 6 inches wide and project at least 3 inches from the adjoining building wall.</u> • <u>Windows on the vertical extension must be placed directly above the existing windows. The size of the new windows may be up to 20 percent less than the size of the existing windows, but the center of the new window must align with the vertical plane of the center of the existing windows.</u> 		<u>1 pt</u>
<u>C9</u>	Building or Site History Plaque. <u>If the site contains a building that is at least 50 years old, install a plaque on a street-facing façade of that building that provides information on the previous uses of the building or site. The plaque must be at least 2 square feet in area.</u>		<u>1 pt</u>

Table 420-2

Commentary on Individual Standards (contd)

Context Design Standards (contd)**C10 – Buildings Adjacent to Historic Landmarks**

. This standard applies whenever a new building is built adjacent to the site of an existing historic landmark. This provision requires the new building to consider providing some features that create contextual continuity with the landmark building. These could include matching features on the façade, or deferring to the landmark by setting the taller portion of the new building back from the building. The applicant has the ability to choose the what feature to meet, but must meet one standard. The applicant may choose to meet additional standards to gain up to three points. This standard relates to several of the Context guidelines including Guidelines #2 and #3. Providing these can also improve the sidewalk level of the building, which supports Guideline #5. (This is a new standard that was not in the Discussion Draft.)

C11 – Setback from Waterbodies. This standard awards 4 points if a project can incorporate and preserve a natural water feature (separate from environmental zones) as part of a development proposal. It supports Design Guideline #4, "Integrate and enhance on-site features and opportunities to meaningfully contribute to a location's uniqueness". (This was O1 in the Discussion Draft.)

C12 – Public View of Natural Feature. This standard encourages the opening up of a site's natural features, such as trees, rock formations or water features, to the public realm. It awards 2 points for providing a view corridor between the street and the feature on site. This allows for the visual enjoyment of on-site's natural features. Similar to C11 above, the standard supports Design Guideline #4 (This was O2 in the Discussion Draft).

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
C10	<p>Buildings Adjacent to Historic Landmarks. The following applies to a new building located on a site that is adjacent to a site that contains a historic landmark. One of the following must be provided. Additional features may be provided for optional points up to a maximum of 3 points . This standard is not required if the new building is adjacent to a landmark building containing only residential uses.</p> <ul style="list-style-type: none"> • <u>Street-facing ground floor windows in the new building must be as tall as the ground floor windows in the historic landmark.</u> • <u>The base of the street-facing ground floor windows must be at the same distance above grade as the ground floor windows in the historic landmark.</u> • <u>If the landmark building has transom windows on the ground floor, the new building must include transom windows above the street-facing ground floor windows at the same distance above grade as the transom window on the historic landmark.</u> • <u>The exterior materials on the new building must match the exterior materials on the historic landmark on at least 80 percent of the new building’s street-facing façade.</u> • <u>Floor and cornice bands on the new building must match bands on the historic landmark.</u> • <u>If any portion of the new building is taller than the historic landmark, that portion of the new building must be setback 10 feet from the property line adjacent to the site that contains the historic landmark.</u> 	X	<p><u>1 pt</u></p> <p><u>1 pt</u></p> <p><u>1 pt</u></p> <p><u>1 pt</u></p> <p><u>1 pt</u></p> <p><u>2 pts</u></p>
Adjacent Natural Areas			
C11	<p>Setback from Waterbodies. Outside of environmental zones, locate all buildings, structures and outdoor common areas a minimum of 50 feet from the edge of a wetland, or top of bank of a water body, seep or spring located on site.</p>		<u>4 pts</u>
C12	<p>Public View of Natural Feature. Outside of environmental zones, provide a view corridor between the public street and an existing natural feature on site, such as a grove of native trees, rock outcropping, wetland, water body, seep or spring. The view corridor must be a minimum of 20 feet wide. The corridor must be landscaped with shrubs and ground cover or include a pedestrian connection to a viewing platform accessible from the street.</p>		<u>2 pts</u>

Table 420-2

Commentary on Individual Standards (contd)

Public Realm Design Standards

The Public Realm standards are identified with the moniker PR, and number from 1 to 26. 10 standards are required subject to their applicability. The remaining 16 standards are optional standards which can be chosen in different combinations for situations that require a certain number of points to be achieved. A total of 30 points are available from the optional standards.

PR1 - Ground Floor Height. This standard ensures that ground floor spaces provide a prominent role in the building's massing by requiring a minimum height for ground floor commercial and ground floor residential, while acknowledging the different requirements of each. The standard is required for new buildings. The standard supports Design Guideline #5, "Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled". (This was BM2 in the Discussion Draft.)

PR2 - Ground Floor Height (optional). This standard augments PR1 above by providing 3 points for projects that choose to raise the ground floor to 15-feet for commercial and 12-feet for residential uses. This standard is optional, worth 3 points, and further supports Design Guideline #5. (This was BM5 in the Discussion Draft.)

PR3 - Ground Floor Commercial Space. This standard provides an incentive for a building to include commercial space on the ground floor. It is worth 2 points. Commercial tenant space can provide an amenity for the surrounding residents and businesses and often better activates the sidewalk level of the buildings. This standard supports Guideline #5 and can support Guideline #3. (This is a new standard not in the Discussion Draft.)

PR4 - Affordable Ground Floor Commercial Space. This standard provides an extra incentive for a building to include commercial space on the ground floor that participates in Prosper Portland's affordable commercial tenant program. This program can encourage local and emerging small businesses, while also providing the same kind of activity that is supported by PR3. It is worth an additional 2 points. This standard supports Guideline #5 and can support Guideline #3. (This is a new standard not in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
<i>Public Realm (PR1 – PR26)</i>			
<p>The standards for public realm provide an opportunity for development to contribute positively to the adjoining sidewalks, streets and trails. They encourage spaces on the ground floor that support a range of uses and create environments that offer people a welcoming and comfortable experience. The public realm standards are split into the following categories: Ground Floors, Entries/Entry Plazas, Weather Protection, Utilities, Vehicle Areas, and Art and Special Features</p>			
<i>Ground Floors</i>			
<u>PR1</u>	Ground Floor Height. For ground floor commercial space in new buildings, the distance from the finished floor to the bottom of the ceiling structure above must be at least 12 feet. For ground floor area associated with a residential use, the height is 10 feet. The bottom of the structure includes supporting beams.	<u>X</u>	
<u>PR2</u>	Ground Floor Height. For ground floor commercial space in new buildings, the distance from the finished floor to the bottom of the ceiling structure above must be at least 15 feet. For ground floor area associated with a residential use, the height is 12 feet. The bottom of the structure includes supporting beams.		<u>3 pts</u>
<u>PR3</u>	Ground Floor Commercial Space. On sites that are at least 10,000 square feet in total site area, at least 1,500 square feet of floor area on the ground floor must be for commercial use and the space must include at least one main entrance that faces the street and is within 5-feet of the street lot line.		<u>2 pts</u>
<u>PR4</u>	Affordable Ground Floor Commercial Space. Where commercial uses are allowed or limited, at least 1,500 square feet of floor area on the ground floor must be provided for a commercial use that meets the affordable commercial space program administrative requirements of the Portland Development Commission. The applicant must execute a covenant with the City of Portland that satisfies the requirements of 33.130.212.D.2.		<u>2 pts</u>

Table 420-2

Commentary on Individual Standards (contd)

Public Realm Design Standards (contd)

PR5 - Oversized Street-Facing Opening. This standard encourages a business to open up their business to the adjacent street to encourage interaction between the business and the public realm during periods of nice weather. The standard is worth 2 points and can promote several Design Guidelines, including #5. (This was SF7 in the Discussion Draft.)

PR6 - Louvers and Vents. This standard requires new louvers and vents placed along street-facing facades to be located at a height that minimizes the impact on pedestrians who may be next to the wall. The standard applies to new development and to any new vent proposed with an alteration. The standard supports Design Guideline #5, "Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled", and Design Guideline #7, "Minimize and integrate parking and necessary building services". (This was F5 in the Discussion Draft.)

PR7 - Exterior Lighting. This standard is required for new buildings. The intent is to provide standards for lighting on a building that encourages pedestrian interaction between the public realm and the building while promoting the safety and comfort of those entering the building. The standard also ensures that lighting on local service streets does not adversely impact adjoining lots. The standard supports Design Guideline #5 as well as Context Guideline #3. (This was F5 in the Discussion Draft.)

PR8 - Main Entrance Locations. This standard is intended to provide separation between the focus of a commercial activity - its main entrance - and residential uses that are located off site. It is required to be met for new main entrances. For alterations to an existing entrance, an applicant can choose to come closer to the standard. This standard is related to the public realm guidelines but also supports context guideline #3. (This was SP1 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
PR5	Oversized Street-Facing Opening. Provide an oversized operable door, such as a roll-up door or movable storefront, for at least one ground floor tenant space that faces the street lot line and is used for Retail Sales And Service uses. Buildings with more than one ground floor tenant space that faces the street and is used for Retail Sales And Service uses must provide the door opening for at least 50 percent of the tenant spaces that face the street. The oversized operable door opening must be at least 8 feet wide and cannot open up into utility, garbage , or parking areas.		2 pts
PR6	Louvers and Vents. New louvers or other vents on street-facing facades within 5 feet of the street must meet one of the following standards. The measurement is made from the adjacent grade: <ul style="list-style-type: none"> • The bottom of the louver is at least 7 feet above the adjoining grade; or • The top of the louver is a maximum of 2 feet above the adjoining grade. 	X	
PR7	Exterior Lighting. On new buildings, exterior light fixtures must be provided on street-facing facades within 20 feet of the street as follows: <ul style="list-style-type: none"> • The fixtures must be spaced a maximum of 30-feet apart; • The bottom of each fixture is a maximum of 15 feet above the adjoining grade or sidewalk; and • Lights must not project light upward or to the side of the fixture. must not be directed up from the fixture. • Lights on local service streets must meet the glare standards of Chapter 33.262, Off-Site Impacts. 	X	
<u>Entries/Entry Plazas</u>			
PR8	Main Entrance Location. Main entrances for nonresidential tenant spaces must be located at least 25-feet from a lot line that abuts an RF through R2.5 zone. For alterations that impact the location of an existing main entrance, the applicant must either meet the standard or move the existing entrance further from the single dwelling zone lot line.	X	

Table 420-2

Commentary on Individual Standards (contd)

Public Realm Design Standards (contd)

PR9 - Residential Entrance. The intent of this standard is to provide separation and a softer edge between residential entrances on side streets and the public street realm, while still encouraging residential entrances to activate these side streets. The standards provide livability standards that include physical features, landscaping or outdoor space between the public and private realms. The standard is worth 2 points and supports Design Guideline #5, as well as indirectly supporting Guideline #8 to "Support the comfort, safety, and dignity of residents . . . through thoughtful site design". (This was SF8 in the Discussion Draft.)

PR10 - Separation of Dwelling Unit Entry from Vehicle Areas. The intent of this standard is to limit the effects of parking and vehicle areas on adjacent ground-floor dwelling units by providing physical separation between the unit's door and the vehicle area on the site. The standards also provide livability standards that include some physical features, landscaping, or outdoor space between the vehicle area and the dwelling unit entry. The standard is worth 2 points and supports both Design Guideline #7 - "Minimize and integrate parking and necessary building services and Guideline #8 - "Support the comfort, safety and dignity of residents . . . ". (This was SP24 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
<u>PR9</u>	<p>Residential Entrance: This standard applies on streets that are not identified as civic and neighborhood corridors on the Transportation System Plan. At least 50 percent of the dwelling units on the street-facing ground floor of a building must have the main entrance of the dwelling unit have pedestrian access from the street. To qualify for this standard, entrances to at least four individual dwelling units must be provided. The entrance must be set back at least 6 feet from the street lot line and have at least two of the following within the setback:</p> <ul style="list-style-type: none"> • A wall or fence that is 18 to 36 inches high; • Landscaping that meets the L2 standard; • A tree within the small tree category identified in 33.248.030; • Individual private open space of at least 48 square feet and a minimum dimension of 6 feet, where the floor of the open space is between 18 and 36 inches above the grade of the right of way; or • A change of grade where the door to the dwelling unit is 18 to 36 inches above the grade of the right of way. 		<u>2 pts</u>
<u>PR10</u>	<p>Separation of Dwelling Unit Entry from Vehicle Areas: This standard applies when there are at least four new ground floor dwelling unit entrances adjacent to a parking area. Doors leading to new ground floor dwelling units that face a vehicle area on site must be set back at least 8 feet from the vehicle area and have at least two of the following features within the setback:</p> <ul style="list-style-type: none"> • A wall or fence that is 18 to 36 inches high; • Landscaping that meets the L2 standard; • A tree within the small tree category identified in 33.248.030; • Individual private open space of at least 48 square feet and a minimum dimension of 6 feet, where the floor of the open space is between 18 and 36 inches above the grade of the vehicle area; or • A change of grade where the door to the dwelling unit is 18 to 36 inches above the grade of the vehicle area. 		<u>2 pts</u>

Table 420-2

Commentary on Individual Standards (contd)

Public Realm Design Standards (contd)

PR11 - Ground Floor Entry. This required standard applies to new development on the site. The intent is to ensure that a new ground floor entry is not partially obstructed by support columns, walls or other objects that can shield the view of, and access to the main entrance from the street frontage. This standard is only required for new development because it can be harder to retrofit an existing building that may need the structural support, whereas a new building can integrate this standard into it's design. The standard provides a six foot horizontal clearance between the entry and the obstruction. It supports Design Guideline #5, "Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled". (This was SF1 in the Discussion Draft.)

PR12 - Seating Adjacent to Main Entrance. This provision encourages additional areas for seating near a main entrance. The intent is to provide an opportunity for customers or others walking along the sidewalk to be able to sit or rest near the businesses main entrance. The standard is worth 1 point and supports Design Guideline #6 - "Provide opportunities to pause, sit, and interact". (This was SF6 in the Discussion Draft.)

PR13 - Pedestrian Access Plaza. Similar to some of the standards for providing outdoor area (generally for residents), this standard awards 4 points for providing a plaza that is directly accessible to the public realm. To qualify, the plaza must be a minimum size of 500 square feet and should have a combination of seating areas and some landscaping. This standard supports Public Realm Guidelines #5 & #6, as well as Guideline #7. (This is a new standard, not originally in the Discussion Draft.)

PR14 - Weather Protection Minimum Requirements. This standard ensures that all weather protection, including installations to satisfy any of the standards within this section meets minimum size and height standards to provide adequate protection. The standard supports Design Guidelines #5 and #8. (This was standard F2 in the Discussion Draft).

PR15 - Weather Protection at the Main Entrance. This standard applies to new buildings and to existing buildings that are proposing a new entrance. The standard ensures that these new entrances include weather protection of an adequate size to protect customers and others entering the building from the elements. The standard supports Design Guideline #5. (This was standard F1 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
<u>PR11</u>	Ground Floor Entry: For new development, ground floor entrances to commercial tenant spaces must have at least 6 feet of horizontal clearance from any free-standing columns, walls or other objects that project out from the building.	X	
<u>PR12</u>	Seating Adjacent to Main Entrance: Provide at least 10 linear feet of seating or bench within 25 feet of a main entrance. The seating or bench must be accessible to the sidewalk or trail and the access must be open to the public. The seating surface must be at least 15 inches deep and between 16 and 24 inches above the grade upon which the seating or bench sits.		1 pt
<u>PR13</u>	Pedestrian Access Plaza: Provide an outdoor plaza that abuts a sidewalk on a public right-of-way. The plaza must be a minimum of 500 square feet with minimum dimensions of 20-feet. 15 percent of the plaza must be landscaped with a small canopy tree for each 100 square feet of landscaping. The plaza must include benches or seating that provides at least 10 linear feet of seats. The seating surface should be at least 15 inches deep and between 16 and 24 inches above the grade upon which the seating or bench sits. A plaza provided to meet C1 does not count toward meeting this standard.		4 pts
<u>Weather Protection</u>			
<u>PR14</u>	Weather Protection Minimum Requirements: All canopies, awnings and other weather protection elements that are provided must project at least four feet from the adjoining building wall façade. The bottom of the weather protection structure must be at least 9 feet above the grade underneath it. Alterations to existing weather protection that does not meet the standard must either meet this standard or come closer to conformance with this standard.	X	
<u>PR15</u>	Weather Protection at the Main Entrance: The following applies to new buildings and new main entrances. Weather protection must be provided at one main entrance per street lot line. The weather protection must be an awning, building extension or other covered structure. The weather protection must have a minimum width of 5 feet or the width of the entrance, whichever is greater. The weather protection must meet the standard of PR14.	X	

Table 420-2

Commentary on Individual Standards (contd)

Public Realm Design Standards (contd)

PR16 - Weather Protection along a Transit Street. This standard requires buildings that have a longer street frontage along a transit street to provide weather protection along 20% of their frontage. This affords pedestrians the opportunity to escape the weather, even in situations where there is no main entrance. Along with supporting Design Guideline #5 as above, this supports Design Guideline #6 by providing "opportunities to pause, site and interact". (This was standard F3 in the Discussion Draft.)

PR17 - Weather Protection along a Transit Street (optional bonus). This standard is an optional standard that augments the requirements in F1 - F3. The standard awards 3 points if 50% of the frontage along a transit street includes weather protection that meets the minimum height and projection requirements stated in F2. The intent is to encourage additional weather protection along transit streets that are anticipated to have more pedestrians. The standard also supports Design Guidelines #5 and #6. (This was standard F10 in the Discussion Draft.)

PR18 - Location of Utilities. This standard requires HVAC equipment, electric and gas meters to be placed on the building or site in a way that minimizes the impact of these building services on the public realm. The standard offers four ways that these utilities may be screened: 1) placed in the building, screened from the street by a wall, mounted to a side wall that is not facing the street, or set back 20-feet from the street. The standard supports both the Public Realm Guidelines #5 and #7. The standard can also support Guideline #9, 'Design for quality, using enduring materials and strategies with a clear and consistent execution". (This standard combined SP5 and SP19 from the Discussion Draft.)

