CHAPTER 33.825
DESIGN REVIEW

(Amended by: Ord. No. 169987, effective 7/1/96; Ord. No. 171219, effective 7/1/97; Ord. No. 171589, effective 11/1/97; Ord. No. 174325, effective 5/5/00; Ord. No. 175204, effective 3/1/01; Ord. No. 175837, effective 9/7/01; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 176469, effective 7/1/02; Ord. 176742, effective 7/31/02; Ord. No. 177701, effective 8/30/03; Ord. No. 177920, effective 11/8/03; Ord. No. 178423, effective 6/18/04; Ord. No. 178452, effective 7/10/04; Ord. No. 178509, effective 7/16/04; Ord. No. 179092, effective 4/1/05; Ord. No. 181357, effective 11/9/07; Ord. No. 182072, effective 8/22/08; Ord. No. 184016, effective date 08/20/10; Ord. No. 185915, effective 5/1/13.)

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 Area Where Models of Proposals Are Required
Map 825-2 Albina Community Plan Area
Map 825-3 Outer Southeast Community Plan Area
Map 825-4 Southwest Community Plan Area

33.825.010 Purpose

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

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. Procedures for design review vary with the type of proposal being reviewed and the design district in which the proposal's site is located.

The procedures stated in this section supersede procedural and threshold statements in the City's adopted design guidelines documents.

A. Procedures for design review. Procedures for design review vary with the type of proposal being reviewed and the design district in which the site is located. Design review in some design districts requires an additional procedural step, the Neighborhood Contact requirement, as set out in Section 33.700.025, Neighborhood Contact. Some proposals in the Central City plan district must provide a model of the approved proposal, as set out in Paragraph A.5, below.

1. Type III. The following proposals are processed through a Type III procedure:

   a. Proposals in the Downtown Design District that are over 1,000 square feet in area, or require an exterior alteration and have a value over $417,500;

   b. Proposals in the River District Design District that are over 1,000 square feet in area, are in a CX or OS zone, and have a value over $417,500;

c. Proposals in the Terwilliger Parkway Design District that will be visible from Terwilliger Boulevard, other than single-dwelling development;

d. Proposals in the a, Alternative Design Density Overlay Zone, that are using the provisions of Section 33.405.050, Bonus Density for Design Review; or

e. Proposals in the following design districts with a value over $2,087,400:

(1) Lloyd District;

(2) Central Eastside District;

(3) Goose Hollow District;

(4) River District;

(5) South Waterfront District;

(6) South Auditorium Plan District;

(7) Areas subject to design review within the Central City plan district, except Lower Albina;

(8) Macadam Design District; and

(9) Design overlay zones not included in a design district that has its own design guidelines, except for proposals listed in Paragraph A.2, below.

f. Proposals in the Gateway Design District that have a value over $2,087,400, or will be included in a Gateway master plan.

2. Type II. The following proposals are processed through a Type II procedure:

a. Proposals in the Downtown Design District that are up to 1,000 square feet in area, or require an exterior alteration with a value of $417,500 or less;

b. Proposals in the River District Design District that are up to 1,000 square feet in area and are in a CX or OS zone, and have a value of $417,500 or less;

c. Proposals in the design districts identified in Subparagraph 1.e that have a value of $2,087,400 or less;

d. Proposals for single-dwelling developments in the Terwilliger Parkway Design District that will be visible from Terwilliger Boulevard;

e. Proposals in the Southwest Community Plan area's design overlay zones, except for the following proposals:

(1) Proposals in the Macadam Design District;

