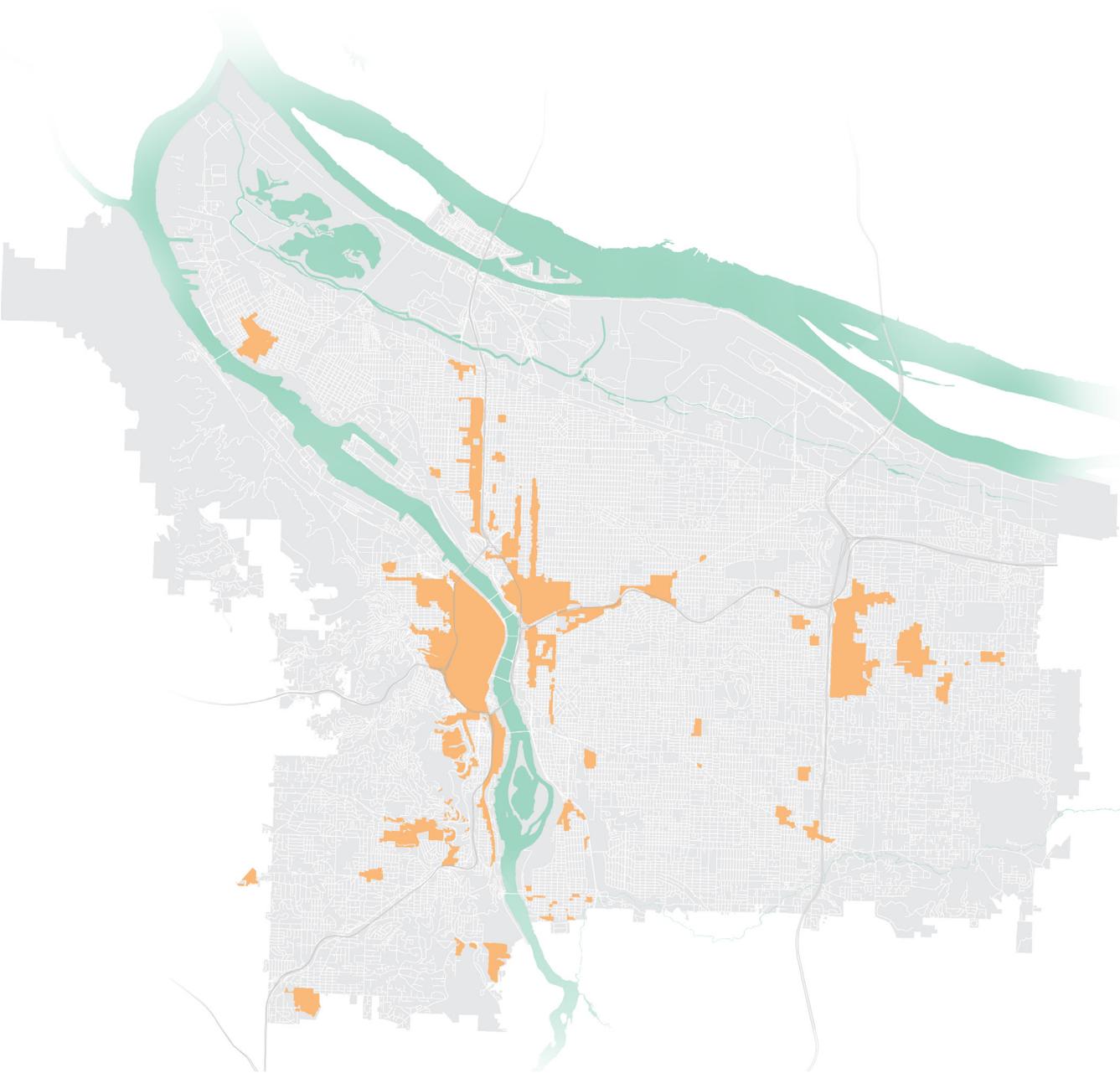


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# DESIGN OVERLAY ZONE ASSESSMENT (DOZA)

Volume I: Final Report | April 2017



Prepared for:  
BUREAU OF PLANNING AND SUSTAINABILITY  
BUREAU OF DEVELOPMENT SERVICES

Prepared by:  
**WALKER | MACY**

ANGELO PLANNING GROUP  
LELAND CONSULTING GROUP  
PYATOK

## ACKNOWLEDGEMENTS

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In collaboration with the

**Design Overlay Zone Assessment (DOZA) Project Team:**

### **Bureau of Planning and Sustainability**

Sandra Wood | Supervising Planner, Code Development Team

Lora Lillard | Project Manager

Phil Nameny | City Planner II

Love Jonson | Community Service Aide II

### **Bureau of Development Services**

Kara Fioravanti | Supervising Planner, Design and Historic Review

Staci Monroe | Senior Planner, Design and Historic Review

Jean Hester | Senior Planner, Pre-Application & Early Assistance Coordinator

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# EXECUTIVE SUMMARY

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## BACKGROUND

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Portland has received national and international acclaim for supporting a high-quality built environment through planning and urban design. In part, this is due to its long-standing tradition of design review. Thoughtful application of design guidelines, standards, and review processes has created a central city renowned for its public realm and pedestrian-friendly environment.

Portland is predicted to grow by an additional 123,000 households by 2035, and the concordant boom in development must serve the needs of an increasingly diverse population. As the City applies the design overlay tool to new areas of the city and continues to ensure high-quality design during this period of unprecedented growth, some questions arise:

- How can design review evolve to better respond to the changing development environment?
- What improvements could be made to both the processes and tools to allow for the greatest benefit and least burden to all stakeholders?

This time of dramatic change presents an opportunity to reflect on the successes of design review and contemplate how it can better serve Portlanders into the future. The Design Overlay Zone Assessment (DOZA) was initiated by the Bureaus of Planning and Sustainability and Development Services to examine these questions.

The City retained a consultant team, headed by Walker Macy, to produce a third-party assessment and a set of recommendations to improve the system. City staff provided the consultant team with a research and background information about the development in the design overlay. The consultant team examined peer cities, interviewed people and organizations, and looked at projects that have been built. As a result of that analysis, a set of findings was generated and an initial set of recommendations were made. The final recommendations, contained in this report, were informed by this work and by feedback from with the Design Commission, the Planning and Sustainability Commission and the public, including the AIA Urban Design Panel.

The design overlay has been, and continues to be, a good technique for integrating the public realm and private development, but it has experienced some organizational drift. It will be useful to refocus this process on urban design outcomes using relevant guidelines drawn from explicit and well-vetted urban design thinking. This should provide applicants, designers, staff, and Commissioners the support and guidance they need.

## GOALS OF RECOMMENDATIONS

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We believe that these recommendations, if adopted and implemented, will greatly improve the method of applying design review, with enhanced transparency, accountability, and management. The city has benefitted from decades of a thoughtful review of development. A valued and useful regulatory system can be made better through a number of steps, some relatively simply to administer, others requiring more depth.

The following goals have informed various recommendations:

- **Support high quality design in development projects through a process that is efficient and effective.**
- **Ensure that applicants and the public have access to the process and understand appropriate times and methods to be engaged with it.**
- **Balance the need to consider context with the need for a clear and predictable system.**

Recommendations are divided into two categories – Process and Tools. They are listed in the following pages.

## PROCESS RECOMMENDATIONS

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### PRIORITY

**1 Adjust the thresholds for design review to provide a high level of review for larger projects in d-overlay districts but lessen the level of review for smaller projects.**

- a. Restructure the thresholds based on two geographies: 1) Central City and 2) Neighborhoods: Inner, Western and Eastern – including Gateway.
- b. Modify thresholds for design review to reflect a tiered approach based on the magnitude of change.

**2 Improve the review processes with a charter, better management of meetings and training for both the Design Commission and staff.**

### PRIORITY

a. Adopt a new charter for the Design Commission.

### PRIORITY

- b. Manage Commission meetings more effectively.
- c. Provide training for staff.
- d. Convene regular Design Commission retreats.

**3 Align the City's review process with the design process.**

### PRIORITY

a. Organize the City's review process to correspond to a project's typical design process.

### PRIORITY

- b. Focus deliberations.
- c. Require DARs for Type III reviews for larger projects in the Central City.
- d. Expect a collaborative attitude from all participants.

**4 Better communicate the role of urban design and the d-overlay tool.**

### PRIORITY

- a. Improve public information and education.
- b. Hold applicant orientation “primers” on a regular basis.

**5 Improve the public involvement system.**

### PRIORITY

- a. Post large signs noting impending reviews.
- b. Increase mailed notices for Type II and Type III reviews.
- c. Require applicants to document community input.
- d. Ensure inclusivity in decision-making process.

**6 Monitor and evaluate these amendments.**

- a. Document where changes are occurring and what the impacts are. The analysis should be evaluated by BPS, BDS, Design Commission, and Planning and Sustainability Commission.
- b. Formalize the annual reporting in Design Commission's “State of Design.”

**7 Consider establishing more than one Design Commission following a period of evaluation.**

## TOOLS RECOMMENDATIONS

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### PRIORITY

- 1 General | **Clarify and revise the purpose and scope of the d-overlay.**
  - a. Revise the purpose statement for d-overlay to reflect current thinking.
  - b. Simplify d-overlay terminology.
  - c. Clarify the scope of design review.
- 2 General | **Sync the standards and guidelines.**
  - a. Use a parallel structure for standards and guidelines.
  - b. Combine the standards and guidelines into one document.
  - c. Create a consistent format.
  - d. Separate out historic review criteria.

### PRIORITY

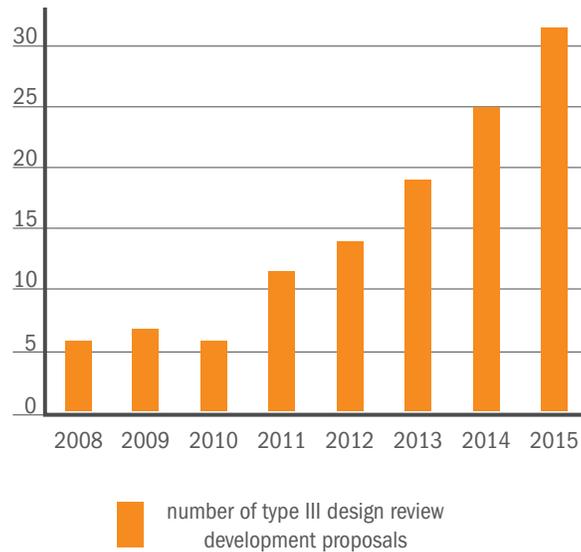
- 3 General | **Use the three tenets of design to simplify, consolidate, and revise the Standards and Guidelines.**
  - a. Respond to context.
  - b. Elevate the public realm.
  - c. Expand “quality and permanence.”
- 4 General | **Broaden “base/middle/top” to encompass other design approaches.**
- 5 General | **Recognize the unique role of civic buildings in urban design.**

### PRIORITY

- 6 Community Design Standards | **Ensure that the CDS add value to recently adopted base zoning codes.**

### PRIORITY

- 7 Community Design Standards | **Provide for optional ways of meeting standards.**
- 8 Community Design Standards | **Craft appropriate standards for the Gateway area.**
- 9 Community Design Standards | **In recrafting the Community Design Guidelines, recognize the changing nature of the city.**
- 10 Central City Fundamental Design Guidelines | **Collate special district design guidelines into one citywide set.**
- 11 Central City Fundamental Design Guidelines | **Revisit and simplify some of the guidelines.**
- 12 Central City Fundamental Design Guidelines | **Collate the subdistrict guidelines into the Central City Fundamental Design Guidelines.**



*“As one can imagine, the economy has had a clear and direct impact on the volume and type of projects we review. While we were still in a deep recession and building slump at the start of this decade, over the last two years, the number of applications for design review has increased at a steady pace, reportedly eclipsing the volume seen in the mid-2000s. [...] We have returned to the era of 6+ hour bi-monthly hearings, and have been adding additional hearings to our calendar to help move projects through the review pipeline.”*

– 2014 State of the City Design Report, Design Commission

# 1. BACKGROUND

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## PURPOSE

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In recent years, the City of Portland has entered the national and international spotlight as a city on the forefront of planning, urban design, and creating a resilient, high-quality built environment. Portland's long tradition of design review has had no small part in this—the quality of the public realm and pedestrian environment in the central city is, by and large, a product of many years of applying thoughtful design guidelines, standards, and review processes. There is no question that design review has had a central role in guiding the context-sensitive, high-quality development that Portland is renowned for today.

Cities across the nation are experiencing unprecedented growth, both in terms of population and new construction, and the city of Portland is not exempt from this trend; Portlanders saw an estimated 8.3 percent increase in their city's population between 2010 and 2015,<sup>1</sup> with an estimated addition of nearly 13,000 people in the last year alone.<sup>2</sup> With this population growth has come the largest development boom in this medium-sized city's history. As the city continues to experience growing pains, the question becomes: how can design review evolve to better respond to the changing development environment? Further, if design review is to expand to more areas to meet the uptick in development, what improvements could be made to the processes and tools of the design review system to allow for the highest benefit and least burden for all stakeholders?

This time of dramatic change presents an opportunity to reflect on the successes of design review and contemplate how it can better serve Portlanders into the future. The Design Overlay Zone Assessment (DOZA) was initiated to examine these questions.

1. Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015. Source: U.S. Census Bureau, Population Division  
2. Source: U.S. Census Bureau, 2014 American Community Survey 1-Year Estimates

## INTRODUCTION TO DESIGN OVERLAY ZONES\*



Figure 1.1 Basic Structure of Portland Zoning

### What is the design overlay zone?

To understand the design overlay zone, it is helpful to take a step back and visualize where it sits in the structure of Portland's Zoning Code. All sites in the city have a **base zone**. A base zone sets parameters about allowed uses and limits on building height and buildable floor area, among other provisions. Commercial, single-dwelling residential, and industrial are broad categories of Portland's base zones, for example. In addition to a base zone, some sites are subject to overlay zones and plan districts. **Plan districts** consist of regulations that have been tailored to a specific area of the City, such as the Central City, Hollywood/Sandy or St. Johns. **Overlay zones** consist of regulations that address **specific subjects that may be applicable in a variety of areas** in the City. Examples include the environmental overlay, historic resource protection overlay, and the **design overlay zone**. Both overlay zones and plan districts are applied in conjunction with a base zone, and they modify the regulations of the base zone.

The current purpose of the design overlay zone is the following:

- 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.

The purpose statement has evolved over the last few decades from a tool that focuses on preservation and compatibility toward a tool that supports and anticipates areas of high growth. In the 2000s, the second sentence – “promotes quality high-density development adjacent to transit facilities” – was added with the Gateway Plan to acknowledge its “transition from a low-density, automobile-oriented area to a high density, pedestrian-oriented community.”

More recently, this logic of applying the design overlay zone to areas of growth and transition resulted in the expansion of the d-overlay into Portland's centers and corridors as part of the Bureau of Planning and Sustainability's Mixed Use Zones Project.

### Where is design overlay applied?

The map below (Figure 1.3) shows both the current and proposed d-overlay zones in Portland along with the Comprehensive Plan's identified centers. Portland's Central City is the largest circle. The red area on the map shows that the design overlay zone covers the entire center except for industrially zoned sites. The second-largest circle is Portland's designated regional center: Gateway Plan District. Both the Central City and Gateway are required to use a discretionary design review process, discussed below.

Town Centers are also circled. Expansion of the design overlay zone, shown as hatched areas, was proposed as an acknowledgement that many of Portland's town centers and corridors were not covered by design overlay. Because the city's growth strategy is to grow by 80 percent within its centers and corridors, these areas are "expected to see the greatest amount of development and change, and warrant additional design oversight." (BPS Mixed Use Zones Project) In addition to centers, inner corridors were included within the expansion.

To illustrate how much of the city's mixed use zones are covered by design overlay zones, the pie chart in Figure 1.2 shows the mixed-use areas outside of the Central City and Gateway. It shows the proportions of acreage currently within d-overlay, within the proposed expansion of the d-overlay, and acreage not affected by d-overlay.

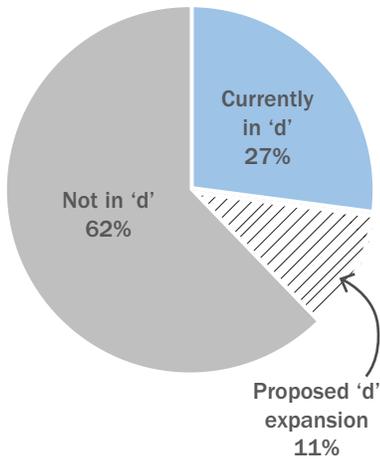


Figure 1.2 Portland's Mixed Use Zones, outside of the Central City and Gateway (proportions of acreage by 'd' overlay)

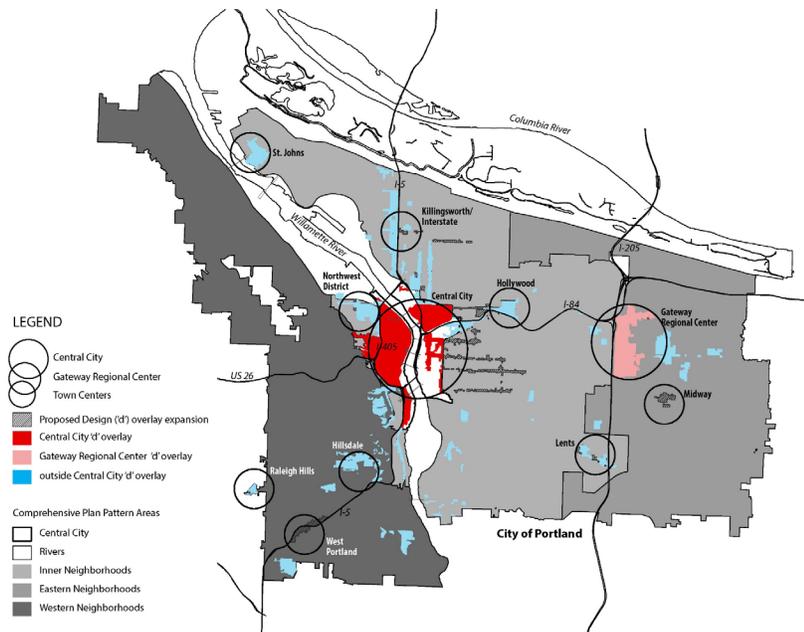


Figure 1.3 Design Overlay Zones Map

## Design Overlay Process

Oregon state law requires a clear and objective track if a project provides needed housing within design overlay zones outside of designated regional centers. For the city of Portland, this results in a two-track system for the areas outside of the Central City and Gateway – one track is discretionary and the other track is non-discretionary, or clear and objective. Projects outside of the Central City and Gateway may choose to go through a discretionary process if they do not wish to meet or if they do not meet the clear and objective standards.