PR19 - Pervious Paving Materials. This standard provides 2 points for providing at least 50% of the vehicle areas with pervious paving materials. To qualify, the pervious pavement must be in compliance with the Stormwater Management Manual as approved by the Bureau of Environmental Services (BES). The requirement is similar to the language in 33.130.225 of the Commercial/Mixed Use Zones. The standard supports both Design Guidelines #7 and #8. (This was SP23 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
PR16	Weather Protection Along a Transit Street. For new buildings with more than 50-feet of street-facing façade adjacent to a transit street lot line, weather protection must be provided along 20 percent of the street facing facade. This requirement does not apply to street-facing facades more than 20 feet from the street lot line. The weather protection must meet the standard of PR14	X	
PR17	Weather Protection Along a Transit Street. For buildings with at least 30 feet of a street-facing facade within 20 feet of a transit street lot line, weather protection must be provided along at least 50 percent of the street-facing facade. The weather protection must meet the standard of PR14.		2 pts
Utilities			
PR18	Location of Utilities. New electric meters, gas meters and HVAC equipment must be screened from the street by meeting one of the following standards: <ul style="list-style-type: none"> • The utilities or equipment are enclosed by a building; • The utilities are screened from the street by a wall that is as tall as the tallest part of the utility; • The utilities are mounted to a wall that does not face a street and are set back at least 5-feet from a street lot line; or • The utilities are set back at least 20-feet from all street lot lines. 	X	
Vehicle Areas			
PR19	Pervious Paving Materials: At least 50 percent of all new vehicle area must be surfaced with pervious pavement approved by the Bureau of Environmental Services as being in compliance with the Stormwater Management Manual.		2 pts

Table 420-2

Commentary on Individual Standards (contd)

Public Realm Design Standards (contd)

PR20 – Large Site Parking Area Setback. This standard is intended to limit the effect of parking areas for larger sites from the public realm. The standard only applies to sites larger than 20,000 square feet and to new parking areas. If the new parking is a surface parking lot, it must be set back 25 feet from the street lot line. If it is defined as structured parking, then it must be set back 10 feet from the street lot line. This supports *Guidelines #5 and #7*. (This was modified from SP10 in the Discussion Draft.)

PR21 – Parking Areas. This awards two points for projects that don't provide parking. This also could free up the site to provide other design features. This standard would be used in places where parking is not required. Otherwise, an adjustment would be required to invoke the standard. It is consistent with *Design Guideline #7*. (This was SP20 in the Discussion Draft.)

PR22 – Structured Parking and Vehicle Areas. This standard incentivizes incorporating the parking and vehicle areas into the building which limits the amount of surface parking that is located on site. The standard is worth 2 points and supports *Design Guideline #7*. PR22 is limited to structured parking, while PR23 provides some other alternatives, so these standards cannot be used together. (This was SP21 in the Discussion Draft.)

PR23 – Alternative Shading of Vehicle Areas. This standard provides an alternative to PR22. Vehicle and parking areas may choose to apply other shade options such as roofed or shade structures or trees. The standard has a lower percentage threshold as some features such as tree canopy may not be able to gain as much shade covering. It is worth 1 point and supports *Design Guideline #7* (This was SP22 in the Discussion Draft.)

PR24 – Original Art Mural. This standard, along with SF3 below encourages a development to incorporate art into the proposal. This standard awards a point for proposing an original art mural at the time of the permit review. A mural may directly support *Public Realm Guidelines #5 and #6*, but can also support *Context Design Guideline #2*. (This was SF2 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
PR20	Large Site Parking Area Setback: On sites that are at least 20,000 square feet in total site area, new surface parking must be set back at least 25-feet from street lot lines. Structured parking must be set back at least 10-feet from street lot lines.	X	
PR21	Parking Areas: There are no parking areas on the site.		1 pt
PR22	Structured Parking and Vehicle Areas: At least 80 percent of proposed vehicle areas must be covered by a building. The development may meet PR22 or PR23, but not both.		2 pts
PR23	Alternative Shading of Vehicle Areas: At least 50 percent of proposed vehicle areas on the site must be covered by buildings, reflective roof shade structures with a Solar Reflectance Index (SRI) greater than 75, or tree canopy. The amount of shade from tree canopy is determined by the diameter of the mature crown spread stated for the species of tree. The development may meet PR23 or PR22, but not both.		1 pt
<u>Art and Special Features</u>			
PR24	Original Art Mural: Provide an original art mural that meets the requirements of Title 4. To meet this option, an application for an original art mural must be submitted to the Bureau of Development Services prior to the issuance of the building permit. The proposed mural must meet the following: <ul style="list-style-type: none"> • The mural is on a wall or structure that is visible from a public right-of-way; and • The mural is at least 32 square feet in area. 		1 pt

Table 420-2

Commentary on Individual Standards (contd)

Public Realm Design Standards (contd)

PR25 - City-Approved Art Installation. This standard, along with PR24 above encourages a development to incorporate art into the proposal. This standard awards a point for working with the Regional Arts and Culture Council (RACC) to propose and gain approval for an art installation as part of the permit review. Art installations may support Context Design Guideline #2 as well as the Public Realm Guidelines #5 and #6, especially since the standard encourage the art work to be placed close to the street. (This was SF3 in the Discussion Draft.)

PR26 - Water Feature. This standard encourages the provision of a water feature, in close proximity to the street. The water feature may take one of several forms, and is worth 1 point. A water feature supports the similar guidelines as the artwork above. (This was SF4 in the Discussion Draft.)

Quality and Resilience Design Standards

The Quality and Resilience standards are identified with the moniker QR, and number from 1 to 24. 8 standards are required subject to their applicability. The remaining 16 standards are optional standards which can be chosen in different combinations for situations that require a certain number of points to be achieved. A total of 30 points are available from the optional standards.

QR1 - On-site Building Separation. This standard provides a separation between residential buildings with walls that face each other. The separation, at 10-feet establishes a minimum requirement which is intended to provide useable space between buildings and limit the narrow dark passageways that often get placed between buildings. It is required for new development and for the placement of a new building with residential units on a site with existing development. This standard supports Design Guideline #8, "Support the comfort, safety and dignity of residents, workers and visitors through thoughtful site design." (This was SP2 in the Discussion Draft.)

QR2 - Vertical Clearance to Pedestrian Circulation System. This standard ensures that any new building that includes building projections takes care to ensure that there is enough clearance between the projection and walkways that make up the pedestrian circulation system on-site. The standard requires a 9-foot clearance between the path and the building projection. The standard supports Design Guideline #8. (This was SP3 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
PR25	<p>City Approved Art Installation: Provide an art feature on the site that has been approved by the Regional Arts and Culture Commission (RACC) and is not a mural. The feature must be set back a maximum of 15 feet from the street lot line with the highest street classification. To meet this option, the applicant must provide the following prior to the issuance of the building permit:</p> <ul style="list-style-type: none"> • A letter from the RACC indicating the approval of the art. • A covenant in conformance with 33.700.060, Covenants with the City. The covenant must state the steps to be taken by the property owner and RACC to install and maintain the art installation. 		2pts
PR26	<p>Water Feature: Provide a water feature, such as a fountain, waterfall, or reflecting pool. The feature must be setback a maximum of 20 feet from the street lot line with the highest street classification. The water feature must have the following:</p> <ul style="list-style-type: none"> • A feature area of at least 6 square feet that contains water year-round; and • A bench or seat with 6 linear feet of seating adjacent to it. <p>The feature can be part of a stormwater facility.</p>		1 pt
<u>Quality and Resilience (QR1 – QR24)</u>			
<p>The standards for Quality and Resilience provide an opportunity for development of quality buildings that provide benefits to current users and can adapt to future changes. They also provide an opportunity for successful site designs that enhance the livability of those who live, work and shop at the site. The quality and resilience standards are split into the following categories: Site Planning and Pedestrian Circulation, On-site Common Areas, Windows and Balconies, Building Materials, and Rooftops.</p>			
<u>Site Planning and Pedestrian Circulation</u>			
QR1	<p>On-site Building Separation: New buildings containing dwelling units on the ground floor must be set back 10 feet from other buildings on the site that contain dwelling units on the ground floor.</p>	X	
QR2	<p>Vertical Clearance to Pedestrian Circulation System: For new buildings, building projections such as balconies or bay windows, or skybridges that project over the on-site pedestrian circulation system must have the bottom of the projection be at least 9 feet above the grade of the circulation system below.</p>	X	

Table 420-2

Commentary on Individual Standards (contd)

Quality and Resilience Design Standards (contd)

QR3 - Pedestrian Connection to a Major Public Trail. This standard applies in the circumstance where a major trail designation is located next to the site. In these situations, new development must connect its pedestrian circulation system to the trail. Note that is not relevant in situations where the trails runs along a street right-of-way, since the system would connect to the street anyway. This standard supports Quality Guidelines #8 and #10 as well as Context Design Guideline #3. (This was SP8 in the Discussion Draft.)

QR4 - Windows Facing a Pedestrian Walkway. This standard encourages new buildings facing the site's pedestrian circulation system to provide a level of "eyes on the street" similar to residential units on street-facing facades. The standard provides one point for buildings that have 15% of their façade facing the walkway as windows or main entrance doors. The intent is to encourage a visual link to ensure the safety and integration of the buildings and the pedestrian circulation paths. The standard meets Design Guideline #8, "Design for quality, using enduring materials and strategies with a clear and consistent execution". (This was F8 in the Discussion Draft.)

QR5 - On-site Outdoor Common Area. This standard provides an incentive for creating outdoor areas, primarily for the use of residents and tenants, although they could also be made available to the public. The standard awards 3 points for a project that provides either a common open area, a common garden area or a children's play area. Each of these types of areas have their own set of requirements. The amount of area depends on location of the project. In close-in areas a minimum of 600 square feet must be provided and in outlying areas, 800 square feet must be provided. This is due to the difference in the lot pattern in the city where lots closer in tend to be smaller. In either case, the outdoor area must include a 20-ft by 20-ft area. This standard should work in conjunction with some of the new requirements put forward by the Better Housing by Design code project. The standard supports Guideline #8 and could support Guideline #2 as well. (This standard updates standards SP11, 13 & 14 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
QR3	Pedestrian Connection to a Major Public Trail: <u>New development on a site located adjacent to a major public trail designation, that is not part of a street, must provide a connection from the trail to its pedestrian circulation system.</u>	X	
QR4	Windows Facing a Pedestrian Walkway: <u>For new buildings that are within 15 feet of, and face the on-site pedestrian circulation system, at least 15 percent of the area of each façade that faces the circulation system must be windows or main entrance doors.</u>		1 pt
<u>On-site Common Areas</u>			
QR5	<p>On-site Outdoor Common Area: <u>On sites in the Inner pattern area identified on Map 130-2, provide at least 600 square feet of outdoor common area with a minimum dimension of 20 feet by 20 feet. On sites in the Western or Eastern pattern area identified on Map 130-2, provide at least 800 square feet of outdoor common area with a minimum dimension of 20 feet by 20 feet. The outdoor area must meet one of the following:</u></p> <ul style="list-style-type: none"> • <u>The outdoor area is hard-surface, or meets the surfacing materials requirement in 33.130.228.B.3. The outdoor area includes at least 4 linear feet of seating per 100 square feet of area;</u> • <u>The entire outdoor area is a community garden with the area divided into individual raised garden beds. The beds are raised at least 12 inches above grade and can each be between 12 and 50 square feet in area. Individual beds are separated by pathways at least 3 feet in width; or</u> • <u>The entire outdoor area is a children’s play area that includes a play structure at least 100 square feet in area and manufactured to the American Society for Testing and Materials (ASTM) standards for public playground equipment. At least 4 linear feet of seating per 100 square feet of area must be located adjacent to the play structure.</u> <p><u>Up to 20 percent of the outdoor area may be landscaped to the L1 standard.</u></p>		3 pts

Table 420-2

Commentary on Individual Standards (contd)

Quality and Resilience Design Standards (contd)

QR6 - Indoor Common Room. This standard encourages a development to provide an indoor common space which can foster resident interaction and shared events. This is an optional standard, worth 2 points and is an interior version of QR5 above. The standard supports *Guideline #8* and could provide future adaptability and resilience supporting *Guideline #10*. (This was SP12 in the Discussion Draft.)

QR7 - Buildings Walls Adjacent to Outdoor Common Area. This standard promotes the on-site interaction between buildings and any outdoor common areas provided through the zoning code regulations. The standard requires new buildings that are located close to the outdoor area to provide entrances and/or windows on the walls facing the outdoor area. It supports *Guideline #8*. (This updated SP9 in the Discussion Draft.)

QR8 - Buildings Surrounding Outdoor Common Area. This standard encourages more light and air above the outdoor common area. It does this by limiting the building's height around the outdoor area. The standard is worth 2 points and contributes to *Design Guideline #8*. (This was BM13 in the Discussion Draft.)

QR9 - Street-Facing Window Detail. This requirement is an expansion on an existing standard within the Community Design Standards. However, the standard includes the option to either provide trim around the windows, or recess them from the building wall. Either of these provide a dimensional relief to the façade. The standard supports *Design Guideline #9*, "Design for quality, using enduring materials and strategies with a clear and consistent execution". (This was F7 in the Discussion Draft.)

QR10 - Upper Floor Windows. This standard provides 2 points for projects willing to provide more window glazing than allowed through the base zone. The 2 points are awarded if the percentage of windows or balcony doors on upper floors are at least 30 percent of the street-facing wall area.. The standard supports both *Quality Design Guideline #8* and *Public Realm Design Guideline #5* (This was F15 in the Discussion Draft).

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional
QR6	Indoor Common Room. Provide an indoor common room with a minimum dimension of 20-feet by 20-feet and meets the requirements of 33.130.228.B.2.b(2).		2 pts
QR7	Building Walls Adjacent to Outdoor Common Area. New buildings with facades facing, and within 10 feet of an outdoor common area must meet the following: <ul style="list-style-type: none"> • <u>At least 15 percent of the façade that faces the outdoor common area must be windows or doors leading to lobbies, tenant spaces or dwelling units; and</u> • <u>Pedestrian access must be provided between the outdoor common area and at least one entrance for a lobby, tenant space or dwelling unit.</u> 	X	
QR8	Buildings Surrounding Outdoor Common Area. Buildings walls within 10 feet of an outdoor common area meeting QR5 must not be taller than two-times the shortest width of the outdoor area. As an example, if the outdoor area is 20-feet by 30-feet, the building walls within 10-feet of this open area could be up to 40-feet above the grade of the open area.		2 pts
<i>Windows and Balconies</i>			
QR9	Street-Facing Window Detail. The following window standard must be met on all new street-facing facades. Ground floor storefront or curtain wall glazing systems are exempt from this standard: <ul style="list-style-type: none"> • <u>Provide trim that is at least 3 inches wide around 80 percent of the windows; or</u> • <u>Recess the window glazing at least 3 inches behind the exterior wall or window frame for 80 percent of the windows.</u> <u>Alterations must either meet this standard or match the window trim and recess of the existing building for all new windows.</u>	X	
QR10	Upper Floor Windows: For new buildings and expansions of existing buildings above the ground floor, at least 30 percent of the area of the new street-facing facade above the ground floor must be: <ul style="list-style-type: none"> • <u>Windows; or</u> • <u>Doors opening up to balconies.</u> 		2 pts

Table 420-2

Commentary on Individual Standards (contd)

Quality and Resilience Design Standards (contd)

QR11 - Street-Facing Balconies. This standard encourages the provision of balconies on the street-facing elevation of upper floors. The balconies provide outdoor space immediately accessible to residents and ensures a visual connection between public and private realms. The standard is worth 3 points and supports Quality Design Guidelines #8 and #9, and Context Guideline #3. (This was F13 in the Discussion Draft.)

QR12 - Sunshades for Windows. This standard encourages the provision a sunscreen or awning on the south and west facing windows of a building. This adds both a design element and helps with control of the interior environment. The standard is worth 2 points and supports Design Guideline #3 and potentially Design Guideline #8 "Support the comfort, safety and dignity of residents through thoughtful site design". (F14)

QR13 - Bird-safe Glazing for Windows. This standard encourages bird-safe glazing on any facades that have more than 30% glazing. It awards 2 points if the development applies an approved bird-safe glazing technique to at least 90 percent of the upper floor windows on these facades. The standard supports Design Guideline #10, "Design for resilience, considering adaptability to the changing needs of the city, climate change impacts and the health and stewardship of the environment". (This was F17 in the Discussion Draft.)

QR14 - Windows on Upper Level Units with Multiple Exterior Walls. This standard awards 2 points by ensuring that corner dwelling units or tenant spaces (or other units adjoining at least two exterior walls) provide operable windows on each wall to allow for cross ventilation of the space. The standard only applies on the upper floors of buildings. The standard supports Design Guideline #10 (This was F18 in the Discussion Draft).

