



City of Portland

Design Commission

1900 SW Fourth Ave., Suite 5000
Portland, Oregon 97201
Telephone: (503) 823-7300
TDD: (503) 823-6868
FAX: (503) 823-5630
www.portlandonline.com/bds

Date: November 15, 2019
To: Portland Planning & Sustainability Commission
From: Portland Design Commission
Re: DOZA Proposed Draft

Thank you for the opportunity to share our thoughts on the proposed code and map amendments to Title 33 that may result from the DOZA proposals. We greatly appreciate the recent opportunities to join the PSC in the hearings room for a briefing on October 8th and public testimony on October 22nd.

The organization of our comments follows the “Summary of Proposals” outlined on page 4 of the Staff Report – Volume 1. Where appropriate, section citations and page numbers are provided, all are Volume 2 unless otherwise noted. Critically important items are emphasized with **bold** font.

PURPOSE

1. Purpose (33.825.010, Page 129) - This robust and much improved purpose statement was crafted immediately following the conclusion of the DOZA assessment and is an accurate representation of the goals of the design review process. Context, public realm, and quality & resilience—the three tenets of design—are the foundation of the design review process and are a tool used by staff and commission to focus conversation with applicants and the community. These three tenets also uphold several of our new Comprehensive Plan goals. Their importance would be further emphasized if “the three tenets of design” were called out as such. **For the reasons stated above, the revised purpose is strong, clear and accessible.**

MAP

2. Zoning Map Amendments (Page 157) - The removal of the “d” overlay from single-dwelling zones is sensible.
3. Low-rise Commercial Storefront Study (Vol 1 Page 45) - Five east Portland neighborhoods rich in small-scale commercial development are not in the “d” overlay, even though they are characteristically similar to many close-in east side neighborhoods that do have the “d” designation. The need for a commercial storefront study is identified but not tied to a timeline or current BPS work plan. **Design Commission recommends prioritizing this work. These neighborhoods are likely to experience the type of growth already seen along SE Division and the Vancouver/Williams corridor and a community planning effort may diffuse tensions between past, present and future.**

THRESHOLDS

4. Items Exempt From Design Review and Design Standards - 33.420.045 (Pages 17-21)
 - Blanket exemption for 200 SF (N.6) - 200 SF is generous and where it happens could be detrimental, like along the sidewalk. This would be acceptable if not at the public realm. We need

to protect the public realm as it is one of the tenets. **Consider the 200 SF exemption for non-street facing, non-plaza facing elevations.**

5. Design Standards - 33.420.050 (Page 31)
 - 40,000 square feet threshold for commercial (Table 420-1) - **Allowing buildings up to 40,000 SF to use standards could have significant impacts on context and contrary to the goals of the “d” expansion.**
 - Gateway thresholds (Section B.2) - Allowing Gateway to use standards is sensible.
 - 55 feet in height (Section B.3) - 55’ height limit for the standards track is right so long as the standards are improved to result in a comparable outcome as guidelines. **Maintaining this threshold ensures buildings taller than 55’, which have a greater impact on growing communities, are reviewed with adequate community participation and discussion.**
6. Procedure Type for Design Review Proposals (Table 825-1, Page 133)
 - Type III for alteration in Central City Plan District - **The threshold for alterations in Central City is too low.** City Council is not the correct appeal body for this type of building renovation work.
 - Review options for Affordable Housing projects (Footnote 2) - **The option for a Type 2 Design Review without a Design Advice Request for affordable housing projects is inequitable and unacceptable. People who live in housing built or renovated with public dollars should live in buildings that are compatible *in all ways* with neighboring buildings. Anything less risks stigmatizing households of lesser economic means, encourages NIMBYism, and lessens opportunity for everyone to participate in a public process. Furthermore, City Council is the right appeal body for large scale projects.**

