



# DOZA

## DESIGN OVERLAY ZONE AMENDMENTS

### VOLUME 2 | CODE AMENDMENTS

Discussion Draft - February 2019

Comments due by April 12, 2019



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## How to Comment

Please submit comments or questions on this report by **April 12, 2019**.

Send comments or questions to:

Kathryn Hartinger, Project Manager  
Portland Bureau of Planning and Sustainability  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201-5380

**Phone:** (503) 823-9714

**Email:** [doza@portlandoregon.gov](mailto:doza@portlandoregon.gov)

**Web:** [www.portlandoregon.gov/bps/doza](http://www.portlandoregon.gov/bps/doza)

A digital copy of this report can be found on the project website.

### Next Steps:

Staff will consider comments received during this time before releasing the Proposed Draft in Summer 2019.



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# Acknowledgements

## **Bureau of Planning and Sustainability**

### **Project Team**

Sandra Wood, Principal Planner  
Kathryn Hartinger, Project Manager  
Lora Lillard, Senior Planner  
Phil Nameny, City Planner  
Love Jonson, Planning Assistant

## **Bureau of Development Services**

### **Project Team**

Kara Fioravanti, Supervising Planner  
Staci Monroe, Senior Planner  
Gina Tynan, City Planner  
Emily Hays, City Planner

## **Additional Contributors**

Hannah Bryant, City Planner  
Shannon Buono, Senior Planner, Code Editor  
Sarut Choothian (Jung), Community Service Aide (former)  
Kristin Cooper, Senior Planner  
Eden Dabbs, Communications  
Troy Doss, Senior Planner  
Kritina Fivecoat, Community Service Aide (former)  
Krista Gust, Graphic Design  
Tim Heron, Senior Planner  
Razieh Hoorshenas, Community Service Aide  
Grace Jeffreys, City Planner  
Laura Lehman, City Planner  
Neil Loehlein, GIS Mapping, Data Analysis  
Jeffrey Mitchem, City Planner (former)  
Thomas Ngo, Communications  
Ben Nielsen, Senior Planner  
Betty Lou Poston, Community Service Aide (former)  
Mark Raggett, Senior Planner  
Emily Volpert, Senior Administrative Specialist  
Stephanie Yao, Video Production Specialist

### **Consultant Team**

David Hyman, DECA Architecture  
Shem Harding, DECA Architecture  
Kate Howe, VIA  
David Horsely, DAO Architecture  
Joann Le, DAO Architecture

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## Section 5: Zoning Code Amendments

The amendments are organized by code chapter.

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

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

## 33.420 Design Overlay Zone

# SUMMARY OF CHANGES

Changes in 33.420 reflect amendments that achieve the following principles stated in Section 4:

- 1a. Revise the purpose statement for the Design Overlay zone . . . . .
- 3a. Establish review thresholds based on the size and scale of a project, . . . including exemptions.
- 3b. In the Gateway plan district, allow smaller projects to use design plan check.
- 4a. Based on three tenets, create new approval criteria: . . . . . Design Standards.
- 4b. Support new development that incorporates older buildings or facades.

### Background

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

To address recommendation A1, the chapter language is revised to provide a simpler set of exemptions that includes exempting smaller residential projects. Chapter 33.420 also includes a revision to allow smaller projects within the Gateway plan district to choose the objective design standards as an alternative to design review. This should remove a land use process for store-front remodels and smaller development projects. The new objective design standards are added to the overlay zone chapter instead of referring readers to the Community Design Standards, Chapter 33.218. The new standards focus on the three tenets of design but are sorted to align with specific elements of a project: site planning, building massing, street frontage and facades. To provide flexibility, some of the standards are required with new development and alterations, while other standards are part of a menu approach, with the applicant able to choose a set of standards to attain a minimum number of points for the project.

### 33.420.010 Purpose Statement

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



## 33.420 Design Overlay Zone

# 420

### Sections:

- 33.420.010 Purpose
- 33.420.020 Map Symbol
- 33.420.021 Applying the Design Overlay Zone
- 33.420.025 Where These Regulations Apply
- 33.420.041 When Design Review or Meeting Design Standards is Required
- 33.420.045 Items Exempt From These Regulations ~~Design Review~~
- ~~33.420.051 Design Guidelines~~
- 33.420.050 ~~5~~ When ~~Community~~ Design Standards May Be Used
- 33.420.052 ~~60~~ When ~~Community~~ Design Standards May Not Be Used
- 33.420.055 Design Standards
- 33.420.060 Design Guidelines

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

Map 420-2 Macadam Design District

Map 420-3 Terwilliger Design District

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

Map 420-~~45~~ Marquam Hill Design District

Map 420-~~56~~ Gateway Design District

### 33.420.010 Purpose

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

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

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

### 33.420.020 Map Symbol

The Design ~~o~~verlay ~~z~~Zone is shown on the Official Zoning Maps with a letter "d" map symbol.

**33.420.021 Applying the Design Overlay Zone**

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

Additional changes are made to provide more clarity to the paragraph and to reflect the reduced role that the creation of design districts through neighborhood plans have taken with the more recent expansions of the Design overlay zone.

**33.420.025 Where This Chapter Applies**

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

**33.420.041 When Design Review or Meeting Design Standards is Required**

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

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

**33.420.021 Applying the Design Overlay Zone**

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

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

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

**33.420.025 Where These Regulations Apply**

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

**33.420.041 When Design Review or meeting Design Standards is Required**

Unless exempted by Section 33.420.045, Items Exempt From These Regulations, ~~Design Review, design review is required for~~ the following must meet the Design Standards or be approved through design review. See 33.825 for the design review process and approval criteria:

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

**33.420.041 (contd)**

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

**33.420.045 Items Exempt from the Chapter**

These exemptions consolidate and simplify the current exemptions. They also provide more options to exempt alterations to rooftop equipment and façade changes. There are expanded exemptions that apply to the new construction of smaller residential projects (up to 3 units and 35-feet in height) and alterations to existing residential development with three or fewer units. This illustrates the change in design focus to larger projects that have impacts on the site and on adjoining areas. This is consistent with the more recent application of the design overlay to areas of growth and change. Many of the exemptions are the same, or similar to the existing exemptions but grouped together to address similar situations (like rooftop equipment for example). The commentary below focuses on new exemptions.

- E. This is a new exemption that allows smaller residential development up to 3 units and less than 35-feet in height to not be subject to the requirements of this chapter. They will still be subject to the design requirements of the base zone as well as any new requirements being proposed through the Residential Infill and Better Housing by Design projects.
- F. Similar to above, this allows alterations and additions to existing residential development to be exempt, provided that the total number of units remains three or fewer.
- K. This is a new exemption that applies to detached accessory buildings under 300 square feet in area, if it's located back from street property lines. This can often include smaller storage buildings, covered garbage enclosures or covered bicycle areas.
- L. This exemption replaces a regulation that previously stated the size of signs that triggered an assessment against the Design overlay regulations. It also adds an exemption to allow some small signage adjacent to the Halprin Open Space sequence, while treating the rest of the South Auditorium plan district similar to the rest of the city. The smaller limit applicable adjacent to the Halprin Open Space sequence matches the proposed code in the Historic Resource Code Amendment project.

**GH.** Floating structures, except individual houseboats.; and

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

### **33.420.045 Items Exempt From This Chapter ~~Design Review~~**

The following items are exempt from the regulations of this chapter design review:

- A.** If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is instead subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone;
- B.** Repair, maintenance, and replacement with comparable materials ~~or the same color of paint~~;
- C.** Development that does not require a permit;
- D.** Alterations to a structure required to meet the Americans With Disabilities Act's requirements, or as specified in Section 1113 of the Oregon Structural Specialty Code;
- E.** New development of dwelling units when:
  - 1.** The site is not zoned RX, EX, or CX;
  - 2.** Only residential development is proposed;
  - 3.** All buildings are no more than 35 feet in height; and
  - 4.** There will be no more than three total dwelling units on the site.
- F.** Alterations to a site with existing dwelling units when:
  - 1.** The site contains only residential development; and
  - 2.** There will be no more than three total dwelling units on the site.
- G.** Houseboats in a houseboat moorage;
- H.** Manufactured dwelling parks;
- I.** Development associated with a Rail Lines and Utility Corridor use;
- J.** Development associated with a Parks and Open Areas use if the development does not also require a conditional use approval;
- J.** Exterior work activities associated with an Agriculture use;
- K.** Detached accessory structures that are 300 square feet or less in size, located at least 25 feet from street lot lines;
- L.** The following signs:
  - 1.** In the South Auditorium plan district within 50 feet of the Halprin Open Space Sequence historic district, signs that are 3 square feet or less in size;
  - 2.** In all other areas, signs that are 32 square feet or less in size;

**33.420.045 Items Exempt from the Chapter (contd)**

- M. This exemption combines and simplifies the current façade exemptions, including awnings, louvers and the repair/replacement of storefront glazing systems. It adds additional façade exemptions to allow the removal of fire escapes, and seismic bracing. It also adds a new exemption, available outside of the Central City, that exempts small façade changes of any kind (up to 200 square feet).
  
- N. This amendment combines and simplifies the various exemptions to rooftop installations, including ecoroofs, skylights, roof hatches, mechanical equipment, vents & ducts, and radio frequency antennas and equipment. Some things are simply exempt while others must meet some performance standards to be exempt. The general exemption has been expanded to allow greater flexibility for the variety of things that are placed on a roof.