QR15 - Ground Floor Windows. This standard encourages a greater amount of ground floor glazing over both the base zone and other façade standards. 2 points are awarded if a project can provide 60 percent glazing along the ground floor. This standard can't be used in the 'm' overlay since that overlay already requires 60 percent glazing. The standard supports Guideline #9, "Design for quality, using enduring materials." but also further supports Design Guideline #5, "Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled. (This was F19 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
<u>QR11</u>	Street-Facing Balconies. Provide balconies for at least 50 percent of the dwelling units with facades that face a street lot line and are located above the ground floor. There must be a minimum of six balconies to qualify. The balconies must have a minimum dimension of 4-feet by 6-feet. If the balcony has glazed railings, they must have a treatment pattern that is applied using techniques from the <i>Portland Bird Safe Windows</i> list.		<u>3 pts</u>
<u>QR12</u>	Sunshades for Windows. Windows above the ground floor on facades that face south or west must provide sunshades over at least 50 percent of the window openings. The sunshades must be awnings or eaves directly above the window that project out at least 3 feet.		<u>2pts</u>
<u>QR13</u>	Bird-Safe Glazing for Windows. On façades that contain more than 30 percent glazing, at least 90 percent of the windows must incorporate bird-safe glazing. Treatment patterns and application techniques must be from the <i>Portland Bird Safe Windows</i> list.		<u>2 pts</u>
<u>QR14</u>	Windows on Upper Level Units with Multiple Exterior Walls. For dwelling units or commercial tenant spaces located above the ground floor that have two or more walls located at building exteriors, provide at least one operable window in each of two or more exterior walls. Each window meeting this standard must provide an operable opening of at least 6 square feet.		<u>2 pts</u>
<u>QR15</u>	Ground Floor Windows: The percentage of ground floor window required by the base zone is increased to 60 percent. This standard does not apply on sites within the Centers Main Street Overlay Zone.		<u>2 pts</u>

Table 420-2

Commentary on Individual Standards (contd)

Quality and Resilience Design Standards (contd)

QR16 - Exterior Finish Materials. This standard ensures that new buildings over 5,000 square feet and alterations to these buildings choose materials that meet some minimum standards for quality and resiliency, while still providing flexibility on the type of materials. The standard also allows for some usage of materials not included on the list, up to 20% of the façade. The list of materials is provided on Table 420-3. This standard supports Design Guideline #9, "Design for quality, using enduring materials and strategies with a clear and consistent execution". (This was F4 in the Discussion Draft.

QR17 - Exterior Finish Materials (Option). This standard is an optional standard that augments QR16. It provides 2 points to projects that elect to use the materials listed in Table 420-3 for 100% of the exterior, excluding windows, doors and trim. Similar to QR16, this standard further supports Design Guideline #9. (This was F11 in the Discussion Draft.)

QR18 - Building Materials Application to Side Walls of Building. This standard encourages an applicant to continue the pattern of materials used on street facing facades over to a portion of the side wall to provide more continuity in the materials. The standard is an optional standard worth 1 point and supports Design Guideline #9 (This was F12 I the Discussion Draft).

QR19 - Environmental Assessment of Building Materials. This standard encourages an applicant to run a program that either considers the environmental impacts of the projects building materials either through a life cycle assessment, or by calculating the environmental product declaration for the concrete that they plan to pour. The intent is to increase the knowledge of the impacts and consider other resilient products. This standard is worth one point and supports Design Guidelines #9 and #10 by providing opportunities for education about the environmental impacts of materials.

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
<u>Building Materials</u>			
QR16	<p>Exterior Finish Materials: The following apply to new buildings that have a net building area of at least 5,000 square feet:</p> <ul style="list-style-type: none"> • <u>The exterior finish materials on 80 percent of the building must be materials listed in approved materials list in Table 420-3 excluding windows, doors and trim.</u> • <u>No more than 3 exterior finish materials listed in Table 420-3 may be used per façade.</u> <p>Alterations to buildings with a net building area of at least 5,000 square feet may choose to use this list or use materials which are the same as, or visually match the appearance of, those on the existing building.</p>	X	
QR17	<p>Exterior Finish Materials: The exterior finish materials on 100 percent of the building must be materials listed in the approved materials list in Table 420-3 excluding windows, doors and trim. No more than 3 exterior finish material listed in Table 420-3 may be used per façade.</p>		2pt
QR18	<p>Building Materials Application to Side Walls of Building: The following apply to buildings located 20 feet or closer to the street lot line. Exterior finish materials on the street-facing facade of buildings located 20 feet or closer to a street lot line and on the first 10 feet of the adjoining, but not street-facing, facades must be the same exterior finish materials.</p>		1 pt
QR19	<p>Environmental Assessment of Building Materials. New buildings must provide one of the following assessments:</p> <ul style="list-style-type: none"> • <u>A Life-Cycle Assessment (LCA) of the Building Materials.</u> • <u>If concrete is use, an Environmental Product Declaration.</u> 		1 pt

Table 420-2

Commentary on Individual Standards (contd)

Quality and Resilience Design Standards (contd)

QR20 - Roof Pitch. This standard fosters a more urban environment along our Civic Corridors within the Inner Pattern Area. The standard requires more prominent buildings (those over 35-ft in height) to provide flat roofs as opposed to pitched roofs which are more associated with smaller scale residential development. It is limited in scope to the close-in Civic Corridors. It supports the Quality Guideline #9 encouraging a clear and consistent execution on our Civic Corridors, and is associated with Design Guideline #3 to "create positive relationships with adjacent surroundings". (This was BM3 in the Discussion Draft.)

QR21 - Rooftop Equipment. This standard applies to new installations of rooftop equipment, which can include any type of installation on the roof, including mechanical equipment, antennas, vents, fans, air ducts, conduits, etc. This standard is less restrictive than the exemption listed earlier in the chapter. The standard supports Design Guideline #8 to "Design for Quality . . .", as well as Guideline #7 to "minimize necessary building services". (This was BM4 in the Discussion Draft.)

QR22 - Ecoroof. This standard encourages an ecoroof of a size, large enough to provide an ecological benefit to the development and the area. The standard is worth 2 points and supports Design Guideline #10, "Design for resilience, considering adaptability to the changing needs of the city, climate change impacts, and the health and stewardship of the environment". (This was BM14 in the Discussion Draft.)

QR23 - Solar Energy System. Similar to QR21, this encourages a development to dedicate a significant portion of their roof area to provide a solar installation large enough to provide an ecological benefit to the development and the area. The standard is worth 2 points and supports Guideline #10. (This is a new standard that was not in the Discussion Draft.)

QR24 - Reflective Roof Structure. This standard provides one point for treating the roof area with a reflective surface, which can reduce energy consumption and the heat-island effect. This standard also supports Design Guideline #10. (This was BM15 in the Discussion Draft.)

Table 420-2 Design Standards			
No.	Design Standard	Required	Optional Points
<u>Roofs</u>			
<u>QR20</u>	Roof Pitch: The following applies to sites located adjacent to a Civic Corridor in the Inner Pattern area shown on Map 130-2. The roof pitch of new buildings that are more than 35 feet high must not be more than a 1/12 pitch.	X	
<u>QR21</u>	Rooftop Equipment: New rooftop equipment must be screened by a parapet that is as tall as the equipment, or the rooftop equipment must be set back 3 feet for every 1 foot of height above the roof or parapet.	X	
<u>QR22</u>	Ecoroof: Provide an ecoroof that covers at least 40 percent of the total building roof area or 2,000 square feet whichever is greater. The ecoroof must meet the Stormwater Management Manual's <i>Ecoroof Facility Design Criteria</i> .		<u>2 pts</u>
<u>QR23</u>	Solar Energy System: Provide a rooftop solar energy system that covers at least 40 percent of the total building roof area or 2,000 square feet whichever is greater.		<u>2 pts</u>
<u>QR24</u>	Reflective Roof Surface: At least 90 percent of the roof area not covered by rooftop equipment, vents, skylights, stairwells or elevator enclosures must meet the Energy Star requirements for solar reflectance. This standard does not apply if either standard QR22 or QR23 are used.		<u>1 pt</u>

Table 420-3 Approved Exterior Materials List for Design Standards

Table 420-3 is a new table created to apply the Quality and Resilience Standards for Exterior Materials; QR16 - 18. Standard QR16 requires new buildings/alterations over 5,000 square feet in net building area to apply the exterior materials listed in the table to at least 80% of their façade, excluding windows, doors and trim. To avoid using too many different materials, the number of materials from the list is limited to three per facade, excluding the materials used for windows, doors and trim. Alterations have the option to use the materials currently on the existing building. Additional points may be granted for projects that choose materials from the table for 100% of their façade through standard QR17. Finally, standard QR18 provides points for wrapping street facing materials around to the side, non-street facing building wall.

The intent of the materials list is to provide an applicant with a flexible palette of materials to use on their building while ensuring that a base quality of materials is provided. A list applicable to design standards needs to be more prescriptive than the criteria within the Design Guidelines, because the standards must be applied objectively at the time of building permit.

The focus is on the type of exterior cladding or siding that is applied to a building. It includes both traditional types of materials (brick or wood) along with more modern types of materials (metal and fiber cement panels). In some cases, materials are limited to certain thicknesses or board strength to ensure resilience and a long-lasting quality.

The materials allowed through the standards, either by right, or with conditions include:

- Brick and Brick Veneer
- Stucco
- Wood
- Metal Siding/Wall Panels
- Fiber Cement Siding/Wall Panels
- Concrete for Foundation and Ground Floor

It should be noted that up to 20 percent of an area's façade may choose to use materials that are not listed on the table. This allows a wide range of materials to be considered as accents or secondary materials to the primary type of exterior cladding. Also note, that an applicant can choose to go through Design Review to propose materials that are not listed here.

Table 420-3
Approved Exterior Finish Materials

Material	Approved Usage
<u>Brick and Brick veneer</u>	All brick and brick veneer is approved
<u>Stucco</u>	Stucco that is one of the following is approved: <ul style="list-style-type: none"> • <u>Portland cement based three coat stucco system; or</u> • <u>Cement board stucco system</u>
<u>Wood</u>	Wood that meets the following is approved: <ul style="list-style-type: none"> • <u>If the wood is boards, the boards have a vertical or horizontal dimension of 6 inches or less. Wood with a larger dimension must contain a reveal or board pattern that has dimension of 6 inches or less;</u> • <u>If wood is shingles or shakes, the shingles or shakes must contain a reveal of 10 inches or less;</u> • <u>If clear-finished wood is used on a facade, the facade that contains the wood product must be protected from the elements. Protection from the elements means the wood is recessed t at least two feet back from the exterior walls, or there is an eave or awning that extends out two feet from the edge of the wood wall; and</u> • <u>On the ground floor, the wood must be at least 6 inches above the foundation grade.</u>
<u>Metal Wall Cladding</u>	Metal wall cladding that meets the following is approved: <ul style="list-style-type: none"> • <u>The cladding must have a factory applied color or coat finish. Exterior paint applied to the panels does not count to meet this requirement;</u> • <u>If the material has a vertical or horizontal dimension of 12 inches or less, the material must have a minimum thickness of 20-gauge; and</u> • <u>If the material has a vertical or horizontal dimension greater than 12 inches, the material must meet one of the following:</u> <ul style="list-style-type: none"> ○ <u>The material has a minimum thickness of 24-gauge. The panels must include a rib or reveal of 4 inches or less. The rib or reveal must have a minimum depth of 7/8 inch.</u> ○ <u>The material is bonded to a minimum 1/8" thick solid phenolic resin or plastic core.</u>

Table 420-3
Approved Exterior Materials List for Design Standards

Continuation of Table 420-3.

33.420.065 Design Guidelines. This paragraph is moved from earlier in the chapter to this location since it provides a more linear pattern between exemptions, standards and guidelines for design review. In addition, a reference is re-instated to clarify that all of the South Auditorium plan district area is subject to the Downtown subdistrict of the Central City Fundamental Design Guidelines. This was inadvertently removed in a previous project.

Table 420-3 Approved Exterior Finish Materials	
<u>Material</u>	<u>Approved Usage</u>
<u>Fiber Cement Wall Cladding</u>	<p>Fiber cement wall cladding that meets the following is approved:</p> <ul style="list-style-type: none"> • <u>If the product has a vertical or horizontal dimension of 6 inches or less, it must have a thickness of at least 5/8 inch. In Town Centers and on Civic Corridors, fiber cement wall cladding cannot be used on the ground floor except on the portion of the ground floor containing residential uses;</u> • <u>If the product is composed of shingles or shakes, the installation of the shingles or shakes must contain a reveal of 10 inches or less and have a thickness of at least 5/8 inch. In Town Centers and on Civic Corridors, fiber cement wall cladding cannot be used on the ground floor except on the portion of the ground floor containing residential uses; and</u> • <u>If the product has a vertical or horizontal dimension greater than 6 inches, the panel must have a density greater than 80 pounds per cubic foot.</u>
<u>Concrete</u>	<p>Concrete that meets the following are approved:</p> <ul style="list-style-type: none"> • <u>Poured in place concrete used as a material for the foundation and ground floor up to the floor level of the second floor;</u> • <u>Concrete Masonry Units (CMU) may be used as a foundation material if the material is not revealed more than 3 feet above the finished grade adjacent to the foundation wall.</u>

33.420.065 Design Guidelines

For projects subject to design review, guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-5 at the end of this chapter. Projects within the South Auditorium Plan District use the Central City Fundamental Design Guidelines for the Downtown Subdistrict. All other areas within the Design overlay zone use the Citywide-Design Guidelines.

Maps 420-1 through 420-6

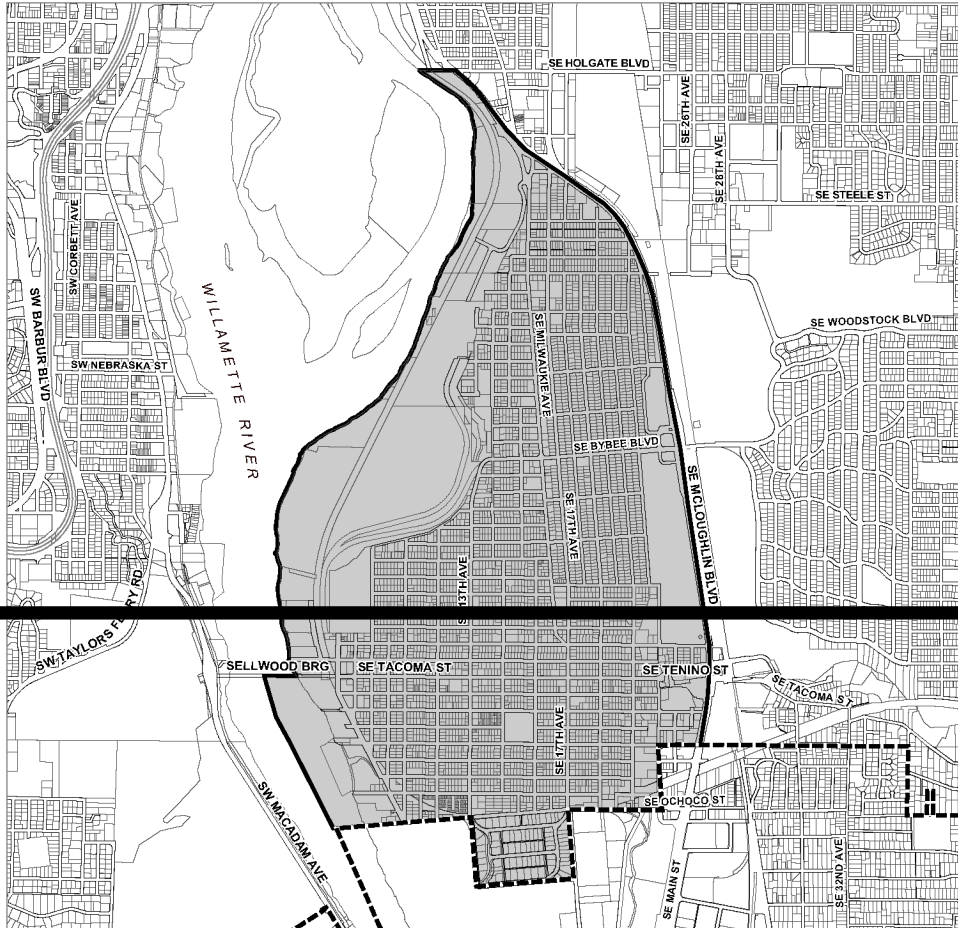
Map 420-4 is deleted since there is no longer a reference to a Sellwood/Moreland Design District within any of the exemptions or thresholds, and there are no district-specific guidelines, nor have there ever been any Sellwood/Moreland Design guidelines in the past. The other design districts all have their own design guidelines which are referenced elsewhere in this chapter. Maps 420-5 & 6 will be renumbered to 4 & 5.

Maps 420-1 through 3 remain

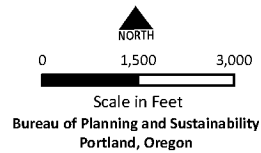
Sellwood-Moreland
Design District

Map 420-4

Map Revised July 24, 2015



- City Boundary
- █ Design District Boundary



Renumber maps 420-5 & 6 to 420-4 & 5.

33.510 Central City Plan District

33.510.210 Height

D. **Bonus height options.** Bonus height can be achieved through the following options:

2. South Waterfront height opportunity area.

The South Waterfront area has a provision where an applicant may ask for additional height as a modification through Design Review. To be considered for this bonus, the applicant is required to first submit for a Design Advice Request prior to submitting for the Design Review. This updates the reference to the Design Advice Request provision based on the changes being made to 33.730.

33.510.255 Central City Master Plans

F. **Design advice request.** No change is proposed here, but the current code is one of two situations where a Design Advice Request is required prior to the Central City Master Plan review.

33.510 Central City Plan District

510

33.510.210 Height

- D. Bonus height options.** Bonus height can be achieved through the following options:
1. [No change]
 2. South Waterfront height opportunity area.
 - a. [No change.]
 - b. Additional building height may be requested as a modification through design review as follows:
 - (1)-(6) [No change]

 - (7) The applicant must request advice from the Design Commission as described in 33.730.050.BF. The design advice request must be submitted before the request for a pre-application conference. In providing their advice to the applicant, the Design Commission will consider protection and enhancement of public views from both the east and west, as identified in adopted plans; development of a diverse, varied and visually interesting skyline; and creation of a district that is visually permeable. These factors will be considered at different scales, including the site of the proposal, the site and adjacent blocks, and the subdistrict as a whole.

33.520 Division Street Plan District

33.520.110 Exterior Finish Materials

This is a standard that was transferred from the old *Main Street* overlay zone for *Division Street*. This standard requires multi-dwelling development in the multi-dwelling zones to meet specific exterior material requirements within the *Community Design Standards*. These standards apply even though the multi-dwelling zones in this plan district do not have a *Design overlay zone* applied to them.

The amendment removes the wording related to gaining approval through design review. The appropriate review for modifying this standard would be to request an adjustment and make findings against the purpose statement for the plan district.