The discretionary review may require a Type III Land Use review, which results in a hearing with the Design Commission if certain thresholds are met, usually based on valuation of the project and geographic area. Most of the Type III design reviews occur in the Central City. In other cases, mostly for smaller projects, the discretionary review is a Type II Land Use review, where the review body is staff assigned to the project. Discretionary review uses design guidelines.

The clear and objective track uses the Community Design Standards found in Portland’s Zoning Code. The process is conducted as part of a residential or commercial building permit.

The table below gives a quick breakdown of the differences:

DISCRETIONARY	CLEAR AND OBJECTIVE
<ul style="list-style-type: none"> <li>• Subjective; requires judgement; flexibility.</li> <li>• Land Use Review</li> </ul>	<ul style="list-style-type: none"> <li>• Objective; does not require judgement; limits flexibility</li> <li>• Building permit</li> </ul>
<ul style="list-style-type: none"> <li>• Design Guidelines</li> <li>• Public comment and potential Hearing with Design Commission</li> </ul>	<ul style="list-style-type: none"> <li>• Design standards in code</li> <li>• Limited public involvement</li> </ul>
<ul style="list-style-type: none"> <li>• Required in Central City and Gateway</li> </ul>	<ul style="list-style-type: none"> <li>• Potential option everywhere else</li> </ul>

Figure 1.4 Discretionary vs. Clear and Objective Track

## Design Overlay Tools

### Design Guidelines

The **discretionary** design review track uses **design guidelines**, which are documents separate from the Zoning Code. Design guidelines are qualitative approval criteria that state broader concepts than the development standards found in the Zoning Code because they are meant to provide more flexibility in how they are met. During the design review process, the review body, whether it is staff (Type II Land Use Review) or Design Commission (Type III Land Use Review), must find that the proposal meets each of the applicable design guidelines.

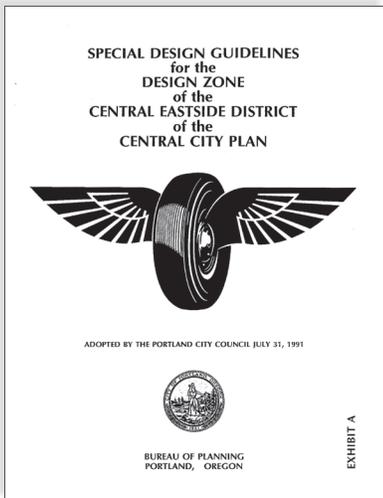
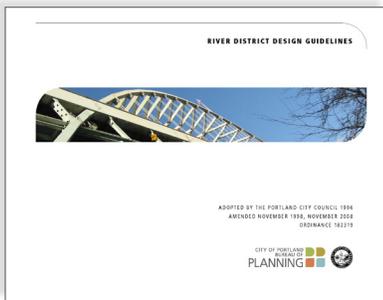
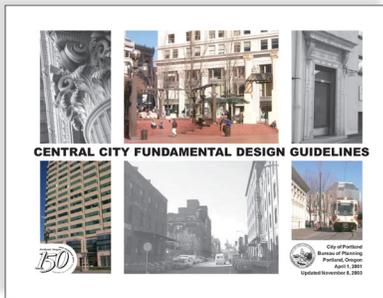
Projects in the **Central City** are subject to the **Central City Fundamental Design Guidelines** as well as, if applicable, district-specific review criteria, as shown in the table:

LOCATION	CENTRAL CITY FUNDAMENTAL DESIGN GUIDELINES	DISTRICT-SPECIFIC DESIGN GUIDELINES	DATE LAST UPDATED
Downtown			
River District			2008
Lower Albina			
Lloyd District			1991
Central Eastside			1991
South Waterfront			2010
University District			
Goose Hollow			1996
Yamhill Historic District			1987
Skidmore/Old Town Historic District			1987
New China/Japantown Historic District			
NW 13th Avenue Historic District			1996
Russell Street Conservation District		*	
Grand Avenue Historic District			1994

*\*Community Design Guidelines apply*

Figure 1.5 Design Review Criteria in the Central City

Projects in **Gateway** are subject to the **Gateway Design Guidelines**. Projects **outside of the Central City or Gateway**, unless they have their own special district guidelines, are subject to the **Community Design Guidelines**.



Central City Fundamental Design Guidelines (top), and two examples of subdistrict design guidelines: River District Design Guidelines (middle) and Central Eastside Design Guidelines (bottom).

## Design Standards

The Community Design Standards, found in Portland's Zoning Code 33.218, are prescriptive criteria for the clear and objective track. They do not use discretion, nor do they require a separate process. This additional set of specific design standards must be met. Projects that cannot meet these standards must go through discretionary review.

## Recent projects in the d-overlay

Figure 1.6 illustrates the number of permits for commercial/multi-dwelling projects within design overlay zones that went through either a discretionary design review or used the design standards found in Portland's zoning code. Commercial Occupancy (CO) permits are required for triplexes, apartments, condominiums, townhouse developments with 3+ attached units and commercial projects. This analysis does not include permits issued to historic landmarks or projects in historic districts.

Overall, 1,545 CO permits were issued in the d-overlay from 2013 to 2015. Of the 358 projects citywide that underwent discretionary design review, a majority of these were located in the Central City. Few projects took place in Gateway over the same period of time. Outside the Central City and Gateway, 68 projects (44 percent) used the Community Design Standards rather than design review.

The chart also shows that new construction (in orange) comprises a smaller percentage of all CO permits compared with alterations and additions combined, citywide. In the Central City, almost half of the projects are alterations (46 percent).

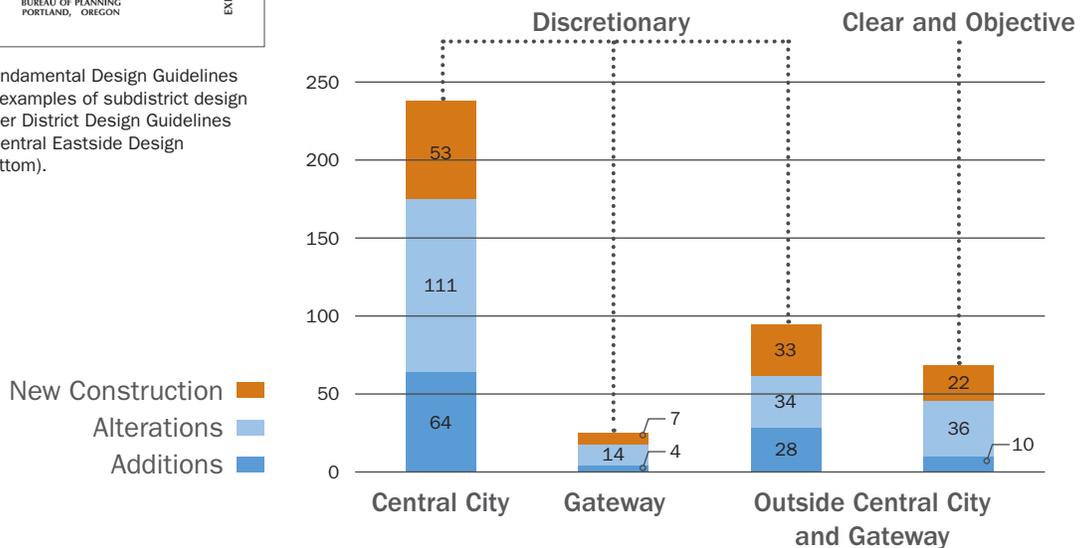


Figure 1.6 CO Permits in the Design Overlay Zones from 2013 - 2015

### 3 TENETS OF DESIGN IN PORTLAND

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Mixed use development built in 2011

At the outset of this project, three key design tenets were identified as fundamental to good design in Portland:

- Response to Context
- Public Realm and Ground Floor Design
- Quality and Sense of Permanence

These tenets are not meant to supersede adopted policies, guidelines and standards, but rather to provide a lens through which to understand them. They represent essential elements of excellent design that are embodied in numerous design standards and guidelines and generally a high priority focus of the design review process. The tenets are useful for assessing development outcomes and the review criteria because they generally represent broader principles, concepts or outcomes that the guidelines and standards intend to achieve.

Prior to completing the assessment, these design tenets were better defined by relating the concepts to adopted policies of the 2035 Comprehensive Plan and existing design guidelines and standards. This analysis summarizes the varied ways in which the tenets are interpreted and addressed, discusses their relationship to Comprehensive Plan policy goals, and proposes a few essential dimensions of each objective that may be a useful framework for assessing the design guidelines and standards in more detail.

## RESPONSE TO CONTEXT

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An industrial aesthetic was common throughout the examples, but at times the design looks out of place if not inspired by industrial buildings in the neighborhood.

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**When assessing response to context, we focus on three recurring themes across Comprehensive Plan policies and design guidelines: *scale, patterns, and identity.***

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This building's style and proportions contrast with the adjacent homes, but the roof form, height, and materials are more consistent with its wider context.

*Images: Google Street View*

The recently adopted Comprehensive Plan Goals and Policies Chapters Three (Urban Form) and Four (Design and Development) address the design objective of “response to context” extensively. Under the Urban Form chapter, two policies related to citywide design call for new development that preserves the prevailing physical characteristics of neighborhoods. (3.2 – Growth and stability, 3.9 – Growth and development) Goal 4.A directs new development to “respond to and enhance the distinctive physical, historic and cultural qualities or its location.” Policies 4.1-4.9 of the Design and Development Chapter define a wide range of issues related to context, including community identity, site design, natural infrastructure, street orientation, use of alleys and transitional urbanism.

The Central City Fundamental Design Guidelines dedicate an entire section to issues related to context. (Section A – Portland Personality) These guidelines define the character of the central city as a whole and identify the multiple districts within the central city. The guidelines also recommend more general approaches for responding to context, such as using “unifying elements” and “embellishing and identifying areas.” A more granular definition of context is presented in guidelines C4: Complement the Context of Existing Buildings. This guideline proposes the concept of a “design vocabulary”: a set of design themes and details that is commonly expressed by surrounding architecture. The guideline makes clear that new development need not imitate this design vocabulary to be complementary; buildings that use styles and materials that differ from existing buildings can use similar massing and proportions, for example.

The Community Design Guidelines adopt a similar approach for addressing “response to context” but focus more directly on compatibility issues related to residential neighborhoods. The guidelines identify a set of plan areas across Portland, and encourage new development to respond to the local character and architectural heritage documented in these plans. Outside of these plan areas, the primary guideline related to context is D7: Blending into the Neighborhood. The strategies identified for meeting this guideline are diverse: articulate the façade, use vegetation to soften new development, reflect scale of adjacent buildings, respond to topography, and incorporate architectural details from the neighborhood.



The design of this commercial building is not responsive to the opportunity of presented by a prominent corner location. The façade facing the corner looks like the back side of the building.

*Image: Google Street View*

Addressing context with clear and objective standards can be a challenge. The Community Design Standards provide varying standards for different building types and some unique standards for specific neighborhoods. The standards also require consideration of adjacent residential uses, for example, by reducing building heights or providing a residential buffer. The specific context of Transit Streets and Pedestrian Districts are addressed in the Community Design Standards as well as specific locations such as street corners.

Comprehensive Plan policies and adopted design guidelines demonstrate that there are many dimensions to the concept of context, and many ways in which a building can respond to its context. Broadly, this assessment will focus primarily on the following outcomes of “responding to context” that are recurring themes across Comprehensive Plan policies and design guidelines:

- **Scale.** The building’s overall size, proportions, and massing in relation to surrounding buildings, and the related issues of privacy and solar access.
- **Patterns.** The building’s adoption of local physical design patterns, including overall proportions and massing, but also including a wide range of patterns, such as site orientation, roof forms, window design, ornamentation, materials and general architectural style.
- **Identity.** The building’s adoption of specific forms and features to celebrate the distinctiveness of its neighborhood or district, to reinforce a sense of place, and connect with the cultural and social qualities of the community.

## PUBLIC REALM & GROUND FLOOR DESIGN

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This ground floor design addresses many of the guidelines effectively: visual distinction between ground floor and upper floors, variation in texture and architectural detail, generous glazing, prominent height of ground floor, stopping places, weather protection, reinforce the corner, and public art.

Image: Google Street View

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**When assessing ground floor design, we focus on the intent to create a transition between the private realm of buildings and the public realm of the street. In design outcomes, this can mean articulation of ground floor spaces, visual interest, and comfort for pedestrians.**

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A building's relation to the public realm and design of the ground floor is seen as a critical design element across all of the City's adopted policies and guidelines. Broadly, the Comprehensive Plan links ground floor design and a building's contribution to the public realm to four primary purposes:

- Promoting human and environmental health by providing a connected, safe and convenient pedestrian network that encourages active transportation;
- Building a sense of community by fostering social interaction and providing spaces to gather;
- Creating a more livable city by shaping a public realm that is a comfortable, interesting, pleasant and attractive space to spend time; and
- Supporting economic vitality by providing high visibility, convenient access and well-designed spaces for ground floor businesses.

It is clear that the Comprehensive Plan tasks ground floor design—in tandem with public investment in streets and the public realm—with many important roles and purposes. Design guidelines and standards are responsible for translating these broad goals into a specific and achievable mix and of strategies and techniques.

The Central City Fundamental Design Guidelines address ground floor design and the public realm extensively. Guidelines related to the public realm span all four sections of the framework and an entire section (Section C: Pedestrian Emphasis) is dedicated to issues related to the public realm. The Community Design Guidelines emphasize a very similar set of design features, with an entire section devoted to design for pedestrians and the public realm. The Community Design Standards also emphasize the relationship of the building to the street and include regulations for building placement, improvements between the building and pedestrian-oriented street, orientation to street corners, and building entrances.

For the purpose of this analysis, it is useful to employ a broader framework to assess the effectiveness of built outcomes and begin to diagnose any shortcomings of the guidelines and standards. In the broadest sense, the intention is to create a public realm that acts as a transition space between the private realm in the interior of buildings and the public realm of the street. This transition gives a range of choices for the degree of privacy that is desired for each social interaction or individual experience.



Recessed ground floors with overhangs tend to detract from the experience of the public realm by making it feel less prominent and important, limiting natural light, and drawing eyes upward to the more visually prominent upper floors.

*Image: Google Street View*



This cafe space is an example of successful transition between private and public at the ground floor of a building, with many elements for pedestrian interest and interaction.

*Image: Henk Hattingh*

The ground floor exterior of buildings is a critical transition space between the public and private realms. The area between the building frontage and the curb must provide a space for people to walk safely and comfortably with many “eyes on the street,” for impromptu interactions between strangers or acquaintances, for sociable or intimate conversations among friends, and for reflective individual experience. Though it may be impractical or impossible for the public realm to provide space for all these experiences in all contexts, it is useful to conceive of the public realm as a space that aspires to support this wide range of uses. If the public realm is designed to do so, it will advance many of the broad goals for it set out by the Comprehensive Plan.

Given the concept of the public realm as a transition space, there are three overall design outcomes that support this purpose:

- Definition of the public realm through creating a sense of enclosure, distinction of the ground floor from upper floors of the building, and delineation of separate zones of the public realm for different purposes;
- Visual interest through windows with views into activity, landscaping, architectural detail or ornamentation, articulation of the façade, public art and other features; and
- Comfort for pedestrians through providing places to sit or gather, protection from weather, buffers from vehicle traffic, and other features.

These three outcomes do not cover the wide array of design details necessary for a functional ground floor design, but provide a useful framework for assessing development outcomes and identifying where guidelines and standards need to be strengthened in order to advance good design and the goals of the Comprehensive Plan.

## QUALITY & SENSE OF PERMANENCE

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Windows that are not recessed or without trim give the façade a thin, planar look that may be perceived as less durable or lower-quality.

Image: Google Street View

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**A review of City policies and guidelines underscores the complex, multi-faceted meaning of “quality and permanence.”**

**The conception includes: functional and technological characteristics of materials and techniques; aesthetic values related to visual interest, craftsmanship, texture, and detail; and appropriateness and authenticity of materials.**

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The Comprehensive Plan’s goals and policies do not use the terms quality and permanence explicitly, but refer to related concepts of how building design can promote sustainability, energy and resource efficiency, and resilience to climate change and natural hazards. Goal 3.B establishes that “sustainable building development practices...reduce carbon emissions, reduce natural hazard risks and impacts, and improve resilience to the effects of climate change.” Goal 4.D states that “buildings...are designed to ensure long-term resilience.” The Comprehensive Plan links quality and permanence in building design to a functional purpose of protecting environmental and human health, particularly in the face of climate change.