**M. The following alterations to the façade of a building:**

1. New or replacement awnings that:
  - a. Meet the previous conditions of approval of a design review for awnings; or
  - b. If there are no previous conditions of approval related to awnings, the awning affects up to 100 square feet of the façade within the Central City or up to 200 square feet of the façade outside of Central City. The awning must project at least three feet from the wall;
2. Alterations to an existing ground floor storefront system that uses the same storefront components as the existing system without reducing the amount of ground floor window;
3. Louvers or vents for mechanical systems that are placed within existing window mullions and are more than 8-feet above the sidewalk grade;
4. The removal of fire escapes;
5. Voluntary or required seismic bracing. Within the Central City plan district, the bracing cannot alter a street-facing façade
6. Outside of the Central City plan district, any alteration to the façade of a building, other than signs, that affect up to 200 square feet of the total façade;

**N. Alterations and additions to a rooftop as follows:**

1. The following alterations or additions to a rooftop that has a 1/12 pitch or less:
  - a. Ecoroofs, skylights, and roof hatches;
  - b. Rooftop additions or alterations that do not add floor area that meet one of the following:
    - (1) The proposed alteration is screened by an existing parapet that is as tall as the tallest part of the alteration. Plants on a rooftop do not need to be screened;
    - (2) The roof alteration is set back 4 feet from the edge of the roof for every 1 foot of height of the equipment above the roof surface or top of parapet;
    - (3) The alteration occurs within 5 feet of the façade of an existing penthouse, is no higher than the top of the penthouse, and is painted to match the façade of the penthouse; or
    - (4) The alteration has a maximum width and length, diameter and height of 3 feet.
  - c. Radio frequency transmission facilities may meet b. above or the following:
    - (1) New or replacement facilities that are mounted to the side of an existing equipment penthouse or located entirely within 5-feet of the façade of the existing penthouse, are no higher than the top of the penthouse and painted to match the façade of the penthouse. As an alternative, the accessory equipment may be screened by an extension of the equipment penthouse, provided the extension is at least 15-feet from street facing roof edges, is no taller than the top of the existing penthouse, and painted to match;
    - (2) Alterations or additions to facilities that comply with previous design review conditions of approval for screening

**33.420.045 Items Exempt from This Chapter (contd)**

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

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



2. Alterations or additions to a rooftop that has a greater than 1/12 pitch if it meets one of the following:
  - a. The alteration is parallel with the roof surface, protrudes no more than 12 inches from the surface, and is set back 3 feet from the roof edge or ridge lines; or
  - b. The alteration is raised no higher than 18 inches from the surface of the roof, and is less than 2 feet in diameter.
- O. Alterations to a site for parking lot landscaping, short-term bicycle parking, and pedestrian circulation systems that meet the development standards of this Title;
- P. Public Art as defined in Chapter 5.74, or Permitted Original Art Murals as defined in Title 4
- Q. Anemometers, and small wind energy turbines that do not extend into a view corridor designated in the Scenic Resources Protection Plan; and
- R. Within the Marquam Hill Design District:
  - 1 Additions of floor area less than 25,000 square feet;
  2. Alterations that affect less than 50 percent of the area of a façade where the area affected is also less than 3,000 square feet;
  3. Exterior improvements less than 5,000 square feet, except for exterior improvements affecting areas counting towards the formal open area requirements of Section 33.555.260; or
  4. Landscaping not associated with formal open areas required under 33.555.260.
- ~~C. Within the Terwilliger Design District, development that will not be visible from Terwilliger Boulevard;~~
- ~~D. Alterations to residential structures in RF through R1 zones, where the alterations are valued at \$10,000 or less;~~
- ~~E. Skylights;~~
- ~~F. Development associated with Rail Lines And Utility Corridors uses;~~
- ~~G. Exterior activities and development for Agriculture uses;~~
- ~~H. Modifications to a structure to meet the Americans With Disabilities Act's requirements in C, E, I, and CI zones;~~
- ~~I. Development associated with Parks and Open Areas uses that do not require a conditional use review;~~
- ~~J. Proposals where a building or sign permit is not required;~~
- ~~K. Development in the IR zone, including alterations, that is not located within the boundaries of an approved Impact Mitigation Plan;~~
- ~~L. Parking lot landscaping that meets the development standards of this Title;~~

**33.420.045 Items Exempt from This Chapter (contd)**

These exemptions are replaced by the new list underlined above.

- ~~M. Rooftop mechanical equipment and associated ductwork, other than radio frequency transmission facilities, that is added to the roof of an existing building if the following are met:~~
- ~~1. The area where the equipment will be installed must have a pitch of 1/12 or less;~~
  - ~~2. No more than 8 mechanical units are allowed, including both proposed and existing units;~~
  - ~~3. The proposed mechanical equipment must be set back at least 4 feet from the edge of the roof for every 1 foot of height of the equipment above the roof surface or top of parapet; and~~
  - ~~4. The proposed equipment must have a matte finish or be painted to match the roof.~~
- ~~N. Rooftop vents installed on roofs if the vent and associated elements such as pipes, conduits and covers meet the following:~~
- ~~1. The area where the vent and associated elements will be installed must have a pitch of 1/12 or less;~~
  - ~~2. The proposed vent and associated elements must not be more than 30 inches high and no larger than 18 inches in width, depth, or diameter;~~
  - ~~3. The proposed vent and associated elements must be set back at least 4 feet from the edge of the rooftop for every 1 foot of height above the roof surface or top of parapet; and~~
  - ~~4. The proposed vent and associated elements must have a matte finish or be painted to match the roof.~~
- ~~O. Radio frequency transmission facilities for personal wireless services that meet the following:~~
- ~~1. The antennas are added to the facade of an existing penthouse that contains mechanical equipment provided the antennas are no higher than the top of the penthouse, are flush mounted, and are painted to match the facade of the penthouse; and~~
  - ~~2. Rooftop accessory equipment that is:~~
    - ~~a. Located entirely within 5 feet of the facade of the existing penthouse, is no higher than the top of the penthouse, and is painted to match the facade of the penthouse; or~~
    - ~~b. Entirely screened behind walls extending one side of the penthouse, provided the walls:~~
      - ~~(1) Do not extend farther than 10 feet from the facade of the existing penthouse and are not closer than 15 feet to street facing roof edges;~~
      - ~~(2) Are no taller than the top of the penthouse; and~~
      - ~~(3) Are painted and textured to match the facade of the penthouse.~~

**33.420.045 Items Exempt from This Chapter (contd)**

These exemptions are replaced by the new list underlined above.

- ~~P. Exterior alterations to existing development and construction of detached accessory structures within the Sellwood-Moreland Design District;~~
- ~~Q. Houseboats;~~
- ~~R. Within the Marquam Hill Design District:~~
- ~~1. Additions of floor area less than 25,000 square feet;~~
  - ~~2. Alterations that affect less than 50 percent of the area of a facade where the area affected is also less than 3,000 square feet;~~
  - ~~3. Exterior improvements less than 5,000 square feet, except for exterior improvements affecting areas counting towards the formal open area requirements of Section 33.555.260; or~~
  - ~~4. Landscaping not associated with formal open areas.~~
- ~~S. Awnings for each ground floor tenant, which meet the following requirements:~~
- ~~1. If existing awnings on the same building facade have been approved through design review, or have been placed under the provisions of this subsection, the proposed awnings must match the following elements of the existing awnings: the sectional profile, structure, degree of enclosure, and placement vertically on the building. The awning also must meet S.2.c through f, below;~~
  - ~~2. If there are no existing awnings on the same building facade that have been approved through design review or placed using the provisions of this subsection, the proposed awnings must be a flat or shed configuration in sectional profile (see Figure 420-1), and meet the following:~~
    - ~~a. Awnings must project at least three feet from the building wall facade;~~
    - ~~b. The front valance of each awning may be no more than 12 inches high. See Figure 420-2;~~
    - ~~c. Illumination may not be incorporated into awnings or awning structures;~~
    - ~~d. One or more awnings may be proposed for each ground floor tenant, but the total area of awnings per ground floor tenant may not exceed 50 square feet, measured from the building elevation. See figure 420-2;~~
    - ~~e. Awning covers must be made of Sunbrella™, Dickson Awning Fabrics™, Para Tempotest™, or a material with equivalent characteristics in terms of: durability, texture, and no gloss sheen; and~~
    - ~~f. Awnings must be at least 18 inches from all other awnings.~~
- ~~T. Within the St. Johns plan district, alterations to single dwelling detached structures;~~
- ~~U. Public Art as defined in Chapter 5.74;~~
- ~~V. Within the North Interstate plan district, alterations to detached houses and accessory structures on sites not fronting on Interstate Avenue;~~

**33.420.045 Items Exempt from This Chapter (contd)**

These exemptions are replaced by the new list underlined above.

**33.420.051 Design Guidelines**

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

**W.** ~~Permitted Original Art Murals as defined in Title 4; and~~

**X.** ~~Louvers for mechanical ventilation placed within existing ground floor window mullions, which meet the following:~~

- ~~1. The maximum size of each louver is 8 square feet, and the maximum height of each louver is three feet. However, in no case may a louver have a dimension different from the size of the existing window mullion opening;~~
- ~~2. The window system containing the louver must not be higher than the bottom of the floor structure of the second story;~~
- ~~3. The bottom of the louvers must be at least 8 feet above adjacent grade;~~
- ~~4. The louvers may not project out further than the face of the window mullion;~~
- ~~5. The louvers must be painted to match the existing window mullion color/finish;~~

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

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

**Z.** ~~Eco roofs installed on existing buildings when the roof is flat or surrounded by a parapet that is at least 12 inches higher than the highest part of the eco roof surface, and when no other exterior improvements subject to design review are proposed. Plants must be species that do not characteristically exceed 12 inches in height at mature growth.~~

**AA.** ~~Anemometers, which measure wind speed; and~~

**BB.** ~~Small wind energy turbines that do not extend into a view corridor designated by the Scenic Resources Protection Plan. Wind turbines are subject to the standards of Chapter 33.299, Wind Turbines.~~

**CC.** ~~Manufactured dwelling parks.~~

### **33.420.051 Design Guidelines**

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

### 33.420.050 When Design Standards May Be Used

#### Table 420-1

This section is updated to refer to the new "Design Standards" added to 33.420.055, which replace the Community Design Standards. (Note: The Community Design Standards will still be used for reviews of certain historic properties.)

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

### 33.420.052-When Design Standards May Not Be Used

- B. This amendment allows smaller projects within the Gateway design district to use the design standards. Since its recognition as a regional center, the city has prohibited any development (including store-front alterations and renovations) from choosing the clear and objective path provided by the Design Standards. During stakeholder interviews, the DOZA Assessment team noted that this limitation creates a perceived regulatory and resource barrier for small business development and builders. Most areas of the city outside of the Central City have the choice to meet the objective standards or go through the discretionary review.