(2) Proposals in the Terwilliger Parkway Design District; and

(3) Proposals required to go through design review by provisions in Chapter 33.405, Alternative Design Density Overlay Zone;

f. Proposals within the Albina Community Plan area's design overlay zones, including Lower Albina;

g. Proposals within the Outer Southeast Community Plan area's design overlay zones except in the Gateway Design District;

h. Proposals required to go through design review by provisions in Chapter 33.405, Alternative Design Density Overlay Zone, or Chapter 33.505, Albina Community plan district. However, proposals that are using the provisions of Section 33.405.050, Bonus Density for Design Review, are processed through a Type III procedure;

i. Proposals for signs;

j. Proposals for installation of mechanical equipment on the exterior of a building;

k. Proposals in C, E, I, and RX zones for alteration of a facade when 500 square feet or less of the structure's facade is being altered;

l. Proposals for the installation of new or replacement awnings; or

m. Proposals within an IR zone where the site has an approved impact mitigation plan (IMP), and where the IMP includes qualitative design review guidelines. Proposals exempted from design review by the institution's approved IMP are exempt;

n. Proposals within the Hollywood plan district, Main Street Node Overlay Zone, and Main Street Corridor Overlay Zone;

o. Proposals within the Sellwood-Moreland design district;

p. Proposals in the Marquam Hill design district;

q. Proposals subject to the standards of section 33.110.213, Additional Development Standards in R5 and R2.5 Zones;

r. Proposals in the Gateway Design District except for those listed in Paragraph A.1.f, above;

s. Proposals within the St. Johns plan district; and

t. Proposals within the North Interstate plan district.

3. Type Ix. The following proposals are processed through a Type Ix procedure: Proposals within an IR zone where the site has an approved impact mitigation plan (IMP), and where the IMP includes quantitative or objective design review guidelines. Proposals exempted from design review by the institution's approved IMP are exempt.

4. Phased design plans.

a. For multi-phased projects. Applicants may submit design plans for multi-phased projects, provided the application includes adequate information

to allow review of the immediate and later phases of the project, including anticipated timelines.

b. Benefits of a phased design plan. Development in conformance with an approved phased design plan does not have to go through a separate design review for each phase.

c. Procedure. A phased design plan application is reviewed using the same procedure and with the same guidelines as a design review for a specific development.

5. Models of proposals in the Central City plan district. For proposals located in the area of the Central City plan district shown on Map 825-1, a three dimensional cardboard model of the proposal is required with an application for Design Review. This requirement applies only to new developments or changes in the bulk of existing buildings. The scale of the model must be 1 inch equals 50 feet.

   Before a building permit is issued, a three dimensional wooden model of the proposal as approved must be submitted to be placed in the City's downtown model. The scale of the model must be 1 inch equals 50 feet. The model requirements will be waived if the application does not involve a change in the bulk of buildings on a site for which the City possesses an accurate wooden model.

B. Neighborhood Contact. The following proposals are subject to the Neighborhood Contact requirement, as specified in Section 33.700.025, Neighborhood Contact, if they are in the a, Alternative Design Density Overlay Zone, in the Albina Community Plan Area shown on Map 825-2, or in the Outer Southeast Community Plan Area shown on Map 825-3:

1. Proposals that create more than three new dwelling units. Dwelling units are created:

   a. As part of new development;

   b. By adding net building area to existing development that increases the number of dwelling units;

   c. By conversion of existing net building area from non-residential to residential uses; and

   d. By increasing the number of units within existing net building area already in residential use, for example, by converting a duplex to a triplex;

2. Proposals that create more than 10,000 square feet of gross building area for uses in the Commercial or Industrial use categories; or

3. Proposals in the IR zone where the site is not covered by an Impact Mitigation Plan or Conditional Use Master Plan.

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, and landscaping.

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. These 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 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 will be consistent with the purpose of the standard for which a modification is requested.