33.520 Division Street Plan District**520**

33.520.110 Exterior Finish Materials

- A. Where the standard applies.** The exterior finish materials standard applies in multi-dwelling residential zones.
- B. Exterior finish materials standard.** ~~Unless the building is approved through Design Review, a~~All buildings must meet the foundation material standard of 33.218.110.I, and the exterior finish materials standards of 33.218.110.J. The standards must be met on all building facades.

33.521 East Corridor Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of 33.521.310 explained on the next page.

33.521 East Corridor Plan District**521**

Sections:

General

- 33.521.010 Purpose
- 33.521.020 Where These Regulations Apply

Use Regulations

- 33.521.100 Purpose
- 33.521.110 Prohibited Uses
- 33.521.120 Housing Regulations

Development Standards

- 33.521.200 Purpose
- 33.521.210 Building Height
- 33.521.220 Floor Area Ratios
- 33.521.230 Connectivity
- 33.521.240 Pedestrian Standards
- 33.521.250 Entrances
- 33.521.260 Building Design
- 33.521.270 Exterior Display and Storage
- 33.521.280 Drive-Through Facilities
- 33.521.290 Parking
- 33.521.300 Additional Standards in the 122nd Avenue Subdistrict
- ~~33.521.310 Required Design Review~~

Map 521-1 East Corridor Plan District

Map 521-2 Maximum Building Heights

Map 521-3 Floor Area Ratios

Map 521-4 Areas Where Exterior Display and Storage are Allowed

33.521.300 Additional Standards in the 122nd Avenue Subdistrict**F. Motor vehicle fuel sales in the CM3 zone**

This section provides a process to allow motor vehicle fuel sales, which is a type of drive-through development, to be located on larger sites within CM3 zones in the 122nd Avenue subdistrict. One of the requirements is that any development involving motor vehicle fuel sales be approved through discretionary design review, and not through the use of community design standards.

This amendment updates the code to refer to the new design standards that are located in 33.420, Design overlay zones instead of the Community Design standards.

33.521.310 Required Design Review

This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

33.521.300 Additional Standards in the 122nd Avenue Subdistrict

A-B. [No change]

F. Motor vehicle fuel sales in the CM3 zone.

1. [No change]
2. Motor vehicle fuel sales, including drive-through facilities associated with motor vehicle fuel sales, are allowed in the CM3 zone if the following are met. Drive-through facilities serving or associated with other uses are prohibited:
 - a-e. [No change.]
 - f. The proposed development must be approved through discretionary design review; the ~~Community Design overlay zone design~~ standards in 33.420.050 may not be used.

~~33.521.310 Required Design Review~~

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

33.526 Gateway Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the changes to the code sections explained on the next page.

33.526 Gateway Plan District

526

Sections:

General

- 33.526.010 Purpose
- 33.526.020 Where These Regulations Apply
- 33.526.030 Early Project ~~Design~~ Consultation

Use Regulations

- 33.526.100 Purpose
- 33.526.110 Prohibited Uses
- 33.526.120 Retail Sales and Service and Office Uses

Development Standards

- 33.526.200 Purpose
- 33.526.210 Building Height
- 33.526.220 Floor Area Ratio
- 33.526.230 Floor Area and Height Bonus Options
- 33.526.240 Open Area
- 33.526.250 Connectivity
- 33.526.260 Pedestrian Standards
- 33.526.270 Entrances
- 33.526.280 Enhanced Pedestrian Street Standards
- 33.526.290 Ground Floor Windows
- 33.526.300 Required Windows Above the Ground Floor
- 33.526.310 Exterior Display and Storage
- 33.526.320 Drive-Through Facilities
- 33.526.330 Gateway Master Plan
- 33.526.340 Parking
- 33.526.350 Required Design Review

Map 526-1 Gateway Plan District

Map 526-2 Maximum Heights

Map 526-3 Floor Area Ratios

Map 526-4 Enhanced Pedestrian Streets

Map 526-5 Bonus Option Areas

33.526.030 Early Project Consultation

The title of this Section is changed from "Early Design Consultation" to "Early Project Consultation" in order to avoid confusion with Design Advice Requests, which are an early design consultation with the Design Commission. This consultation provides an opportunity for larger projects to discuss regulatory issues and funding partnership opportunities with Portland Parks and Recreation, Portland Development Commission, Portland Bureau of Transportation and other bureaus. It is not focused on design issues.

33.526.240 Open Areas**D. Additions of Floor Area to the Site**

This subsection requires larger sites that expand their building square footage by more than 5,000 square feet to provide outdoor area at a rate of 0.5 square feet of open area for each square foot of new floor area up to a maximum of 15% of the site. This regulation anticipates that all development in the Gateway plan district will be subject to discretionary design review. However, with the changes to 33.420, some building additions in Gateway will be allowed to use the new design standards as an option to going through design review. The current regulation does not include enough specificity for it to be used in non-discretionary situations

To balance the expansion of the use of standards against the objective to gain new open area, the current regulation is amended to increase the threshold that triggers the requirement from 5,000 square feet to 10,000 square feet. At the same time, the thresholds within 33.420 are amended to require situations in Gateway that trigger this open area to go through the discretionary approval process. This strikes a balance between the changes in the base zone and the current requirements in the Gateway plan district

33.526.350 Required Design Review

This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

33.526.030 Early Project Design Consultation

Applicants are encouraged to meet with staff of the Bureau of Planning and Sustainability, the Bureau of Development Services, the Portland Development Commission, the Portland Office of Transportation, and Portland Parks and Recreation three to six months before applying for a pre-application conference or a land use review. This consultation provides an opportunity for both funding and regulatory agencies to work closely with the property owner to determine the best combination of plan, regulation, and urban renewal involvement to meet the fiscal needs and responsibilities of the owner, accomplish public purposes, and leverage public dollars on behalf of new development.

33.526.240 Open Area

A.-C [No change.]

D. Additions of floor area to the site. The requirements of this subsection apply to sites where the proposal will result in an increase of at least 105,000 square feet of floor area on the site. The applicant may choose from the three options below:

1. On-site option. If the open area will be on-site, the following standards must be met:
 - a. At least 0.5 square foot of open area is required for each square foot of floor area proposed for the site, up to a maximum requirement of 15 percent of the site area. Adjustments to this standard are prohibited.
 - b. Open areas are parks; plazas; or other similar areas approved through design review. These areas may include improvements such as children's play equipment, picnic areas, landscaping, benches, paved walkways or trails, gardens, organized sport fields or courts, or other outdoor amenities. Open areas do not include areas used for parking or loading, or landscaping within parking areas.
 - c-f [no change.]

~~33.526.350 Required Design Review~~

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

33.534 Hillsdale Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of the section explained below.

33.534.240 Required Design Review

This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

33.534 Hillsdale Plan District

534

Sections:

General

33.534.010 Purpose

33.534.020 Where These Regulations Apply

Use Regulations

33.534.100 Purpose

33.534.110 Prohibited Uses

Development Standards

33.534.200 Purpose

33.534.210 Setbacks

33.534.220 Exterior Display, Storage and Work Activities in the IR and C Zones

33.534.230 Drive-Through Facilities

~~33.534.240 Required Design Review~~

Map 534-1 Hillsdale Plan District

~~33.534.240 Required Design Review~~

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay zone.~~

33.536 Hollywood Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of the section explained below.

33.536.310 Required Design Review

- A. **Purpose.** The current Purpose Statement is being updated through the revised purpose statement within the Design Overlay zone. Other provisions related to building relationships to Sandy Blvd are part of the development standards and are not referenced in the new design standards or guideline with the exception that these should consider the context of the area. To avoid confusion, this purpose statement is being removed. The provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate within the plan district.
- B. **Required Design Review.** This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

33.536 Hollywood Plan District

536

Sections:

General

- 33.536.010 Purpose
- 33.536.020 Where These Regulations Apply

Use Regulations

- 33.536.100 Purpose
- 33.536.110 Prohibited Uses
- 33.536.120 Required Residential Uses
- 33.536.130 Commercial Parking in the CM2 and CM3

Development Standards

- 33.536.200 Purpose
- 33.536.210 Prohibited Development
- 33.536.220 Maximum Building Height
- 33.536.230 Transition Between Residential and Commercial/Mixed Use Zones
- 33.536.235 Transition Between Commercial/Mixed Use Zones
- 33.536.240 Floor Area Ratio
- 33.536.250 Bonus Options
- 33.536.260 Building Facades Facing Sandy Boulevard
- 33.536.280 Enhanced Pedestrian Street Standards
- 33.536.290 Maximum Parking Allowed in the RX, CM2, and CM3 Zones
- 33.536.300 On-Site Location of Vehicle Areas Along Sandy Boulevard
- ~~33.536.310 Required Design Review~~
- 33.536.320 Nonconforming Development

Map 536-1 Hollywood Plan District and Subdistricts

Map 536-2 Hollywood Plan District: Maximum Building Heights

Map 536-3 Hollywood Plan District: Enhanced Pedestrian Streets

~~33.536.310 Required Design Review~~

- ~~**A. Purpose.** Design review ensures attractive, quality design and a pedestrian-friendly character in the areas planned for urban-scale development in Hollywood. Design review also promotes a relationship between new development and historic building along Sandy Boulevard, and creates a special identity for the district's business core. Finally, design review ensures design quality and promotes better transition of scale and character to the areas adjoining the business core.~~
- ~~**B. Required Design Review.** The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

33.538 Kenton Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of the section explained below.

33.538.260 Required Design Review

- A. **Purpose.** The current Purpose Statement is being updated through the revised purpose statement within the Design Overlay zone. Other provisions related to building relationships to Sandy Blvd are part of the development standards and are not referenced in the new design standards or guideline with the exception that these should consider the context of the area. To avoid confusion, this purpose statement is being removed. The provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate within the plan district.
- B. **Required Design Review.** This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

33.538 Kenton Plan District

538

Sections:

General

- 33.538.010 Purpose
- 33.538.020 Where These Regulations Apply

Use Regulations

- 33.538.100 Prohibited Uses
- 33.538.110 Limited Uses

Development Standards

- 33.538.200 Drive-Through Facilities
- 33.538.210 Maximum Building Height
- 33.538.220 Floor Area Ratio
- 33.538.230 Required Building Lines
- 33.538.240 Active Use Areas
- 33.538.250 Parking Access Restricted Streets
- ~~33.538.260 Required Design Review~~

Map 538-1 Kenton Plan District

Map 538-2 Maximum Building Heights

Map 538-3 Floor Area Ratio

Map 538-4 Required Building Lines

Map 538-5 Active Building Use Areas

Map 538-6 Parking Access Restricted Streets

~~33.538.260 Required Design Review~~

- ~~**A. Purpose.** Design review ensures attractive, quality design and a pleasant pedestrian environment in the plan district. Design review also promotes a relationship between new development and the historic commercial buildings along Denver Avenue. Finally, design review ensures design quality and compatibility of character with the areas adjoining the commercial corridor.~~
- ~~**B. Required Design Review.** The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

33.545 Lombard Street Plan District

33.545.120 Additional Standards in the R1 Zone

This is a standard that was transferred from the old Main Street overlay zone for Lombard Street. The standards include a provision that requires multi-dwelling development in the multi-dwelling zones to meet specific exterior material requirements within the Community Design Standards. These standards apply even though the multi-dwelling zones in this plan district do not have a Design overlay zone applied to them.

The amendment removes the wording related to gaining approval through design review. The appropriate review for modifying this standard is to request an adjustment and make findings against the purpose statement for the plan district. Since this is the common procedure for modifying a standard, it does not need to be specifically stated.

33.545 Lombard Street Plan District**545****33.545.120 Additional Standards in the R1 Zone**

A-B. [No change]

C. **Standards.** ~~Adjustments may be requested to these standards; they may not be modified through design review.~~

1-3. [No changes.]

4. Exterior finish materials. ~~Unless the building is approved through Design Review, a~~ All buildings must meet the foundation material standard of 33.218.110.I, and the exterior finish materials standards of 33.218.110.J. The standards must be met on all building facades.

5-6. [No changes.]

33.550 Macadam Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of the section explained below.

33.550.290 Required Design Review

This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

33.550 Macadam Plan District**550**

Sections:

General

33.550.010 Purpose

33.550.020 Where the Regulations Apply

Use Regulations

33.550.100 Prohibited Uses

Development Standards

33.550.200 Floor Area Ratio

33.550.210 Building Height

33.550.220 Building Setbacks

33.550.230 Building Coverage

33.550.240 Building Length

33.550.250 View Corridors

33.550.260 Exterior Display and Storage

33.550.270 Drive-Through Facilities

33.550.280 Signs

~~33.550.290 Required Design Review~~

Map 550-1 Macadam Avenue Plan District

~~33.550.290 Required Design Review~~

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

33.555 Marquam Hill Plan District

33.555.300 Required Design Review

In most situations, this section of code is being removed, since it does not provide any additional information related to specific plan districts, and many of the guidelines and standards are being updated with the citywide guidelines and additional standards.

However, the Marquam Hill Purpose Statement is very specific to the types of development envisioned in the plan district. It also refers to specific provisions within the Marquam Hill design guidelines. For this reason, the code language is kept for this plan district.

Some smaller edits are done to clarify that not all projects/alterations are subject to design review, and that the thresholds of 33.420 are the guiding principle to the triggers for design review.

33.555 Marquam Hill Plan District

555

Design Review**33.555.300 Design Review**

- A. Purpose.** Design review ensures that institutional development is physically and visually integrated within the plan district and with the surrounding neighborhoods, open space areas, Terwilliger Parkway, and the skyline associated with Marquam Hill. It also ensures that the pedestrian environment within the institutionally developed portions of Marquam Hill incorporates quality design providing an attractive and safe environment for pedestrian passage within and through the plan district and an integrated relationship between structures and the pedestrian environment. Design review also promotes the protection and enhancement of views within and to and from the plan district, as well as sustainable development, protection of environmentally sensitive resources, and the incorporation of site amenities within the pedestrian environment. Additionally, design review promotes an efficient and functional arrangement of institutional development within the plan district and improvements to vehicular access and circulation patterns.
- B. ~~Required Design overlay zone~~ Review.** The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.

33.561 North Interstate Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of 33.561.320 explained on the next page.

33.561 North Interstate Plan District**561**

Sections:

General

33.561.010 Purpose

33.561.020 Where These Regulations Apply

Use Regulations

33.561.100 Commercial Uses in the RH Zone

Development Standards

33.561.210 Maximum Building Height

33.561.220 Floor Area Ratios

33.561.230 Transition Between Zones

33.561.240 Minimum Density in the RH Zone

33.561.250 Exterior Display and Storage

33.561.260 Off-Site Impacts of Industrial Uses in the CM3 Zone

33.561.270 Required Building Lines

33.561.280 Active Building Use Areas

33.561.300 Motor Vehicle Access

33.561.310 Compatibility Standards in the R2.5 and R2 Zones

~~33.561.320 Required Design Review~~

Map 561-1 North Interstate Plan District

Map 561-2 North Interstate Plan District: Maximum Building Heights

Map 561-3 North Interstate Plan District: Floor Area Ratios

Map 561-4 North Interstate Plan District: Required Building Lines/Active Building Use Areas

33.561.210 Maximum Building Heights

- B. Maximum Building Heights.** This regulation allows an applicant to request greater building heights through a discretionary design review. However, it references the current Community Design Standards. Since these standard are no longer the option, the reference to the standards is updated to refer to the design standards now located in 33.420.

An additional change is made to amend the updated reference to the Design Advice Request.

33.561.320 Required Design Review. This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

Development Standards

33.561.210 Maximum Building Height

- A. Purpose.** [No change.]
- B. Maximum building heights.**
1. Generally. The maximum building heights are shown on Map 561-2, except as specified in Section 33.561.230. Adjustments to maximum heights are prohibited, but modifications through Design Review may be requested.
 2. In the height opportunity areas shown on Map 561-2, buildings may be up to 125 feet high if:
 - a. The applicant meets with the Design Commission to discuss the proposal before applying for Design Review. As specified in 33.730.050.BF, the applicant must submit a design advice request to schedule this meeting; and
 - b. The applicant requests discretionary ~~D~~design review, rather than using the ~~Community-Design overlay zone design S~~standards in 33.420.050.

~~33.561.320 Required Design Review~~

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

33.562 Northwest Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the removal of 33.562.310 explained on the next page.

33.562 Northwest Plan District**562**

Sections:

General

- 33.562.010 Purpose
- 33.562.020 Where These Regulations Apply

Use Regulations

- 33.562.100 Residential Use Limitation
- 33.562.110 Retail Sales And Service Uses in the EG and CM3 Zones
- 33.562.120 Retail Sales And Service and Office Uses in the RH Zone
- 33.562.130 Commercial Parking in Multi-Dwelling Zones

Development Standards

- 33.562.200 Purpose
- 33.562.210 Maximum Height
- 33.562.220 Floor Area Ratios
- 33.562.230 Bonus Options
- 33.562.240 Standards on Main Streets and the Streetcar Alignment
- 33.562.250 Drive-Through Facilities Prohibited
- 33.562.260 Mechanical Equipment in the CM3 Zone
- 33.562.270 Minimum Active Floor Area
- 33.562.280 Parking
- 33.562.290 Use of Accessory Parking for Commercial Parking
- 33.562.300 Northwest Master Plan
- ~~33.562.310 Required Design Review~~

Map 562-1 Northwest Plan District

Map 562-2 Limited Use Areas

Map 562-3 Commercial Parking in Multi-Dwelling Zones

Map 562-4 Maximum Heights

Map 562-5 Floor Area Ratios

Map 562-6 Bonus Areas

Map 562-7 Areas with Special Development Standards

Map 562-8 Sites where Accessory Parking May be Operated as Commercial Parking

Map 562-9 Northwest Master Plan Required

33.562.300 Northwest Master Plan

- D. Components of a Northwest Master Plan.** These regulations state what information is needed to file for a Northwest Master Plan. The current standards include references to the *Community Design Guidelines* and *Community Design Standards* for proposals within the Design overlay zone. Both of these documents are being replaced by the *Citywide Design Guidelines* and the additional *Design Standards* located in 33.420. The amendments update these references.