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

The rest of the amendments remove the special conditions for many of the plan districts the choice to apply the Design Standards. This simplifies the current variety of Design overlay zone process and removes some of the inconsistencies that have been proposed over time. Note: Projects in the Central City plan district still must go through design review if they are not exempt.



**33.420.0505 When Community Design Standards May Be Used**

The Community Design Standards provide an alternative process to design review for some proposals. For some proposals, the applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of 33.420.055, Chapter 33.218, Community Design Standards. The standards for signs are stated in Title 32, Signs and related Regulations. Proposals that do not meet the Community Design Standards — or where the applicant prefers more flexibility — must go through the design review process.

Unless excluded by 33.420.05260, When Community Design Standards May Not Be Used, below, proposals that are within the maximum limits of Table 420-1 may use the Community Design Standards as an alternative to design review.

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

Notes:

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

**33.420.05260 When Community Design Standards May Not Be Used**

The Community Design Standards may not be used as an alternative to design review as follows:

- A. For development in the Central City plan district. See Map 420-1;
- B. For new development or additions in the Gateway design district that exceeds 35-feet in height in the Gateway plan district. See Map 420-56;
- ~~C. For proposals that do not include any residential uses in the following Design Overlay Zones:~~
  - ~~1. The portion of the South Auditorium plan district outside the Central City plan district. See Map 420-1;~~
  - ~~2. The Macadam design district. See Map 420-2; and~~
  - ~~3. The Terwilliger design district. See Map 420-3; and~~
  - ~~4. The Marquam Hill design district. See Map 420-5;~~
- CD.** For institutional uses in residential zones, unless specifically allowed by the base zone, overlay zone, plan district, or an approved Impact Mitigation Plan or Conditional Use Master Plan;

**33.420.052-When Design Standards May Not Be Used (contd)**

E-H. The remaining three situations where the Design Standards cannot be used reference specific development or bonus development situations that were negotiated during the creation of the St. Johns, East Corridor, and North Interstate plan district. These plan districts address these specific situations within their regulations, so it is necessary that these limitations remain in the code.

~~E. For alterations to sites where there is a nonconforming use, unless the nonconforming use is a residential use;~~

~~F. For non-residential development in the RF through RM2 zones;~~

~~G. If the proposal uses Section 33.405.050, Bonus Density for Design Review;~~

~~D. Non-standard improvements in the right-of-way or other encroachments identified in other City Titles as requiring design review;~~

~~EH.~~ In the CM3 zone within the St. Johns plan district, structures more than 45 feet in height;

~~F.~~ For motor vehicle fuel sales in the 122nd Avenue subdistrict of the East Corridor plan district; and

~~GJ.~~ In the North Interstate plan district proposals taking advantage of the additional height allowed by 33.561.210.B.2.

### 33.420.055 Design Standards

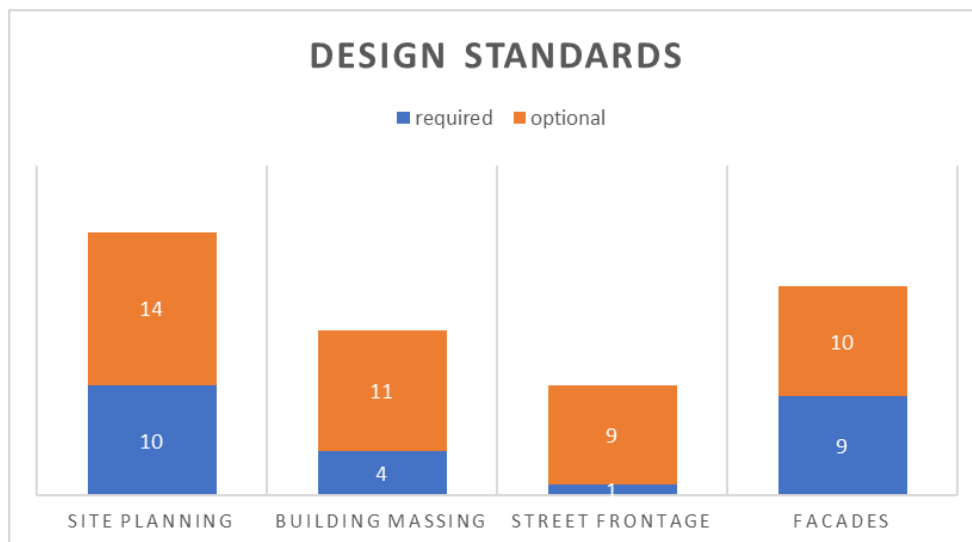
The design standards replace the current Community Design Standards located in 33.218. They apply to all areas of the City that have a Design overlay zone that do not have area specific guidelines (essentially all areas outside of the plan/design districts shown on Maps 420-1 through 420-5).

The Community Design Standards will remain in the Zoning Code since they are still applicable as an alternative for historic review for conservation landmarks and districts. However, sections of the code that refer to the Design overlay zone and process will be updated to indicate that the option to meet objective design standards is located with 33.420.

These standards were created with the Citywide Design Guidelines in partnership with the consultant DECA. The standards were developed to parallel the direction given under each of the 10 guidelines. However, they have been reorganized into different categorical subjects to help with a plan review. These subjects include:

- Site Planning
- Building Massing
- Street Frontage
- Facades
- Other (2 special optional standards)

Each subject includes a number of standards that must be considered for new development and alterations. Additional standards are reviewed using a point system (see chart below). New development and major remodels (defined in 33.910) of existing development will be required to meet a number of these standards based on the point ranking system. The size of the site determines the number of points required, since larger sites can often incorporate more design features.



**33.420.055 Design Standards**

The design standards apply as follows:

- A.** New development must meet all the standards in Table 420-2 that are identified as applying to new development. In addition, new development must meet enough of the standards identified as optional in Table 420-2 to total one point for each 1,000 square feet of site area up to a maximum required total of 20 points. Unless otherwise stated, points for each optional feature can only be used once. For sites that have an area greater than 20,000 square feet, at least one optional standard point must be earned in each of the following categories:

  - 1. Site planning;
  - 2. Building massing;
  - 3. Street frontage; and
  - 4. Facades.
- B.** Alterations to existing development must meet all the standards in Table 420-2 that are identified as apply to alterations. Only the standards applicable to the alteration apply. In addition, major remodels must meet enough of the standards identified in Table 420-2 as optional to total one point for each 1,000 square feet of site area up to a maximum required total of 5 points.

**Table 420-2**

## Commentary on Individual Standards

The Site Planning standards are identified with the moniker SP, and number from 1 to 24. 6 standards are required to be reviewed for alterations while 10 standards are required to apply to new development. The remaining standards are optional standards which can be chosen in different combinations for situations that require a certain number of points to be achieved.

**SP1 – Main Entrance Location.** This standard is intended to provide some separation between commercial activities and residential uses that are located off-site. It is required to be met for new main entrances. For alterations to an existing entrance, an applicant can choose to come closer to conformance. This standard supports Design Guideline #3, "Facilitate Positive Relationships with Adjacent Surroundings".

**SP2 – On-site Building Separation.** This standard provides separation between residential buildings that face each other. The separation, at 10-feet is more than the building code requirement. It is a required standard for new development and new buildings on developed sites. This standard supports Design Guideline #8, "Support the comfort, safety and dignity of residents, workers and visitors through thoughtful site design".

**SP 3 – Vertical Clearance to Pedestrian Circulation Systems.** This standard ensures that any building projections or upper floor development maintains a 9-foot height above the site's pedestrian circulation. It is a required standard for new development and new buildings on developed sites. This standard supports Design Guideline #8, "Support the comfort, safety and dignity of residents, workers and visitors through thoughtful site design".

**SP 4 – Offsetting Windows for Adjacent Building Walls.** This standard is intended to promote dwelling unit privacy by requiring facing walls closer than 20-feet to each other to offset their windows. It is a required standard for new development and new buildings on developed sites. This standard supports Design Guideline #8, "Support the comfort, safety and dignity of residents, workers and visitors through thoughtful site design".

**SP 5 – Siting of Utilities.** This standard promotes the thoughtful location of utility meters by requiring they be located 20-feet from a main entrance. This applies to new meters installed as alterations or new development. This supports both Design Guideline #7, "Minimize and integrate. . . necessary building services", and Guideline #9, "Design for quality, . . . .with a clear and consistent execution".

**SP 6 – Pervious Paving Materials.** Limiting the amount of paving promotes more pleasant surfaces as well as meeting many other city goals. This standard also is anticipated to support changes to the multi-dwelling zones. This is a required standard for new surface parking and driveways, and supports Design Guideline #8 (see above).

**Table 420-2**  
**Design Standards**  
*(note this is new table – not underlined for clarity)*

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
<b>Site Planning (SP1 – SP24)</b>				
SP1	<b>Main Entrance Locations:</b> Locate main entrances for nonresidential tenant spaces at least 30-feet away from a lot line that abuts an RF through R2.5 zone. For alterations, the applicant may choose to come closer to compliance with the standard.	X	X	
SP2	<b>On site Building Separation:</b> Buildings containing dwelling units on the ground floor must be setback 10 feet from other buildings on the site that contain dwelling units on the ground floor. For alterations, the standard applies to new buildings on the site.	X	X	
SP3	<b>Vertical Clearance to Pedestrian Circulation Systems:</b> Projections over pedestrian circulation systems must be at least 9 feet above the grade of the walkway. For alterations, the standard only applies to new buildings	X	X	
SP4	<b>Offsetting Windows for Adjacent Building Walls:</b> Windows for dwelling units on a building that face windows for dwelling units on another building must be offset a minimum of 4-feet. This offset is measured on a horizontal plane from the center of the window. This standard applies only to new buildings containing dwelling units that have adjacent, facing walls within 20-feet of each other on site.	X	X	
SP5	<b>Siting of Utilities:</b> New electric and gas meters must be placed at least 20-feet from a main entrance	X	X	
SP6	<b>Pervious Paving Materials:</b> At least 20 percent of all new surface parking and driveways contain pavers or pervious paving materials	X	X	

**Table 420-2**

## Commentary on Individual Standards (contd)

**SP7 – Street and Pedestrian Connection.** This standard lowers the base zone threshold for large site pedestrian requirements from 5-acres to 3 acres. It is required of new development. This standard supports Design Guideline #3, "Facilitate Positive Relationships with Adjacent Surroundings".

