



Portland Planning and Sustainability Commission

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October 6, 2020

Mayor Wheeler and City Commissioners
City Hall
1220 SW 4th Avenue
Portland, Oregon 97205

The Planning and Sustainability Commission (PSC) is pleased to forward our recommendation for the Design Overlay Zone Amendments, or DOZA, for short. DOZA updates the City's zoning regulations as they apply to the Design overlay zone. These updates amend both the application of the Design overlay zone and the tools used to review projects within the overlay. The nine members of the PSC voted unanimously to forward the *DOZA Recommended Draft* to City Council.

The DOZA project has been a multi-year project that began with a consultant assessment in 2016-2017. Many of these code amendments were the result of recommendations from the assessment. DOZA is unique to other zoning code projects in that it includes recommendations from two bodies. The PSC is the recommending body on the zoning code and map amendments; the Design Commission is the recommending body for changes to the Citywide Design Guidelines.

Over the past year, we have worked closely with members of the Design Commission to ensure a coherent project and to avoid conflicts between our regulatory recommendations and those for the new guidelines. This coordination included holding joint briefings and hearings last October and the development of a cross-commission working group, known as the "3x3", which met several times during 2019 and 2020. We are grateful for the expertise provided by the Design Commission during our deliberations.

Our primary goal for this project is to revise the design review program to better support high-quality design in development projects through a process that is efficient and effective. In doing so, we balanced the policies of the 2035 Comprehensive Plan calling to respond and enhance an area's context, public realm and resilience, with the need for a clear and predictable system.

To achieve these objectives, DOZA rewrites the paradigm for the Design overlay zone by:

- **Creating a new Purpose Statement** focusing on a city for people through the three design tenants: context, public realm, and quality and resilience. It also expands the objectives of the Design overlay zone to include more equity and sustainability-focused tools.



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- **Creating new objective design standards** to improve the development of buildings and sites while providing flexibility through a point-based system. This will allow developers to emphasize certain site features, whether it is sustainable buildings, resident livability or an active public realm. These standards bring greater design parity between projects that meet the objective design standards and those that meet the design guidelines through discretionary design review. This parity is a major reason why we recommend **allowing taller buildings, as well some projects within the Gateway regional center, to have the option to meet the objective standards** as part of the building permit process.
- **Not applying the Design overlay zone to four or fewer units.** We recognize the Design overlay zone tools add value to commercial and mixed-use developments, whereas the current base zone requirements provide adequate design requirements for houses and small-scale residential development. For this reason, we have recommended that the 'd' overlay not apply to four or fewer units.

Other changes that impact the Design review process include the following:

- **Creating a simpler set of Design review thresholds** that base the type of review on the size and height of the building rather than on construction costs,
- **Clarifying the role and process for the Design Advice Request (DAR)**, which is an optional conversation held with the Design Commission, and
- **Clarifying that certain development standards, such as allowed height and floor area, are determined during the legislative planning projects** and not subject to required reductions to gain project approval through the Design review process.
- **Amending the composition of the Design Commission** to include experts in sustainable building practices and natural resources as well as requiring the public-at-large member to not be associated with the development industry. We understand that good design is no longer solely about a building's materials and architecture, but also its resiliency over time and its role within the environment, both social and physical. This amendment ensures that the Design Commission is well positioned to incorporate these disciplines.

While the PSC voted unanimously 9-0 to forward this recommendation, there was a recognition of issues and concerns that warrant continued consideration. Since the new set of design guidelines and standards are intended to apply citywide, we will need to consider expanding these to better address the individual character of unique areas of the city. This will likely require developing character statements within the guidelines as well as additional standards that provide parity with those statements.

In addition, many of the regulations added through DOZA are new, such as the menu approach and point system for the objective design standards. These methods and approaches should be monitored to verify that they are achieving the objectives set out by this project. This monitoring could help determine if the objective standards can be expanded into areas that currently don't allow this option. Finally, as should be required of all new regulations, the impact of the DOZA project on housing availability and affordability in the future should be monitored.



However, these issues do not reduce the positive impact that the DOZA project makes to the current state of the Design overlay zone and the tools used. We are confident that this packet will result in both better design and resilient development, while providing greater flexibility for developers.

For this reason, we recommend that the City Council:

- Adopt the Ordinance for DOZA.
- Adopt the DOZA *Recommended Draft* Volumes 1, 2 & 4.
- Amend the Zoning Code as shown in DOZA *Recommended Draft: Volume 2*.
- Amend the Zoning Maps as shown in DOZA *Recommended Draft: Volume 2*.

Sincerely,



Eli Spevak
Chair

