

## 149 - Residential Development and Compatibility Issue Paper

**Topic:**

Design Quality and Compatibility in Design and Conservation Districts (#149)

**Issue:**

Better development results in Design and Conservation Districts for projects reviewed outside of the Design Review process.

**Problem Statement:**

There is a design quality and compatibility “gap” with new development in Conservation and Design districts, as well as other areas where the Design Overlay Zone is applied. The policy direction, and expectation, is that these districts and areas will be subject to higher design and compatibility development standards. Often this is not reflected in the resulting development.

Outside of the Central City, Gateway and historic districts, State law requires clear and objective standards for housing/residential development. In Portland design districts, this results in a “two-track” system: applicants can either meet the objective Community Design Standards in the Portland Zoning Code or if these standards cannot be met or the applicant does not want to meet these standards, a discretionary design review is required, generally based on the Community Design Guidelines. Where projects are reviewed using Community Design Standards, community members often comment that the resulting design does not meet the intent of adopted plans or is otherwise lacking.

The following are specific issues of concern:

- Existing design standards do not adequately address the 5 Portlands. The standards are not customized to the distinct characteristics of different areas of Portland. In a city with diverse neighborhood styles, this often leads to compliant but incompatible design results.
- Design standards should be updated to consider changes to the built environment and construction materials that were not envisioned when they were created in 1997.
- Design standards are often clumsy to administer for larger multi-dwelling, mixed use and commercial projects.
- Neighborhoods consider or pursue historic district designations to ensure greater compatibility of new development whereas the Design Overlay Zone could provide some of the same assurances at a much lower cost, especially if the standards are more comprehensive and/or reflective of valued physical attributes or distinct architectural styles.
- Many development proposals in Conservation Districts using the standards do not always result in projects that meet what may be considered to be a higher threshold of historically compatible design.

**Background:**

The Urban Design section of the current Portland Comprehensive Plan contains policy that addresses the need and desire for certain areas of the city to be designated for design review.

In the 1990s, the City explored the use and creation of design standards that could be used in some cases in lieu of Design Review. In 1994, following the adoption of the Albina Community Plan, supplemental compatibility standards were adopted. Standards were created for all zones including single-dwelling and multi-dwelling. These standards were the beginning of a two-track system for design review and offered a means of streamlining the development review process by reducing the time, cost and uncertainty of the design review process in the Albina Community Plan area. The

supplemental compatibility standards were intended for minor design cases such as remodeling, and new construction and infill.

Seven conservation districts were also created as part of the Albina Community Plan (Eliot, Kenton, Mississippi Avenue, Piedmont, Russell Street, Woodlawn and Irvington, which has since become a historic district). The conservation district designation was applied to areas that contained a concentration of related historic resources, although the historic significance was generally less than for historic districts.

In 1997 the Community Design Standards were adopted and the two-track system to design review was applied to areas with the Design overlay citywide. These standards also replaced the supplemental compatibility standards of the Albina Community Plan. The presumption was that for lower density and scale projects, applying certain minimum design standards would yield an acceptable design alternative to that of those projects subjected to a Design Review.

The May 2003 Infill Design Project white paper states a desire to “reexamine the Community Design Standards. State law now requires that projects that contain housing outside of the Central City, Gateway and the Historic Districts be given access to a ‘clear and objective standards’ track for design review. As a result, large projects that would previously have been required to go through discretionary review against the Community Design Guidelines (different from the Community Design Standards), can now opt to be evaluated against the Community Design Standards instead. There is concern that the standards were not designed to evaluate larger residential and mixed-use projects. There also continues to be concern that the Community Design Standards are not fully implementing community values for other projects. This issue was identified as outstanding in the final report of the Land Division Code Rewrite Project.”

Finally, the Portland Design Commission, as part of the State of the City Design Report 2012, requested City Council funding for an update to the Community Design Standards.

#### **Challenges/Issues:**

The overarching challenge associated with this topic is finding acceptable balances between community desires, developer interests and the capacity of policy and implementation measures to address issues. This includes setting a higher bar for design while still encouraging viable infill development, addressing community concerns about modern design in areas of predominately traditional architecture, determining whether evaluations of height, building length and bulk can be integrated into discretionary design review and meeting community desires for a higher level of design while maintaining compliance with State law that requires clear and objective standards for housing in most areas of Portland. Other challenges include determining the appropriate balance between discretionary design review and community design standards and broad determination of what types of areas should qualify for the Design Overlay Zone and what areas should not.

#### **Health Connection:**

These include:

- Building design to improve pedestrian experience

#### **Equity Connection:**

These include:

- Consider the potential for unintended consequences of any policy direction.
- Understand/consider how the approach plays out in a variety of settings throughout Portland - can the policies be applied equitably across Portland?

#### **Expected Outcomes:**

Development and /or revision of policy, implemented through potential amendments to the zoning code.