PROCESS

7. BDS Administrative Improvements (Appendix A) - **The many administrative improvements made since the DOZA assessment (detailed in the appendix) have been received well and are supported by Design Commission, staff, and applicants.**
8. Design Advice Requests (33.730.050.B, Page 125) - Limiting the focus of Design Advice Requests DARs and allowing applicants to choose how many they need is encouraged and supported. **Support for removing the limit of 1 DAR.**
9. Factors Reviewed During Design Review (33.825.035, Page 139) - **It is sensible to guarantee allowed FAR to a project because that is economically driven. It is also very sensible to not include setbacks and heights because they are the cornerstone to how one approaches designing a responsive building on a site. By not including height and setbacks, we aren’t saying developers cannot build to those allowances, we are saying it is important to think about where those heights and setbacks occur on a site when relating to so many important factors like natural features, a public open space, private open space, the public realm, etc. Height and setbacks are, and should stay, malleable so that the allowed FAR can fit on the site in a thoughtful way – they are critical to the site design discussions that the ‘d’ overlay demands of us. We are supportive of the proposed FAR transfer area language.**

TOOLS - STANDARDS

10. General
 - **Strong standards are the backbone of Portland’s “d” overlay. The objective review track should deliver a result that is comparable to that of the discretionary review track.**
 - The work done to align the standards with the three tenets is good.
 - The standards that address sustainability are supported.

- **The standards need to be recalibrated to ensure the right points for each and the right things are required rather than optional.**
- Format should be consistent. Each standard should lead with a qualifying (explanatory) statement, define the performance threshold, and identify optional buy-ups. This could greatly streamline the number of standards.

11. Context

- **Character statements are necessary and should be fast-tracked.**
- C1 (Corner Features on a Building) - Important design standard, but the bar is too low:
 - 25' long wall is short and 15'x'15 plaza is small. Consider minimum areas. The plaza option needs to have adjacent active building uses with glazing to be successful.
 - Most projects will likely do the corner height option since it is low cost and easy to attain. However, it contributes far less to the public realm than the other options.
 - Increase the glazing at the corner.
 - Remove sign option because this does not do much for context.
- C2 (Building Façade on Local Service Streets) - Good goal but should be required with options of different ways to break up of the façade. Also, needs a qualifying façade area to align with intent. Could have unintended consequences if applied to small facades.
- C4 (Grouping of Trees) - Are the dimensions noted appropriate? Reduce to 1 point.
- (C5) Native Landscaping - Require or delete. Too easy because most projects already do this.
- C6 (Trees in Setbacks along Civic Corridors) - Good ideas that would be better with a number of trees based on site frontage (1 per x' feet of frontage).
- **C7 through C10 - We agree with the Historic Landmarks Commission's comments on these standards related to preserving and adding onto buildings over 50 years old and building next to a landmark, as identified in items 8-11 in their memo to the PSC dated 11/15/19.**
- C12 (Public View of Natural Features) - Apply only to features that are readily visible as seeps are not readily visible.

12. Public Realm

- Where measurements are used, they should have the words "at least" inserted before the dimension.
- PR1 and PR2 (Ground Floor Height) – **The ground floor heights are not achieving parity with the guidelines. P2 should be required in certain places like the "m" overlay. Allow for residential ground floor height of at least 15' for 1 additional point.**
- PR3 (Ground Floor Commercial Space) - **Should apply to sites outside the "m" overlay where no active use standards exist.**
- PR4 (Affordable Ground Floor Commercial Space) - Supportive of this good idea.
- PR5 (Oversized Street-Facing Openings) - Too many points for something easily changeable and that is already done anyway. 1 point is more appropriate.
- PR6 (Louvers and Vents) - Consider aligning with the 8' height exemption. For the ones within 2' above the sidewalk the quality of the material matters when adjacent to the sidewalk versus when adjacent to landscaping.