The Central City Fundamental Design Guidelines emphasize both the aesthetic and functional values of promoting quality and permanence in development. The ideals of quality and permanence are embodied by the longevity of the Central City’s many historic buildings that have “lasted through inclement weather and multiple renovations,” and also the way in which these buildings create an “urban atmosphere of quality and permanence.” Structural systems that use masonry, heavy timber, cast-iron or steel and exterior finishes of brick, metal, stone or glazed terra cotta tile are valued both for their durability and for promoting a sense of craftsmanship and “textural detail that can be appreciated from a variety of distances.”

Within the Central City, the Design Commission has responded to issues of quality and permanence in terms of materials and details. The Commission has noted that quality and permanence are achieved through both the selection of durable materials and the use of detailing methods to ensure buildings preserve a high-quality appearance over time. Accordingly, the Commission has evaluated not only the type of material (such as brick or metal) but the thickness, rigidity, fastener systems, and exposure to environmental damage given the location of the material on the building. Additionally, the Design Commission views material selection and application as a key element of “designing for coherency” through consistent application of a design concept and a cohesive composition.



This building promotes permanence by using high-quality materials and attention to detail. Inset window glazing and the use of window sills create a sense of authenticity.

*Image: Google Street View*

The Community Design Guidelines similarly embed quality and permanence in the context of the overall composition and visual interest of a building's design. The guidelines state that "building materials should not only be long-lasting, but should have interesting textures and patterns." Guideline D8.A recommends using cast stone, brick, terracotta or other long-lasting materials to achieve this end, while guideline D8.B promotes the use of a "variety of textures and colors in exterior finish materials." Other guidelines relate the concept of quality to architectural detail, window design, trim and ornamentation.

A related preference that is possibly embedded in these guidelines—though less explicitly stated—may be for materials with a connection to natural resources found in the northwest or that represent part of the architectural tradition of Portland, such as brick, stone, steel or timber. Further, at the root the values of quality and permanence may also be the social and communal values that can be expressed through a building's design. Buildings designed to be durable, long-lasting and with attention to detail impart a sense that the developer and architect perceive the building as a contribution to a community to be appreciated by all those who see it, not only the building's tenants or users.

The Community Design Standards do not address materials in detail. Some specific materials are limited as either foundation materials or exterior finish materials, but the standards do not address the quality of those materials that are permitted.

This review of City policies and guidelines underscores the complex, multi-faceted meaning of "quality and permanence." The conception includes the:

- Functional and technological characteristics of materials and techniques;
- Aesthetic values related to visual interest, craftsmanship, texture, detail; and
- Appropriateness and authenticity of materials.

In summary, the three tenets discussed are critical to building good communities and the individual buildings that comprise them. They are time-tested ways of ensuring that urban places are lively, enduring, and endearing. Consciously or subconsciously, people appreciate built environments that are thoughtfully designed, offer many choices, and are cared for over time. Portland is a city that has demonstrated a longstanding commitment to building gracious and diverse places. Standards, guidelines, processes associated with the review of buildings can continue to strengthen that deep commitment by carrying out these tenets.

## REVIEW OF PEER CITIES

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Portland's South Waterfront

As an initial phase of the Design Overlay Zone Assessment, the consultant team researched approaches to discretionary and non-discretionary design review using examples from other cities nationally. The purpose of the research was to determine how other jurisdictions have successfully (or perhaps unsuccessfully) administered design-related tools and processes to achieve multiple planning goals and desired outcomes. The subjects addressed in the research include:

- Design-related zoning regulations and discretionary guidelines;
- Discretionary design review processes and administration of design review;
- The structure of decision-making bodies; and
- Community input into design of new development.

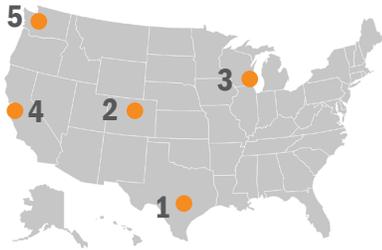
Over the past six to seven years, since the 2008 Recession, a number of cities have experienced dramatic increases in new development, particularly in locations within and close to their commercial centers. This has been driven by the convergence of several factors: the desire by Millennials to live in denser areas that are walkable, bikeable, and served by transit; Boomers downsizing and choosing locations close to arts, urban entertainment, restaurants, and medical care; and shifts in the financing of housing following the recession. The consequence has been a seemingly sudden transformation of neighborhoods that had not previously developed to their code-allowed potential with significant amounts of housing – particularly rental units.

Furthermore, recent analysis of economic indicators has revealed that most of the positive growth in jobs, pay, income, and housing prices has been concentrated in about a dozen metropolitan areas. Portland is one of those; indeed it is within the upper tier of increases. The unprecedented demand for denser, urban housing development not only came as a surprise to many cities but has overwhelmed their ability to expeditiously process reviews, approvals, and permits.

Some of these cities had been employing design review techniques to guide new development for a number of years. These techniques were often focused on certain districts, such as downtowns, or corridors with existing or expected high-capacity transit.

## SELECTED CITIES

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### **1 AUSTIN, TX**

### **2 DENVER, CO**

### **3 MILWAUKEE, WI**

### **4 SAN FRANCISCO, CA**

### **5 SEATTLE, WA**

In order to select cities to learn from and compare to Portland, we first looked at cities that were experiencing rapid redevelopment. We started with over a dozen candidates. To narrow the list, we looked for comparable attributes. These included cities that have seen substantial urban infill and mixed use development in a multitude of neighborhoods, not just downtown. Next, we looked at those cities that have had a history of directing private development in deliberate ways through policies, investments, and regulations. Finally, the history, geographic size, complexity, or governing structure of certain cities such as Chicago, Boston, and New York seemed to too different to allow for useful comparisons.

When we researched the remaining cities, we discovered that some, like Minneapolis, did not use design review as part of their regulatory and permitting framework. Others, like Washington D.C., reviewed proposed projects, but only in the context of designated historic districts – a specific type of regulatory review that is not a part of this analysis.

We did not consider cities outside the United States, as they have much different legislative, executive, and judicial authority. Some non-U.S. cities allow individual elected or appointed individuals to have unilateral and final authority over private development. By contrast, we have a system that relies upon a balance of powers, public access to decision-making, and a right of appeal. It would be very difficult to try to draw transferable lessons from locations that involve more autocratic, centralized power based on very different legal premises.

After an initial investigation, we narrowed the field to five cities: Austin, Denver, Milwaukee (Wisconsin), San Francisco, and Seattle. While all apply design review differently, each offers lessons that could be considered for Portland. It does not appear that any city has a system that works perfectly; they all have flaws. But all of these cities, like Portland, are attempting to guide the character and quality of private development in intentional ways, through varied combinations of procedures, standards, and decision-making bodies within their own context. More detailed descriptions of the processes used in five peer cities can be found in Appendix C, Profiles of Peer Cities.

Finally, there is a general body of knowledge about how cities across the country conduct design review. This state of practice is reflected in conferences and workshops put on by the American Planning Association, Urban Land Institute, and various academic institutions. This paper also incorporates aspects of how this tool is used within the framework of the American land use regulatory system found in literature on the subject.

## THEMES

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Image: Genesee Martin

Our research revealed the following themes:

### 1. Review Boards

The use of appointed boards to solely review designs of private development is not common in larger cities. Other major cities have design commissions, but they are generally used to guide public development, not private development. One city that uses citizen review boards extensively is Seattle. Seven volunteer boards review virtually all significant urban residential, mixed-use, and commercial development above a threshold in different districts throughout the city. Milwaukee, Wisconsin has citizen Architectural Review Boards (ARBs) only for two specific, transitioning neighborhoods.

### 2. Role of Staff

In general, other cities tend to rely on professional staff to engage in the majority of design review functions. Volunteer citizen boards are reserved for special purposes such as certain districts or sites or for very large projects. An exception is San Francisco, which takes dozens of projects each year to their Planning Commission. The Commission has only one design professional (more by accident than intent). Even so, San Francisco employs a staff with professional design (i.e. registered) credentials that has the authority to establish conditions on development proposals. Cities that rely heavily on staff for review report that this is necessary because of the many issues needing to be addressed at multiple points during the design process.



Image: City of Austin/Project Connect

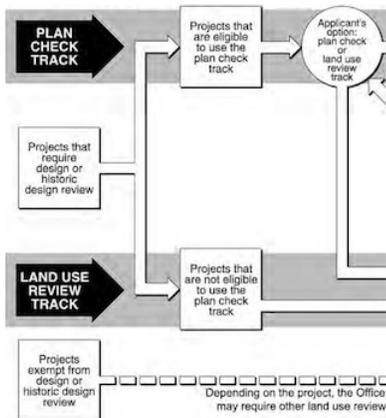


Image: Community Design Guidelines, City of Portland



Image: [www.uis.edu/studentunion/student-union-design-meetings/](http://www.uis.edu/studentunion/student-union-design-meetings/)

### 3. Legal Imperative

Compared with Portland, the principle of “clear and objective” standards for review does not drive the regulatory framework of other cities. (In Portland, the “clear and objective” test applies outside the Central City and Gateway Regional Center.) By contrast, other cities have broader discretionary authority that allows both staff and review boards to apply professional judgment, along with adopted standards and guidelines, to design review and conditions of approval. This obviates the need for a “two track” system that has been adopted by Oregon cities. Other cities, such as Denver, report that a discretionary process is necessary to “fine tune” projects to their surroundings.

### 4. Early Guidance

Some cities make use of required pre-application meetings to both guide developers and design teams in navigating procedures and standards as well as to indicate likely conditions of approval or sometimes even potential denial. Staff interact with designers at multiple points to discuss revisions and details, which a volunteer board cannot do because of the time required. Early design direction in Seattle and Denver focuses more on relationships with context and general massing of a proposed development.

Cities using methods for early guidance make sure they coincide with the earliest phases of the architect’s design process. This ensures that comments can be useful in framing the overall approach to massing, site organization, access, and other major issues.



Image: [www.signsofseattle.com/outdoor-signs/land-use-signs](http://www.signsofseattle.com/outdoor-signs/land-use-signs)

## 5. Public Notice

Throughout the U.S., many cities make information about proposed developments more evident and obvious to the public, beyond the small posting on a stick that Portland uses. A common method involves 4'x8' or 4'x4' signs that are erected on the property at the outset of the design review process. A simple site plan is included along with data on the project. The type of decision and period of comments are noted, as well as a name and contact with the City. This sign is the responsibility of the applicant, following specifications by the City. Finally, some cities have expanded mailed notices to include tenants, as well as property owners. Tenants are not individually named on mailings, but are addressed instead as "Occupant." Experience of other cities suggests that many community members appreciate knowing about a proposal in advance; learning about it suddenly when construction begins can be distressing.



Image: [explorethepearl.com](http://explorethepearl.com)

## 6. Focused Review

Cities engaged in design review report a consistent, distinct focus in their efforts. The focus is on the public realm and portions of buildings that enclose or activate it. The majority of time is spent reviewing the ground planes and ground levels, with an expectation of details, proportions, entries, activation, and porosity being paramount. As a particular example of this focus, Denver's review process only looks at the lower levels of buildings that comprise the street edge; they view the architecture of the upper levels as being the purview of the private sector. Early guidance in Seattle involves the review board identifying those guidelines that are considered to be the most important for a proposal in its particular location and the subsequent review concentrates on those guidelines only. This allows an efficient use of time in the flow of review.

Finally, another method of focusing review and moving reviews along involves the use of time limits for any given project in review meetings. For example, in Seattle, this involves a rule that no meeting should be more than three hours in length and no individual project within a meeting can take more than 90 minutes. The board chair is responsible for enforcing this and it requires all parties, including board members, to be succinct and on point.



Image: [www.newschoollarch.edu](http://www.newschoollarch.edu)

## 7. Follow-up / Enforcement

When some cities started engaging in design review, they discovered that completed buildings were occasionally different than what had been approved. Elements were “value-engineered” out or builders simply chose to do something else. This was resolved by planners responsible for the design review looking at building permit sets as well as inspecting sites during the construction process. There is an expectation that an approved design would, in fact, be delivered as shown. A few cities across the country with extensive experience in design review require monetary “performance assurance” instruments that are released once a Certificate of Occupancy has been approved for issuance.

## GENERAL CONCLUSIONS

Each city we have looked at reported a unique blend of procedures, standards, and decision-makers. These differences can be explained in part by variations in State laws, court decisions, attitudes about community involvement, or differing philosophies regarding the appropriate role of local government in private sector development. Nonetheless, there is an increasingly widespread desire to direct the character and quality of new development, particularly as compared with regulatory practices decades ago. As major cities become more intensely developed, there is a more acute concern for issues of context, appropriate fit, and “tailored” designs.

Clearly, Portland stands out in that it has been ambitious and assertive in its efforts to influence the design of development over a wide range of geography, while other cities have concentrated their efforts into fewer areas and addressed a more limited range of subjects. It is evident that one way other cities have managed the review of projects to occur within a reasonable timeframe is that they limit the scope. Moreover, there is greater reliance on staff for carrying out the details of review comments and conditions. Finally, there is an emphasis on strictly managing the discussion during meetings to keep reviews expeditious and less burdensome with time for all parties involved. The table below summarizes takeaways from the peer cities review.

### Peer City Comparison Summary Chart

**Legend**

- Type of design review
- Type of tool

CITY	REVIEW BOARD	STAFF	APPEAL
AUSTIN	<ul style="list-style-type: none"> <li>• Design Commission for municipal projects only</li> <li>• <i>Discretionary design guidelines</i></li> </ul>	<ul style="list-style-type: none"> <li>• Transit corridors only</li> <li>• <i>Non-discretionary standards</i></li> </ul>	No appeal process
DENVER	<ul style="list-style-type: none"> <li>• Planning Board for two districts outside of downtown</li> <li>• <i>Both prescriptive standards and discretionary guidelines</i></li> </ul>	<ul style="list-style-type: none"> <li>• Commercial and mixed-use in designated districts</li> <li>• <i>Discretionary guidelines</i></li> </ul>	Board of Adjustment
MILWAUKEE	<ul style="list-style-type: none"> <li>• Architectural Review Boards for two districts (include 1 staff)</li> <li>• <i>Discretionary design guidelines</i></li> <li>• City Plan Commission with re-zones</li> <li>• <i>Non-discretionary standards</i></li> </ul>	<ul style="list-style-type: none"> <li>• Staff reports to review boards</li> </ul>	Board of Adjustment
PORTLAND	<ul style="list-style-type: none"> <li>• Design Commission (Type III) for Central City, Gateway, and other areas depending on thresholds</li> <li>• <i>Discretionary design guidelines</i></li> </ul>	<ul style="list-style-type: none"> <li>• All design overlay zones outside the Central City and Gateway, depending on thresholds, must allow two tracks</li> <li>• <i>Discretionary design guidelines (Type II or III) or Non-discretionary standards (Plan Check), aka Community Design Standards</i></li> </ul>	City Council for Type III; Design Commission for Type II
SAN FRANCISCO	<ul style="list-style-type: none"> <li>• Planning Commission for more than 10,000 sf using Large Project Authorization</li> <li>• <i>Discretionary guidelines</i></li> </ul>	<ul style="list-style-type: none"> <li>• Triggered by building type/district; reviews projects first and last</li> <li>• <i>Discretionary guidelines</i></li> </ul>	Planning Commission (if a permit is appealed)
SEATTLE	<ul style="list-style-type: none"> <li>• Design Commission for municipal projects</li> <li>• Seven design review boards for private development</li> <li>• <i>Discretionary guidelines</i></li> </ul>	<ul style="list-style-type: none"> <li>• Triggered by building type/district</li> <li>• <i>Discretionary guidelines</i></li> </ul>	Hearings Examiner

Figure 1.7 Peer City Comparison Summary Chart

## 2. FINDINGS

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The consultant team has taken a multi-pronged approach to investigating issues associated with design overlay zoning in the city of Portland. No one method of assessment can provide a complete picture. But by exploring a multitude of sources of information, we can discern certain patterns and commonalities that could underpin eventual recommendations.

These findings should be read not with the thought that each will lead directly to a specific recommendation. Rather, they are suggestive of possible directions, some of which will be broad and sweeping and others more narrowly drawn.

A cautionary note: Any regulatory approach to reviewing design aspects of development can only address particular issues of concern in a community; actions in this arena are part of a larger set of policies and programs. Indeed, the City is currently considering other actions through projects focused on mixed use zoning, residential infill, and street improvement standards, as well as significant revisions to the Comprehensive Plan. It is commendable that the City of Portland looks at changes in the urban environment through multiple lenses. Changes directed only at singular issues rarely have a meaningfully positive impact.

These findings are intended to identify issues that could be addressed through both administrative and legislative actions. They are offered in light of improving a system that is not entirely dysfunctional but rather could greatly benefit from deliberate and thoughtful modifications.

Finally, this work only examined the processes, standards and guidelines associated with d-overlay. It did not examine plan districts, base zones, mapping of d-overlay nor review of historic resources.

## METHODOLOGY

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In order to fully assess the range of issues in this subject, we have employed a multitude of techniques.



**Review of Peer Cities.** As described in the previous chapter of this report, we researched cities with comparable approaches to directing the design quality of development. By comparing and contrasting Portland’s approach with other peer cities, a number of lessons were extracted.