33.562.310 Required Design Review. This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

33.562.300 Northwest Master Plan**A-C.** [No changes.]**D. Components of a Northwest Master Plan.** The applicant must submit a Northwest Master Plan with all of the following components:

1-4. [No changes.]

5. Development and design standards and criteria. The Northwest Master Plan must set out how specific development and use proposals will be reviewed, and the standards, guidelines, and approval criteria used to evaluate each proposal. The Northwest Master Plan may include standards that are in addition to or instead of standards in other sections of the Zoning Code. The Northwest Master Plan must address such things as height limits, setbacks, FAR limits, landscaping requirements, parking requirements, entrances, sign programs, view corridors and facade treatments. Because the Northwest Master Plan is used in the EX zone, design review is required. The Northwest Master Plan must describe how design review will be implemented in the plan area. Generally, the Citywide Community Design Guidelines ~~and Community~~ the Design overlay zone design standards in 33.420.055 will apply; however, the Northwest Master Plan may augment those standards and guidelines for the area covered by the Northwest Master Plan.

6-9. [No changes.]

E. Review Procedure. [no change]**~~33.562.310 Required Design Review~~**

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

33.580 South Auditorium Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the changes to the sections explained below.

33.580.030 Required Design Review. This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate this within the plan district.

In addition, provisions within 33.825.065 *Design Guidelines* are amended to clarify that projects within the South Auditorium plan district should use the *Central City Fundamental Design Guidelines*. This is not currently clear because only a portion of the South Auditorium plan district overlaps with the *Central City*.

33.580.150 Roof Top Screening. This standard overlaps, and is very similar to, the current standards that apply to the exemptions for rooftop equipment in all of the Design overlay zones. This standard predates many of the changes and additions that have been made with the Design overlay zone. To reduce confusion, this specific standard is eliminated and the overlay zone exemptions and thresholds will apply.

33.580 South Auditorium Plan District

580

Sections:

- 33.580.010 Purpose
- 33.580.020 Where the Regulations Apply
- ~~33.580.030 Required Design Review~~
- 33.580.040 Portland Development Commission

Development Standards

- 33.580.100 Floor Area Ratios
- 33.580.110 Landscaped Areas
- 33.580.120 Parking Lot Landscaping
- 33.580.130 Preservation of Existing Trees
- 33.580.140 Sign Restrictions
- ~~33.580.150 Roof Top Screening~~

Map 580-1 South Auditorium Plan District

Map 580-2 South Auditorium Plan District Maximum Floor Area Ratio

Map 580-3 Pedestrian Mall and Open Area Landscaping

~~33.580.030 Required Design Review~~

The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.

~~33.580.150 Roof Top Screening~~

All mechanical equipment, duct work, and structures that house mechanical equipment on a roof must be hidden by sight-obscuring screening. Satellite dishes on a roof require screening, unless the review body finds that the dish design is consistent with the design guidelines.

33.583 St. Johns Plan District

Table of Contents

The table of contents list at the beginning of the chapter is updated to reflect the changes to the sections explained below.

33.583.250 Maximum Building Height. This section references both the Community Design Guidelines and Community Design Standards as provisions to work with the height limits and bonuses. Both of these documents are being replaced by the Citywide Design Guidelines and the additional Design Standards located in 33.420. The amendments update the reference to send readers to the Design Overlay zone, 33.420, which also provide the procedure for height bonuses in this plan district.

33.583.290 Required Design Review. This provision states that the regulations of the Design overlay zone apply in all areas of the plan district with a 'd' overlay. This is self-explanatory, since the regulations of the Design overlay apply anywhere in the city where there is the 'd' overlay. It is not necessary to reiterate

33.583 St. Johns Plan District**583**

Sections:

General

- 33.583.010 Purpose
- 33.583.020 Where These Regulations Apply

Use Regulations

- 33.583.100 Purpose
- 33.583.110 Prohibited Uses
- 33.583.120 Retail Sales And Service Uses in the CM3 Zone

Development Standards

- 33.583.200 Purpose
- 33.583.210 Drive-Through Facilities
- 33.583.220 Exterior Activities in the EG and CM3 Zones
- 33.583.230 Detached Houses Prohibited in the CM3 Zone
- 33.583.240 Minimum Density in the R1 Zone
- 33.583.250 Maximum Building Height
- 33.583.270 Building Coverage in the CM3 Zone
- 33.583.280 Residential Uses in the EG1 Zone
- 33.583.285 Additional Regulations in the Riverfront Subdistrict
- ~~33.583.290 Required Design Review~~

Map 583-1 St. Johns Plan District

Map 583-2 Maximum Heights

33.583.250 Maximum Building Height

- A. Purpose.** The height regulations in the plan district protect public views and the character of St. Johns, the waterfront, and the residential area along the hillside. The height regulations work together with the ~~Community Design Standards~~ in 33.420.050 and the Citywide Design Guidelines to ensure that the character and scale of new development is appropriate for this mixed-use area, and for the zone.
- B. Standards.** The maximum building height for all sites is shown on Map 583-2 at the end of this chapter. In the CM3 zone, increased height may be requested as a modification through Design Review, up to the maximums shown in parenthesis on Map 583-2. Heights greater than shown in parenthesis on Map 583-2 are prohibited, and adjustments to maximum height are prohibited in all other zones.

~~33.583.290 Required Design Review~~

~~The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.~~

33.700 Administration and Enforcement

33.700.075 Automatic Changes to Specific Dollar Thresholds. Currently, Table 825-1 uses a dollar value to determine the type of land use review for design reviews. This table is getting updated to change the thresholds triggering the type of land use review and will no longer be based on a dollar value. As a result, the table no longer should be referenced here to get an automatic increase based on the Construction Cost Index.

33.700 Administration and Enforcement

700

33.700.075 Automatic Changes to Specified Dollar Thresholds

The sections listed below include dollar thresholds. These thresholds will be increased or decreased each year on March 1. The change will occur automatically, and the new dollar amount will be placed in the Zoning Code without being subject to the procedures for amending the Zoning Code. The change will be based on the annual national average of the Construction Cost Index (CCI), as published in the second January issue of the Engineering News-Record.

A. The following sections are subject to this regulation. Any increase or decrease that is not a multiple of \$50 will be rounded to the nearest multiple of \$50:

1. 33.258.070.D.2.a;
2. 33.258.070.D.2.d(2);
3. 33.440.230.D.1;
4. 33.510.253.D.1.a;
5. 33.515.278.B.17.a(1);
6. 33.560.020
7. 33.565.310.B.2
- ~~8. Table 825-1~~
- ~~89.~~ Table 846-1; and
- ~~910.~~ Table 846-3

33.710 Review Bodies

Background

The main focus of these amendments is to update the purpose statement of the Design Commission to align with the purpose of the Design overlay zone, and amend the membership opportunities of the commission to include landscape architects under the subject experts while ensuring a position for a member at large not affiliated with the development process

33.710.050 Design Commission

- A. **Purpose.** The Design Commission's purpose statement is amended to update and align it with the new purpose statement for the Design overlay zone.
- B. **Membership.** The membership paragraph is amended to add professionals in additional fields such as planning and landscape architecture that can serve as one of the subject experts. Urban planners and designers can provide larger site and context perspectives for an area. Landscape architects have expertise in the space between buildings and can provide an added dimension to discussions relating to context and the public realm. The other change to the membership ensures that the member at large commissioner is not another subject expert. Both changes are based upon the suggestion made in recommendation A.2 in the assessment. The code is reformatted in a list form to aid in readability.
- C. **Meetings, officers and subcommittees.** The new language clarifies the role of commission meetings to provide a public forum for the reviews undertaken by the Design Commission. These meetings include public hearings at which a decision is made on a land use proposal.
- D. **Powers and Duties.** The amendments to this paragraph clarify the existing language regarding their duties, and to make changes in the listing order of their duties, since the main duty and time spent of the Design Commission is in the review of Type III Design Reviews and appeals of Type II Design Reviews.

33.710 Review Bodies

710

33.710.050 Design Commission

- A. Purpose.** The Design Commission provides leadership and expertise on urban design and architecture and advances on maintaining and enhancing Portland's the purpose of the Design overlay zone to be a city designed for people historical and architectural heritage.
- B. Membership.** The Design Commission consists of seven members, none of whom may hold public elective office. The Commission must include the following members. 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:
1. One a representative of the Regional Arts and Culture Council, one person representing the public at large, and
 2. Five members experienced in either urban planning, design, architecture, landscape architecture, engineering, financing, construction or management of buildings, and/or land development. No more than two members may be appointed from any one of these areas of expertise.
 3. One person representing the public at large. The public-at-large member must not be employed in one of the areas of expertise listed in Paragraph B.2. 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.
- C. Meetings, officers, and subcommittees.**
1. The Design Commission meets at least once a month and as necessary to act on reviews assigned to them by this Title. The meetings provide a public forum under which these assigned reviews take place. 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.
 2. [No change.]
- D. 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. Reviewing major developments within Design overlay zones except those projects involving or located within the following:
 - a. Historic Districts;
 - b. Conservation Districts;
 - c. Historic Landmarks; and
 - d. Conservation Landmarks.

33.710.050 Design Commission (contd)**D. Powers and Duties.(contd)**

5. Often, the Design Commission is asked for advice from other development/review bureaus within the city as well as by agencies such as Tri-met. This amendment clarifies that the Design Commission may provide advice if it is requested by one of these bureaus or agencies.

E. Annual Report. The current regulatory requirement is for the Design Commission to provide an annual report within 3 months of the end of the previous fiscal year. While this may make sense from a budgetary sense, it does not align with how BDS catalogs their land use reviews. Land use reviews are listed based upon the calendar year. So, it makes sense for the annual review to be based on the projects reviewed during the previous calendar year. This amendment changes the date for providing the annual review to allow the summary to be made to the calendar year. The annual report deadline is for filing the report with the Director of BDS. This deadline acknowledges that there can be scheduling issues in presenting the report to the City Council.

2. ~~Recommending the establishment, amendment, or removal of the Design overlay Zone and a design districts to the Planning and Sustainability Commission and City Council;~~
 3. ~~Recommending Developing design guidelines for adoption by City Council for all design districts except for guidelines for Historic Districts and Conservation Districts;~~
 3. ~~Reviewing major developments within design overlay zones and 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, and other City Bureaus or public agencies when necessary or requested.~~
- E. Annual report.** The Commission must make an annual report of its actions and accomplishments for each ~~calendar~~ fiscal year. The report must be filed with the Director of BDS by the first working day of ~~April of the following year~~ September. The Director of BDS may combine the report with annual reports of other bodies for transmission to City Council.

33.720 Assignment of Review Bodies

Background

The intent of these regulations is to clarify and align the process for legislative land use proposals and the role of the Design and Historic Landmarks commission, which is similar to the Planning and Sustainability Commission's role. In all cases, the City Council is the final deciding body. This is consistent with the recommendation above.

33.720.030 Legislative Land Use Reviews

- B. The Historic Landmarks Commission uses historic design guidelines as approval criteria in the review of projects, so they should also have a critical role in reviewing the establishment of design guidelines. However, their role is as a recommending body for establishment of these guidelines. The City Council is the deciding body for all legislative zoning code changes.
- C. The Design Commission uses design guidelines as approval criteria in the review of projects, so they should also have a critical role in reviewing the establishment of design guidelines. However, their role is as a recommending body for establishment of these guidelines. The City Council is the deciding body for all legislative zoning code changes.

33.720 Assignment of Review Bodies

720

33.720.030 Legislative Land Use Reviews

- A. Legislative land use reviews, unless stated otherwise in Subsections B or C, ~~below~~, are assigned to the Planning and Sustainability Commission, who will make a recommendation to City Council.
- B. Design Guidelines in Historic Districts and Conservation Districts are assigned to~~adopted by~~ the Historic Landmarks Commission, who will make a recommendation~~before being submitted to the City Council for adoption~~.
- C. Design guidelines in the Design overlay zone and design districts are assigned to~~adopted by~~ the Design Commission, who will make a recommendation~~before being submitted to the City Council for adoption~~.
- D. Final action on all legislative land use reviews is by the City Council.

33.730 Quasi-Judicial Procedures

Background

The Design Overlay Zone Assessment had recommended the city better align its process with an applicant's plan/design process. This would include greater coordination between the timeline for the pre-application conference, the design advice request (DAR) and the formal land use review (LUR) process. For the current Type III land use process for design/historic reviews, the pre-application conferences are required with staff, but the DAR in front of the appropriate commission is voluntary. Suggestions included in the assessment were to make the DAR a mandatory pre-submittal for all Type III Design Review LURs, AND shift the number of projects that may be subject to the higher review to a staff review. The intent was to require the DAR to give applicants the direction they need earlier in the process, potentially making the overall process more seamless, but without a large increase in workload by focusing that process to the very largest projects.

However, the city also must align its land use review process with State land use law requirements. For the public to have meaningful engagement with standing to appeal, they have to participate in the formal LUR process. Comments during earlier phases do not provide participants the standing to appeal a project later. In addition, the LUR must address all the approval criteria that is required through the land use process. There is no ability for a decision body to provide a tentative approval during any of the preliminary processes that are set up outside the land use review time frame.

BPS staff analyzed Type III Design Review LUR cases to see if there was a current link between the efficiency of cases that went through a DAR versus those that didn't. While the number of projects that currently go through a Type III Design Review have a wide range of complexity, BPS staff was not able to determine a correlation of LUR efficiency between projects that were subject to the DAR and those that weren't.

During the Discussion Draft, there was support for having DARs within the overall process. However, the support was often tied to the idea that DARs acted like a preliminary land use review with public comment and a tentative decision or direction. Staff had a concern about the perception of requiring a DAR in front of the actual hearing body outside of the land use process.

As a result, the amendments keep the DAR as an optional choice for Type III Design and Historic Resource reviews, unless the review is required in another part of the Zoning Code (currently applicable to Central City Master Plans and bonus height requests in the North Interstate plan district). However, to allow for greater transparency, specific notification and processing regulations are added as part of a new DAR subsection within 33.730.050. This process is incorporated with BDS administrative improvements to further clarify the distinction between the DAR and the LUR.

33.730 Quasi-Judicial Procedures

730

Sections:

General

33.730.010 Purpose

Basic Procedures

33.730.013 Expedited Land Division Procedure

33.730.014 Type I Procedure

33.730.015 Type Ix Procedure

33.730.020 Type II Procedure

33.730.025 Type IIx Procedure

33.730.030 Type III Procedure

33.730.031 Type IV Procedure

33.730.040 Final Council Action Required

General Information on Procedures

33.730.042 Concurrent Reviews

33.730.050 Pre-Application Conference and Other Early Assistance Meetings

33.730.060 Application Requirements

33.730.070 Written Notice Requirements

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33.730.090 Reports and Record Keeping

33.730.100 Public Hearing Requirements

33.730.110 Ex Parte Contact

After a Final Decision

33.730.120 Recording an Approval

33.730.130 Expiration of an Approval

33.730.140 Requests for Changes to Conditions of Approval

Basic Procedures

33.730.013 Expedited Land Division Procedure

- B. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

33.730.020 Type II Procedure

- A. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

33.730.025 Type IIx Procedure

- A. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

33.730.030 Type III Procedure

- A. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

33.730.031 Type IV Procedure

- A. **Pre-application conference.** This amendment updates the reference to the regulations for pre-application conferences.

Basic Procedures

33.730.013 Expedited Land Division Procedure

The Expedited Land Division (ELD) procedure provides an alternative to the standard procedures for some land divisions. The applicant may choose to use the ELD process if the land division request meets all of the elements specified in ORS 197.360. The steps of this procedure are in ORS 197.365 through .375. The application requirements are listed in Section 33.730.060, below. Two additional steps are required for land division requests using the ELD Procedure:

- A. **Neighborhood Contact.** The applicant must complete the steps in Section 33.700.025, Neighborhood Contact, before applying for an ELD review.
- B. **Pre-application conference.** A pre-application conference is required for all land division requests processed through the ELD procedure. See 33.730.050.A., Pre-Application Conference. The pre-application conference must be held before applying for an ELD review.

33.730.020 Type II Procedure

The Type II procedure is an administrative process, with the opportunity to appeal the Director of BDS's decision to another review body.

- A. **Pre-application conference.** A pre-application conference is optional unless it is a specific requirement of a review. See 33.730.050.A., Pre-Application Conference.

B-I. [No change.]

33.730.025 Type IIx Procedure

The Type IIx procedure is an administrative process, with the opportunity to appeal the Director of BDS's decision to another review body.

- A. **Pre-application conference.** A pre-application conference is optional. See 33.730.050.A., Pre-Application Conference.

B-I. [No change.]

33.730.030 Type III Procedure

A Type III procedure requires a public hearing before an assigned review body. Subsections A through D apply to all sites. If the site is within the City of Portland, Subsections E through H also apply. If the site is in the portion of unincorporated Multnomah County that is subject to City zoning, Subsection I also applies.

- A. **Pre-application conference.** A pre-application conference is required for all requests processed through a Type III procedure. See 33.730.050.A., Pre-Application Conference.

B-I. [No change.]

33.730.031 Type IV Procedure

- A. **Pre-application conference.** A pre-application conference is required for all requests processed through a Type IV procedure. See 33.730.050, Pre-Application Conference.

B-F. [No change.]

33.730.050 Pre-Application Conference and Other Early Assistance Meetings

This section is reorganized and expanded to reference and separate the procedures for the pre-application conference from other early assistance meetings such as design advice requests

- A. Pre-application conference.** This amendment reorganizes the current pre-application conference regulations into a separate set of subparagraphs, to distinguish this process from the design advice requests or other early assistance meetings.

There are no changes to the process for pre-applications conferences. The provision for a time limit for the validity of the pre-application conference is moved to be within the sub section that now contains the regulations.