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

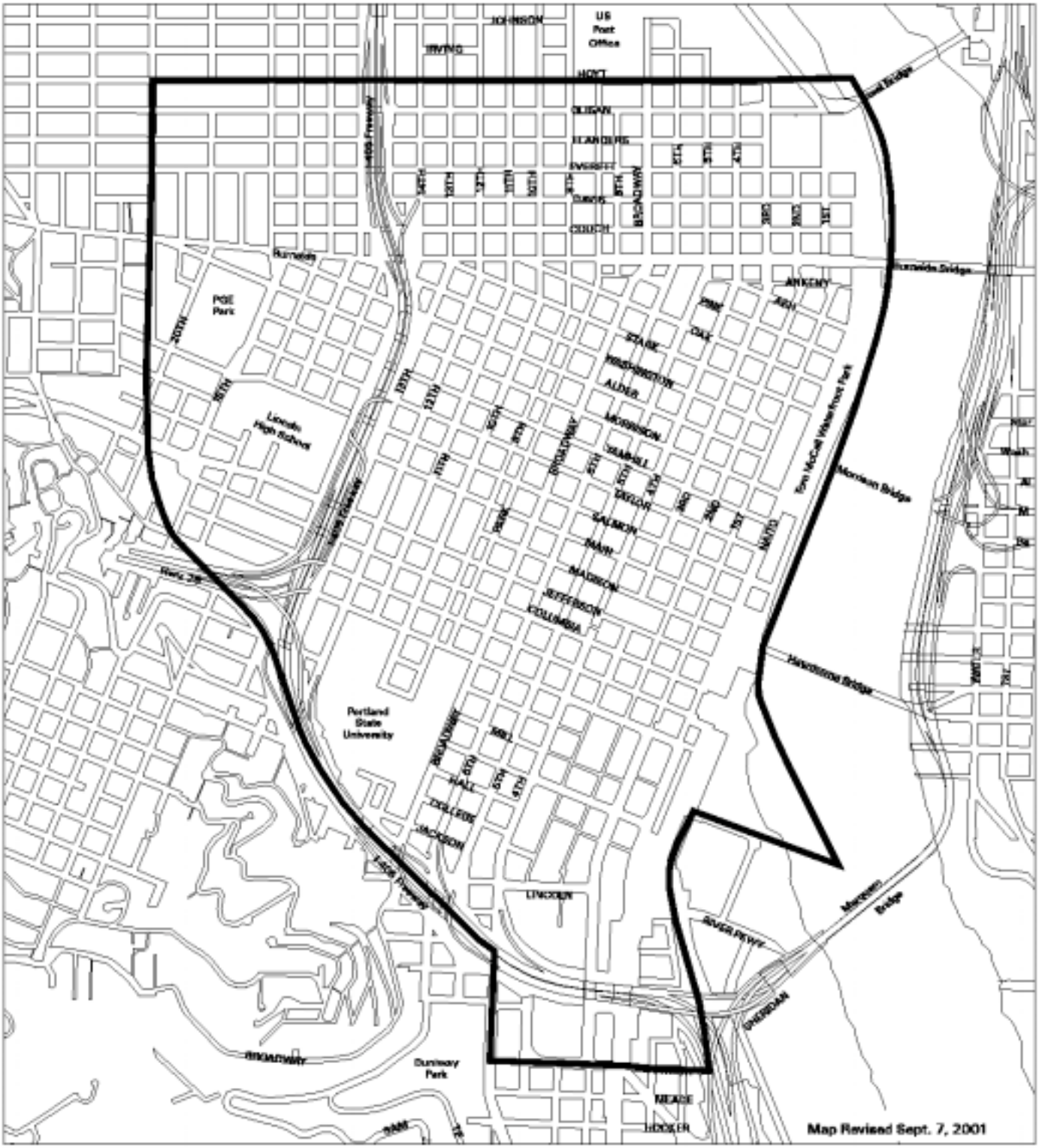
A. Purpose. Design guidelines are the approval criteria used to review new development and modifications to existing development. They ensure the conservation and enhancement of the special characteristics of each design district.

B. Design guidelines. Guidelines specific to a design district have been adopted for the areas shown on maps 420-1 through 420-3 and 420-5 through 420-6. Where two of the design districts shown on those maps overlap, both sets of guidelines apply.

All other areas within the Design Overlay Zone or proposals subject to design review use the Community Design Guidelines. A district's design guidelines are mandatory approval criteria used in design review procedures. 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 procedure.

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.