**SP8 – Pedestrian Connection to Major Trails.** This standard applies in the circumstance where a major trail designation is located next to the site. In these situations, new development must connect its pedestrian circulation system to the trail. Note that is not relevant in situations where the trails runs along a street right-of-way, since the system would connect to the street anyway. This standard supports Design Guideline #3 as well as other context guidelines.

**SP 9 – Site Features for Common Outdoor Areas.** The standard promotes the on-site interaction between buildings and any common outdoor areas, by requiring building entrances and windows to face the outdoor area and to provide a place to sit. This standard applies to new development that also provides a common outdoor area. It supports Design Guideline #8, "Support the comfort, safety and dignity of residents, workers and visitors through thoughtful site design".

**SP 10 – Street Lot Line Parking Area Setback.** This standard requires parking to be set back from the street lot line, to provide opportunities for building interaction or landscaping by the street. It is a required standard for new development. It supports Design Guideline #7, "Minimize and integrate parking and necessary building service."

**SP 11 – Larger Common Outdoor Area.** This standard encourages the provision of a common outdoor area. The size of the area is dependent on the pattern area of the city that the site is located. Sites further away from the city center often have larger areas of open space. This is an optional standard, worth 4 points since it requires the dedication of part of the site for this activity. The standard supports Design Guideline #2, "Build on the character and local identity of the place."

**SP 12 – Indoor Common Rooms.** This standard encourages a development to provide an indoor common space which can foster resident interaction and shared events. This is an optional standard, worth 2 points and was created to support Design Guideline #2 as well (see SP 11 above).



No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
SP7	<b>Street and Pedestrian Connection:</b> The requirements of Chapter 33.130.292, Street and Pedestrian Connections, must be met for new development on sites that are more than three acres in size.		X	
SP8	<b>Pedestrian Connection to Major Trails:</b> New development on a site adjacent to a major trail designation, that is not also a street, must provide a connection from the trail to its pedestrian circulation system.		X	
SP9	<b>Site Features for Common Outdoor Areas:</b> Buildings located adjacent to common outdoor areas required by this title must meet the following: <ul style="list-style-type: none"> <li>• At least 20 percent of the façade area that faces the common outdoor area must be windows or doors leading to lobbies, tenant spaces or dwelling units.</li> <li>• For each 200 square feet of common area, a minimum of four linear feet of seating or bench surfaces must be provided within the common area.</li> <li>• At least two entrances to individual dwelling units, or one entrance to a residential lobby must face the common area.</li> </ul>		X	
SP10	<b>Street Lot Line Parking Area Setback:</b> Surface parking must be set back at least 35-feet from street lot lines. Structured parking must be set back at least 20-feet from street lot lines.		X	
SP11	<b>Larger Common Outdoor Area:</b> Provide at least 500 square feet of common outdoor area with a minimum dimension of 20 feet by 20 feet on sites in the inner pattern area identified on Map 130-2. Provide at least 800 square feet of common open area with a minimum dimension of 20 feet by 20 feet on sites in the western or eastern pattern area identified on Map 130-2.			4 pts
SP12	<b>Indoor Common Rooms:</b> Provide an indoor common room with a minimum dimension of 20-feet by 20-feet. The indoor common room must meet the requirements of 33.130.228.B.2.b.(2)			2 pts

**Table 420-2**

## Commentary on Individual Standards (contd)

**SP13 – Common Outdoor Garden.** This standard provides an incentive for a development to include a common garden space. To gain points for this, the garden space must be provided in addition to the common outdoor area stated in SP 11. Garden areas can help foster community within the development. This is an optional standard, worth 2 points and is created to support Design Guideline #2 as well (see SP 11 above)

**SP14 – Children's Outdoor Play Area.** This standard allocates points for the development of a separate outdoor play area to be used by the development's children. The requirements for the play area are similar to those that applied to the amenity bonuses in the multi-dwelling zones, but those are being removed with the Better Housing by Design project. There are different size requirements based upon the city's pattern area, as larger sites are often located in the Western or Eastern pattern area. This is an optional standard worth 2 points and also supports Design Guideline #2.

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

**SP16 – Native Landscaping.** This standard provides an incentive to use native plants for a part (30 percent) of their required landscaping. It is intended to apply in areas outside of environmental zones that have their own, separate, requirements. The standard helps to provide a link to the types of plants that originally grew in the area. It is an optional standard worth 1 point, and also supports Design Guideline #4 (see SP15 above).

**SP17 – Native Trees.** This standard incentivizes using native trees for the vast majority (80%) of required trees on site. Native trees are more adaptable to the area and reflect on the existing landscaping in many open areas throughout Portland. It is possible to meet both SP16 and SP17 to achieve 2 points. The standard further supports Design Guidelin #4 (see SP15 above).

**SP18 – Group of Trees.** This standard applies specifically to the East Pattern area where strands of native evergreen trees (primarily Douglas Firs) have been identified as a feature of this area. The standard encourages the planting of native evergreens to provide for future stands of trees with new development. A total of 2 points can be gained for planting 5 trees in a group. The standard further supports Design Guidelin3 #4 (see SP15 above).

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
SP13	<b>Common Outdoor Garden:</b> In addition to SP11 above, provide a shared community garden of at least 600 square feet in area with a minimum dimension of 20 feet by 20 feet.			2 pts
SP14	<b>Children's Outdoor Play Area:</b> Provide a separate area that is at least 500 square feet for a children's play area on sites in the inner pattern area identified on Map 130-2. Provide at least 800 square feet for a children's play area in the western or eastern pattern area identified on Map 130-2. The play area must include accessible paths and either a play structure of 100 square feet, a swing structure with at least 4 swings, or a permanent wading pool.			2 pts
SP15	<b>Tree Preservation:</b> Preserve existing trees onsite. For each tree preserved that is greater than 20 inches in diameter, 1 pt may be gained up to a maximum of 4 pts. Each tree must be documented in an arborist report to verify its dimension, that it is not dead, dying or dangerous, and that it is not on the Nuisance Plants list			4 pt max
SP16	<b>Native Landscaping:</b> At least 30 percent of the landscaped area on site is planted with native plants. To meet this requirement, the landscaping must include a combination of native trees, shrubs and groundcover. This applies to areas located outside of environmental zones.			1 pt
SP17	<b>Native Trees:</b> At least 80 percent of planted trees must be native trees from the Portland Plant list. This applies to areas located outside of environmental zones.			1 pt
SP18	<b>Grouping of Trees:</b> Within the eastern pattern area identified on Map 130-2, plant at least 5 evergreen trees from the Portland Plant list in a group. Trees in the group must be a minimum of 5 feet in height and planted a maximum of 15-ft from the nearest adjoining tree in the group.			2 pts

**Table 420-2**

Commentary on Individual Standards (contd)

**SP19 – Screening of Utilities.** This standard augments the requirement in SP5 (locating utilities away from main entrance) while providing an incentive to screen the utilities from the street. Two options are provided to gain one point. The standard relates to Design Guideline #7, “Minimize and integrate parking and necessary building services”, and Guideline #9, “Design for quality, using enduring materials and strategies with a clear and consistent execution”.

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

**SP21 – Covered Parking Areas.** This standard incentivizes incorporating the parking into the building which limits the amount of surface parking that is located on site. The standard is worth 2 points and supports Design Guideline #7 (see above).

**SP22 – Alternative Covered Vehicle Areas.** This standard provides an alternative to SP21. Vehicle and parking areas may choose to apply other shade options such as roofed or shade structures or trees. The standard is worth 1 point and supports Design Guideline #7 (see above).

**SP23 – Pervious Paving Materials Bonus.** This standard augments the pervious paving requirement of SP6 by providing one point for increasing the amount of pervious paving from 20 percent to 60 percent of the surface parking and driveways. The standard supports Design Guideline #8 to “Support the comfort, safety and dignity of residents, workers and visitors through thoughtful site design”.

**SP24 – Separation of Dwelling Unit Entries from Vehicle Areas.** The intent of this standard is to limit the effects of parking and vehicle areas on adjacent ground-floor dwelling units by providing physical separation between the unit entrance and the vehicle area and incorporating livability standards that provide some physical features, landscaping, or outdoor space between the vehicle area and the dwelling unit entry. The standard is worth 2 points and supports both Design Guidelines #7 and #8 (see SP19 and SP23 for descriptions of Design Guidelines #7 and #8 respectively).

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
SP19	<b>Screening of Utilities:</b> Utilities must be screened from the street in one of the following ways: <ul style="list-style-type: none"> <li>New gas and electric meters must be screened from the street by a wall;</li> <li>New gas and electric meters must be located at least 20-feet from a street lot line..</li> </ul>			1 pt
SP20	<b>Vehicle Areas:</b> There is no vehicle area on the site.			2 pts
SP21	<b>Covered Parking Areas:</b> At least 90 percent of proposed parking spaces must be covered by a building. Note that the development may elect to meet SP21 or SP22, but not both.			2 pts
SP22	<b>Alternative Covered Vehicle Areas:</b> At least 50 percent of the vehicle area on the site must be covered by buildings, reflective roof shade structures with a Solar Reflectance Index (SRI) greater than 75, or by tree canopy. The amount of shade from tree canopy is determined by the diameter of the mature crown spread stated for the species of tree. Note: the development may elect to meet SP22 or SP21, but not both.			1 pt
SP23	<b>Pervious Paving Materials Bonus:</b> At least 60 percent of all new surface parking and driveways must be paved with pavers or pervious paving materials.			1 pt
SP24	<b>Separation of Dwelling Unit Entry from Vehicle Areas:</b> Doors leading to new ground floor dwelling units that face a vehicle area must be set back 8-feet from the vehicle area and the setback area must include two features from the following list: <ul style="list-style-type: none"> <li>A wall or fence that is 3-feet high;</li> <li>Landscaping that meets the L2 standard;</li> <li>A landscaped berm that is at least 3-feet high;</li> <li>A tree within the small tree category;</li> <li>Individual private open space of at least 48 square feet where the floor of the open space is 2 feet above the grade of the vehicle area; or</li> <li>A change of grade where the door to the dwelling unit is 2-feet above the grade of the vehicle area.</li> </ul>			2 pt

**Table 420-2**

## Commentary on Individual Standards (contd)

The Building Massing standards are identified with the moniker BM, and number from 1 to 15. 4 standards are required to be reviewed for alterations and new development. The remaining standards are optional standards which can be chosen in different combinations for situations that require a certain number of points to be achieved.