**Interviews with Stakeholders.** The consultant team spent several weeks interviewing stakeholders. These included people in development and real estate, design professionals, neighborhood groups, City staff, and Design Commissioners – both current and past. A number of common themes were repeated by wide ranges of people. This report includes a summary that highlights the most frequently repeated comments and issues. Appendix D of this report catalogues all comments, even those said by only a single individual. As a whole, the comments provide an excellent basis for going forward with approaches to making the review process and criteria operate more effectively.



**Public Questionnaire.** In addition to face-to-face interviews, a questionnaire was placed on the City’s website. Approximately 300 people responded. While this was not a controlled, random-sample survey, it provides further indications of aspects of the current system that are not working well. Many of the same themes were repeated by people answering the questions online, which serves to reinforce the results of the more qualitative interviews.



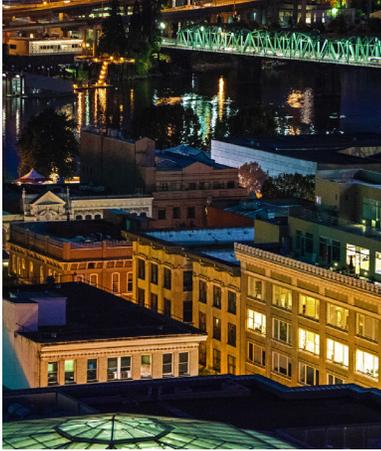
**Assessments of Example Projects.** The consultant team also looked at a dozens of multi-family, commercial, and mixed use projects that have been recently built throughout the city. In addition to new construction, the team also looked at projects that recently underwent an alteration or addition. Example projects fall into a number of categories:

- Projects that are ONLY required to meet basic zoning standards (i.e. not within the d-overlay).
- Projects subject to the Community Design Standards (non-discretionary track)
- Projects subject to Community Design Guidelines (discretionary track, Type II and Type III)
- Projects subject to the Gateway Regional Center Design Guidelines (discretionary track, Type II and Type III)
- Projects subject to Central City Fundamental Design Guidelines (discretionary track, Type II and Type III)

Seventy projects were given a cursory analysis represented by a “short form” documentation that focused on built results. Fourteen others were given a deeper assessment represented by a “long form” documentation that focused on the process. This step helped to reveal what the application of standards, guidelines and decision-making processes are producing on the ground.

## KEY FINDINGS

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Downtown Portland and the Hawthorne Bridge  
Image: <https://www.flickr.com/photos/71380981@N06/>

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**Achieving place-specific results in the built environment is perhaps being discouraged by the current procedures and standards of review.**

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2015 development project not subject to d-overlay  
Image: Works Progress Architecture

### **1. Portland is recognized as national model for good urban design, but is in need of a major “refresh.”**

Portland is recognized internationally for actively creating a city that is highly walkable, culturally distinguished, very civil, and eminently livable. Few North American cities can match Portland with its long-standing commitment to the public realm and investments in collectively shared public places, including urban parks and squares, transit choices, bicycle infrastructure, and civic buildings. The City’s insistence on design quality is evidenced in many parts of the community, in both public and private development. There is a strong respect for history and, at the same time, a willingness to explore innovative design ideas and to nurture a wide variety of unique and neighborhoods, buildings, and streets.

However, many recent building designs have been less thoughtful about considerations of context and lively streets and have tended toward the creation of repetitive, and seemingly interchangeable, building forms. Parts of the city are beginning to lose an idiosyncratic character that Portland is known for.

*Achieving place-specific results in the built environment is perhaps being discouraged by the current procedures and standards of review.*

### **2. The current d-overlay does not necessarily guarantee good design; good design can occur regardless of its presence.**

For various possible reasons, projects outside of the d-overlay zone can—and do—result in successful built outcomes. Even when a project is subject only to base zone standards, the ethos and efforts of a conscientious development team can produce high quality, context-sensitive, and innovative design that goes above and beyond base zone requirements. Some project teams hold their work to criteria that are not directly addressed by guidelines or standards (for example, sustainability targets, response to neighbor concerns, or knowledge of local character and context). Others may be driven to produce high-quality design based on market considerations or other factors. Conversely, other projects outside of d-overlay zones can display thoughtlessness or lack of design quality, with numerous possible reasons ranging from budgetary constraints to lack of design expertise or attention to context.

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**Application of the d-overlay should not be assumed to be **universally appropriate and beneficial.****

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Similarly, projects within a d-overlay zone can produce commendable results as well as less than desirable results. The current process and tools have proven capable of producing successful projects, but they have also resulted in projects that seem to have missed the mark. This is to be expected, as no process or tools can be perfectly effective in every possible instance. Regardless, it is notable that desirable outcomes can be achieved outside of the d-overlay that are not required or overtly encouraged by the standards or guidelines.

Finally, while the d-overlay adds value to the quality of design, the housing emergency has raised concern about its impacts on affordable housing projects. The question is at what point the acute need for affordable housing outweighs the benefits of extended design review. The impact comes from costs associated with the length of the review process, potential delays, uncertainty, extra rounds of plan changes and unanticipated higher costs for materials and details that may be required. For any project, delay and cost increases can jeopardize financing and placement on the market. This is a greater problem for affordable housing projects due to their tight margins and complicated financing. The standards and guidelines, the procedures involved with review, the timelines involved, and the nature and pace of deliberations during review can and should reflect a sensitivity to these issues. In the recommendations phase of this project, we will be looking at methods that can make reviews more expeditious, reduce uncertainty, and focus the attention on subjects that are less impactful on costs.

*Application of the d-overlay should not be assumed to be the universally appropriate and beneficial.*

**3. Although community support for thoughtful design is strong, the perception of whether new buildings exhibit good design is widely mixed.**

People in Portland, whether residents, merchants, property owners, or developers, generally seem to recognize the high value that the City places on design and laud its efforts to achieve that. Virtually no one we spoke with dismissed the value of having procedures and standards to guide the quality and character of buildings. But neither did anyone indicate that the system being used is functioning well. Indeed, many people were entirely forthcoming about issues and flaws. As a result of this assessment, we see no need to characterize the system as wholly “broken.” From the interviews, we learned that a number of elements are missing, out of date, unclear, or inadequate to meet overall expectations.

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**The process of shaping implementation tools, such as the d-overlay, has not been linked closely enough to community-driven urban design planning.**

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Furthermore, we heard that the standards and guidelines used for reviewing proposed projects are not effectively reflecting the varied character and interests of different neighborhoods and corridors.

In the questionnaire, when asked how well the design review process achieves important design characteristics of a desirable built environment, responses from the community were generally lukewarm at best. “Design quality” and “architectural consistency with surrounding buildings” were rated the lowest. It was also evident that community values about what is good design are quite different than the values of designers and developers. There appears to be a growing disparity between community expectations and results on the ground – again with distinct parts of the city seeming to be losing their unique, “home-grown” character.

A robust process of involving the public throughout the city could result in more area-specific tools that can realign expectations with outcomes. Finally, when design teams have actually engaged with neighborhood groups for a proposed project, it is not clear what kind of responses emerged to address the commentary.

*The process of shaping implementation tools, such as the d-overlay, has not been linked closely enough to community-driven urban design planning.*

#### **4. The current system doesn't recognize the varied impacts of different scales of development.**

Much of Portland's unique character and reputation derives from the abundance of small-scale, home-grown businesses that reflect the individual personalities of the people who own and operate them. Indeed, many Portland neighborhoods are filled with a fine-grained, exuberant mixture of shops, restaurants, food carts, galleries, pubs, and personal services. In the last decade, however, this diverse and distinctive character has been gradually replaced by new buildings with considerably less “hand-crafted” character at the street level.

Development regulations along with high expectations for design have likely contributed somewhat to this eroding character by making it difficult for small, local developers to be part of the mix. By the same token, thresholds that require alterations and additions to go through discretionary review would benefit from recalibration so that design review can concentrate on projects with greater impact on their surroundings.



Smaller-scale, eclectic businesses are now often seen cheek-by-jowl with mixed-use development of a much different scale and character.

*Image: Google Street View*



Example of a successful courtyard space in a central city development that underwent significant refinement through design review

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**Parts of Portland outside the Central City would greatly benefit from revising, consolidating, and simplifying review criteria, as well as recognizing contextual differences.**

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The development system seems better set up for larger scale development, encouraging property consolidation and maximizing zoning envelopes. Moreover, thresholds appear to not match citywide goals by directing larger, higher-impact projects through Type II rather than Type III, where they could receive more public exposure and scrutiny.

Standards and procedures could be structured to make it easier for the small end of the spectrum easier to flourish, even if the design results are not ideal.

*Thresholds for larger projects, such as those that occupy half-blocks and entire blocks, could be restructured to ensure that such projects receive greater scrutiny both through design review and by involving the public in the review process.*

#### **5. The d-overlay has benefitted the Central City but other areas less so.**

Within the Central City, the combination of the review process and the applicable guidelines has produced an elevated quality of design. But another contributing factor is that developers and designers know the bar has been set high in this geographical area, which can create better proposals from the outset. Occasionally, something might get approved that is not as refined as some people would prefer. But almost no system can avoid that, regardless of codified language; it still comes down to human interactions, motivations, and talent. The Type III process has benefitted from a public discourse and the multiple, informed perspectives by citizen volunteers serving on the Design Commission.

The benefits of the d-overlay on other portions of the city are not so clear; the results have been very mixed. The staff does its best with the standards that are currently available, and the review process has sometimes created positive outcomes.

*Guidelines applicable to the Central City could use some updating but the more serious issues are associated with other areas.*

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**“..allow the multi-cultural business and property owners in East Portland to develop creatively and differentiate it from the sterility seen in other parts of Portland.”**

-- comment from survey respondent

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## **6. Standards and guidelines applied to areas outside the Central City may be impeding good urban design.**

Some of the Community Design Standards and Guidelines that the City has been applying were developed and adopted more than twenty years ago. In reviewing those standards, four characteristics were evident:

First, they reflect a much earlier period of thought about urbanism, community character and diversity of design expression. In that era, “neo-traditional” views regarding building design were prevalent.

Second, they came out of a desire to guide development in one particular area of the city with a specific, long-established character. They apply less readily to other areas of the City that have new patterns of development or are transforming. For these changing areas, different tools – such as those that focus on site design – would be more useful.

Third, we have repeatedly heard that they do not reflect the many different established neighborhoods, with their own distinct qualities, histories, demographics, and cultures. That will require an extensive outreach process that involves various parts of the city.

Finally, the plethora of standards and guidelines can be both daunting and confusing; even locating applicable ones can be a challenge. The re-crafting of standards and guidelines should focus on the handful of elements that are relevant to an area; other more generalized aspects should be contained in the base zoning.

The guidelines that direct development in the Central City are more recent, clearer and more informative and could serve as a model for other areas.

*Parts of Portland outside the Central City would greatly benefit from revising, consolidating and simplifying review criteria, as well as recognizing contextual differences.*

## **7. The recent high volume of projects has thwarted good intentions.**

The Design Commission, along with City staff, has played a key role in elevating and maintaining the quality of design throughout the community over several decades. Nonetheless, the system of ensuring quality in the built environment is in need of some thoughtful re-examination. The recent, massive increase in the

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**There is a need to adopt ways of reducing the workload, managing the workload better, and incorporating public comments more effectively.**

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quantity of development and redevelopment throughout the city has put a sharper point on the mechanics, procedures, and rationale for making decisions about design proposals. It has overwhelmed what could be a smoother and more thoughtful process of review. Both staff and Design Commission have had difficulties wrestling with workload. We heard from the design and development community that they have become frustrated with the process, which has become time consuming and costly. We have also heard that citizens do not feel their input is being fully recognized in the decision-making process.

Given the volume of reviews, methods of managing the Commission workload are needed. Keeping discussions on point and with reference to specific guidelines rather than personal preferences would be enormously useful in making the process more transparent and organized.

*There is a need to adopt ways of reducing the workload, managing the workload better, and incorporating public comments more effectively.*



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**The amount of time spent discussing specific building components is not allowing sufficient discussion of issues of context and the public realm.**

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**8. There has been a shift away from the “big picture” and towards details and minutiae in Design Commission deliberations.**

One of Portland’s significant contributions to governing cities is the posture of taking the long view as it builds great streets and districts. Rather than merely reacting to momentary situations as they occur, the City has a tradition of advancing policies, programs, and projects that seek to build a healthy, diverse community. The review of development with respect to design quality was originally established with this view; that the whole is greater than simply the sum of individual parts. And the long view is about creating great places over time, less so about the detailed aspects of individual structures.

In recent years, however, this social compact has become fractured, with a focus on details and minutiae that greatly exceed what other cities attempt to regulate. Recently, there has been an emphasis on discrete building components of projects; this was evident in repeated comments regarding subjects such as fasteners and specific cladding materials. Finally, the process of design review does not seem to be in sync with the typical sequence of designing buildings in which broad issues are dealt with first with iterations of increasing detail addressed later.

*The amount of time spent discussing specific building components is not allowing sufficient discussion of issues of context and the public realm.*

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**All participants in the process -- City staff, Design Commission, and design teams -- should exhibit a greater spirit of collaborative problem-solving and mutual respect.**

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**9. An attitude of collaboration is important in having successful design outcomes.**

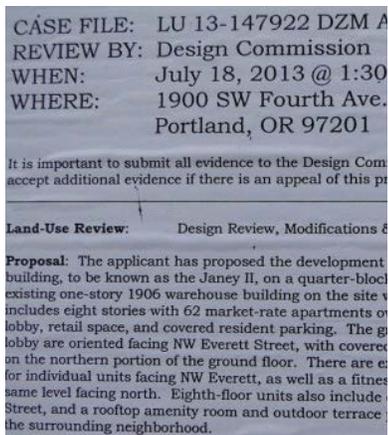
Regulatory tools and techniques are necessary to maintain consistency, due process and fairness. But it should also be recognized that any system of democratic decision-making still comes down to the interaction between multiple people. Attitudes, demeanor, comportment, sense of collaboration, and willingness to clearly communicate by all individuals and organizations involved in the process are important. The resolution of issues is not always found in the legislative arena, but in the realm of basic human behavior. Attitudes that seem arrogant, non-collaborative, dictatorial, or obstructionist can taint the process and turn it from being inspirational into an impediment to a collective community spirit. Although Portland has a reputation of effective local governance, design review seems to be on the edge of this tipping point.

This points out a need for procedural rules that provide transparency, fairness, clear expectations, and specific references to adopted decision criteria. It also requires a willingness of design and development representatives to pay attention to the perspectives of the appointed review body.

Finally, all parties engaged in design review, whether staff, appointed citizens, applicants, designers, or the public, must understand what is actually on the table in for deliberation. Design review is not the only regulation guiding development; it works in concert with many other regulations, some of which are quantitatively established by law – such as height and allowable floor area. Although design review is authorized by City code to look at many aspects of any building, such as “placement, dimensions, height and bulk, lot coverage and exterior alterations, including materials, color, parking areas, open space, landscaping and preservation of trees,” there seems to be some degree of confusion about what are non-negotiable allowances and what may be modified. The City should make it absolutely clear what is permissible to adjust, perhaps through a legislatively adopted list of what can be modified through design review and what cannot (as other cities have done). This would provide great clarity to the process of review.

*All participants in the process – City staff, Design Commission, and design teams – should exhibit a greater spirit of collaborative problem-solving and mutual respect.*

## DETAILED FINDINGS | PROCESSES



Example of a typical notice board for a design review hearing

This set of more detailed findings was derived from the three-part analysis, including interviews, the questionnaire, and the examination of specific example sites.

### A. GENERAL

- Concerns about the required time, cost, and effort may be inadvertently encouraging project teams to choose compliance with objective standards rather than discretionary review.
- The list of submittals is not always appropriate to the typical stages of the design process; considerable detail is requested upfront before it typically occurs in the design process.
- There is a tendency in building design towards “the middle” in quality and innovation in order to gain approval. More adventurous designs are rare.
- Public notice seems inadequate, both with respect to on-site notice and mailed notices. Geographic coverage is limited and renters receive no notice. Consequently, people can feel left out of any way of influencing, or even being aware of, change around them.
- Dialogue between neighborhoods and the design teams of development projects seems disorganized, uneven, and sometimes token. It is not always evident how the design teams have responded to design issues raised in community meetings.
- Basic elements, such as the location of vaults and building services and garage door setbacks, are sometimes not determined early enough and can create problems later in design.
- There is a lack of coordination with PBOT and other agencies in the review process.
- It would be useful to examine the role of d-overlay in relation to other City processes such as non-standard improvements in the rights-of-way, capital improvement projects, design of parks, and issues regarding specific uses such as storage units.
- Often there are conflicts with other agencies or internal groups; design teams get caught in the middle and don’t receive clear direction. It is not clear who has the final authority when there are conflicts between agencies.
- During construction, there is little in the way of follow-up inspections to ensure that elements of the design are actually built as proposed.



## B. NON-DISCRETIONARY PLAN CHECK

### Application of Community Design Standards

This is a process that is required by State law for projects involving “needed housing.” The review process must apply an adopted set of “clear and objective standards.”

- Because they apply citywide, the Community Design Standards (CDS) do not appear to always reflect what individual neighborhoods or districts have as priorities with respect to design. Greater variety and flexibility to allow recognition of the context is desired.
- Because it is not possible to seek adjustments to CDS without opening up the entire project to discretionary review, some development teams design precisely to CDS in order to avoid discretionary review – even if it leads to less desirable results.