NORTH

0' 900' 1800'

Scale in Feet

Map 825-1
Area Where Models of Proposals are Required

(See 33.825.025.A.5 and 33.846.020.D.6)

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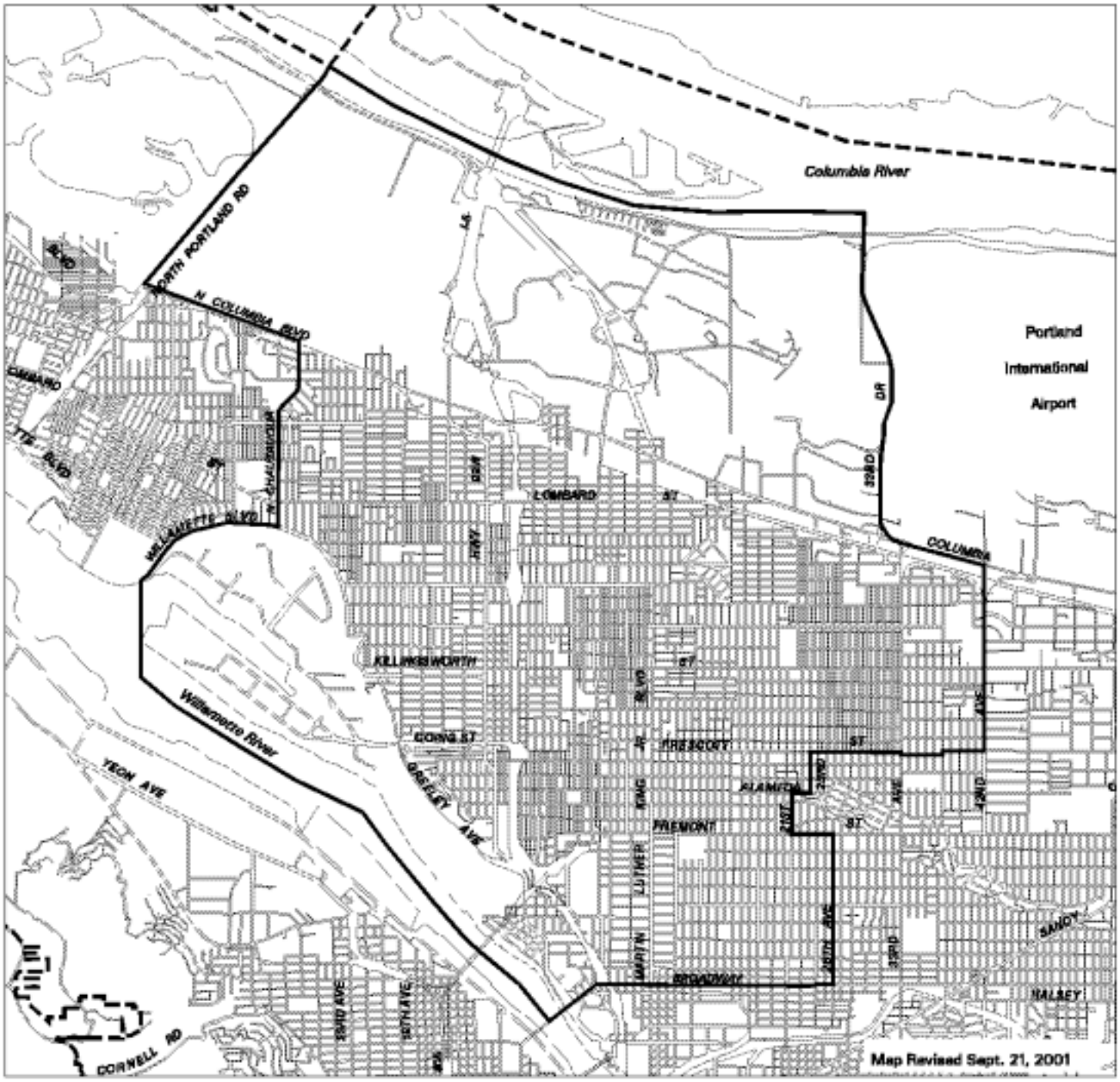

NORTH

0' 3525' 7050'