**BM1 – Building Height.** This standard is a carryover from the Community Design Standards and limits taller buildings (those over 55-feet high) from being able to use the standards. Generally, this height limit is within the maximum limit for many multi-dwelling residential and commercial/mixed use zones. The standard is clarified to allow standard building projections to exceed the height limit, similar to the base zones. The standard is required for any new building, and is consistent with the context standards, especially #3, "Create positive relationships with adjacent surroundings". Taller buildings benefit from the public engagement and discussion that is part of design review.

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

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

**BM4 – Rooftop Equipment.** This standard applies to new installations of rooftop equipment, which can include any type of installation on the roof, including mechanical equipment, antennas, vents, fans, air ducts, conduits, etc. This standard is less restrictive than the exemption listed earlier in the chapter. The standard supports Design Guideline #3 (see BM3 above) as well as Guideline #7 to "minimize . . . . . necessary building services".

**BM5 – Ground Floor Height Bonus.** This standard augments BM2 by providing 3 points for projects that choose to raise the ground floor to 15-feet for commercial and 12-feet for residential uses. This standard is optional, worth 3 points, and further supports Design Guideline #5 (see BM2 above).

**BM6 – Preservation of Existing Facades.** This standard provides an incentive to preserve the façade of an existing building and incorporate it into the alteration or building addition. This helps to link the past with the present. The standard is worth 3 points to acknowledge the potential engineering effort to satisfy the standard. The standard supports Design Guideline #10, "Design for resilience to the changing needs of the city . . . . .", while also addressing the contextual issues within Guidelines #2 and #3.

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
<b><i>Building Massing (B1 – B15)</i></b>				
BM1	<b>Building Height:</b> New buildings and structures must not exceed 55 feet in height. Exceptions to the height limit allowed under this Title may exceed this limit.	X	X	
BM2	<b>Ground Floor Height:</b> For ground floor commercial space in new buildings, the distance from the finished floor to the bottom of the ceiling structure above must be at least 12 feet. For ground floor residential spaces, the height is 10 feet. The bottom of the structure includes supporting beams.	X	X	
BM3	<b>Roof Pitch:</b> The following applies to sites located in the Inner Pattern area within Map 130-2 that are adjacent to a Civic Corridor. New buildings that are more than 35 feet high must provide a roof with a maximum 1/12 pitch.	X	X	
BM4	<b>Rooftop Equipment:</b> New rooftop equipment must be screened by a parapet that is as tall as the equipment, or the rooftop equipment must be set back 3-feet for every 1 foot of height above the roof or parapet.	X	X	
BM5	<b>Ground Floor Height Bonus:</b> For ground floor commercial space in new buildings, the distance from the finished floor to the bottom of the ceiling structure above must be at least 15 feet. For ground floor residential spaces, the height is 12 feet. The bottom of the structure includes supporting beams.			3 pts
BM6	<b>Preservation of Existing Facades:</b> For building alterations or additions, the alteration preserves more than 50 percent of the existing building façade. The existing building must have a net building area of least 2,000 square feet.			3 pts

**Table 420-2**

## Commentary on Individual Standards (contd)

**BM7 – Vertical Extension of Existing Building Columns.** This standard is intended to work with BM6 above to provide an additional incentive to preserve an existing façade into a development and to carry on features such as vertical columns into any new upper stories. The standard includes minimum requirements for the column extension to achieve the one point. Similar to BM6, the standard supports the context Guidelines #2 & #3 along with Guideline #10 as a way to link the past development into the new addition.

**BM8 – Maximum Building Setbacks at the Corner.** This optional standard is intended to foster urban-scale development in areas that are anticipated for growth, which are town and neighborhood centers, civic and neighborhood corridors. The standard awards 1 point for buildings that are built up to the corner intersection to provide a direct relationship with the street. The standard supports Design Guideline #3, “Create positive relationships with adjacent surroundings”.

**BM9 – Building Massing at the Corner.** Similar to BM8, this optional standard is intended to foster urban-scale development in areas that are anticipated for growth, which are town and neighborhood centers, civic and neighborhood corridors. The standard awards one point for buildings that include their highest elevation within 20-feet of the corner intersection. The standard supports Design Guideline #3 (see BM8).

**BM10 – Building Window Requirements at the Corner.** Similar to BM8 and 9, this optional standard is intended to foster urban-scale development in areas that are anticipated for growth, which are town and neighborhood centers, civic and neighborhood corridors. The standard awards one point for buildings that concentrate additional glazing within 30 feet of the corner to provide “eyes on the street” at the corner. The standard supports Design Guideline #3 (see BM8).



No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
BM7	<b>Vertical Extension of Existing Building Columns:</b> Alterations or additions to a building whose street-facing façade includes projecting vertical columns must continue the column features vertically to the new street-facing façade above the existing façade. To qualify, the existing columns must be at least six inches wide, and must project out at least four inches from the adjoining building wall. The new column extensions must be the same width and project out the same amount as the existing columns			1 pt
BM8	<b>Maximum Building Setbacks at the Corner:</b> The following applies to new buildings located on corner sites within a town center, neighborhood center, civic corridor or neighborhood corridor where there is no minimum street setback. On the corner of two intersecting streets, the building must be within 5 feet of both street lot lines. At least one of the street-facing walls must be at least 40 feet long.			1 pt
BM9	<b>Building Massing at the Corner:</b> The following applies to new buildings located on corner sites within a town center, neighborhood center, civic corridor or neighborhood corridor. The building's highest exterior wall elevation must be within 20 feet of the corner intersection. This wall elevation must project 3 feet above an adjacent wall elevation			1 pt
BM10	<b>Building Window Requirements at the Corner:</b> The following applies to new buildings located on corner sites within a town center, neighborhood center, civic corridor or neighborhood corridor. At least 30 percent of each wall facing the street within 30 feet of the corner intersection must be windows or main entrance doors. Windows and doors used to meet ground floor window requirements may be used to meet this standard.			2 pts

**Table 420-2**

## Commentary on Individual Standards (contd)

**BM11 – Building Signage at the Corner.** Similar to previous items, this optional standard is intended to foster urban-scale development in areas that are anticipated for growth, which are town and neighborhood centers, civic and neighborhood corridors. The standard awards one point for buildings that place a projecting sign within 10-feet of the corner. Signage directs people's attention to the corner. By limiting the size to 32 square feet or less, it allows the sign itself to be exempt from specific standards or a review. The standard supports Design Guideline #3 (see BM8).

**BM12 – Building Facades on Local Service Streets.** This standard encourages a development on the side street to break up their façade into smaller segments which may relate better to smaller development that is often found on the side streets. Projects that provide these features achieve 3 points. This standard also supports Design Guideline #3 (see BM8).

**BM13 – Buildings Surrounding Outdoor Area.** This standard encourages common outdoor areas to have enough light and air above it. It does this by limiting the building's height around the outdoor area. The standard is worth 2 points and contributes to Design Guideline #8, "Support the comfort, safety and dignity of residents, workers and visitors through thoughtful site design.

**BM14 – Ecoroof.** This standard encourages an ecoroof of a size, large enough to provide an ecological benefit to the development and the area. The standard is worth 3 points and supports Design Guideline #10, "Design for resilience, considering adaptability to the changing needs of the city, climate change impacts, and the health and stewardship of the environment".

**BM 15 – Reflective Roof Structure.** This standard provides one point for treating the roof area with a reflective surface, which can reduce energy consumption and the heat-island effect. This standard also supports Design Guideline #10 (see above).

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
BM11	<b>Building Signage at the Corner:</b> The following applies to new buildings located on corner sites within a town center, neighborhood center, civic corridor or neighborhood corridor. At least one projecting sign must be provided within 10 feet of the corner. The sign may be up to 32 square feet in area and meet the requirements of Title 32.			1 pt
BM12	<b>Building Facades on Local Service Streets:</b> Buildings with street facing walls on local service streets must divide the building elevations into distinct wall planes measuring 1,500 square feet or less. To qualify, the façade plane must be offset in depth by at least 2-feet from adjacent facades. Facades may also be separated by a balcony or architectural projection that projects at least 2 feet from adjacent facades for a minimum distance of 8 feet. Projections into street right-of-way do not count toward meeting this standard.			3 pts
BM13	<b>Buildings Surrounding Outdoor Areas:</b> Buildings that surround a common open area on more than 75 percent of the open area sides must not be taller than two-times the shortest width of the outdoor area. As an example, if the outdoor area is 20-feet by 30-feet, the buildings immediately surrounding this open area could be up to 40-feet above the grade of the open area.			2 pts
BM14	<b>Ecoroof:</b> Provide an ecoroof on the site that covers at least 40 percent of the building roof area or 2,000 square feet, whichever is greater.			3 pts
BM15	<b>Reflective Roof Surface:</b> At least 90 percent of the roof area not covered by rooftop equipment, vents, skylights, stairwells or elevator enclosures must be made of an Energy Star certified reflective roof product.			1 pt

**Table 420-2**

## Commentary on Individual Standards (contd)

The Site Frontage standards are identified with the moniker SF, and number from 1 to 10.

1 standard is required to be reviewed for alterations and new development. The remaining standards are optional standards which can be chosen in different combinations for situations that require a certain number of points to be achieved.

**SF1 – Ground Floor Entry.** This required standard applies to new development on the site. The intent is to ensure that a new ground floor entry is not partially obstructed by support columns that can shield the view of the main entrance from the street frontage. These columns often support the building above and are next to recessed entries, especially those on the corner. The standard provides a limited horizontal clearance between the entry and the column. It supports Design Guideline #5, "Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled".