## C. DISCRETIONARY DESIGN REVIEW

### Type II (City Staff)

- Some design teams have a preference for working with staff because they can have multiple conversations over time to resolve issues.
- Generally, staff reports and findings in Type II processes exhibit an even-handed application of guidelines related to context, the public realm, and materials.
- Recently, however, it appears that staff may be taking cues from the Design Commission and sometimes asks for a considerably great amount of information about details and materials.
- Staff could benefit from a regular training program. Field visits both in Portland and elsewhere would be useful to become familiar with the state of the art in development.
- Administrative interpretations of guidelines are not made available to the design and development community.

### Type III (Design Commission, with support by City Staff)

- The Type III design review process adds significant time and costs to projects. The amount of time spent in making changes to plans often greatly exceeds what is normally figured into design fees for securing entitlements. Some developers find ways to avoid it.



- Information requested is not always appropriate to the typical stages of the design process.
- A considerable amount of discussion concerns details, materials, utilities, and building services. Some of this time could be better spent on larger issues—attention to material details in hearings did not consistently result in a better, overall built outcome. This suggests a redirection to the public realm and considerations of context.
- Both the number and length of meetings have expanded to address details and revisions. Some of all of these could be referred to staff.
- Specific guidelines are not cited during deliberations. There is a lack of focus that can spin off into other subjects. Moreover, personal preferences seem to dominate some deliberations.
- The DAR – originally intended to be helpful at an early stage to establish the broad strokes of a project – now occurs too late to be useful, according to some designers. Some teams chose not to engage in it.
- Management of Commission meetings by staff or the chair to keep everyone on point and on time seems to be lacking. People showing up to present or testify have no idea when items will come up.
- It would be useful to clarify the Council’s “charter” for the Design Commission especially as it relates to authority and focus of reviews.
- Building massing needs to be discussed and determined at the first formal review meeting and not revisited later, as that can create havoc in the design process.
- According to some applicants, in its deliberations and decisions, the Design Commission does not always cite applicable guidelines and sometimes has been adding some on an ad hoc basis.
- The list of “Unacceptable Materials” by the Commission in the “Best Practices Guide” could preclude creative possibilities from being considered at the outset by designers.
- Commissioners absent during an earlier review sometimes bring up new issues.
- The Commission is overloaded with cases, which is slowing down the process.



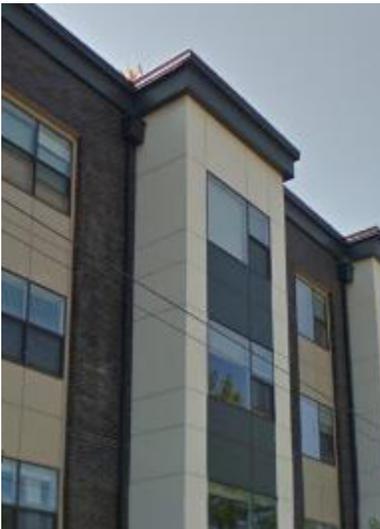
Example of a recessed ground floor

### A. GENERAL

- The guidelines and standards are out of date compared to the many design-related standards that are now located in the commercial and mixed-use base zones.
- Some guidelines may not be achieving desired results on the ground floor and/or public realm of buildings. For example, the current trend of recessing the ground floor, along with cantilevered overhangs above, can have a negative impact on the public realm. This appears to be the result of a combination of standards and/or guidelines.
- There is a need for criteria that address the ground level of residential-only buildings. In particular, the standards for ground floor windows need some rethinking as these can create privacy issues for dwelling units on the ground floor.
- Many of the site examples evaluated did not exhibit a great level of concern for the public realm. Nor did the context seem to influence the design greatly. This suggests that something may be lacking in the guidelines to encourage a fine-grained design outcome.
- Current street frontage requirements may be limiting the ability of designers to provide a wider variety of spaces and pedestrian-oriented elements along the sidewalk.

### B. COMMUNITY DESIGN STANDARDS (NON-DISCRETIONARY)

- Some corridors subject to CDS have had development that seems to overwhelm its surroundings. Standards seem to address parts of buildings but do not address very well the relationship to context, significantly breaking down large building masses, or activating the ground level.
- There are numerous standards with repetition and overlap. They reflect an earlier era of thinking about design in which the effort was focused on embodying traditional elements of architecture.
- The one-size-fits-all approach does not address location-specific patterns, context, or public realm sufficiently.
- Originally created to retain the character of one particular neighborhood, their application citywide has presented difficulties and reproduced development patterns that do not recognize the many diverse parts of Portland.



Example of a large cornice



- The combination of some standards has produced unintentionally awkward results such as off-putting, recessed ground floors with little visual interest and traditional projecting cornices on contemporary building façades.
- While the CDS does prohibit certain materials, it does not address issues related to the appearance of “authenticity” of materials or details (e.g., the thickness of faux stone or brick veneers). For example, windows are required, which provides “eyes on street.” However, when glazing is set in the same plane with the siding instead of being recessed inside the window casing, it can give the impression that the walls are very thin – an impression that may be appropriate in a glass tower but that may feel insubstantial when walls are intended to appear solid as with panel construction.
- Because many ground floor design and massing fundamentals are now covered by the base zones and other standards, there is not much “left on the table” for the CDS. For example, building setbacks on a Transit Street or in a Pedestrian District and the orientation of a building to the street corner are addressed in the commercial zones. Buildings in CS (or other commercial zones) that were subject to the CDS were not substantially different in appearance from those that were not. Revised standards could focus on important elements not covered by the base zones, such as ground floors of residential buildings and street frontages for large sites.

### **C. CENTRAL CITY FUNDAMENTAL AND SUBDISTRICT DESIGN GUIDELINES (DISCRETIONARY)**

These guidelines apply in the Central City.

- A few guidelines are vague, such as “integrate the river” and “integrate encroachments.” More complete explanations would help applicants to understand what these mean.
- Portland themes, under the section “Portland Personality,” could be expanded beyond fountains, fish, and roses. Other candidates that could express local character are arts, music, fresh food, handmade crafts, advanced technology, and sustainability.
- These have been effective in shaping many buildings within and near the center. They are inspirational, illustrated, and invite a range of design approaches. The basic direction is made clear, but variations can be acceptable.



#### D. COMMUNITY DESIGN GUIDELINES (DISCRETIONARY)

These guidelines apply outside of the Central City.

- Overall, the structures built under the Community Design Guidelines (CDG) appear to reflect a somewhat greater attention to detail than those built under the Community Design Standards. This could indicate the merit of professional judgment in discussions about design, rather than merely following prescriptive standards.
- Similar to the CDS, many ground floor design fundamentals are covered by the base zones and other standards, such that there is not much “left on the table” for the CDG. Revisions to the guidelines could “raise the bar” and focus on subjects not addressed in the base zones.
- Judging from the site evaluations, the Guidelines result in a greater variety of building forms and appearances than the CDS. This is expected, as the process is intended to provide greater flexibility in achieving the desired outcomes.
- The Guidelines address “Plan Area Character” by requiring buildings that incorporate “building design features that respond to the area’s desired characteristics and traditions.” The examples provided are very broad, from protecting trees to replicating a pattern of roads or building massing, to incorporating art or interpretive signs.

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### 3. RECOMMENDATIONS

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The design overlay has been, and continues to be, a good technique for integrating the public realm and private development, but it has experienced some organizational drift. In order to better understand how to address this, the consultant team conducted research, examined peer cities, interviewed scores of people and organizations, and looked at dozens of projects that have been built. As a result of that analysis, a set of findings was generated and grouped into subjects. These initial steps were useful in informing the development of recommendations. We presented a group of preliminary recommendations and received some reaction that has been used to refine and expand them. These final recommendations attempt to address the issues raised during all stages of the work. It should be noted that some issues raised are associated with other arenas of City regulations such as requirements by PBOT and the process associated with historic resource review. While this assessment did not delve into all related subjects, the recommendations provide a useful platform for improving the processes and decision criteria associated with d-overlay.

Suggested priorities for short-term implementation are denoted by a “PRIORITY” symbol next to the recommendation. Descriptions of current practices are highlighted in orange.

#### GOALS

As a result of the initial stages of research and discussions, the following goals have informed the recommendations that follow. In taking action with these recommendations, the City should recognize that multiple City objectives and policies need to be addressed, including overall city form, directing growth into centers and corridors, enhancing the public realm, creating livable neighborhoods, and promoting more affordable housing choices.

- **Support high quality design in development projects through a process that is efficient and effective.** This respects the long history of the City guiding development in ways that build the community as a whole, in addition to building projects. The process, however, can serve the community in ways that work better for all participants.
- **Ensure that applicants and the public have access to the process and understand appropriate times and methods to be engaged with it.** Currently, the d-overlay processes have different tracks, timelines, decision-makers, and ways of including the public. Many people are confused by these processes and do not comprehend their role and purpose.
- **Balance the need to consider context with the need for a clear and predictable system.**

## RECOMMENDATIONS: OUTLINE

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### A. PROCESSES

#### **PRIORITY**

- 1 **Adjust the thresholds for design review to provide a high level of review for larger projects in d-overlay districts but lessen the level of review for smaller projects.**
  - a. Restructure the thresholds based on two geographies: 1) Central City and 2) Neighborhoods: Inner, Western and Eastern – including Gateway.
  - b. Modify thresholds for design review to reflect a tiered approach based on the magnitude of change.
  
- 2 **Improve the review processes with a charter, better management of meetings and training for both the Design Commission and staff.**
  - PRIORITY** a. Adopt a new charter for the Design Commission.
  - PRIORITY** b. Manage Commission meetings more effectively.
  - c. Provide training for staff.
  - d. Convene regular Design Commission retreats.
  
- 3 **Align the City's review process with the design process.**
  - a. Organize the City's review process to correspond to a project's typical design process.
  - PRIORITY** b. Focus deliberations.
  - PRIORITY** c. Require DARs for Type III reviews for larger projects in the Central City.
  - d. Expect a collaborative attitude from all participants.
  
- 4 **Better communicate the role of urban design and the d-overlay tool.**
  - PRIORITY** a. Improve public information and education.
  - b. Hold applicant orientation "primers" on a regular basis.
  
- 5 **Improve the public involvement system.**
  - PRIORITY** a. Post large signs noting impending reviews.
  - b. Increase mailed notices for Type II and Type III reviews.
  - c. Require applicants to document community input.
  - d. Ensure inclusivity in decision-making process.
  
- 6 **Monitor and evaluate these amendments.**
  - a. Document where changes are occurring and what the impacts are. The analysis should be evaluated by BPS, BDS, Design Commission, and Planning and Sustainability Commission.
  - b. Formalize the annual reporting in Design Commission's "State of Design."
  
- 7 **Consider establishing more than one Design Commission following a period of evaluation.**

## RECOMMENDATIONS: OUTLINE

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### B. TOOLS

#### PRIORITY

- 1 General | **Clarify and revise the purpose and scope of the d-overlay.**
  - a. Revise the purpose statement for d-overlay to reflect current thinking.
  - b. Simplify d-overlay terminology.
  - c. Clarify the scope of design review.
- 2 General | **Sync the standards and guidelines.**
  - a. Use a parallel structure for standards and guidelines.
  - b. Combine the standards and guidelines into one document.
  - c. Create a consistent format.
  - d. Separate out historic review criteria.

#### PRIORITY

- 3 General | **Use the three tenets of design to simplify, consolidate, and revise the Standards and Guidelines.**
  - a. Respond to context.
  - b. Elevate the public realm.
  - c. Expand “quality and permanence.”
- 4 General | **Broaden “base/middle/top” to encompass other design approaches.**

- 5 General | **Recognize the unique role of civic buildings in urban design.**

#### PRIORITY

- 6 Community Design Standards | **Ensure that the CDS add value to recently adopted base zoning codes.**

#### PRIORITY

- 7 Community Design Standards | **Provide for optional ways of meeting standards.**
- 8 Community Design Standards | **Craft appropriate standards for the Gateway area.**
- 9 Community Design Standards | **In recrafting the Community Design Guidelines, recognize the changing nature of the city.**
- 10 Central City Fundamental Design Guidelines | **Collate special district design guidelines into one citywide set.**
- 11 Central City Fundamental Design Guidelines | **Revisit and simplify some of the guidelines.**
- 12 Central City Fundamental Design Guidelines | **Collate the subdistrict guidelines into the Central City Fundamental Design Guidelines.**

## A. PROCESSES

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PRIORITY

**A1** Adjust the thresholds for design review to provide a high level of review for larger projects in d-overlay districts but lessen the level of review for smaller projects.

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New full-block and large scale developments on N Williams Ave

Image: Google Street View

### Commentary

For many years, the Design Commission has been an effective force in guiding the quality of development within the Central City. During that period in Portland's history, much of major urban development was occurring within that area. This was, in part, due to policies and regulations that encouraged it, strategic public investments, and to the appeal of the core area of the city to both investors and potential residents.

However, at the same time as the Central City has been seeing urban development, other close-in districts have as well. Corridors along Interstate, Williams, Division, Hawthorne and others have seen dramatic changes. Previously, changes were small and incremental on modest sized parcels of land; now the change is dramatic, often consuming half blocks and entire blocks. This is likely a function of increasing land values in closer-in areas and price points of housing units rising in central areas.

In many cases citywide, the contrast between the existing context and new buildings has been very sharp. Often, that has been due to the configuration of parcels zoned for greater intensity flanking commercial streets, sometimes only a half-block deep on either side. Because this urban intensity now extends outward into many more parts of the city, larger scale development could benefit from a higher level of review.

### **a. Restructure the thresholds based on two geographies: 1) Central City and 2) Neighborhoods: Inner, Western and Eastern – including Gateway.**

The Gateway Plan District is designated as a Regional Center, meaning the City is allowed to require discretionary review and not offer the clear and objective track as an option. Current thresholds hold Gateway to similar requirements for design scrutiny as the Central City, despite different forms and paces of development. Eventually, with changes in policies, codes, and market investment, the area will significantly change in character to include greater intensity, larger buildings, and public spaces. In the meantime, the major form of investment will likely occur in the form of rehabilitated older buildings, façade enhancements, entrance upgrades, and other alterations so that the buildings can accommodate new tenants. Both the pace of change and the scale of change are much different than other parts of the city.



Current conditions at SE 106th and Stark in the Gateway Urban Renewal Area

Image: Hazelwood Neighborhood Association

Implementing this recommendation should help Gateway receive more intermediate forms of investment more easily, as smaller forms of change, whether new construction, alterations, or additions, are exempt from review (other than basic code review). This should allow businesses and property owners to make modest capital investments in renovating or retrofitting older structures.

As change takes place, the City should document what changes are occurring and where, as areas of focused investment will likely emerge. This should provide indications of where to apply other tools to leverage such investment.

**b. Modify thresholds for design review to reflect a tiered approach, based on the magnitude of change, as indicated below.**

One factor that bears upon the review process is the recent addition of City staff that can review a wide range of projects and take some of the load off the Commission. The City administration has reorganized staff to be more effective and efficient in the design review process while still holding projects to the same level of expectation for design quality. As with many other cities, professional staff can handle most reviews. The Commission, composed of citizen volunteers, can be used to review projects that are larger and more complex and have a more substantial impact on their surroundings. It also allows the design review decision the benefit of verbal testimony from the public.

At the other end of the development spectrum, smaller projects that have less impact on their surroundings can be given the simplest form of review, essentially confirmation of compliance with base zoning standards. Accordingly, this recommendation is aimed at establishing different thresholds for review and eliminating design review altogether for small projects, whether new buildings or renovations and additions (the characteristics of what officially constitutes these alterations or additions will need to be clearly defined). The numbers indicated are proposed to accomplish this objective and are based on research into three years of review history. The research revealed that the workload on the Design Commission would be reduced and many Type II reviews would be eliminated.

This is intended to encourage more investment by small, local, family-owned businesses that only engage in the development process very occasionally and can feel stymied by systems set up for companies doing more frequent and larger scale development. This reflects the Findings phase, during which this situation was mentioned by groups representing small businesses. This is also in recognition that much of Portland's unique character comes from the contributions of numerous small, personalized buildings to neighborhoods and along streets. Applying a lighter touch to regulations can help ensure that this character can thrive.

The thresholds below are intended, in combination, to accomplish the following:

1. Align the degree of impact with the type of review.
2. Create a more efficient process for applicants, staff, and Design Commission.
3. Shift some of the review that otherwise might have been directed to the Design Commission to professionally trained staff.
4. Remove relatively small projects – including specific items such as trash enclosures, antennae, bike parking, etc. – from review altogether in order to encourage owners of small businesses and properties to upgrade their properties without triggering the added time and expense for review.
5. Apply quantitative metrics that are easily verified.