- PR9 (Residential Entrance) - **The most successful condition at a ground level residential entry is when 3 of the elements are incorporated, not just 2. Should add “no bedroom windows at ground floor” as an option. More points should be given in general.**
- PR10 (Separation of Dwelling Unit Entry from Vehicle Areas) - Pay particular attention to the outcomes to ensure there is a comfortable relationship between busy parking areas and residential units.
- PR13 (Pedestrian Access Plaza) – **A deep covered plaza will be a dark and uninviting. For the amount of points, it should be open to the sky.**
- PR14 (Weather Protection Minimum Requirements) - **Should not allow awnings over landscaping or other non-walkable surfaces. Consider distinguishing awning requirements for commercial versus residential at the ground floor.**
- PR15 (Weather Protection at Main Entrance) - **To align with the guidelines and public realm tenet, there should be an awning over every building entry.**
- PR16 (Weather Protection Along a Transit Street) - **To align with the guidelines and public realm tenet, the minimum coverage should be increased to 30%.**
- PR19 (Pervious Paving Materials) - Consider increasing the points to 3.
- PR21 (Parking Areas) - It's a basic economic decision and gaining a point or 2 will not drive a different outcome.
- PR23 (Alternative Shading of Vehicle Areas) - Consider adding an option for solar voltaic structures.
- PR24 (Original Art Mural) - 32 square feet is way too small. Recommend deleting it.
- PR25 (City Approved Art Installation) - Need to verify with RACC that they have the bandwidth to administer.

13. Quality & Resilience

- QR2 (Vertical Clearance to Pedestrian Circulation System) – **9' is too low for balconies, bays and skybridges over walkways and conflicts with canopies and awnings.**
- QR5 (On-Site Outdoor Common Area) - Is 600 and 800 square feet adequate?
- QR6 (Indoor Common Room) - Needs to be along the public realm to receive 2 points.
- QR16 (Exterior Finish Materials) - **For coherency and quality, the 80% of the cladding should be 3 approved materials and the 20% should be limited to 1 non-approved material. Should strike “per façade” to ensure design coherency of a building. Recommend a term better than “visually match” to ensure the make-up of the materials match.**
- QR 17 (Exterior Finish Materials) – **The number of materials should not be limited per façade, but per building to ensure coherency. The word “per façade” should be deleted.**
- QR18 (Building Materials Application to Side Walls of Building) - 10' is an awkward dimension for a material to return on a side wall. Typically, returns are smaller (like on zero lot line or older buildings) or align with a change in plane or fenestration. Should instead make this required with a return of 2'. Add an option for the entire wall (1 to 2 points).
- QR19 (Environmental Assessment of Building Materials) - Only requires an assessment to be submitted, not for material to be used, and does not require a favorable assessment of the material. Please implement performance standards.
- QR22 (Ecoroof) - An expensive feature that is worth more than 2 points.
- QR23 (Solar Energy System) - An expensive feature that is worth more than 2 points.

- QR24 (Reflective Roof Surface) - An expensive feature that is worth more than 1 point.
- Table 420-3 (Building Materials):
 - **It's a rational approach to address appropriate materials, but its problematic in a static document like a zoning code due to rapid advances in building material technology. Approved materials should be in an Administrative Rule so it can be updated annually following discussion with stakeholders.**
 - For wood, we encourage referencing the industry standard for thickness to ensure it does not easily warp or degrade.
 - For metal panels we will share thoughts with you at your upcoming work session on ways to improve this language.
 - For concrete, an architectural finish is recommended to ensure a quality and long-lasting surface.

This letter addresses some, but not nearly all, of the code amendments wholeheartedly supported by Design Commission. Overall, we believe DOZA has strengthened the design review process and reconfirmed it as an important element of planned growth. Sandra Wood, Lora Lillard, and Phil Nameny have brought intelligent, rational, and balanced thought to the DOZA project and their work will be of long-standing benefit to Portland.

Please reach out with questions—we know many members of the PSC have joined recently and may not be familiar with Design Commission's duties and responsibilities. We would be glad to schedule a focused workshop to discuss the design review process and the importance of strong guidelines and standards, or have any and all members of the PSC join us for a hearing date.

Finally, thank you for the hard work you do in service to our city.

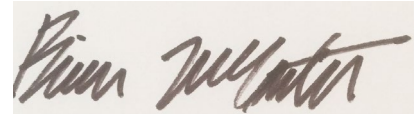
Sincerely, the Portland Design Commission,



Julie Livingston, Chair



Sam Rodriguez, Vice Chair



Brian McCarter



Jessica Molinar



Chandra Robinson



Zari Santner



Don Vallaster

cc: Bureau of Planning and Sustainability
Bureau of Development Services