**SF2 – Original Art Mural.** This standard, along with SF3 below encourages a development to incorporate art into the proposal. This standard awards a point for proposing an original art mural at the time of the permit review. Murals are found to support Design Guideline #2 to "Build on the character and local identity of the place".

**SF3 – City-Approved Art Installation.** This standard, along with SF2 above encourages a development to incorporate art into the proposal. This standard awards a point for working with the Regional Arts and Culture Council to gain approval for an art installation as part of permit review. Art installations may support Design Guideline #2 as stated above, and can also support Design Guideline #6 to "Provide opportunities to pause, sit and interact".

**SF4 – Water Feature.** This standard encourages the provision of a water feature, in close proximity to the street. The water feature may take one of several forms, and is worth 1 point. A water feature supports Design Guideline #6 (see SF3).

**SF5 – Seating for Mass Transit.** This provision provides 2 points for development that integrates seating close to a bus or transit stop into the proposal. The standard also supports Design Guideline #6 (see SF3).

**SF6 – Seating Adjacent to Main Entrance.** This provision encourages additional areas for seating near a main entrance. The intent is to provide other seating options, and seating provided under SF6 would be in addition to any seating provided under SF5. The standard supports Design Guideline #6 (see SF3).

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
<b>Street Frontage (SF1 – SF10)</b>				
SF1	<b>Ground Floor Entry:</b> A ground floor entry must be setback at least 6 feet from any free-standing support column that is used to support floors above..		X	
SF2	<b>Original Art Mural:</b> Provide an original art mural that meets the requirements of Title 4. To meet this option, an application for an original art mural must be submitted to the Bureau of Development Services prior to the issuance of the building permit. The proposed mural must be on a wall that is visible from the right-of-way.			1 pt
SF3	<b>City Approved Art Installation:</b> Provide an art feature on the site that has been approved by the Regional Arts and Culture Commission (RACC_ and is not a mural. The feature may be setback no more than 20 feet from the street lot line with the highest street classification. To meet this option, the applicant must provide a letter from the RACC indicating the approval of the art prior to the issuance of the building permit.			1 pt
SF4	<b>Water Feature:</b> Provide a water feature, such as a fountain, waterfall, or reflecting pool. The feature must be setback a maximum of 20 feet from the street lot line with the highest street classification.			1 pt
SF5	<b>Seating for Mass Transit:</b> Provide at least 10 linear feet of seating located within 50 feet of a bus or transit stop. The seating must be publicly accessible from the sidewalk and must be covered by a roof or awning.			2 pts
SF6	<b>Seating Adjacent to Main Entrance:</b> Provide at least 10 linear feet of seating located within 25 feet of a main entrance. The seating must be publicly accessible from the sidewalk or major trail. This seating is in addition to the seating provided under standard SF6.			1 pt

**Table 420-2**

## Commentary on Individual Standards (contd)

**SF7 – Pedestrian Roll-up Door.** This standard encourages a business to open up to the adjacent street to encourage interaction between the business and the public realm during periods of nice weather. The standard is worth 2 points and can promote several Design Guidelines, including #5, “Design the sidewalk level of buildings to be comfortable, pleasant and human scaled”.

**SF8 – Residential Entries on Side Streets.** Similar to SP24, this standard’s intent is to provide separation and a soft edge between residential entrances on the side streets and the public street realm, while still ensuring that there are residential entrances to activate these side streets. The standards also provide livability standards that provide some physical features, landscaping or outdoor space between the public and private realms. The standard is worth 3 points and supports Design Guideline #5 (see SF7), as well as indirectly supporting Guideline #8 to “Support the comfort, safety, and dignity of residents . . . through thoughtful site design”.

**SF9 – Corner Location of Entries.** This provision encourages the location of a main entrance to a retail space in close proximity to the building’s corner when the building fronts on two intersecting streets. The standard is worth 2 points and also supports Design Guideline #5 (see SF7).

**SF10 – Building or Site History Plaque.** This standard applies to an alteration of a building that is at least 50 years old. One point can be earned for providing a plaque that provides information on the site and/or building. Combining this standard with BM6 and BM7 can enable a major remodeling project to meet the design standards. This supports Design Guideline #2, “Build on the character and local identity of the place”.

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
SF7	<b>Pedestrian Roll-up Door:</b> Provide an oversized operable door opening, such as a roll-up door, at ground floor tenant spaces facing the street that are used for Retail Sales and Service uses. At least one tenant space must have a roll-up door. Sites with more than one tenant space facing the street must provide the feature for 50 percent of the tenant spaces facing the street.			2 pts
SF8	<b>Residential Entries on Side Streets:</b> On streets that are not civic corridors, at least 50 percent of the dwelling units on the ground floor of a street-facing façade must have the main entrance of the dwelling unit be accessible from the street. To meet this standard, there must be entrances to at least four individual dwelling units. The entrance must be set back 6-feet from the street lot line and include two features from the following list within the setback: <ul style="list-style-type: none"> <li>• A wall or fence that is 3-feet high;</li> <li>• Landscaping that meets the L2 standard;</li> <li>• A landscaped berm that is at least 3-feet high;</li> <li>• A tree within the small tree category;</li> <li>• Individual private open space of at least 48 square feet where the floor of the open space is 2 feet above the grade of the vehicle area; or</li> <li>• A change of grade where the door to the dwelling unit is 2-feet above the grade of the vehicle area.</li> </ul>			3 pts
SF9	<b>Corner Location of Entries:</b> For sites that front on two or more intersecting streets, at least one main entrance to the building must be located either at the corner, or within 20 feet of the corner. The entrance must access a shared lobby space or a commercial tenant space that is at least 1,500 square feet.			2 pts
SF10	<b>Building or Site History Plaque.</b> For alterations to an existing building that is at least 50 years old, provide a plaque at least 1 square foot in area on a street-facing façade that provides information on the previous uses of the building or site.			1 pt

**Table 420-2**

## Commentary on Individual Standards (contd)

The Façade standards are identified with the moniker F, and number from 1 to 19. 8 standards are required to be reviewed for alterations and 9 standards are required for new development. The remaining standards are optional standards which can be chosen in different combinations in the situations that require a certain number of points to be achieved.

**F1 – Weather Protection at Main Entrance.** This standard applies to new buildings and to existing buildings that are proposing a new entrance. The standard ensures that these new entrances include weather protection of an adequate size to protect customers and others entering the building from the elements. The standard supports Design Guideline #5, Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled”.

**F2 – Weather Protection Minimum Requirements.** This standard ensures that all weather protection, including installations to satisfy any of the standards within this section meets the standards of size and height to provide adequate protection. The standard supports Design Guideline #5 (see F1).

**F3 – Weather Protection for Long-Frontage Buildings.** This standard requires buildings that have a longer street frontage to provide weather protection along 20% of their frontage. This affords pedestrians the opportunity to escape the weather, even in situations where there is no main entrance. Along with supporting Design Guideline #5 as above, this supports Design Guideline #6 by providing “opportunities to pause, site and interact”.

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



No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
<b><i>Facades (F1 – F19)</i></b>				
F1	<b>Weather Protection at the Main Entrance:</b> The following applies to new buildings and new main entrances. Weather protection must be provided at one main entrance per street lot line. The weather protection should consist of an awning, building extension or other covered structure. The weather protection must extend at least 5 feet from the main entrance or three feet into the right-of-way, whichever is less. The protection must have a minimum width of at least 5 feet or the width of the entrance, whichever is greater.	X	X	
F2	<b>Weather Protection Minimum Requirements:</b> Canopies, awnings and other weather protection that are provided in addition to F1 above must project at least five feet from the adjoining building wall facade or three feet into the right-of-way, whichever is less. The bottom of the weather protection structure must be at least 9 feet above the adjoining grade. Alterations to existing weather protection may come closer to conformance with this standard.	X	X	
F3	<b>Weather Protection for Long Frontage Buildings:</b> For new buildings with more than 50-feet of frontage along a transit street, weather protection must be provided along 20 percent of the street facing wall. This requirement does not apply to building walls more than 20 feet from the street. The weather protection must meet F2 above	X	X	
F4	<b>Building Materials:</b> The following standards apply to buildings that have a net building area of at least 5,000 square feet: <ul style="list-style-type: none"> <li>At least 80 percent of the façade of the building must be constructed using the exterior materials listed in the approved materials list of 420-03, excluding windows, doors and trim.</li> <li>Alterations may choose to use this list or use materials which visually match the appearance of those on the existing building.</li> </ul>	X	X	

**Table 420-2**

## Commentary on Individual Standards (contd)

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

**F6 – Upper Story Windows.** This standard requires new buildings provide windows on 25 percent of the building's upper story facades. This standard requires a higher percentage of windows on the façade than the base zone standards. The standard supports Design Guideline #5 (see above).

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

**F8 – Windows Facing a Pedestrian Walkway.** This standard requires that new buildings facing a walkway that is part of the pedestrian circulation system provide a similar level of "eyes on the street" that the base zone requires for street-facing facades. The intent is ensure the safety and integration of the buildings and the pedestrian circulation paths. The standard meets Design Guideline #8, "Design for quality, using enduring materials and strategies with a clear and consistent execution".

**F9 – Exterior Lighting.** This standard is required for new development. The intent is to provide standards for lighting on a building that encourages pedestrian interaction between the public realm and the building while promoting the safety and comfort of those entering the building. The standard also ensures that lighting on local service streets does not adversely impact adjoining lots. The standard supports Design Guideline #5 (see F5 above) as well as Guideline #3, "Create positive relationships with adjacent surroundings".