**PROPOSED THRESHOLDS**

**NEW CONSTRUCTION**

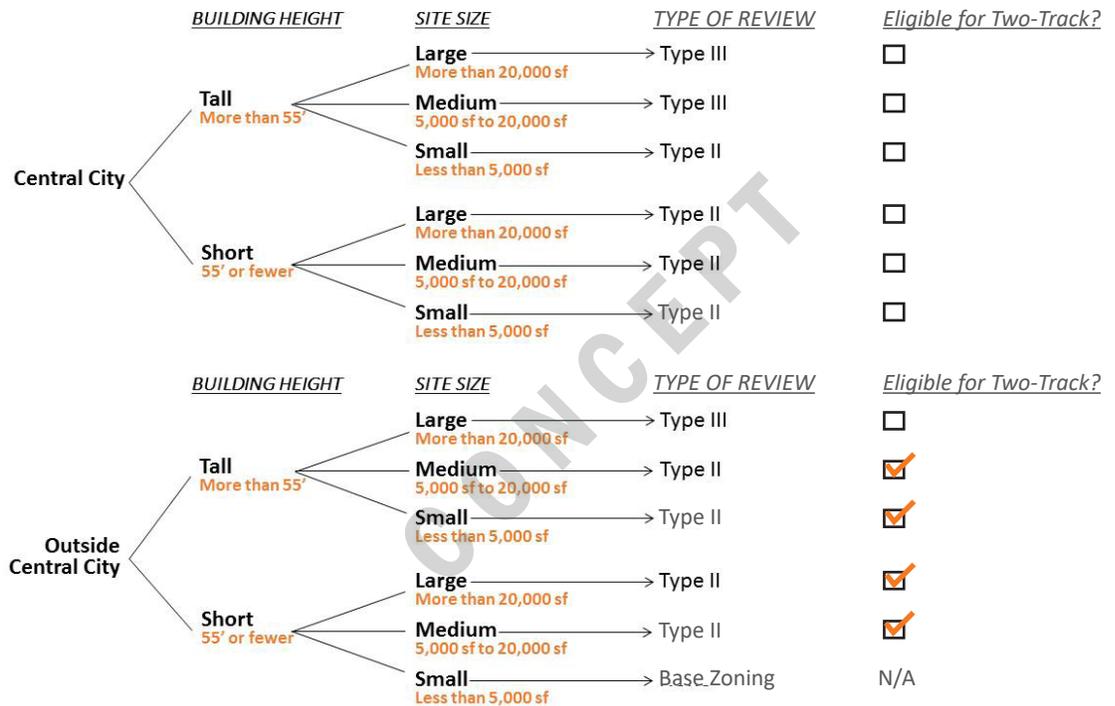


Figure 3.1 Proposed Thresholds for New Construction

### ALTERATIONS

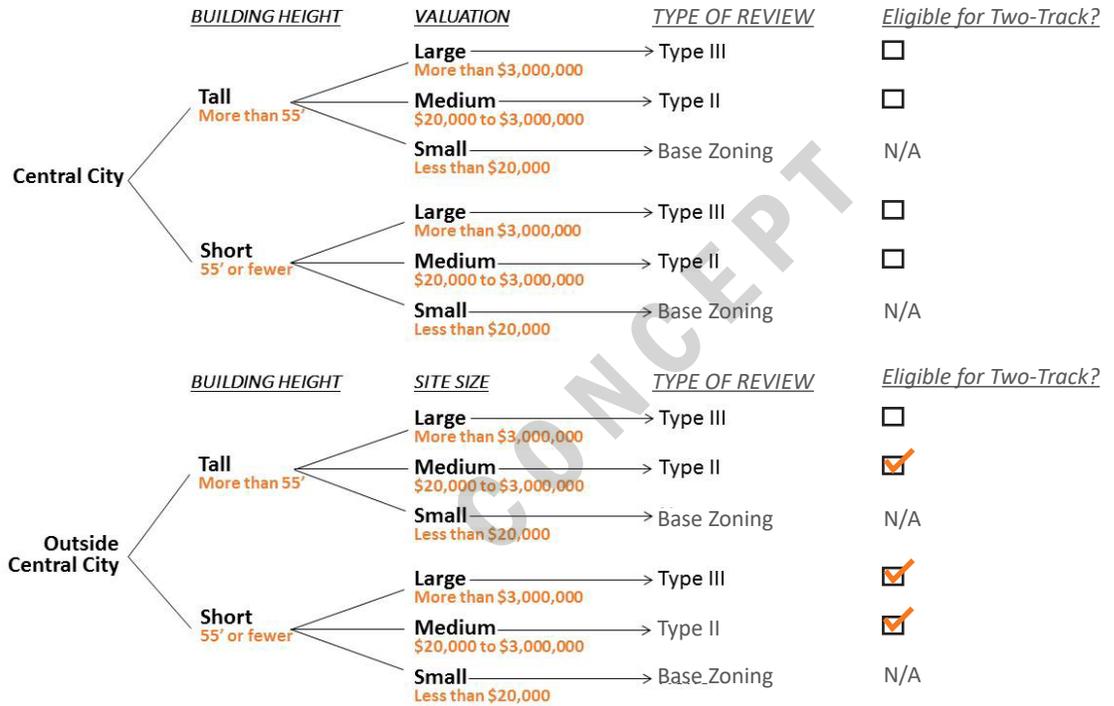


Figure 3.2 Proposed Thresholds for Alterations

### ADDITIONS

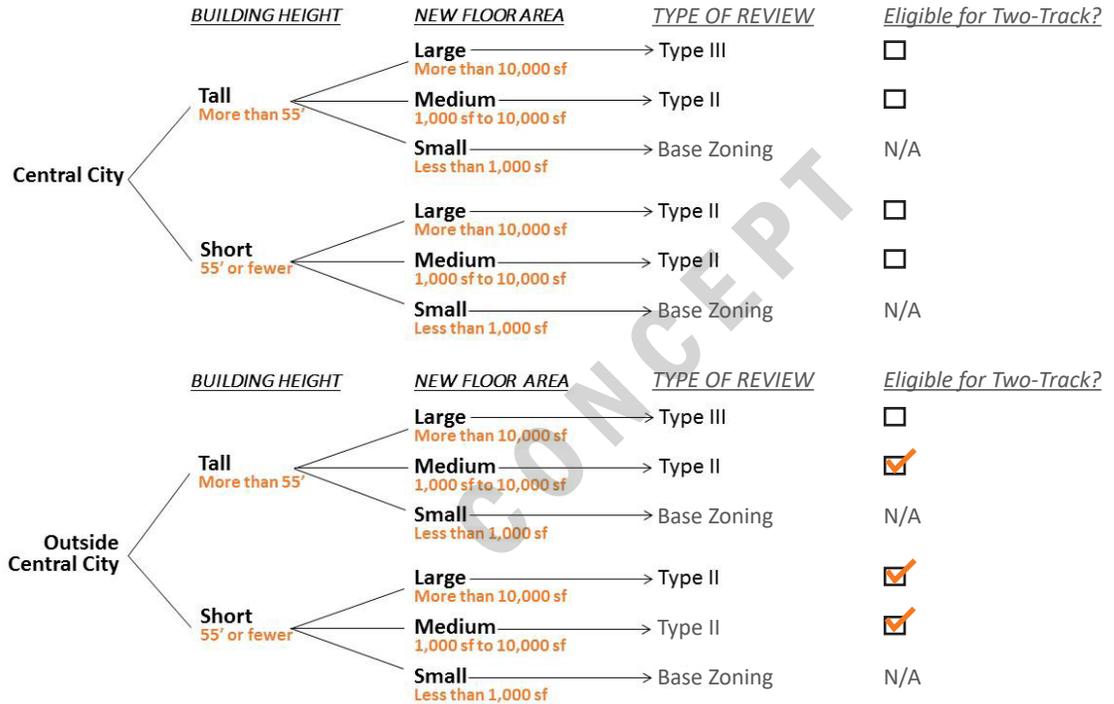


Figure 3.3 Proposed Thresholds for Additions

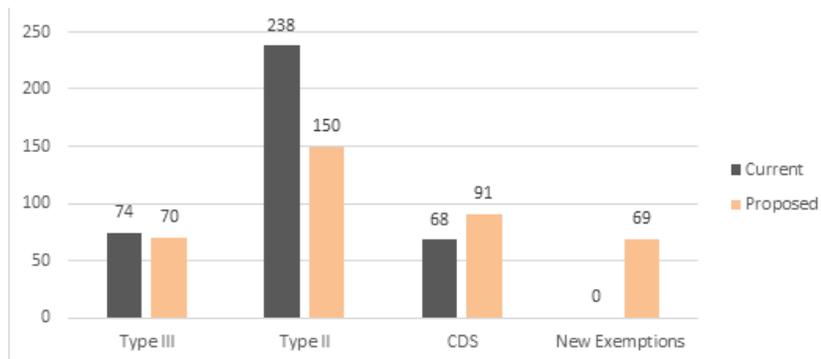
**OVERALL EFFECT ON WORKLOAD BY COMMISSION AND STAFF**

Caseloads for three years, 2013 through 2015, were examined to see the effect of these proposed thresholds. The following table and chart summarize this evaluation:

**Figure 3.4: 2013-2015 Change in Review Type Based on Proposed Thresholds  
OVERALL**

STAGE	TOTAL		NET CHANGE
	Current	Proposed	Number of Cases
Type III	74	70	-4
Type II	238	152	-86
CDS	68	91	23
New Exemptions	0	67	-67
Total	380	380	New Total # of Cases: 313

**Figure 3.5: 2013-2015 Change in Review Type Based on Proposed Thresholds**



Most of the reductions and exemptions occur in the category of Alterations. Recalibrating thresholds along these lines would have a number of implications:

These thresholds might push some projects to be smaller in size and scale to avoid design review. Some developers might avoid assembling large sites. For some neighborhoods and corridors, this could be a good result, with small scale incremental redevelopment rather than wholesale transformation of blocks. Smaller development projects would likely be mixed in quality. Regardless of the quality, the impact would be minimized. There is some possibility that entire block fronts could be filled with small, awkward buildings. But it is also possible that the exemption for small projects could encourage experimentation and greater variety of expression.

This recommendation assumes that decision-making guidelines would be updated, revised and consolidated, and a refocused form of review is carried out, as recommended later in this report. City staff would assume a more expanded role, which might necessitate organizational changes and enhanced skillsets.

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## **A2 Improve the review processes with a charter, better management of meetings, and training for both the Design Commission and staff.**

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### **Commentary**

The work of the Design Commission is a very important extension of the regulatory powers of the City. From the commentary received from the various stakeholders involved with the Commission, the review process has been less than organized and expeditious. The Commission has a responsibility to manage conduct of its members, keep to a timely agenda, and guide the flow and the form of deliberation. It would benefit greatly from a more orderly and timely approach to managing meetings.

### **Details**

#### **PRIORITY**

#### **a. Adopt a new charter for the Design Commission.**

It would be useful to craft a new, clear charter for the Commission and have it affirmed by the City Council. This could draw from previous enabling provisions of the City code but with updating and refreshing. A new charter should clearly outline the charge of the Design Commission and design staff related to authority and focus of reviews. Staff and commissioners should review the charter at retreats.

Some subjects to be addressed by the Charter are:

- Regulatory authority and limitations
- Role and responsibilities of Commissioners
- Role and responsibilities of the Chair
- Role and responsibilities of staff, especially the Design Review Manager
- Attitudes and behavior in public meetings
- Annual retreats and refreshers
- Public outreach, information, and education
- How direction is given to applicants: consensus/voting for unified voice

One additional aspect that should be added to commissions, regardless of the number, is including a representative who would reflect neighborhood interests and have a vote. This person could be drawn from a pool of volunteers and could also support the City's equity goals. The possible make-up of the Commission should also be changed to include architects, landscape architects, and planners, as shown in Figure 3.6.

<b>CURRENT: 7 MEMBERS</b>	<b>RECOMMENDATION: 7 MEMBERS</b>
One representative from Regional Arts and Culture Council	No Change
One person representing the public-at-large ( <i>currently, this person can also be part of the next category below</i> )	One person ONLY representing the public at large (not part of the category below)
Five members experienced in either design, engineering, financing, construction, or management of buildings, and land development	Five members experienced in either architectural design, landscape architecture, planning, engineering, financing, construction, or management of buildings, and land development

Figure 3.6 Recommendations for Design Commission makeup

Currently, the Design Commission operates under a purpose statement found in the Zoning Code that includes “maintaining and enhancing Portland’s historical and architectural heritage.” In addition to conservation and compatibility, the purpose of the d-overlay also concerns “quality high-density development adjacent to transit facilities,” a goal that was added in 2005. Adopting a charter and bylaws could bring the purpose of the Design Commission and the d-overlay into alignment.

**PRIORITY**

**b. Manage Commission meetings more effectively.**

Establish management practices for the Design Commission, using the role of the chair to keep the discussions timely, on point, and focused on applying adopted design guidelines. Start times and end times should be indicated on agendas. A checklist of guidelines should be used to focus and prioritize discussion. For very large projects, or those involving multiple buildings, fewer projects should be scheduled for a given meeting to allow for more time. Staff’s role should be to clarify standards/guidelines, point out precedents, and help with time keeping.

The Chair and Vice Chair should receive training on meeting management and be given clear authority to ensure that:

- Hearings last no more than 90 minutes and follow a clear sequence: applicant presentation, questions and answers, deliberations, etc. (staff should assist in monitoring the time). Exceptions to this rule could be made for large, multiple-building proposals and larger institutional projects, but this should be a conscious decision determined in advance, with an appropriate reduction in number of other cases.
- No topic is discussed for more than 15 minutes. The Chair should monitor and direct the discussion.

- Discussions focus on guidelines and not subjects outside the Commission's authority.
- Every commissioner is heard from.
- Group consensus is the direction provided to the applicant, not individual comments.
- Direction to the applicant is clear at the end of the meeting. The applicant's representatives should be asked for confirmation.
- Limiting public comment to a specific amount of time, announcing the time allocated, and inviting speakers to simply express agreement with prior speakers instead of repeating testimony.

The Design Review Manager should sit at the Dais, next to the Chair, so that the role in the process is obvious and prominent.

Currently, DARs are allotted 90 minutes and Type III reviews are typically allotted 120 minutes. Published times for beginning and ending each hearing are followed. Fewer projects are scheduled per hearing when larger developments are anticipated to require more time. The Chair has the option of imposing a 2- to 5-minute time limit per person based on the number of members of the public wishing to testify. Oregon state law requires that all people who wish to testify be given the opportunity to do so, which means some projects may require more time than allotted.

**c. Provide training for staff.**

Regular training should ensure that guidelines and recent successful applications of guidelines are clear. Field visits within Portland and elsewhere would allow staff to become familiar with the state of the art in development. There should be quarterly meetings of BPS and BDS staff regarding long-range planning goals and current planning outcomes, as well as coordinating efforts. BDS should continue equity training with staff and extend this training to Design Commissioners.

Currently, Bureau of Development Services representatives serve as liaisons to Bureau of Planning and Sustainability staff on long-range projects. However, there is no formalized channel for ongoing coordination outside of individual projects, and there is no mechanism by which current planners can communicate with long-range planners about whether a particular development seizes the opportunities called for in a long-range plan.

**d. Convene regular Design Commission retreats.**

There is value in holding a Design Commission retreat with senior staff at least twice a year and this should continue to be supported. This allows for team building and assessing progress and outcomes. Past projects could be reviewed with lessons learned that can be applied to future deliberations and decisions. Tours in the field should also be encouraged as part of these retreats. The charter should be reviewed and participants refreshed with a continued collective understanding of roles and responsibilities.

Currently, Design Commission holds retreats with staff at least once a year to review past projects and discuss frequent design issues.

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**A3 Align the City review process with the design process.**

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**Commentary**

The review process currently used by the City sends a confusing message to applicants. The delay in scheduling required reviews, in combination with the detail and information presented and requested upfront, results in an expectation that the applicants must submit a finished design for review. This sets up a situation in which so many decisions have been made by the development team that it would be difficult and potentially costly to make modifications as a result of a review.

Furthermore, it has been reported that, as the review process moves along, subjects that were seemingly resolved initially are discussed again, later, with a different direction given. This creates havoc with an applicant’s design process. Issues resolved at each stage should not be revisited in subsequent meetings, and staff should check construction documents and progress during construction to ensure follow-through with commitments and conditions.

**Detail**



**a. Organize the City’s review process to correspond to a project’s typical design process.**

This should move reviews away from discussing details prematurely and allow the “big picture” aspects of a project to be addressed first, with more detail as the project proceeds. This would require the list of submittals to be tailored to reflect the stage of design and its review. This recommendation is currently being explored by BDS and BPS staff along with Design Commission and applicants.



Example of a schematic design sketch  
 Image: Ankrom Moisan Architects, Inc.

STAGE	SUBJECT	SUBMITTALS
<b>Pre-App</b> (with staff)	Pre-design	<ul style="list-style-type: none"> <li>• Site &amp; Program</li> <li>• Issues Identification</li> <li>• Services/Utilities</li> </ul>
<b>DAR</b> (see note; with Design Commission)	Early Schematic Design	<ul style="list-style-type: none"> <li>• Context Analysis</li> <li>• Initial Concepts</li> <li>• Configuration</li> <li>• Massing</li> <li>• Overall Site Plan</li> </ul>
<b>First Review</b> (with Design Commission)	End of Schematic Design	<ul style="list-style-type: none"> <li>• Concept</li> <li>• Elevations</li> <li>• Ground Level</li> <li>• Public Spaces</li> <li>• Public Involvement Update</li> </ul>
<b>Decision Review</b> (if necessary, with Design Commission)	End of Design Development	<ul style="list-style-type: none"> <li>• Complete Design</li> <li>• Refined Design</li> <li>• Materials</li> <li>• Details</li> <li>• Exterior Lighting</li> </ul>
<b>Building Permit</b> (with staff)	Construction Documents	<ul style="list-style-type: none"> <li>• CDs</li> </ul>

Figure 3.7 Design process phases aligned with submittal items complementary to each.

*Note: for projects over a certain size or geographic location, a DAR would be required (see Recommendation 3C).*

**PRIORITY****b. Focus deliberations.**

The Commission should be responsible for tying their comments to relevant guidelines pertaining to stages of review. A summary of guidelines or checklist could assist in deliberations. In addition to citing relevant guidelines during deliberations, deliberations of the Commission could be assisted by staff grouping the guidelines and sorting them by issues related to the three tenets: context, public realm, and quality and sense of permanence. This recommendation does not suggest that materials be dropped from consideration in reviews, but rather that reviews should place greater emphasis on response to context and the public realm, particularly in the initial stages of review.