33.730.050 Pre-Application Conference and Other Early Assistance Meetings

A. Pre-Application Conference

- ~~A.1.~~ Purpose. ~~Purpose.~~ The pre-application conference informs the applicant of the substantive and procedural requirements of this Title, provides for an exchange of information regarding applicable requirements of other City Codes, and identifies policies and regulations that create opportunities or pose significant problems for a proposal. Technical and design assistance is available at the conference which will aid in the development of an application. The pre-application conference also informs recognized organizations about the proposal and promotes communication between the organizations and the applicant.
- ~~B.2.~~ Requirements. ~~Requirements.~~ Forms for pre-application conferences are available from the Director of BDS. A fee is required and must be paid at the time the request for a pre-application conference is submitted. The applicant must submit a written proposal or sketched site plan of the proposal. A pre-application conference must be held within 42 days of receipt of a completed request form.
- ~~C.3.~~ Participants. ~~Participants.~~ The applicant meets with BDS staff at the pre-application conference. In addition, City urban service or technical representatives and representatives of affected recognized organizations are invited to attend.
- ~~D.4.~~ Pre-application conference recommendations. ~~Pre-application conference recommendations.~~ The BDS staff will mail the applicant a written summary of the pre-application conference within 21 days of the conference. The written summary will include suggestions and information that were raised at the conference for inclusion in an application. If the approval criteria for the land use review involve a determination of adequacy of the transportation system, the Office of Transportation may require a Transportation Impact Study to be submitted with the land use application.
- ~~E.5.~~ Pre-application conference prior to application submittal. ~~Pre-application conference prior to application submittal.~~ Application for a land use review may not be submitted before the required pre-application conference is held. This allows information obtained at the conference to be incorporated in the application submittal.
6. Time limit. A pre-application conference is valid for one year. If more than one year has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.

33.730.050 Pre-Application Conference and Other Early Assistance Meetings (contd)

- B. Design advice requests.** This amendment expands and clarifies the early assistance process known as the “design advice request” or “DAR” for short. This process is currently intended to be used in situations where the Design or Historic Landmarks Commission may hear a future land use review. However, the current regulations do not provide any guidance on this process.

During the DOZA Assessment and the *Discussion Draft* there was discussion about whether the DAR should be a required element of any Type III Design or Historic Resource review. During research into the current process, it was inconclusive whether adding this review made the overall land use process more or less efficient. At this time, the amendments keep the DAR as an optional process. Note that design advice can also be given by land use staff during the required pre-application conference. For some submittals, this may be enough. See Section 4 of Volume 1 for more information.

1. **Purpose.** This paragraph includes the current information about design advice requests but adds a provision to further clarify the purpose and role of these early assistance meetings. The decision whether or not to submit for the DAR is the applicant's decision to make, since it won't be required for any level of review.
2. **Application.** This is a new paragraph that provides the information to guide an applicant to provide submittal requirements to allow the DAR to be taken in and scheduled in a timely manner.
3. **Schedule of request.** Similar to pre-application conferences, this paragraph provides the time window within which a DAR needs to be scheduled with the respective commissions.
4. **Notification.** This paragraph provides new guidance on the notification required prior to holding the meeting on a DAR. While this is not part of the land use review, the DARs are a public meeting where issues and concerns of a potential development may be raised. Comments raised at the DAR can provide the link between the neighborhood contact conversations and testimony given at the land use stage. This amendment requires that a mailed and posted notice be provided for all DARs.
5. **Meeting.** There has been concern that DAR meetings can often get extended over several dates which can span over months of time. This amendment limits the DAR to one meeting which shares similarities with the pre-application conference, which is always held at one meeting. Note that projects involving multiple buildings may ask for a return meeting.
6. **Summary of design advice request meeting.** Similar to the pre-application conference, this amendment sets the standards and timely release of notes from the DAR, to enable the applicant to develop the land use application soon after holding the DAR.

BF. Design advice requests~~Other pre-application advice.~~

1. Purpose. Design advice requests provide a public forum for the preliminary discussion and exchange of information between the applicant, BDS staff, the public, and the representative commission. An applicant may request advice from the Design Commission or Historical Landmarks Commission prior to submitting a land use request that would be heard by these commissions. In some cases, the design advice request may be required by a provision of this title. These requests are known as "design advice requests". These requests do not substitute for a required pre-application conference with the BDS staff and other City urban service or technical representatives. A fee is charged for design advice requests as stated in the Fee Schedule.
2. Application. Forms for design advice requests are available from the Director of BDS. A fee is required and must be paid at the time of the submittal for the design advice request. The applicant must submit a written proposal, information on the physical and social characteristics of the area, a conceptual site plan and elevations of the project. The applicant may also include details of the project that are associated with specific questions they may have as part of the design advice request.
3. Schedule of request. The Director of BDS will schedule the date for the design advice request meeting with the representative commission. The meeting must be held within 56 days of receipt of a completed request form.
4. Notification. The following notification will be provided prior to the design advice request meeting:
 - a. Mailed notice. At least 20 days before the scheduled meeting, the Director of BDS will mail a notice of the request to the owner, the applicant if different, all property owners within 400 feet of the site, and to recognized organization in which the site is located. The notice should include the file number, the name of the applicant and owner, the name and phone number of the BDS staff member assigned to the file, the date of the meeting, the address or geographic location of the request, the current zoning of the site, a brief description of the proposal, and a conceptual site plan.
 - b. Posting notice on the site. At least 20 days before the scheduled meeting, the applicant must place a public notice of the design advice request adjacent to each street frontage on the site. The public notice should include the file number, the date of the meeting, the name and phone number of the BDS staff member assigned to the file, the current zoning of the site, and a brief description of the proposal.
5. Meeting. The design advice request meetings are limited to one meeting per application. An exception to this may be granted for proposals that include more than one building proposed on a site.
6. Summary of design advice request meeting. BDS staff will mail the applicant a written summary of the design advice request within 21 days of the meeting with the representative commission. The written summary will include suggestions and information that were raised at the meeting for inclusion in the land use application.

33.730.050 Pre-Application Conference and Other Early Assistance Meetings (contd)

- C. Other pre-application advice.** This is a new subsection that identifies that other preliminary, or early assistance, meetings may be established by the Bureau of Development services. Current processes include early zoning and infrastructure meetings with development services and other bureau staff.
- G. Time limit.** This subsection is only relevant to the pre-application conference and so has been moved to be within that language.

- C. Other pre-application advice.** An applicant may choose to meet with BDS staff to discuss preliminary proposals prior to the submission of a land use review or building permit. The process for setting up these meetings is developed by the Director of BDS and the meetings are advisory only.
- G. ~~Time limit.~~** ~~A pre-application conference is valid for one year. If more than one year has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.~~

33.825 Design Review

Background

The amendments in this chapter update the current table assigning the type of design review with the project proposal, and align portions of the chapter with the changes made within 33.420. The main change impacts Table 825-1, which assigns the type of design review to the scale of the proposal. The new table creates a set of thresholds within the Central City and a set for the rest of the city, which was a recommendation of the assessment. This updates the current table which contained different thresholds for every plan district and overlay zone area.

These regulations align the purpose of the design review chapter and design guidelines with the updated purpose statement for the Design overlay zone. These updates are intended to clarify the overall purpose of design review, focusing on the three tenets of design developed during the assessment. The other main change clarifies the scope of design review to align it with city and state policy, including recent changes to state statutes that limit the ability to reduce density through discretionary reviews.

33.825.010 Purpose. The purpose statement is revised to link the design review process to the updated role of the Design overlay zone as recommended in the DOZA Assessment report. The three tenets of building on the context, contributing to the public realm and ensuring quality and resilience is repeated here. Design review is the discretionary procedure contained within the Design overlay zone. As a discretionary procedure, design review provides additional flexibility in the way a development proposal can meet these three tenets of good design, and provides an option to meeting the set of objective standards that are available outside of the Central City.

33.825 Design Review

825

Sections:

- 33.825.010 Purpose
- 33.825.025 Review Procedures
- 33.825.035 Factors Reviewed During Design Review
- 33.825.040 Modifications That Will Better Meet Design Review Requirements
- 33.825.055 Approval Criteria
- 33.825.065 Design Guidelines
- 33.825.075 Relationship to Other Regulations

~~Map 825-1 Albina Community Plan Area~~

~~Map 825-2 Outer Southeast Community Plan Area~~

~~Map 825-3 Southwest Community Plan Area~~

33.825.010 Purpose

Design review is a discretionary process to implement the design overlay zone, strengthening these areas as places designed for people. Design review supports development in these areas that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces. Design Review offers opportunities for increased flexibility over the design standards within Chapter 33.420.

~~Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area and to promote quality development near transit facilities. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.~~

33.825.025 Review Procedures. The amendments to the introductory paragraph align the design review procedure with the recent direction for assigning the Design overlay zone. The review is no longer specific to a design district. In addition, language is removed that refers to determining the type of review based upon the valuation of a project. As shown on Table 825-1, different thresholds have been developed to determine the type of review process.

- A. These amendments update the conditions for determining the type of review process for proposals subject to multiple reviews including design review. Since project valuation is no longer relevant, different examples need to be provided to aid the reader in determining the correct type of review.

- B. This subsection was originally inserted during a previous regulatory improvement project to provide a clear regulatory process for determining how to review changes to an approved design review that proposed revisions while under construction. This clarification was needed because the system of determining review type by project valuation often forced a project under construction to undergo another Type III Design Review with a hearing and separate pre-application conference, even for relatively minor changes. However, the Table 825-1 update assigns the type of review for alterations based upon the size of the alteration, not the project value. This will apply both to projects under construction as well as existing development. With this new set of thresholds, it is less likely that a revision to a project under construction would be subject to a Type III review unless they were making a major modification to the approved plans. As a result, this section is no longer needed, as alterations to a project under construction will simply refer to Table 825-1.

33.825.025 Review Procedures

This section lists procedures for design review for proposals in Design overlay zones. These procedures also apply where design review is required by the regulations of a plan district or overlay zone, or as a condition of approval of a quasi-judicial decision.

The procedures stated in this section supersede procedural and threshold statements in the City's adopted design guidelines documents. Procedures for design review vary with the type of proposal being reviewed and the geographic area~~design district~~ in which the site is located. Some proposals in the Central City plan district must provide a model of the approved proposal, as set out in Subsection D. ~~When determining procedure type for exterior alterations based on project valuation, the dollar amount refers to the value of the exterior changes and any new floor area only. It does not include interior or subgrade alterations.~~

- A.** Proposals subject to design review are reviewed according to the procedure type listed in Table 825-1. When a proposal is subject to more than one procedure type, the higher procedure type applies. For example, a proposal may include both an alteration and an addition to a building. If the alteration located in the Central City Plan District may not exceed the dollar threshold is subject to a for a Type II procedure, but the addition is subject to a Type III procedure, because it is also in the Downtown Design District and it exceeds the square footage threshold for a Type II procedure, the proposal would be subject to a Type III procedure.
- B.** ~~Minor changes to an approved design review prior to issuance of final permit approval. Minor changes to an approved design review that was originally processed through a Type III procedure are reviewed through a Type II procedure when all of the following are met. Alterations to a structure after the final building permit approval are exempt from this regulation:~~
1. ~~The original design review has not expired;~~
 2. ~~The building permit for the project has not received final approval; and~~
 3. ~~The change will not modify any condition of approval. Changes to an approved exhibit are allowed; and~~
 4. ~~The cumulative value of the changes will not result in an increase or decrease in the original project value by more than 15 percent.~~
- BC.** Phased design plans. [No change.]
- CD.** Models of proposals in the Central City plan district. [No change.]

**Table 825-1
Procedure Type for Design Review Proposals**

The City's design review process has expanded over the past 30 years, after beginning with projects within the Central City. Each time a plan area was added to the Design overlay zone, a set of new review thresholds was added to the table. Over time this has created an overly complex and inconsistent set of thresholds that don't necessarily align a project's impact with the design scrutiny that should apply.

This was why the first listed recommendation (A1) of the Assessment was to adjust the thresholds into a system that provides a higher level of review for larger projects while lessening the review for smaller projects. The assessment recognized that the legacy of Design review within the Central City would warrant a higher level of scrutiny than in other developing areas within the city. However, the recommendation made clear that a single set of thresholds addressing the review type throughout the rest of the city would simplify and increase understanding of the role of design review in these areas.

The result is the creation of a more concise table to determine what type of review is required. The table splits projects by whether they are within the Central City Plan District or elsewhere within a Design overlay zone. The table is further broken down between New Development / New Buildings versus Alterations / Additions.

For new buildings, the threshold is based upon the height and/or overall size of the building. As an example, in most areas of the City, a building that is either at least 80,000 square feet in floor area or more than 65 feet high would go through a Type III Design Review, which undergoes a preapplication conference and hearing in front of the Design Commission. These buildings are often transformative in scope, generally filling a full block frontage such as some of the developments in Lents, on SE Division and 50th, or on North Interstate. This could also require large retail buildings/shopping centers to go through a Type III review. Smaller infill buildings would be a Type II review, where the decision is made by Planning Staff after a public notification process.

Lower thresholds within the Central City plan district will trigger a Type III review, although a smaller infill project, such as a 3-4 story infill building on a 5,000 square foot lot would likely be a Type II review, unlike today, where nearly any new building triggers the Type III review.

All alterations that do not add significant new floor area will be processed under a Type II staff review, with the exception of the Central City where a significant façade alteration to at least 50% of the façade or 5,000 square feet, whichever is larger would trigger the Type III review.

Note that a new Type I staff level review is proposed for very small-scale alterations. This review has a much shorter timeline and is not subject to appeal.

Table 825-1 Procedure Type for Design Review Proposals			
Geographic Area	Proposal	Threshold	Procedure
<u>Central City Plan District</u>	<u>New development or new building on a site with existing development</u>	1.) <u>New floor area is > 25,000 sq.ft. or</u> 2.) <u>New building height is > 45-ft.[1]</u>	<u>Type III[2]</u>
		All other new development or new buildings	<u>Type II</u>
	<u>Exterior alteration to existing development</u>	1.) <u>Alteration affects > 50 percent of the street facing facade, but no less than 5,000 sq. ft;</u> 2.) <u>Alteration affects at least 200-lineal ft of the ground floor street facing facade; or</u> 3) <u>Addition is to an existing building > 45-ft height [1], and adds > 25,000 sq.ft. of floor area</u>	<u>Type III[2]</u>
		Exterior alteration affecting 500 sq.ft. or less of facade or roof area	<u>Type I</u>
		All other exterior alterations	<u>Type II</u>
<u>All Other Areas Subject to Design Review</u>	<u>New development or new building on a site with existing development</u>	1.) <u>New floor area is > 80,000 s.f. or</u> 2.) <u>New building height is > 65-ft. [1]</u>	<u>Type III[2]</u>
		All other new development or new buildings	<u>Type II</u>
	<u>Exterior alteration to existing development</u>	<u>Addition to an existing building > 65-ft height [1], and adds > 50,000 s.f of floor area</u>	<u>Type III[2]</u>
		Exterior alteration affecting 500 sq.ft. or less of facade or roof area	<u>Type I</u>
		All other exterior alteration	<u>Type II</u>
	<u>Exterior development not listed above</u>		<u>Type II</u>

[1] Note: Exceptions to the height limit allowed under this Title may exceed this limit.

**Table 825-1
Procedure Type for Design Review Proposals**

Footnote 2 allows specific affordable housing projects that partner with the Portland Housing Bureau to choose to go through a Type II review, if they would normally trigger the Type III process. This is very similar to the regulations that was developed during the current housing emergency. However, that provision created a special Type IIx staff review that still required a design advice request in front of the Design Commission prior to submitting for the staff land use review.

While the intent of this temporary change was to create a simpler process for affordable housing projects with the Housing Bureau, only two projects have used this provision since 2015. Rather than just formally codify the current, unique land use approach, this amendment further simplifies the process for qualified affordable housing projects to elect to go through a Type II land use review overseen by staff as an option for Type III reviews. This removes the extra step of discussing the project in front of the Design Commission when they are not the review body for the actual case. However, they would hear the project if appealed.

Whether the project goes through the Type II or Type III design review, the same approval criteria (i.e. design guidelines) will apply in either case.

The following two pages show the existing Table 825-1 that is replaced with the previous page.

[2] An affordable housing project that qualifies as a City Subsidy Project under Title 30 may choose a Type III or Type II review procedure. At least 20% of the total number of dwelling units must be affordable to those households earning no more than 60 percent of the area median family income (MFI). As part of the application, the applicant must provide a letter from the Portland Housing Bureau confirming that the project qualifies as a City Subsidy Project that meets the above requirements.