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
F5	<b>Louvers and Vents:</b> New louvers or other vents on street-facing facades must be placed at least 7 feet above the adjoining grade. The measurement is made from the grade to the bottom of the louver	X	X	
F6	<b>Upper Story Windows:</b> For new buildings, at least 25 percent of the area of the new façade above the ground floor facing a street or major public trail must be windows or doors that open on to balconies.	X	X	
F7	<b>Street-Facing Window Trim:</b> The following window standard must be met on all new street facing facades. Ground floor storefront glazing or curtain wall systems are exempt from this standard: <ul style="list-style-type: none"> <li>• Provide trim that is at least 3 ½ inches wide around 80 percent of the windows; or</li> <li>• Recess the window glazing at least 4 inches behind the exterior wall for 80 percent of the windows.</li> </ul> Alterations may choose to meet this standard or match the window trim and recess of the existing building for all new windows.	X	X	
F8	<b>Windows Facing a Pedestrian Walkway:</b> For new buildings that face the on-site pedestrian circulation system, at least 15 percent of the area of each façade that faces the circulation system must be windows or main entrance doors.	X	X	
F9	<b>Exterior Lighting:</b> On new buildings, exterior light fixtures must be provided on street-facing facades within 20 feet of the street as follows: <ul style="list-style-type: none"> <li>• The fixtures must be spaced a maximum of 30-feet apart;</li> <li>• The fixtures can be no higher than 15 feet above the adjoining grade or sidewalk;</li> <li>• Lighting must not be directed up from the fixture;</li> </ul> Lighting on local service streets must include cutoffs or shields to ensure the off-site impacts of Chapter 33.262 are met		X	

**Table 420-2**

## Commentary on Individual Standards (contd)

**F10 – Weather Protection along Transit Streets.** This standard is an optional standard that augments the requirements in F1 – F3. The standard awards 3 points if 50% of the frontage along a transit street includes weather protection that meets the minimum height and projection requirements stated in F2. The intent is to encourage additional weather protection along transit streets that are anticipated to have more pedestrians. The standard supports Design Guideline #5, “Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled”.

**F11 – Building Materials Bonus.** This standard is an optional standard that augments F4. It provides 2 points to projects that elect to use the materials listed in Table 420-3 for 100% of the exterior, excluding windows, doors and trim. Similar to F4, this standard further supports Design Guideline #9, “Design for quality, using enduring materials and strategies with a clear and consistent execution”.

**F12 – Building Materials Application to Side Walls of Buildings.** This standard encourages an applicant to continue the pattern of materials on street facing facades over to a portion of the side wall to provide more continuity in the materials. The standard is an optional standard worth 1 point and supports Design Guideline #9 (see F11 above).

**F13 – Street-Facing Balconies.** This standard encourages the provision of balconies on the street-facing elevation of upper floors. The balconies provide a visual interest while also encouraging more interaction between the public and private realms. The standard is worth 3 points and supports Design Guideline #3, “Create positive relationships with adjacent surroundings”.

**F14 – Street-Facing Window Elements.** This standard encourages street-facing windows that de visual interest or protect the windows from the elements by allowing either a balcony rail or sunscreens over the windows. The standard is worth 2 points, and is an option to F13 above (i.e. one cannot use both F13 and F14). The standard also supports Design Guideline #3 (see F13 above) and potentially Design Guideline #8 “Support the comfort, safety and dignity of residents . . . through thoughtful site design”.

**F15 – Upper Floor Windows.** This standard augments the requirements of F6. It provides 2 points if the percentage of windows or balcony doors on upper floors is increased from 25 percent to 35 percent. The standard supports Design Guideline #5 (see F10).

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
F10	<b>Weather Protection along Transit Streets:</b> For buildings with frontage along a transit street, provide weather protection along at least 50 percent of the street facing wall within 20 feet of the transit street. The weather protection must meet the standard of F2 above.			3 pts
F11	<b>Building Materials Bonus:</b> 100 percent of the façade of the building is constructed using exterior materials listed in the approved materials list of Table 420-3 below, excluding windows, doors and trim.			2 pts
F12	<b>Building Materials Application to Side Walls of Building:</b> Use the same exterior materials on the street-facing facade and the first 20 feet of the adjoining , but not street-facing facades.			1 pt
F13	<b>Street-Facing Balconies:</b> Provide balconies for at least 50 percent of the dwelling units that face a street and are located above the ground floor. The balconies must have a minimum dimension of 4-feet by 4-feet. Glass railings on the balcony must have a treatment pattern and must use application techniques from the <i>Portland Bird Safe Windows</i> list. Either this standard or F14 below may be met.			3 pts
F14	<b>Street-Facing Window Elements:</b> Provide the following features at window openings for at least 50% of the street-facing windows above the ground floor. Either this standard or F13 above may be met: <ul style="list-style-type: none"> <li>Sunscreens in the form of awnings or eaves that project out at least 3-feet;</li> <li>Balcony railings attached to the exterior wall.</li> </ul>			2 pts
F15	<b>Upper Floor Windows:</b> For new buildings and expansions of existing buildings above the ground floor, at least 35 percent of the area of the new street-facing facade above the ground floor must be windows or doors opening up to balconies.			2 pts

**Table 420-2**

## Commentary on Individual Standards (contd)

**F16 – Street-Facing Window Trim Bonus.** This standard augments the requirements of F7. It provides 2 points if the percentage of street-facing windows meeting the window trim or recess requirement is increased from 80 percent to 100 percent, which further supports a coherency of dimensional relief to the façade. The standard supports Design Guideline #9, “Design for quality, using enduring materials and strategies with a clear and consistent execution”.

**F17 – Bird-safe Glazing for Windows.** This standard awards 2 points if the façade with the greatest percentage of window glazing applies an approved bird-safe glazing technique to at least 90 percent of the upper floor windows. The standard supports Design Guideline #10, “Design for resilience, considering adaptability to the changing needs of the city, climate change impacts and the health and stewardship of the environment”.

**F18 – Windows on Units with Multiple Exterior Walls.** This standard awards 2 points by ensuring that corner dwelling units (or other units adjoining at least two exterior walls) provide operable windows on each wall to allow for cross ventilation of the dwelling unit. The standard supports Design Guideline #10 (see F17 above).

**F19 – Ground Floor Windows.** This standard encourages a greater amount of ground floor glazing over both the base zone and other façade standards. 2 points are awarded if a project can provide 80 percent glazing along the ground floor. The standard further supports Design Guideline #5, “Design the sidewalk level of buildings to be comfortable, pleasant and human-scaled.”

**Other Standards.** These standards don’t easily fit into other categories, although they may be most closely related to Site Planning. They are both optional and apply to special site characteristics and features.

**O1 – Design with Nature.** This standard awards 4 points if a project can incorporate and preserve a natural water feature (separate from environmental zones) as part of a development proposal. It supports Design Guideline #4, “Integrate and enhance on-site features and opportunities to meaningfully contribute to a location’s uniqueness”.

**O2 – Public View of Natural Feature.** This standard encourages the opening up of a site’s natural features, such as trees, rock formations or water features, to the public realm. It awards 2 points for providing a view corridor between the street and the feature on site. This allows for the visual enjoyment of on-site’s natural features. Similar to O1 above, the standard supports Design Guideline #4 (see O1).

No.	Design Standards	Required Standards Alteration	Required Standards New Development	Optional Standards Points
F16	<b>Street-Facing Window Trim Bonus:</b> The following option can be met on all new street-facing facades. Ground floor storefront glazing or curtain wall systems are exempt from this standard: <ul style="list-style-type: none"> <li>• Provide trim that is at least 3 ½ inches wide around all windows; or</li> <li>• Recess the window glazing at least 4 inches behind the exterior wall</li> </ul>			2 pts
F17	<b>Bird-safe Glazing for Windows:</b> The following standard applies on the façade with greatest amount of window façade area. At least 90 percent of the windows above the ground floor must have bird-safe glazing. The applicant must choose treatment patterns and application techniques from the <i>Portland Bird Safe Windows</i> list.			2 pts
F18	<b>Windows on Units with Multiple Exterior Walls:</b> For dwelling units with two or more walls located at building exteriors, provide at least one operable window in each of two or more exterior walls. The window must provide an operable opening of at least 7 square feet.			2 pts
F19	<b>Ground Floor Windows:</b> Windows must cover at least 80 percent of the ground floor wall area of street facing facades that are within 20 feet of the street.			2 pts
<b>Other (O1 – O2)</b>				
O1	<b>Design with Nature:</b> Site buildings, structures and common outdoor areas to provide a minimum of 50 feet setback from the edge of an existing natural water feature, such as a stream, pond, wetland, seep or spring within the development.			4 pts
O2	<b>Public View of Natural Feature:</b> The following applies to natural features outside of environmental zones. Provide a view corridor between the public street and an existing natural feature on site, such as a grove of native trees, rock outcropping, or natural water feature described above. The view corridor must be a minimum of 20 feet wide. The corridor must be landscaped or have a pedestrian connection.			2 pts

### Table 420-3 Approved Exterior Materials List for Design Standards

Table 420-3 is a new table created to apply the Façade Design Standards F4, F11 and F12. Standard F4 requires new buildings/alterations over 5,000 square feet in net building area apply the exterior materials listed in the table to at least 80% of their façade, excluding windows, doors and trim. Alterations have the option to use the materials currently on the existing building. Additional points may be granted for projects that choose materials from the table for 100% of their façade. Finally, standard F12 provides points for wrapping street facing materials around to the side, non-street facing building wall.

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

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

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

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

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



**Table 420-3**  
**Approved Exterior Materials List for Design Standards**

<b>Material (note does not apply to windows, doors or trim)</b>	<b>Additional Notes</b>
Brick and Brick veneer	
Stucco	<p>Stucco must be one of the following two types</p> <ul style="list-style-type: none"> <li>• Portland cement based three coat stucco system</li> <li>• Cement board stucco system</li> </ul>
Wood	<ul style="list-style-type: none"> <li>• The wood is comprised of boards that have a vertical or horizontal dimension of 6 inches or less. Wood products with a larger dimension must contain a reveal or board patten that has dimension of 6 inches or less.</li> <li>• If raw, unpainted wood is used on a facade, the façade that contains the wood product must be protected from the elements. Protection can be attained by recessing the product at least two feet back from exterior walls, or by including an eave or awning that extends out two feet from the edge of the wood wall.</li> <li>• On the ground floor, the wood must be 6 inches above the foundation grade.</li> </ul>
Metal Wall Cladding	<ul style="list-style-type: none"> <li>• The cladding must have a factory applied color or coat finish. Exterior paint applied to the panels does not count to meeting this requirement.</li> <li>• If the panels have a vertical or horizontal dimension of 12 inches or less, the material must have a minimum thickness of 20-gauge.</li> <li>• If the panels have a vertical or horizontal dimension greater than 12 inches, the material must have a minimum thickness of 24-gauge. The panels must include a rib or reveal of 4 inches or less. The rib or reveal must have a minimum depth of 1 inch.</li> </ul>

**Table 420-3**  
**Approved Exterior Materials List for Design Standards**

Continuation of Table 420-3.