Further, the focus should be on those guidelines that have not been met so that the discussion can bear down on what could be done in the project to have it better comport. To some extent, the staff does this already, but a more concentrated and consistent effort would be helpful. It would also be helpful for the Commission to be diligent about relating its discussion to guidelines and avoid bringing in other issues that may occur to individuals.

Recently, staff has provided Design Commission a filled out checklist for DARs and sometimes for hearings. Beginning in late March 2017, there will be a consistent checklist provided for each Commissioner for all reviews filled out by staff plus a blank checklist for each Commissioner to use in their review.

COMMUNITY DESIGN GUIDELINES (1998)		DATE	PROJECT NAME	PROJECT NUMBER
			PROJECT ARCHITECT	PROJECT VALUE \$
<b>P</b>	<b>PORTLAND PERSONALITY</b>	<b>STRONG</b>	<b>FAIR</b>	<b>WEAK</b>
<b>P1</b>	Enhance sense of place & identity by incorporating features that respond to area's desired characteristics and traditions			
<b>P2</b>	Enhance identity of historic and conservation districts, using features that reinforce area's significance			
<b>P3</b>	Develop/strengthen transitional role of gateways adopted in community plan			
<b>E</b>	<b>PEDESTRIAN EMPHASIS</b>	<b>STRONG</b>	<b>FAIR</b>	<b>WEAK</b>
<b>E1</b>	Create a safe and connected sidewalk network for pedestrians			
<b>E2</b>	Provide comfortable places along circulation routes to stop, meet and rest			
<b>E3</b>	Create a sense of enclosure through design features, gathering places and differentiated façades			
<b>E4</b>	Create active intersections through careful scale and location of building entrances			
<b>E5</b>	Design to protect pedestrians from sun, shadow, glare, reflection, wind and rain			
<b>D</b>	<b>PROJECT DESIGN</b>	<b>STRONG</b>	<b>FAIR</b>	<b>WEAK</b>
<b>D1</b>	Create outdoor areas when possible. Design these areas to be accessible and connected to pedestrian circulation			
<b>D2</b>	Make main entrances to buildings prominent and transit-oriented			
<b>D3</b>	Enhance building design through placement of landscape features			
<b>D4</b>	Integrate parking to minimize negative impacts for pedestrians			
<b>D5</b>	Reduce crime through placement of windows and active ground level use			
<b>D6</b>	Respect building character when making exterior modifications.			
<b>D7</b>	Incorporate elements of nearby quality buildings such as building details			
<b>D8</b>	All parts of a building should be interesting and long lasting, forming a cohesive composition			

Figure 3.8 Example of a matrix currently used by staff to indicate which guidelines are not yet met, and why.



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## **A4 Better communicate the role of urban design and the d-overlay tool.**

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### **Commentary**

Portland’s design review process can be confusing even to professional designers who work through permitting on a frequent basis. For newcomers and residents to understand, the path to navigate the process involves knowing a multitude of terms, types of decision-making, dates, meetings, contacts, and a host of other subjects.

Currently, the City has handouts related to the design review process for both community members and applicants, but members of the public often testify about parking requirements, density allowances, or other topics not under the power of the Design Commission to control.

### **PRIORITY**

#### **a. Improve public information and education.**

It would be helpful for the City to sponsor seminars such as “Community’s Guide to Design Review: How to Take Part.” These could be held once or twice a year in locations throughout the city.

It would also be helpful for the City to publish a glossary of terms so that people can grasp the basic language used in review processes. This effort should align with simplifying terminology, collapsing tools into a few sets with the same structure, and explaining the process with clear graphics. (See Recommendations under Tools.)

Currently, the Bureau of Development Services offers occasional “lunch and learn” sessions on various aspects of the zoning code, and the City offers a free workshop called “The ABCs of Land Use” that could offer a model for a seminar related to the d-overlay.

#### **b. Hold applicant orientation “primers” on a regular basis.**

Some applicants have had sufficient experience with the City’s review process to understand the steps and timelines. But for applicants new to the areas or smaller businesses that do not frequently engage in the system, the processes can be daunting. It would be helpful to have frequent orientation sessions with simple handouts and examples of different types of projects and issues that are the subject of deliberation. Definitions of terminology should also be provided and explained. This type of interaction can also communicate what Portland expects from new development with regard to building places rather than merely building projects.

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## **A5** Improve the public involvement system.

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### **Commentary**

Better methods of notification about projects would allow people to anticipate changes within the area around them and to understand how they can participate in the design review process. Often, people simply want to be made aware of impending change rather than be surprised at the moment that the construction fence is erected. Public notice is a large issue overall that could be broadened beyond the design review program.

### **Detail**

#### **PRIORITY**

#### **a. Post large signs noting impending reviews.**

Development being reviewed under Type II or Type III should be required to erect a large sign on the property following a filing for review. The sign should briefly describe the proposal and include a site plan and a rendering, if available. Contact information for City staff should be prominently shown. Typically in other cities, these boards are 4' tall by either 4' or 8' wide. The applicant provides these boards following specifications of the City.

Currently, sign posting on a site is limited to land use reviews going through the Type III hearing process. The notice provides information about the hearing on an 18" x 24" letter board that includes a space to insert an 8.5" x 11" sheet with the hearing and contact information.

#### **b. Increase mailed notices for Type II and Type III reviews.**

Mailed notification could be enhanced by increasing the mailing radius. Furthermore, other cities make sure that renters are included in the notification by having the postal service deliver notices to "Occupants" within a defined mailing area. Include in the notice what subjects can be commented on, and what cannot.

### **c. Require applicants to document community input.**

#### **Commentary**

For Type II and Type III review processes, the involvement of applicant design teams with neighborhood groups is not a consistent, well-organized or well documented process. The applicant is expected to document any project changes arising out of the neighborhood notification processes, while comments received during the formal land use process are documented by staff planners. Some residents may be disappointed that their comments have not reduced a project's bulk or density significantly and that some design team seem to dismiss their issues.

The method of framing, receiving, and documenting comments could be improved so that all parties can understand how to provide useful and legitimate comments. For example, the City could provide neighborhood groups with a list of subjects that are appropriate for discussion in the context of Design Review and indicate clearly that basic zoning entitlements are not subjects for deliberation. Design teams should indicate where they have been able to make use of comments and where they have not.

#### **Detail**

#### **Establish a formalized template for applicants to document community input.**

When meetings with neighborhood associations for any Type II or Type III review have occurred, the responses to comments should be indicated in a report to the City staff or Design Commission.

For discretionary decisions, the applicant should describe to the decision-making group how neighborhood association input and social context was incorporated into the design. The applicant should include a summary of neighborhood input and the response in their presentation to the Commission.

Currently, Neighborhood Contact provisions in the code require an applicant to contact the neighborhood association for the area by mail, to summarize the proposal and request a meeting. The neighborhood association should reply to the applicant within 14 days and hold a meeting within 45 days of the date of mailing the request. If the neighborhood association does not reply to the applicant's letter within 14 days, or hold a meeting within 45 days, the applicant may request a land use review or building permit without further delay.

After the meeting and before applying for the land use review or building permit, the applicant must send a letter to the neighborhood association and district neighborhood coalition explaining changes, if any, the applicant is making to the proposal. Copies of letters must be submitted with the application for land use review or building

permit. Discretionary reviews require a staff report that includes public comments and staff responses to these comments. They do not necessarily include applicant/neighborhood conversations, although they may factor into the narrative.

**d. Ensure inclusivity in the decision-making process.**

The City should examine all of its regulatory processes, including the design review process, to ensure that it meets overarching goals for inclusivity. With regard to design review and the d-overlay process, there are a number of ways this can be accomplished.

- Members of the Design Commission should represent a broad spectrum of interest and backgrounds.
- Interviews of prospective Design Commission appointees should include an inquiry about how the person's experience helps meet the City's equity goals.
- The transparency of both Type II and Type III processes should be enhanced, with, for example, with greater communication between staff and the public through different media, including an interactive website.
- Neighborhood associations providing comment should demonstrate their representation to ensure a diversity of voices, including renters as well as homeowners and businesses as well as residents. This is important to ensure that the City's equity goals are met.

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## A6 Monitor and evaluate these amendments.

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In 2015, the City of Seattle Department of Construction and Inspections published a "People's Choice Awards in Urban Design Excellence" that showcases exemplary projects in low-, mid-, and high-rise categories.

Image: City of Seattle DCI

### Commentary

Whenever changes are made to a regulatory system, it is extremely useful to examine the impact over time. This should be done for the d-overlay citywide.

**a. Document where changes are occurring and what the impacts are. The analysis should be evaluated by BPS, BDS, Design Commission, Planning and Sustainability Commission.**

**b. Formalize the annual reporting in Design Commission's "State of Design."**

This should be elevated as a check point with both qualitative and quantitative measures and indications about what could be improved to achieve the most desirable results. Because this set of recommendations includes allowing for many smaller projects to be exempt from review, the next few reports could highlight how that has worked.

Successful applications of guidelines should be published on a regular basis. This would allow applicants, as well as the public, to learn about past interpretations. Annually compile and publish examples of projects that are exemplary in addressing guidelines.

There could also be a Commission Commendation program. This could specifically recognize developments that contribute to making great neighborhoods and places rather than merely unique buildings. The City should use the Design Commission's required annual report to the City Council to highlight successful examples of both Type III and Type II review.

Currently, the Design Commission issues a report each year to the City Council describing accomplishments.

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**A7 Consider establishing more than one Design Commission following a period of evaluation.**

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A well-attended public meeting of Seattle's Southwest Design Review Board.  
*Image: Christopher Boffoli, West Seattle Blog*

**Commentary**

Other recommendations here involve changing thresholds for review and managing the meetings more effectively in order to reduce workload on the current Commission, which has been meeting many hours each month. If those methods do not reduce the workload significantly, it may be worth considering creating one or more additional commissions.

**Detail**

**After implementing previous recommendations, the City should evaluate the results and, if needed, examine whether one or more additional commissions would be warranted.**

A “natural” division of labor would be to have one commission for the Central City and another, or more, for other areas of the city. This would reflect the differing nature of development in various parts of the city as well as the different guidelines that are applied. This would be similar to other cities with more than one commission, such as Milwaukee and Seattle, which assign them to different geographic areas. This division of labor allows each commission to become very familiar with the tools, processes, issues, and interests in different parts of the city. This should result in more expeditious reviews.

Currently, Portland has one Design Commission for all Type III Design Review hearings, whether those occur in the Central City, Gateway, or other areas in the city. The Design Commission also reviews appeals of Type II decisions.

### **Commentary**

Currently, it is difficult for many applicants, as well as community members, to understand what is being expected through d-overlay. Terms can be confusing and similar terms have different meanings. It would assist all parties if the intent and mechanics of this tool were made clearer.

Terms such as Community Design Standards and Community Design Guidelines, discretionary review and non-discretionary review, and numbered Types of Review easily get confused by many people. Design review sometimes refers to a certain type of decision and at other times refers to the entire group of decisions.

#### **a. Revise the purpose statement for d-overlay to reflect current thinking.**

The current purpose statement suggests conservation of architectural or cultural features as well as compatibility with the surrounding neighborhood. It also supports higher density near transit stations. In recent years, the form, pace and location of development has changed and is found in more areas – some sensitive to an older, established context and others seeing development where the context is not well formed. Expanding on the purpose statement and applying it to different patterns would be useful.

#### **b. Simplify d-overlay terminology.**

Some terms are used that are not defined and can lead to misunderstanding and dispute. It would be useful to have an illustrated glossary of terms that are commonly used in the standards and guidelines.

#### **c. Clarify the scope of design review.**

Design review can have an important role in examining massing – not just materials – as part of a building’s response to context. However, there are several reasons that floor area should not be subject to major changes through Design review.

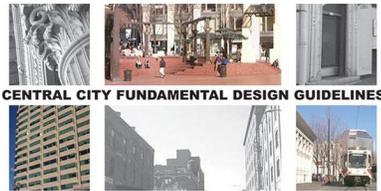
Many people make investments in property based on the entitlements spelled out in the Zoning Code. Indeed, tax assessors even determine valuation in part by allowable potential set forth in zoning codes. Long-range planning must be the process for establishing basic zoning entitlements.

Modify the language describing the scope of the Design Commission’s purview to delete reference to height and bulk (as these are entitlements) and rephrase to focus on “modify the shaping and arrangement of allowable floor area in a building to better recognize contextual relationships.”

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## **B2** General | **Sync the standards and guidelines.**

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The Central City Fundamental Design Guidelines document provides visual examples and illustrations of guidelines. Other sets of guidelines should follow this lead.

*Image: City of Portland*

### **Commentary**

The standards and guidelines have been assembled over a number of decades. Most follow different formats. Some address certain issues, while others do not. Some reflect earlier ideas or conditions regarding urban development. It is not always clear that standards and guidelines address the same issues in a consistent way, and it would be helpful to various participants to see parallel language. There are gaps and language that needs to be clarified. During interviews, commentary indicated that it would be useful to understand the difference, especially between what is expected for Type II review versus CDS review.

A number of people in the interviews commented on the many documents applied to some areas, and the review of projects suggests that some elements are not being addressed well. It would benefit the process of review to have simpler, more consistently presented tools.

Standards and guidelines should be recrafted with an eye to consolidating and simplifying them, eliminating redundancies or combining those that are only marginally different. Using the same design purpose and intent, the design standards should use quantitative criteria and the design guidelines should use qualitative criteria to encourage the best possible result.

Standards and guidelines should be highly graphical with language that clearly explains the intent and the terms of the guidelines. They should include diagrams to help explain and several real-world photographic examples that illustrate how it has been accomplished in other development. The Central City Fundamentals is a good model.

Currently, 11 different sets of design guidelines are available on the City’s website, and the Community Design Standards are found in the Zoning Code. Some documents overlap, and others address the same areas but in differing degrees of detail. Some are lengthy and are challenging to participants to even keep in mind all the aspects addressed. Some sets of guidelines include photos, while the Community Design Standards do not include photos or graphics.

## **Detail**

### **a. Use a parallel structure for standards and guidelines.**

Standards and guidelines should be organized to fit a parallel structure. This should make it possible to easily see the relationship between the flexible guidelines and the more objective standards.

Currently, the Community Design standards are written to be applied objectively and so focus on specific measurable standards and/or materials. They do not align with the three tenets of design, nor do they necessarily follow the current guidelines of Portland Personality, etc. There are likely several standards that do not have a direct relationship with the guidelines, and many of the guidelines might not align with certain standards. To align them will require analysis during the next phase.

### **b. Combine standards and guidelines into one document.**

This would be done for the purpose of assisting applicants and the public, as the standards themselves would need to be legally found with Title 33. But as an assist, a combined document could also be supplemented with photos and other graphics to explain the criteria.

### **c. Create a consistent format.**

The formats of current documents range widely in quality and organization. Some are very dated and employ language that is more descriptive than prescriptive. Guidelines are generally organized into themes that are related to each other. This requires an internal sync for the various guidelines because the guidelines span many years and cover different issues. So that there can be a consistent set of review criteria, it is recommended that a format be developed for revised standards and guidelines.

Documents could be formatted with a “layer cake” approach, with some standards and guidelines applying to all areas and others applying only to specific areas. This would reduce or eliminate repetitious language.

### **d. Separate out historic review criteria.**

The process and purpose of historic review are quite different than design review. This should eliminate confusion and help make a distinction between structures that are formally designated historic and those that are not.

**PRIORITY**

**B3** General | **Use the three tenets of design to simplify, consolidate, and revise the standards and guidelines.**



The design of the first 30 feet of a building are particularly important to the pedestrian experience; a 12 foot first floor height for residential and a 15 foot height for mixed use buildings is recommended

**Commentary**

The three tenets outlined below are crucial building blocks of good urban design. They have served Portland well over the years and they can be used to help shape supportive standards and guidelines in a clear and understandable manner. They can form the underpinnings and organizing philosophy for more specific language.

**a. Respond to context.**

Define “context” in a more comprehensive manner. It is important for new development and redevelopment to recognize its surroundings. This does not necessarily mean replicating it but rather drawing influences that can enhance the character of the area. This should include an assessment of the neighborhood character as a whole, the blocks immediately surrounding the proposed development, the physical characteristics of buildings, and the streetscape. It should include any elements from the recently adopted Urban Design Framework and urban design diagrams from neighborhood plans. The combination should address both current and anticipated patterns. Graphics and photos should be emphasized more than text.

One technique that could assist in the review of response to context is to require applicants’ design teams to show an analysis of the surrounding area, identifying aspects that helped inform the design. The City should set a list of required submittals, including maps of streets, sidewalks, buildings, uses, and heights, along with photo documentation with annotations and diagrams that help explain the design approach as part of the context. This does not mean that projects must “blend in,” use historicist forms or details, or remain in the visual background. But it does require a serious examination of the patterns found in the area, which can be both positive and negative. The proposal should describe how it responds to these characteristics.

Information regarding context would benefit from coordination between BPS and BDS, so that staff can fully understand both what is in an area already and what is expected to change.

For all criteria:

- i. Include guidance from adopted polices and plans, such as:
  - The Comprehensive Plan
  - New direction from MUZ on context (inner and outer city areas).
  - CC2035
  - Area-specific plans
  - Adopted Urban Design plans or frameworks
- ii. For East Portland specifically, emphasize site design, open space, circulation systems in requirements.
- iii. Give more guidance on massing and form.
- iv. Consider a project's social impact to the community as a response to context.