Table 825-1 Procedure Type for Design Review Proposals			
Design Districts	Proposal	Threshold	Procedure
Downtown Design District	New floor area	> 1,000 s.f.	Type III
		≤ 1,000 s.f.	Type II
	Exterior alteration	Value > \$459,450	Type III
		Value ≤ \$459,450	Type II
River District Design District	New floor area or Exterior alteration in CX or OS zone	>1,000 s.f. and value > \$459,450	Type III
		≤ 1,000 s.f. or value ≤ \$459,450	Type II
Gateway Design District	Development proposals	Value > \$2,297,050 included in a Gateway Master Plan Review	Type III
		Value ≤ \$2,297,050 and not part of Gateway Master Plan Review	Type II
Marquam Hill Design District	Development proposals	In design overlay zones	Type II
Sellwood-Moreland Design District			
Terwilliger Parkway Design District	Proposals that are visible from Terwilliger Boulevard	Non-single dwelling development	Type III
		Single dwelling development	Type II
Central Eastside	Development proposals	Value > \$2,297,050	Type III
Goose Hollow			
Lloyd District		Value ≤ \$2,297,050	Type II
Macadam			
River District			
South Waterfront			
Community Plans			
Albina Community Plan area, including Lower Albina	Development proposals	In design overlay zones	Type II
Outer Southeast Community Plan area, excluding Gateway Design District			
Southwest Community Plan Area, excluding Macadam & Terwilliger Design Districts			

Table 825-1
Procedure Type for Design Review Proposals

Replacement contd

Table 825-1 Procedure Type for Design Review Proposals			
Plan Districts	Proposal	Threshold	Procedure
Central City Plan District, excluding Lower Albina	Development proposals	In design overlay zones and value > \$2,297,050	Type III
Northwest Plan District		In design overlay zones and value ≤ \$2,297,050	Type II
South Auditorium Plan District	Development proposals	In design overlay zones	Type II
Albina Plan District			
Hollywood Plan District			
North Interstate Plan District			
St. Johns Plan District			
Overlay Zones			
“a” Alternative Density overlay	Additional density in R3, R2, R1 zone	Using bonus density provisions in 33.405.050	Type III
	Using other provisions in 33.405	Not subject to 33.405.050	Type II
“d” Design overlay	Development proposals	Not identified elsewhere in this table and value > \$2,297,050	Type III
		Not identified elsewhere in this table and value ≤ \$2,297,050	Type II
Base Zones			
All zones	Signs	In design overlay zones	Type II
	Exterior mechanical equipment		
	New or replacement awnings		
C-zones	Planned Development	Using the Planned Development bonus provision described in 33.130.212	Type III
C, E, I, RX, CI zones	Facade alteration	≤ 500 square feet in design overlay zones	Type II
RF—R2.5 zones	Subject to section 33.110.213, Additional Development Standards	Requests to modify standards	Type II
IR zone site with an approved Impact Mitigation Plan (IMP)	Proposals that are identified in IMP	IMP design guidelines are qualitative	Type II
	Proposals that are identified in IMP	IMP design guidelines are objective or quantitative	Type Ix

33.825.035 Factors Reviewed During Design Review.

This section's original intent was to illustrate the aspects of a proposal that may be reviewed when determining whether a project meets the relevant design guidelines. The list is not intended to be an exhaustive list, and most development factors can be considered if they have relevance to the design guidelines, which are the approval criteria for the project.

A new provision is added to clarify that a design review approval cannot be contingent on an applicant reducing or increasing the floor area ratio (FAR) proposed for a project, if the proposed (FAR) is within allowances. The FAR is determined during policy discussions of the base and overlay zones or for plan districts. These legislative decisions set the road map for the intensity of future development and can result in both maximum and minimum floor area requirements. Height maximums are also set during the development of plans, but these height maximums often have greater flexibility to allow a variety of building mass to be constructed within the floor area allowances. So, discussions about the height on individual projects can occur without impacting the overall floor area of the project.

This provision codifies the general implementation practice which avoids limiting floor area as part of the discretionary design review process in most instances. Within the Central City, the review can consider the impact of an unlimited floor area transfer as this can result in an individual project that has a much greater mass than envisioned during the urban form area plan. This is the only type of floor area that can be reduced as part of the review.

The amendment is intended to align with recent changes in the State land use laws that limit a city from reducing the density of housing if the density is an amount allowed through the local regulation. Since Portland is using floor area to regulate both residential and commercial building intensity, the standard is written to regulate floor area. However, this limitation does not allow an applicant to base any requests to adjust or modify development standards on their need to achieve their proposed floor area ratio. Adjustments or modifications to standards should be reviewed independently of their potential effect on the applicant's requested floor area.

33.825.Modifications That Will Better Meet Design Review Requirements

Two amendments are made to this section. The first amendment to the introductory paragraph further clarifies the types of regulations that can be modified versus those that require an adjustment. Other standards that are based upon the intensity of a use (such as a minimum number of parking spaces calculated on the size of the use) are also use-related standards subject to the adjustment criteria instead of a modification.

The second change amends modification approval criteria B. to state that mitigation may be required to address the cumulative impacts, if more than one modification is requested. This is similar to the approval criteria that apply to multiple adjustment requests, but the cumulative impact of the modifications is focused on the specific standards that are being modified.

33.825.035 Factors Reviewed During Design Review.

The review may evaluate the architectural style; structure placement, dimensions, height, and bulk; lot coverage by structures; and exterior alterations of the proposal, including building materials, color, off-street parking areas, open areas, landscaping, and tree preservation.

While the review may evaluate the distribution of massing and placement of structures on the site, the review may not require the applicant to reduce or increase the total floor area proposed for the site except when floor area has been transferred to the site using the floor area within a sector transfer option in the Central City plan district. In this case, the review may require the proposed floor area to be reduced, but not more than the amount that was transferred from within the sector. In addition, the review body is not obligated to approve modifications or adjustments that are requested in order to achieve the proposed floor area.

33.825.040 Modifications That Will Better Meet Design Review Requirements

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. The review body may not consider modifications to standards for which adjustments are prohibited. Modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or other thresholds such as the quantity of parking and loading spaces that are calculated based upon the size or intensity of the concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. Purpose of the standard.** On balance, the proposal, with or without mitigation, will be consistent with the purpose of the standard for which a modification is requested. Proposals with more than one modification will provide mitigation to the extent practical to address the cumulative impacts resulting from modifying more than one standard.

33.825.055 Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

33.825.065 Design Guidelines The amendments in the section accomplish two things. First, they align the purpose of the design guidelines with the revised purpose statements for design review and for the Design overlay zone. Second, they emphasize the Design overlay zone over specific design districts since much more of the city is now assigned the Design overlay zone without it being part of a specific district.

Included in this clarification is a reference in Subsection B that all of the South Auditorium plan district area is subject to the Downtown subdistrict of the *Central City Fundamental Design Guidelines*. This was removed in a previous project.

33.825.065 Design Guidelines

- A. Purpose.** Design guidelines are the approval criteria used to review new development and ~~alterations/modifications~~ to existing development. They ensure that the development builds on the context of the area, contributes to the public realm and promotes quality and long-term resilience within the Design overlay zone~~the conservation and enhancement of the special characteristics of each design district.~~
- B. Design guidelines.** Guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-~~53~~ and ~~420-5~~ through 420-6. Where two of the design districts shown on those maps overlap, both sets of guidelines apply. Projects within the South Auditorium Plan District use the Central City Fundamental Design Guidelines for the Downtown Subdistrict.
- All other areas within the Design ~~o~~Overlay ~~z~~Zone or proposals subject to design review use the CitywideCommunity Design Guidelines.
- TheA district's design guidelines are mandatory approval criteria used in design review procedures. Within design districts, tThe design guidelines may consist of a common set of design guidelines for the whole district and special design guidelines for subdistricts. Where subdistrict guidelines conflict with the district guidelines, the subdistrict guidelines control.
- C. Waiver of design guidelines.** If a design district's design guidelines document includes goals for the design district, the review body may waive one or more of the guidelines as part of the design review of a development procedure in order to meet the goals.

33.825.075 Relationship to Other Regulations

Design review approval by BDS does not imply compliance with the other requirements of the Zoning Code or other City, Regional, State, and Federal agencies.

33.835 Goal, Policy and Regulation Amendments

Background

The changes to this chapter are housekeeping measures, to provide clarification and transparency on the oversight of the Design Commission

33.835.020 Initiating a Text Amendment This clarifies that the design commission can initiate a regulatory amendment for all design guideline criteria, not just for design districts.

33.835.040 Approval Criteria

- D. **Design Guidelines.** This amendment clarifies that design guidelines are developed for all applications of the Design overlay zone, not just for design districts, and that approval criteria to change these guidelines must maintain and enhance the characteristic of the overlay zone or district, depending on the background document for that overlay.

33.835 Goal, Policy, and Regulation Amendments

835

Sections:

- 33.835.010 Purpose
- 33.835.020 Initiating a Text Amendment
- 33.835.030 Procedure
- 33.835.040 Approval Criteria

33.835.010 Purpose

This chapter states the procedures and review criteria necessary to amend the land use goals, policies, and regulations of the City. For the purposes of this chapter, regulation includes all land use standards, guidelines, area plans, or other similar text. For convenience, all of these amendments are referred to as "text amendments".

33.835.020 Initiating a Text Amendment

Text amendments may be initiated by the Planning and Sustainability Director, the Planning and Sustainability Commission, or by the City Council. The Historical Landmarks Commission may initiate amendments concerning historic districts, and the Design Commission may initiate amendments concerning design ~~guidelines~~ districts. Others may make a request to the Planning and Sustainability Commission to consider a text amendment initiation, except for design guidelines. Requests for amendments to design guidelines in historic districts are made to the Historical Landmarks Commission and to the Design Commission for design guideline amendments in ~~either the D~~ design overlay zone districts. Initiations by a review body are made without prejudice towards the final outcome.

33.835.030 Procedure

Text amendments are reviewed through the legislative procedure stated in Chapter 33.740, Legislative Procedure.

33.835.040 Approval Criteria

A-C. [No change.]

- D. **Design guidelines.** Design guidelines for ~~design districts~~ must be found to both maintain and enhance the characteristics ~~which~~ that distinguish the ~~D~~ design overlay zone or design district and be consistent with the reasons for establishing the ~~design overlay zone or design~~ district.

33.854 Planned Development Review

33.854.310 Approval Criteria for Planned Developments in All Zones

A. Urban Design and development framework.

This change removes the reference to the *Community Design Guidelines*, leaving the reference to "applicable" design guidelines. The new design guidelines are in 33.420, and other specific areas have their own applicable design guidelines.

33.854 Planned Development Review

854

33.854.310 Approval Criteria for Planned Developments in All Zones

Criteria A through F apply to proposals for additional height or FAR in the CM2, CM3, CE, and CX zones that are taking advantage of 33.270.100.I. If the Planned Development is not proposing additional height or FAR as allowed by 33.270.100.I, then only criteria E and F apply.

A. Urban design and development framework.

1. The proposed overall scheme and site plan provide a framework for development that meets applicable ~~Community~~ Design Guidelines and will result in development that complements the surrounding area;
2. Scale and massing of the development addresses the context of the area, including historic resources, and provides appropriate scale and massing transitions to the adjacent uses and development specifically at the edges of the Master Plan area;
3. Proposed plazas, parks, or open areas are well located to serve the site and public, and are designed to address safety and comfort of users; and
4. The site plan promotes active ground floor uses on key streets to serve the development and surrounding neighborhood, ~~and~~

33.855 Zoning Map Amendments

Background

The changes to this chapter are additional housekeeping measures, to provide clarification and transparency on the oversight of the Design Commission

33.855.020 Initiating a Zoning Map Amendment The Design Commission does not have more regulatory oversight than other individuals and groups in proposing a map amendment to a Design overlay zone boundary. Originally, the Design overlay was only applied in specific design districts. This is no longer the case, so a special reference to the commission and design districts is out of date. Since quasi-judicial or legislative amendments have their standard procedure for recommendation and approval, there is no need to call out the design commission.

33.855 Zoning Map Amendments

855

Sections:

- 33.855.010 Purpose
- 33.855.020 Initiating a Zoning Map Amendment
- 33.855.030 When a Comprehensive Plan Map Amendment Is Also Required
- 33.855.040 Procedure
- 33.855.050 Approval Criteria for Base Zone Changes
- 33.855.060 Approval Criteria for Other Changes
- 33.855.070 Corrections to the Official Zoning Maps
- 33.855.075 Automatic Map Amendments for Historic Resources
- 33.855.080 Recently Annexed Areas

33.855.010 Purpose

This chapter states the procedures and approval criteria necessary to process an amendment to the base zones, overlay zones, plan districts, and other map symbols of the Official Zoning Maps. The chapter differentiates between amendments which are processed in a quasi-judicial manner and those processed in a legislative manner. A discussion of quasi-judicial and legislative is found in 33.700.070.

33.855.020 Initiating a Zoning Map Amendment

- A. **Quasi-Judicial.** Requests for a zoning map amendment ~~which~~that are quasi-judicial may be initiated by an individual, a representative of the owner, the Planning and Sustainability Commission, or the City Council. The Historical Landmarks Commission may initiate amendments concerning historic districts,~~and the Design Commission may initiate amendments concerning design districts.~~ The Director of BDS may request amendments for initiation by the Planning and Sustainability Commission. Initiations by a review body are made without prejudice towards the outcome.
- B. **Legislative.** Requests for zoning map amendments ~~which~~that are legislative may be initiated by the Planning and Sustainability Commission or the City Council. The Historical Landmarks Commission may initiate amendments concerning historic districts,~~and the Design Commission may initiate amendments concerning design districts.~~ Others may request to the Planning and Sustainability Commission to initiate a legislative zoning map amendment. The Planning and Sustainability Commission will review these amendment requests against adopted initiation criteria. Initiations by a review body are made without prejudice towards the outcome.

[No other changes.]

Section 6: Title 32 – Sign Code Amendments

The following amendments affect Title 32, Signs and Related Regulations. These amendments are to ensure consistency between the zoning code and the sign code.

The section is formatted to show draft code amendments on the right-hand (odd) pages and related commentary on the facing left-hand (even) pages. Generally, code language that is removed is indicated through a strike-through, while new code language is indicated through the use of underlining of the code. In some instances, such as the provision of a new table, the new code may not be underlined to help in clarity of reading. These situations are specifically pointed out.

Only sections of the code that are amended are included in the document.

32.34 Additional Regulations for Specific Uses, Overlay Zones and Plan Districts

32.34.020 Additional Standards in Overlay Zones

- B. Design Overlay Zone.

The Sign Code currently has a set of regulations and references that are related to the Design overlay zone. The changes made in this section are made so that regulations in this section are consistent with the changes made in Title 33.

 - 1. Where these regulations apply. This amendment updates the threshold for signs to match the updates made in 33.420. Specifically, the allowance for signage within the South Auditorium plan district will more closely match the sign exemption for the rest of the city, with the exception of signs placed within 50-feet of the recently created Halprin Open Space Sequence historic district. The lower threshold is intended to match the threshold currently proposed for signage in other historic districts.

**CHAPTER 32.34 - ADDITIONAL
REGULATIONS FOR SPECIFIC USES,
OVERLAY ZONES, AND PLAN DISTRICTS**

Sections:

- 32.34.010 Additional Standards for Specific Uses.
32.34.020 Additional Standards in the Overlay Zones.
32.34.030 Additional Standards in the Plan Districts.

32.34.010 Additional Standards for Specific Uses.

A-C. [No change.]

32.34.020 Additional Standards in Overlay Zones.

(Amended by Ordinance Nos. 176469, 178172, 179092, 185915 and 188959, effective May 24, 2018.) Overlay zones are shown on the Official Zoning Maps.

A. Buffer Overlay Zone

1-2. [No change]

B. Design Overlay Zone

1. Where these regulations apply. The regulations of this subsection apply to exterior signs in excess of 32 square feet within the Design Overlay Zone, and ~~all signs over 3 square feet if they are~~ within 50 feet of the Halprin Open Space Sequence historic district in the South Auditorium plan district. However, signs are not required to go through design review if they meet one of the following standards:

- a. The sign is a portable sign, lawn sign, directional sign or temporary sign; or
- b. The sign is a part of development exempt from design review under Section 33.420.045, Exempt from Design Review.

2. Awnings. Awnings within the Design Overlay Zone are subject to Chapter 33.420. Awnings must also meet the requirements of Chapter 32.52 of this Title.

B. Design Overlay Zone.

3. Regulations. The amendment to this subsection is intended to provide consistent language with the zoning code regulations for the Design overlay zone. The zoning code will no longer use the term Community Design Standards and will be referring to these as "Design Standards". This amendment creates a similar reference for the additional standards that apply in the Design overlay zone.

Note that historic and conservation areas will still refer to the Community Design Standards in the zoning code, so this change is not extended to the Historic Resource overlay zone.

3. Regulations.

- a. Generally. Signs must either meet the ~~Community~~ Design Standards in Subparagraph B.3.c., below or go through Design Review, as described in this paragraph. The ~~Community~~ Design Standards provide an alternative process to design review for some proposals. Where a proposal is eligible to use the ~~Community~~ Design Standards, the applicant may choose to go through the discretionary design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Subparagraph B.3.c., below. If the proposal meets the ~~Community~~ Design Standards, no design review is required. Proposals that are not eligible to use the ~~Community~~ Design Standards, that do not meet the ~~Community~~ Design Standards, or where the applicant prefers more flexibility, must go through the design review process.
- b. When ~~Community~~ Design Standards may be used. See Chapter 33.420, Design Overlay Zone.
- c. ~~Community~~ Design Standards for signs. In the C, E, and I zones, signs must meet the sign regulations of the RX zone. Signs with a sign face area of over 32 square feet may not face an abutting regional trafficway or any Environmental Protection Overlay Zone, Environmental Conservation Overlay Zone, or River Natural Greenway Overlay Zone that is within 1,000 feet of the proposed site.

C. Historic Resource Overlay Zone

1-2. [No change.]

D. Scenic Resource Overlay Zone

1-2. [No change.]

32.34.030 Additional Standards in Plan Districts

G. South Auditorium plan district

2. Standards. This amendment is consistent with the amendments made under the applicability of Design overlay zone. This updates the thresholds of how to apply the Design overlay zone for signs within the South Auditorium plan district. Not all signs within the plan district will be subject to a discretionary design review. The amendment references the zoning code provision in 33.420 where many portions of the plan district will exempt signs under 32 square feet. However, the standards within paragraph #2 will apply whether or not the sign is exempt or goes through design review.

32.34.030 Additional Standards in Plan Districts.

(Amended by Ordinance Nos. 176469, 179092, 182072 and 188959, effective May 24, 2018.) Plan districts are shown on the Official Zoning Maps.

A-F. [No change.]

G. South Auditorium plan district

1. Where these regulations apply. The regulations of this subsection apply to the South Auditorium plan district.

2. Standards.

a. Design review. Unless exempted under Subparagraphs G.2.f. and g., below, all exterior signs are subject to the regulations of, ~~regardless of size, are subject to design review.~~ See Chapter 33.420, Design Overlay Zone.

b-g. [No change.]

H-J. [No change.]

Section 7: Zoning Map Amendments

The following provides an overview of the zoning map amendments proposed amendments affect Title 32, Signs and Related Regulations. These amendments are to ensure consistency between the zoning code and the sign code.