Material (note does not apply to windows, doors or trim)	Additional Notes
Fiber Cement Wall Cladding	<ul style="list-style-type: none"> <li>• If the panel has a vertical or horizontal dimension of 6 inches or less, it must have a thickness of at least 5/8 inch. In Town Centers and on Civic Corridors, this material can only be used on the ground floor for residential uses.</li> <li>• If the panel has a vertical or horizontal dimension greater than 6 inches, the panel must include an intrinsic color scheme that maintains the color through the thickness of the panel. The panel must have a density greater than 80 lbs. per cubic foot.</li> </ul>
Concrete	<ul style="list-style-type: none"> <li>• Concrete or concrete block may be used as a material for the foundation and ground floor up to the floor level of the second floor..</li> </ul>

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

**Note:** Map 420-4 will be deleted since there is no longer a reference to a Sellwood/Moreland Design District within any of the exemptions or thresholds, and there are no district-specific guidelines. The other design districts all have their own design guidelines which are referenced elsewhere in this chapter. Maps 420-5 & 6 will be renumbered to 4 & 5.

**33.420.065 Design Guidelines**

For projects subject to design review, guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-3 and 420-5 through 420-6 at the end of this chapter. Projects within the South Auditorium Plan District use the Central City Fundamental Design Guidelines for the Downtown Subdistrict. All other areas within the Design overlay zone use the Citywide Community Design Guidelines.

**Delete Map 420-4. Renumber Maps 420-5 & 6 to 420-4 & 5.**

## 33.710 Review Bodies

# SUMMARY OF CHANGES

Changes in 33.710 reflect amendments that achieve the following principles stated in Section 4:

- 1a. Revise the purpose statement for the Design overlay zone (and related chapters).
- 5a. Updated the Design Commission rules to allow landscape architects as a subject expert and ensure that public-at-large member is not from the list of industry experts.

### Background

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

### 33.710.050 Design Commission

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

## 33.710 Review Bodies

## 710

## 33.710.050 Design Commission

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

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

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

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



2. Recommending the establishment, amendment, or removal of the Design overlay Zone and design districts to the Planning and Sustainability Commission and City Council;
  3. Recommending Developing design guidelines for adoption by City Council for all design districts except for guidelines for Historic Districts and Conservation Districts;
  3. ~~Reviewing major developments within design overlay zones and design districts, except those projects involving or located within the following:~~
    - a. ~~Historic Districts;~~
    - b. ~~Conservation Districts;~~
    - c. ~~Historic Landmarks; and~~
    - d. ~~Conservation Landmarks.~~
  4. Reviewing other land use requests assigned to the Design Commission; and
  5. Providing advice on design matters to the Hearings Officer, Planning and Sustainability Commission, Historic Landmarks Commission, Portland Development Commission, ~~and City Council,~~ and other City Bureaus or public agencies when necessary or requested.
- E. Annual report.** The Commission must make an annual report of its actions and accomplishments for each calendar fiscal year. The report must be filed with the Director of BDS by the first working day of April of the following year ~~September~~. The Director of BDS may combine the report with annual reports of other bodies for transmission to City Council.

## 33.720 Assignment of Review Bodies

# SUMMARY OF CHANGES

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Changes in 33.720 work with the BDS administrative changes to achieve the following principle state in Section 4:

**5d.** Make administrative improvements to the efficiency and transparency of the design review process.

### Background

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

### 33.720.030 Legislative Land Use Reviews

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

## 33.720 Assignment of Review Bodies

# 720

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### 33.720.030 Legislative Land Use Reviews

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

## 33.730 Quasi-Judicial Procedures

# SUMMARY OF CHANGES

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Changes in 33.730 will address the decision made to the following principles in Section 4:

**3c.** Align the Type III design review and historic resource review processes with an applicant's design process.

### Background

**NOTE:** For the Discussion Draft BPS staff is considering two alternatives to help align the city's land use review process with the applicant's design process in developing plans. These alternatives are also being considered so that public involvement is valuable and timely, while remaining consistent with state law for land use decisions and the standing for appeal.

Zoning code language has not been proposed for these alternatives at this time. We are looking for public feedback on the options before zoning code language is developed. Please see Section 4C.3 in Volume 1 of the Discussion Draft to review the two alternatives being considered.

**Code to be developed for the Proposed Draft. Please see Section 4C.3 in Volume 1 for a narrative.**

## 33.825 Design Review

# SUMMARY OF CHANGES

Changes in 33.825 reflect amendments to achieve the following principles stated in Section 4:

- 1a. Revise the purpose statement for the Design overlay zone (and related chapters).
- 3a. Establish review thresholds based on the size and scale of a project . . . requiring a higher level of review for larger projects.
- 5b. Clarify that, except in limited cases in the Central City, the design review process cannot require a reduction of proposed floor area ratio (FAR).
- 5c. Clarify that mitigation may be required to lessen the cumulative impacts of modifications: clarify the definition of a use-related development standard.

### Background

The amendments in this chapter update the current table assigning the type of design review with the project proposal, and aligns portions of the chapter with the changes made within 33.420. The main change impacts Table 825-1, which assigns the type of design review to the scale of the proposal. The new table follows Recommendation A1 above by creating a set of thresholds within the Central City and a set for the rest of the city. This updates the current table which contained different thresholds for every plan district and overlay zone area.

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

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

## 33.825 Design Review

# 825

### Sections:

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

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

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

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

### 33.825.010 Purpose

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

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

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

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

Note that the formatting of the code on the next page assumes the passage of the Neighborhood Contact project, which is scheduled to be heard at City Council in March 2019.



### 33.825.025 Review Procedures

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

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

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

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

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

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

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

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

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

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

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

*The following table replaces previous 825-1 – It is not underlined for clarity*

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

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

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

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

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

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

Replacement contd

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

**33.825.035 Factors Reviewed During Design Review.**

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

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

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

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

**33.825. Modifications That Will Better Meet Design Review Requirements**

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

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



**33.825.035 Factors Reviewed During Design Review.**

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

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

**33.825.040 Modifications That Will Better Meet Design Review Requirements**

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

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

**33.825.055 Approval Criteria**

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

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

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

### 33.825.065 Design Guidelines

- A. Purpose.** Design guidelines are the approval criteria used to review new development and ~~alterations/modifications~~ to existing development. They ensure that the development builds on the context of the area, contributes to the public realm and promotes quality and long-term resilience within the Design overlay zone~~the conservation and enhancement of the special characteristics of each design district.~~
- B. Design guidelines.** Guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-5~~3 and 420-5 through 420-6~~. Where two of the design districts shown on those maps overlap, both sets of guidelines apply. Projects within the South Auditorium Plan District use the Central City Fundamental Design Guidelines for the Downtown Subdistrict.
- All other areas within the Design ~~o~~Overlay ~~z~~Zone or proposals subject to design review use the Citywide Community Design Guidelines.
- The A district's design guidelines are mandatory approval criteria used in design review procedures. Within design districts, t~~The~~ design guidelines may consist of a common set of design guidelines for the whole district and special design guidelines for subdistricts. Where subdistrict guidelines conflict with the district guidelines, the subdistrict guidelines control.
- C. Waiver of design guidelines.** If a design district's design guidelines document includes goals for the design district, the review body may waive one or more of the guidelines as part of the design review of a development procedure in order to meet the goals.

### 33.825.075 Relationship to Other Regulations

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

## 33.835 Goal, Policy and Regulation Amendments

# SUMMARY OF CHANGES

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Changes in 33.835 work with the BDS administrative changes to achieve the following principle state in Section 4:

**5d.** Make administrative improvements to the efficiency and transparency of the design review process.

### Background

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

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

### 33.835.040 Approval Criteria

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

## 33.835 Goal, Policy, and Regulation Amendments

# 835

### Sections:

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

### 33.835.010 Purpose

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

### 33.835.020 Initiating a Text Amendment

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

### 33.835.030 Procedure

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

### 33.835.040 Approval Criteria

#### A-C. [No change.]

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

## 33.855 Zoning Map Amendments

# SUMMARY OF CHANGES

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Changes in 33.855 work with the BDS administrative changes to achieve the following principle state in Section 4:

**5d.** Make administrative improvements to the efficiency and transparency of the design review process.

### Background

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

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

## 33.855 Zoning Map Amendments

# 855

### Sections:

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

### 33.855.010 Purpose

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

### 33.855.020 Initiating a Zoning Map Amendment

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

[No other changes.]

**Other Code Amendments to align with the Design overlay standards and guidelines.**

Several chapters of the zoning code make references to the city's Design overlay zones, Design Standards and Design Guidelines. The changing of the applicable design standards from the Community Design Standards of 33.218 to the new Design Standards listed in 33.420, and the Community Design Guidelines to the Citywide Design Guidelines will result in a series of updates to other chapters to ensure that they reference the correct processes, standards and guidelines.

These technical changes will be presented as part of the *Proposed Draft* to the Planning and Sustainability Commission. If there are any questions about these changes staff with BPS can provide more information.



See Commentary on previous page. Technical amendments to update the code references will be included in the *Proposed Draft*.

**Title 32 Signs and Related Regulations**

The Sign Code currently has a set of regulations and references that are related to the Design overlay zone. This includes a set of additional "Community Design Standards" that would apply to a sign proposed in a Design overlay zone. Code amendments to Title 32 will be limited to changes to update and clarify the terminology for the Design overlay zone, applicable standards and guidelines.

**Title 32 Signs and Related Regulations**

See commentary on previous page. Housekeeping amendments to align the language in Title 32 with the terminology for design guidelines and design standards will be presented with the *Proposed Draft*.