For Community Design Standards:

Examining the way a project's social impact responds to context could look to the City of Seattle's Green Factor program, which acts as a parallel process to design review with specific standards that contribute to the public good, as a precedent. Further, if an applicant is allowed to "opt out" of compliance with a standard, they could be required to provide a public good – for example, hiring a local artist for a public art component.

For Community Design Guidelines and Central City Fundamental Design Guidelines:

Analysis of the context surrounding a proposed development should examine patterns, uses, characteristics, demographics, natural features and social activities. Applicants should explain either how the design that evolves fits into the context or why it is establishing something new. Plans should show enough of the surroundings to comprehend the relationships with other properties and spaces. This should range from showing current and proposed development on blocks immediately adjacent to a site for mid-size projects. For larger projects, this area should encompass at least two blocks in all directions from the site.

In addition, applicants could be required to outline what public goods the project provides – in effect, what the project is giving back to the community or the public realm through the development.

This analysis and the response to it should be provided as early as possible in the review process so that they can form the basis of a design that can help build the neighborhood, as well as meet the development program on the site. In some cases, this step might entail drawing from influences in the larger neighborhood or area. Annotated photographs and, for larger projects, context models, would be useful techniques.

## **b. Elevate the public realm.**

The review of project examples revealed some missing criteria with regard to the ground floors of buildings.

### For all criteria:

- i. The height of the ground floor is crucial – At least 12 feet for residential and 15 feet for mixed use (floor to ceiling) should be required. There should be more specificity to guide the design of the ground floor to discourage an “elevated basement” look.
- ii. While the ground floor is most important, the first 30 to 40 vertical feet of a building’s façade should receive particular attention, as it frames the street and impacts the public realm. Desirable features of the public realm should be listed, described, and illustrated with drawings and photographic examples, perhaps including images of what is not acceptable (such as blank walls, meter boxes exposed to the sidewalk, mirror glass, etc). Although some buildings have exhibited a high level of finesse in detailing, this is not universally the case. To ensure this will require more specificity. This could be a standard that involves choosing, say, at least 5 out of a list of 9.
- iii. In addition to the frontage of the building, design proposals should include how horizontal areas in front of a building are being addressed. Aspects such as paving, seating, lighting, trees, tree surrounds, bollards, bike racks, and other elements that support the public realm should be indicated.
- iv. Clarify what is meant by “active ground floor uses.” The intent is to provide visible human activities through windows along the sidewalk. Shops, restaurants, cafes, and personal services clearly accomplish this, even if they do not occupy large amounts of space (i.e. frontage is more important than area). While bicycle repair and rental do this, storage does not. A cash machine would, but not the desks of banking personnel. If a retail shop were to place its stockroom or the backs of display cases against the window, that would not either. The goal is to create visible activity inside and provide users a visual connection with the outside. It is not only the use that matters, but seeing social activity, “eyes on the street,” visual transparency, and human connectivity. This also requires an entrance directly from the sidewalk, not merely from an interior space.

For Community Design Standards:

- i. The ground floor should be the focus of considerably more design attention, with respect to the components that address the relationship between the sidewalk and the façade:
  - lighting such as wall lighting, soffit lighting, bollards, step lights, accent lighting
  - weather protection at entries such as recesses, overhangs, canopies
  - doorways such as glazing, threshold, casing, address numerals
  - windows, including casing, mullions, sills, size, tint
  - signs, wall signs, overhanging signs, brackets, lighting source
  - other details that people on foot can see, touch, and otherwise appreciate at that scale

The design standards for the ground floor could involve adopting a weighted point system that places relatively higher values on costly elements such as street-level public spaces and location-specific art and smaller values for architectural features. For example, a plaza or mini-park might count for 60 percent of a point total, while a handcrafted sign might be 20 percent. This would both keep the review “clear and objective” and provide for unique combinations of elements in order to achieve the total required.

- ii. For the Eastern pattern area, and perhaps some other areas, standards should emphasize site design issues related to livability, including pedestrian access and circulation, open space, privacy, and Crime Prevention Through Environmental Design (CPTED).
- iii. Residential-only buildings within commercial zones need to have standards that address how they reflect the residential occupancy rather than appearing to be another commercial structure. Elements such as a visible lobby, planting near the residential entry, and ledges, benches, or other seating elements can be used to convey that people live there. Upper floors are also important, and balconies, setbacks, planting areas, handrails, parapet trellises, etc. can also communicate residential use. This is another subject lending itself to a list of options.

For Community Design Guidelines and Central City Fundamental Design Guidelines:

- i. Design teams would be expected to show how they have provided a high level of design for the ground level, including:
  - Making the ground level distinctive, not merely distinct
  - Providing well-detailed architectural elements
  - Providing larger windows
  - Using high quality cladding on at least the first level
  - Avoiding the recess for planting
  - Stoops, steps, and patios
  - Private gardens
  - Artwork
- ii. Entrances should be given considerably more attention with respect to weather protection, lighting, paving, door and window details, planting, and building name and address.
- iii. In order to allow for sufficient review, in the list of required submittals, the ground level should be depicted in both elevations and sections at a large enough scale to discern details, with annotations indicating what is proposed.  $\frac{1}{4}'' = 1'$  is suggested as an appropriate scale. For larger developments, this might require breaking elevation drawings into segments. It is not expected that this level of detail would be shown at a DAR, but rather in subsequent meetings.

**c. Expand “quality and permanence.”**

This should be broadened to encompass other subjects such as sustainability, energy use, and ability to adapt over time. Currently, there is a lot of focus on specific details of cladding systems. Given long-range policy directions of the City, this subject matter could be given a different cast.

For all criteria:

Address “green” features that make developments more permanent because they provide lasting resilience. Considerations of energy use should be incorporated, such as the obvious inclusion of passive solar, active solar collection, shading elements, an interpretive panel describing building systems that make more efficient use of energy, or LEED status.

For Community Design Standards:

- i. Address quality results on all sides of the building, not just street-facing façades.
- ii. When mixing masonry with thinner cladding, use masonry where it makes visual sense, such as within recessed portions of the building as opposed to overhanging portions.
- iii. In residential development, window openings should project outward or be recessed rather than being within a flush, uninterrupted wall surface.

For Community Design Guidelines and Central City Fundamental Design Guidelines:

- i. Determine the appropriate level of detail for materials (e.g. what materials are acceptable, dimension of railing, brick coursework) while allowing some flexibility over time as building technologies and systems change.

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**B4** General | **Broaden “base/middle/top” to encompass other design approaches.**

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A ground floor can be built to the lot line, made visually distinct from upper floors, and include windows, but still lack visual interest

Image: Google Street View

**Commentary**

The base/middle/top approach to designing urban buildings has been found in various guidelines for at least a couple of decades, not just in Portland but in a number of other cities as well. It derives from a classic principle associated with traditional buildings in which there is a visibly obvious three-part (“tripartite”) organization of major architectural elements. Lower portions of buildings were often given more laterally expansive massing, materials of larger increments such as rough stone, much more generous windows, horizontal belt lines, stepbacks, and other features to make them stand out. The top of a building was set apart by elements such as exaggerated and overhanging cornices, stepbacks, decorative details and materials, and sometimes an ornamental tower or spire.

However, translated into contemporary buildings, the base/middle/top approach frequently results in ungainly, awkward, or visually weak architectural expressions; creating a truly distinctive base requires a careful combination of elements such as significantly higher quality of materials, overhangs, projections, canopies, clerestory windows, change in color, details oriented to pedestrians, artwork, and accent lighting. A slight change of materials or finishes on the lower levels rarely produces the feeling of a base. By the same token, eyebrow extensions at the roof edge do not do much to differentiate the top. In some cases, the “top” ends up getting expressed with huge overhangs that dominate a façade and even the street. Worse, these elements can add costs that might be better spent at the sidewalk level, where people can actually enjoy a more refined level of design.

## **Detail**

It would be useful to reexamine the base/middle/top with regard to its applicability. First, with buildings less than four stories, the effect is difficult to achieve. Second, for taller buildings, there are other ways of recognizing the context than following this specific formula. For example, the massing of taller buildings can be stepped, turned, notched, or otherwise shaped to echo heights of lower nearby buildings. Modern structural engineering and computer aided design allows for cantilevers that break down what used to be simple and repetitive box shapes.

An enhanced review of how a building relates to the street level could extend to guidelines addressing the exterior expression of several stories above the street level –the vertical wall where the building serves to frame the street. Guidelines and standards could address this envelope of space as an urban design composition.

With regard to the top, there are many ways to design a building to be distinctive as seen from a distance. Having a noticeable top is certainly one way. But the overall form of a building can do that as well. Recent advances in materials can add changes in color that can create a presence on the skyline.

This does not necessarily mean that base/middle/top should be abandoned altogether, as it is still a viable way of shaping a building, especially in older contexts with established building forms that reflect this tripartite approach. But it could be one choice in a list of options available to designers. The objective should be to result in a richer variety of building designs.

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## **B5** General | **Recognize the unique role of civic buildings in urban design.**

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### **Commentary**

Civic buildings play a critical role in the urban fabric. They are long-standing landmarks, changing much less frequently than private buildings. They often mark an important location in the city. They are common spaces that all citizens and visitors can access and use. Accordingly, they should stand apart from their surroundings, with high visual impact from all directions.

Reviewing the design of civic buildings does not lend itself to applying a set of standards or guidelines; indeed, these structures should be encouraged to break the pattern and be foreground buildings. Nevertheless, the process of designing these sites and buildings could benefit from a thoughtful public review process, albeit using different tools.

Currently, civic buildings do not receive different or preferential treatment, and they must go through the same processes of design scrutiny as other buildings.

### **Detail**

One tool that has been used in other cities is a “Design Brief.” (Other terms such as Design Objectives and Design Principles are used.) This is a document prepared by the agency or board charged with the overall long-term design of the city – in the case of Portland, the Design Commission. The Brief sets forth some essential directions as to desired attributes such as orientation, massing, public spaces, connections, relationships, role of art, etc. It is crafted specifically for a particular building on a particular site. It is usually prepared well in advance of design firms being solicited so that there is a clear idea of expectations. There might be a general outline, with potential subjects to be covered, that could assist in the crafting of a document for a particular civic project.

Alternatively, the Design Commission could develop a set of guidelines that are intended to specifically address civic buildings. This could be an annotated version of the Central City Fundamentals as well.

## **PRIORITY**

### **B6** Community Design Standards | **Ensure that the Community Design Standards add value to recently adopted base zoning codes.**

### **Commentary**

An important consideration is making sure these standards add value to those in the base zones. If not, having these standards might be redundant with the base zones. An important question is: how can these standards build upon the base zones? After all, the d-overlay tool brings with it the expectation of higher quality, more thoughtful design, and a more careful consideration of the surroundings. This will necessitate concentrating on a few elements and, again, the three basic tenets could provide a means of focus.

### **Detail**

**Use the standards to add more specificity and design attention that adds value to areas with d-overlay.**

The City and the applicant should draw upon the City’s urban design frameworks, and the applicant should indicate how they influenced the design for that particular site. If no framework analysis exists, the applicant would indicate their own analysis of the context, using subjects set forth in other framework documents.

**PRIORITY**

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**B7** Community Design Standards | **Provide for optional ways of meeting standards.**

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**Commentary**

Sometimes standards can lead to just one solution, when there might be many ways of accomplishing an intent. The design process could benefit from a menu of choices to allow for solutions tailored to unique conditions. This also allows for more variety. This might not be possible for every standard or guideline, but some might easily lend themselves to this approach. This would address the request, heard in interviews, for more flexibility. However, this does not suggest that a new process be established, but rather that this approach would be integrated into the current process.

**Detail**

Two possibilities should be considered, separately or together:

**a. Use a menu of options.** A given standard might include a number of optional features, as described above. For example, the applicant would choose to include at least 4 of 7 possible elements from an illustrated, annotated set of choices.

**b. Allow a “departure.”** Allow an applicant one “departure” from certain specified standards without a Land Use review. This would require indicating which standards are eligible for departure, as some would be too important to waive.

The current system allows variances only through Land Use review, with no exceptions.

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**B8** Community Design Standards | **Craft appropriate standards for the Gateway area.**

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**Commentary**

Allowing a “clear and objective” track for Gateway would simplify the process for many projects. This is important for an area that is going through a gradual transition with more modest investments in additions and alterations. Until standards tailored to Gateway can be created, this might require using the current CDS as an interim tool.

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**B9** Community Design Standards | **In recrafting the Community Design Guidelines, recognize the changing nature of the city.**

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SE 82nd Avenue includes a vibrant mix of small businesses that should be strengthened and enhanced as laid out by community-based district planning processes. These types of contextual considerations are paramount to consider during design review.

Image: Trip.com

### **Commentary**

The current guidelines include a section that addresses “blending into the neighborhood,” partially because they were originally put together in the late 90s and were revised in 2008. However, they continue to reflect the original focus, which seems to be more historicist in nature, referring to older patterns of lower density residential architecture. While this may be an important aspect for some areas, the extent of recent development makes this guideline more difficult to accomplish. Thoughtful design includes a thorough understanding of the context with respect to its evolution, patterns, scale, and character-giving elements.

### **Detail**

An analysis and recognition of the context is an important step in the design process and should be required for both Type II and Type III reviews. The outcome might not be so much about “blending in” but drawing from and echoing certain previous patterns of development. Alternatively, some proposals might establish entirely new directions, if the existing context does not display desirable attributes. This type of analysis should be conveyed through photos and diagrams describing a larger neighborhood context, not just adjacent parcels.

Guidelines should be organized to apply differently to varying parts of the city. For example, some areas such as 82nd Avenue have a desired future character as a long-term goal, but short-term enhancements to existing buildings make more economic sense in the near future. There should be a different approach for older main street areas where the intention is to foster continuity and appropriate fit within an establish context. This lends itself to making distinctions between “inner city” patterns and “outer city” patterns.

A number of documents and sources can guide a consideration of the evolving context:

- Area plans, which indicate intentions of character. However, some of these might be old and need updating. Nonetheless, they can serve as a benchmark.
- Comprehensive Plan Policy 3.12:  
“Enhance and celebrate significant places throughout Portland with symbolic features or iconic structures that reinforce local identity, histories, and cultures and contribute to wayfinding throughout the city.” Candidates include: high-visibility intersections, attractions, schools, libraries, parks, other civic places, bridges, rivers, viewpoints and view corridor locations,

historically or culturally significant places, connections to volcanic buttes and other geologic and natural landscape features, and neighborhood boundaries and transitions. (Note: There might need to be a policy that indicates when iconic buildings are not appropriate or desirable. There seems to be a trend to make even rental apartment buildings, with no particularly special location, stand out as attention-getting objects.)

- Low rise storefront commercial areas: “character-giving” places in the heart of Portland’s corridors with d-overlay have potential for new development, as mapped in the Mixed Use Zones project.
- Early feedback in the process, like in a DAR, serves to identify these contributors.
- *Next Portland* regularly maps where development occurs and evidnet concentrations of change could reveal the need for coordination and consistency to create a true neighborhood, rather than merely a collection of individual buildings.
- *WalkScore*, *TransitScore* and *BikeScore* can indicate where goods and services are available to people without requiring a car and suggest a changing context.
- Neighborhood groups, such as is the case for Division, can provide localized information and ideas about corridors and districts.
- Designated landmark buildings and districts, as well as buildings identified in the Historic Resource Inventory, indicate places where efforts to retain and maintain existing structures are more likely.

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**B10** Community Design Guidelines | **Collate special district design guidelines into one citywide set.**

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**Commentary**

It would be useful to have a set of guidelines that comprehensively addresses all special districts by describing guidelines common to all districts and highlighting guidelines applicable only to certain districts.

**Detail**

The current sets of guidelines should be examined to ensure they are still relevant, given the passage of time and changes in the physical setting. Some might need to be updated. They should then be folded into the overall set of Community Design Guidelines.

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**B11** Central City Fundamental Design Guidelines | **Revisit and simplify some of the guidelines.**

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Images used in the River District Design Guidelines illustrate successful examples.

Image: City of Portland River District Design Guidelines

### **Commentary**

As indicated previously, this set of guidelines is a great model to follow to describe expectations. It is clear, readable, graphically rich, and inspirational. It invites users to understand the big picture and contribute to a larger whole. And good examples are provided. (For the same reasons, the River District Guidelines are also very effective.)

### **Detail**

Some guidelines should be either rethought or deleted. Examples include “Integrate the River” and “Emphasize Portland Themes.” It is also not evident that the Central City Fundamental Design Guidelines adequately address the small-scale, hand-crafted, personalized kind of social and commercial environments that Portland is well-known for. An added element should address design techniques to encourage this small, quirky end of the development spectrum. Guidelines could include some photo examples of the types of unique, colorful and hand-crafted elements that are valued by the community as representing Portland’s character.

The Central City Fundamentals should also include the following:

- Language that furthers the Goals and Policies from the 2035 Comprehensive Plan.
- Public realm concept maps for each of the districts in the 2035 Comprehensive Plan. These have been vetted and they give the context of any specific site with an urban design lens.
- Updated photos, especially with highly regarded examples.

**Commentary**

The Central City includes a number of districts, each with a different character and history of emergence. Most of these districts have seen a considerable amount of development and renovation over the last decade, with building types far more urban than when guidelines for each were developed twenty years ago.

**Detail**

While some subdistrict guidelines may still contain useful directions, all of them should be scrutinized for currency and key issues. Some guidelines might be pulled out and placed into a chapter or document with guidelines applicable to all. There could be a smaller subset that applies only to particular areas. All of these could be gathered into a single document for the Central City, with chapters aimed at specific areas. This involves updating guidelines for the districts and incorporating them into the Central City Fundamental Guidelines.

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