The section is formatted to show draft code amendments on the right-hand (odd) pages and related commentary on the facing left-hand (even) pages. Generally, code language that is removed is indicated through a strike-through, while new code language is indicated through the use of underlining of the code. In some instances, such as the provision of a new table, the new code may not be underlined to help in clarity of reading. These situations are specifically pointed out.

Only sections of the code that are amended are included in the document.

Removal Design Overlay from Single Dwelling Zoned Properties

The update in the regulations for the Design overlay zone has focused on developing guidelines and standards to apply to larger multi-dwelling, mixed use, and commercial developments. In addition, the new Design overlay regulations exempt new development and alterations to development for residential only proposals that involve (3 or 4) units or less.

However, there are several areas of the city that have single-dwelling zones, including R5 and R2.5, that also have the Design overlay zone. Many of these areas were assigned the 'd' overlay as part of an old planning process. At that time, there were no design standards that applied to single-dwelling zones other than basic setback, height and building coverage limits. Since that time, many design oriented standards have been added to the base zones. These standards limit the amount of garage frontage, require additional street-facing windows and provide design standards for taller accessory buildings. Many of these standards were originally part of the Community Design Standards.

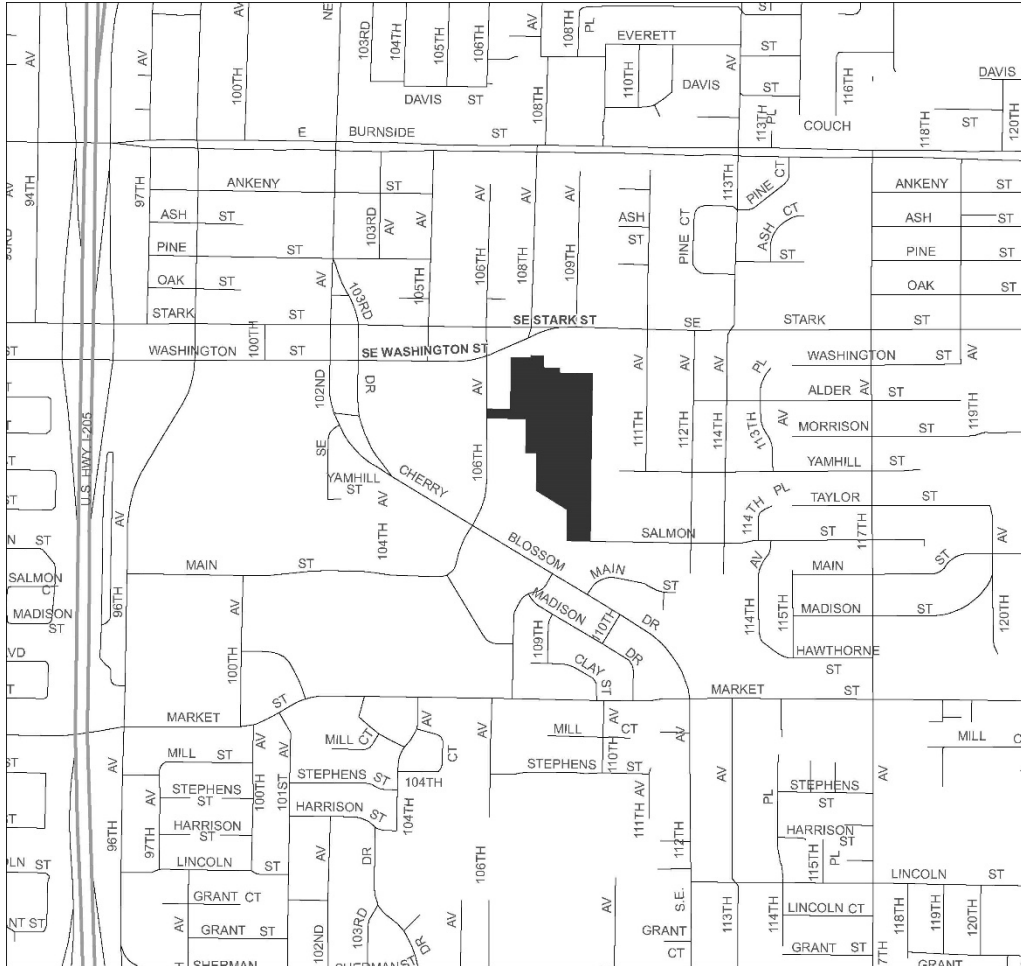
As a result, the DOZA project is removing the mapped 'd' overlay from all single-dwelling zones up to R2.5. The one exception is for the design overlay that is currently part of the Terwilliger Design District. This area was created with a goal of preservation of the landscaping and views along the Terwilliger Parkway. Additional analysis and study needs to take place along this area to determine if the goals of the parkway can be better served through environmental or conservation regulations.

In the interim, the 'd' overlay will continue to apply within this district. However, the base exemption to smaller scale residential will still apply, and all residential development that is not exempt will be able to follow the new design standards. Discretionary Design Review will be implement mostly for non-residential projects, including potential transportation linkages between the OHSU campuses.

Following are five maps showing the areas in the city where the design "d" overlay is being removed.

Gateway Map Changes

The following map shows the changes proposed in the Gateway/East Portland area, which only removes the 'd' zoning from Floyd Light School, which is zoned R5.



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 Geographic Information Systems

Single Dwelling Zone Areas with Design Overlay Removed

- Legend**
- Zone**
- Residential 2,500 (R2.5)
 - Residential 5,000 (R5)
 - City Boundary



The information on this map was derived from City of Portland GIS databases. Care was taken in the creation of this map but it is provided "as is". The City of Portland cannot accept any responsibility for error, omissions or positional accuracy.



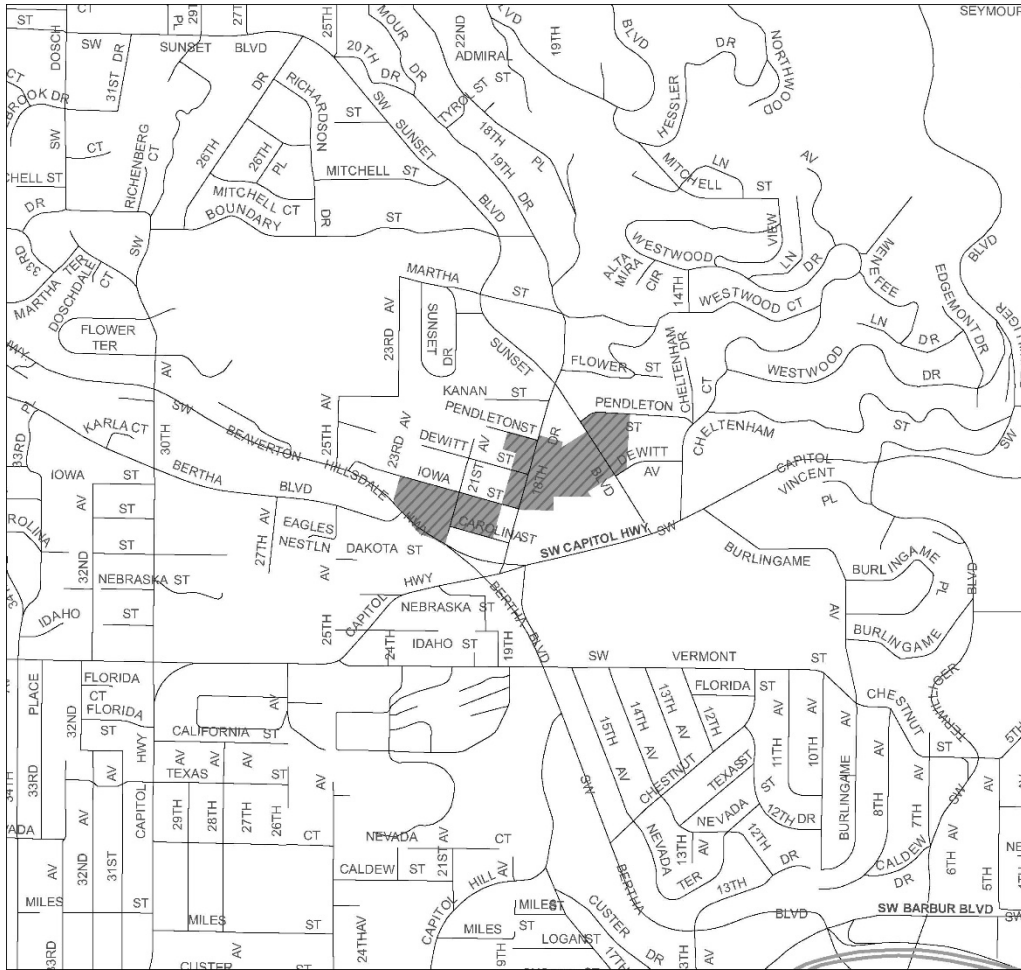
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Hillsdale Map Changes

The following map shows the changes proposed in the Hillsdale area. This removes the 'd' overlay from R2.5 zones that were part of the Hillsdale plan district. The zoning in this plan district was implemented before the city had created any design standards for single dwelling development in these zones.



September 5, 2019

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Geographic Information Systems

Single Dwelling Zone Areas with Design Overlay Removed

Legend

- Zone
- Residential 2,500 (R2.5)
- Residential 5,000 (R5)
- City Boundary



0 500 1,000
Feet

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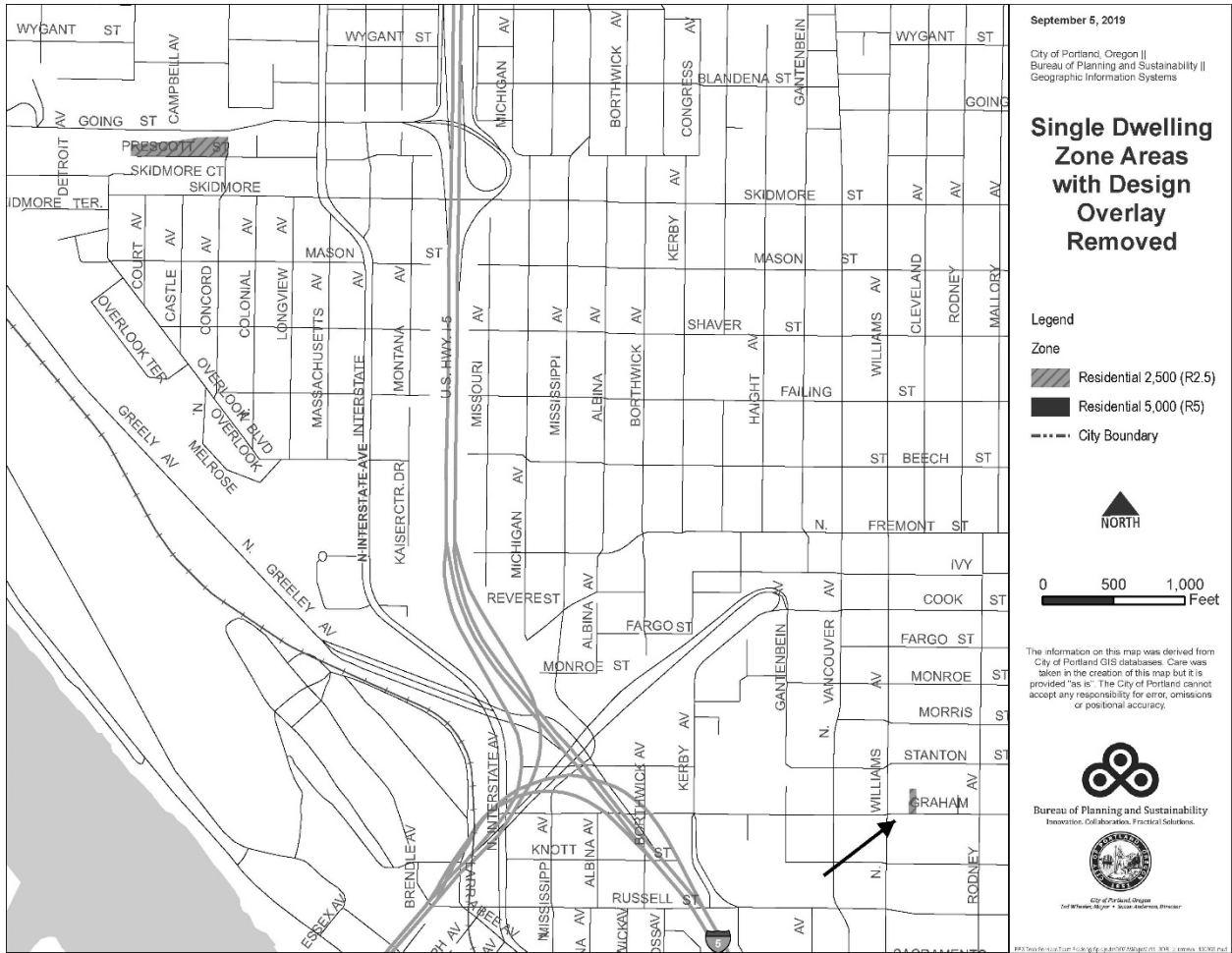
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North Portland Map Changes

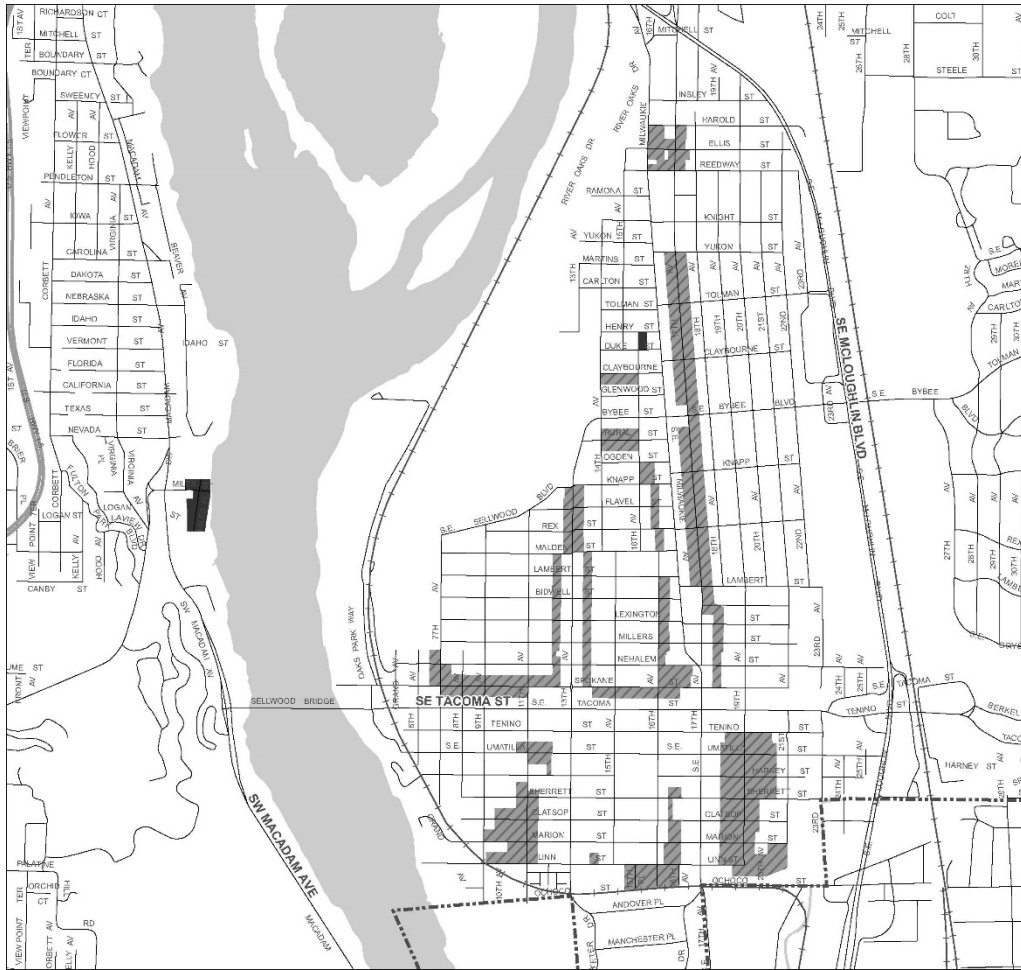
The following map shows the changes proposed in North Portland area. This removes the 'd' overlay from R2.5 zones along a block of North Prescott west of Interstate that are part of the North Interstate plan district. This plan district includes special compatibility standards for all R2.5 zones that borrow from current Community Design Standards. These plan district standards are sufficient and the new design standards are not created to regulate small scale residential.



Sellwood/Westmoreland & Miles Pl Map Changes




The following map shows the changes proposed in the Sellwood/Westmoreland area. This removes the 'd' overlay from R2.5 zones that were part of the Sellwood/Westmoreland neighborhood plan. The zoning resulting from this plan was implemented before the city had created any design standards for single dwelling development in these zones.

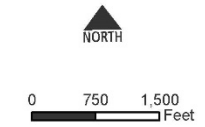
There is also an R5 area on the west side of the Willamette south of Willamette Park known as Miles Place. This area is an eclectic area that originally consisted of houseboats but is now more permanent homes. The area has several other issues that affect development including greenway overlay zones and flood plain and is part of the Macadam plan district. The overlay created as part of this district pre-dates any single dwelling design standards that are now in the base zone. The new design standards were not created to further regulate small scale residential development.



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Single Dwelling Zone Areas with Design Overlay Removed

- Legend**
- Zone**
 -  Residential 2,500 (R2.5)
 -  Residential 5,000 (R5)
 -  City Boundary



The information on this map was derived from City of Portland GIS databases. Care was taken in the creation of this map but it is provided "as is". The City of Portland cannot accept any responsibility for error, omissions or positional accuracy.



Southeast Portland (outside of Sellwood/Westmoreland) Map Changes

The following map shows the changes proposed in Southeast Portland area, not in the Sellwood area shown above. This removes the 'd' overlay from one R2.5 zoned property on SE Caruthers west of SE 37th. All the remaining R2.5 lots along SE Caruthers do not have the 'd' overlay. The new design standards are not created to regulate small scale residential.

