

## **ORDINANCE No.**

Amend the Zoning Map, Title 33 Planning and Zoning and Title 32 Signs and Related Regulations to implement the Design Overlay Zone Amendments (DOZA) project to update the process and tools of the Design overlay zone and related code sections. (Ordinance; amend Code Title 33, 32 and amend the Portland zoning map)

The City of Portland ordains:

Section 1. The Council finds:

1. In 2016, City Council replaced the City's 1980 Comprehensive Plan with the new 2035 Comprehensive Plan. This plan was approved by the LCDC on March 15, 2018 and became effective on May 24, 2018. This new plan provided the guidance for the development of the Design Overlay Zone Amendments (DOZA).
2. In 2016, the Bureau of Planning and Sustainability (BPS) contracted out with the consultant Walker Macy to provide an assessment of the city's regulations and processes within the Design overlay zone.
3. The Design Overlay Zone Assessment included a review of the current regulations, interviews with stakeholders, a public survey and open house, analysis of built projects, and consideration of best practices in other cities. This analysis result in a list of recommendations for improving the City's tools and processes.
4. This assessment was done in relation to the Comprehensive Plan Update which included Zoning Map changes that added the Design overlay zone to centers and corridors within the City anticipated to accommodate the City's growth.
5. In April 2017, the consultant, with support of City staff presented a report of their findings to the City Council. The Council supported the report and gave direction to staff to develop a legislative project based on the findings.
6. In April 2018, staff published a DOZA Process Discussion Draft of Zoning Code Changes, and in May 2018, staff published a DOZA Tools Concept Report with ideas for new guidelines and standards. On May 9, 2018, an open house was held to review the proposals.
7. During the spring and summer of 2018, staff continued to meet with neighborhood and stakeholder groups. At this point, staff made the decision to consolidate the code regulations and design guidelines back into one project.

8. In February 2019, staff released a new DOZA Discussion Draft that included all proposed Zoning Code and Map Amendments as well as the proposed Citywide Design Guidelines.
9. During the spring and summer of 2019, BPS staff met with neighborhood and stakeholder groups to review the consolidated DOZA proposal.
10. On September 16, 2019, a notice of proposed action was received by the Department of Land Conservation and Development pursuant to post-acknowledgement review process requirement of OAR 660-18-020.
11. On September 16, 2019, staff published the DOZA Proposed Draft and sent notice of the release and the upcoming public hearing to approximately 350 people by mail, and to approximately 700 people by email.
12. On October 8, 2019, staff held a joint briefing with the Design Commission and the Planning and Sustainability Commission.
13. On October 22, 2019, staff held a joint public hearing with the Design Commission and the Planning and Sustainability Commission (PSC).
14. Per Title 33, both Commissions have a role in providing a recommendation to City Council. The PSC is the recommending body for amendments to the Zoning Code and Zoning Map. The Design Commission is the recommending body for the Citywide Design Guidelines.
15. From November 2019 until June 2020, each Commission held several work sessions on the staff's proposal for DOZA.
16. On June 18, 2020, the Design Commission voted unanimously to forward their recommendation on the Citywide Design Guidelines.
17. On July 14, 2020, the PSC voted unanimously to forward their recommendation on the amendments to Title 33 and the Zoning Map.
18. In November 2020, BPS staff released the DOZA Recommended Draft, posted on the website.
19. On April 23, 2021, notice of the May 12, 2021 City Council public hearings was mailed to the legislative list and to those who presented oral and written testimony at the Planning and Sustainability and Design Commission public hearing.

20. The Findings of Fact Report, attached as Exhibit A, included additional findings demonstrating consistency with the Statewide Planning Goals, Metro Urban Growth Management Functional Plan and the City of Portland 2035 Comprehensive Plan.
21. The amendments to Title 32, Signs and Related Regulations are necessary to provide consistency between this Title and Title 33.

NOW, THEREFORE, the Council directs:

- a. Adopt Exhibit A, As Amended, as additional findings.
- b. Adopt the commentary in Exhibit B, Design Overlay Zone Amendments Recommended Draft – As Amended as legislative intent and further findings.
- c. Amend Title 32 Signs and Related Regulations of the Municipal Code of the City of Portland as shown in Volume 2 of Exhibit B, Design Overlay Zone Amendments Recommended Draft – As Amended.
- d. Amend Title 33 Planning and Zoning, of the Municipal Code of the City of Portland, as shown in Volume 2 of Exhibit B, Design Overlay Zone Amendments Recommended Draft – As Amended.
- e. Amend the official Zoning Map as shown in Volume 2 of Exhibit B, Design Overlay Zone Amendments Recommended Draft – As Amended.
- f. Adopt the Citywide Design Guidelines as the replacement design guidelines for the Community Design Guidelines in areas of the city that do not have their own guidelines, as shown in Volume 3 of Exhibit B, Design Overlay Zone Amendments Recommended Draft.
- g. Direct the Bureau of Planning and Sustainability to create character statements with area-specific plans that have the Design overlay zone.

Section 2: This ordinance shall be in full force and effect on August 1, 2021.

Section 3. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, inventory, analysis, or document each section, subsection, sentence,

clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Passed by the Council:  
Mayor Ted Wheeler

Prepared by: Phil Nameny  
Date amended: June 17, 2021

**Mary Hull Caballero**  
Auditor of the City of Portland  
By

Deputy