Scale in Feet

Community Plan Boundary

City Boundary

Map 825-2

Albina Community Plan Area

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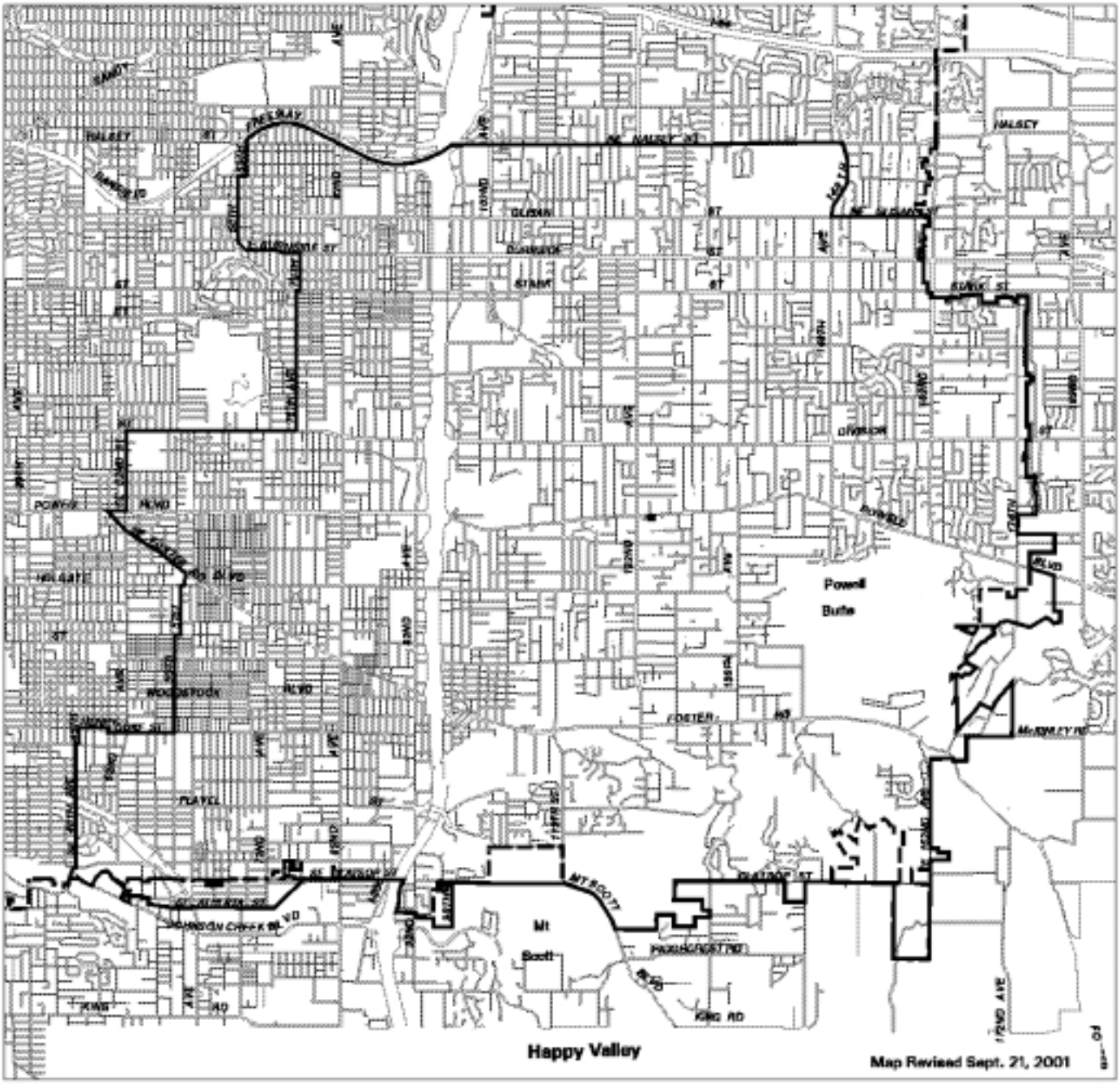

NORTH

0' 3975' 7950'

Scale in Feet

Community Plan Boundary

City Boundary

Map 825-3

Outer Southeast Community Plan Area

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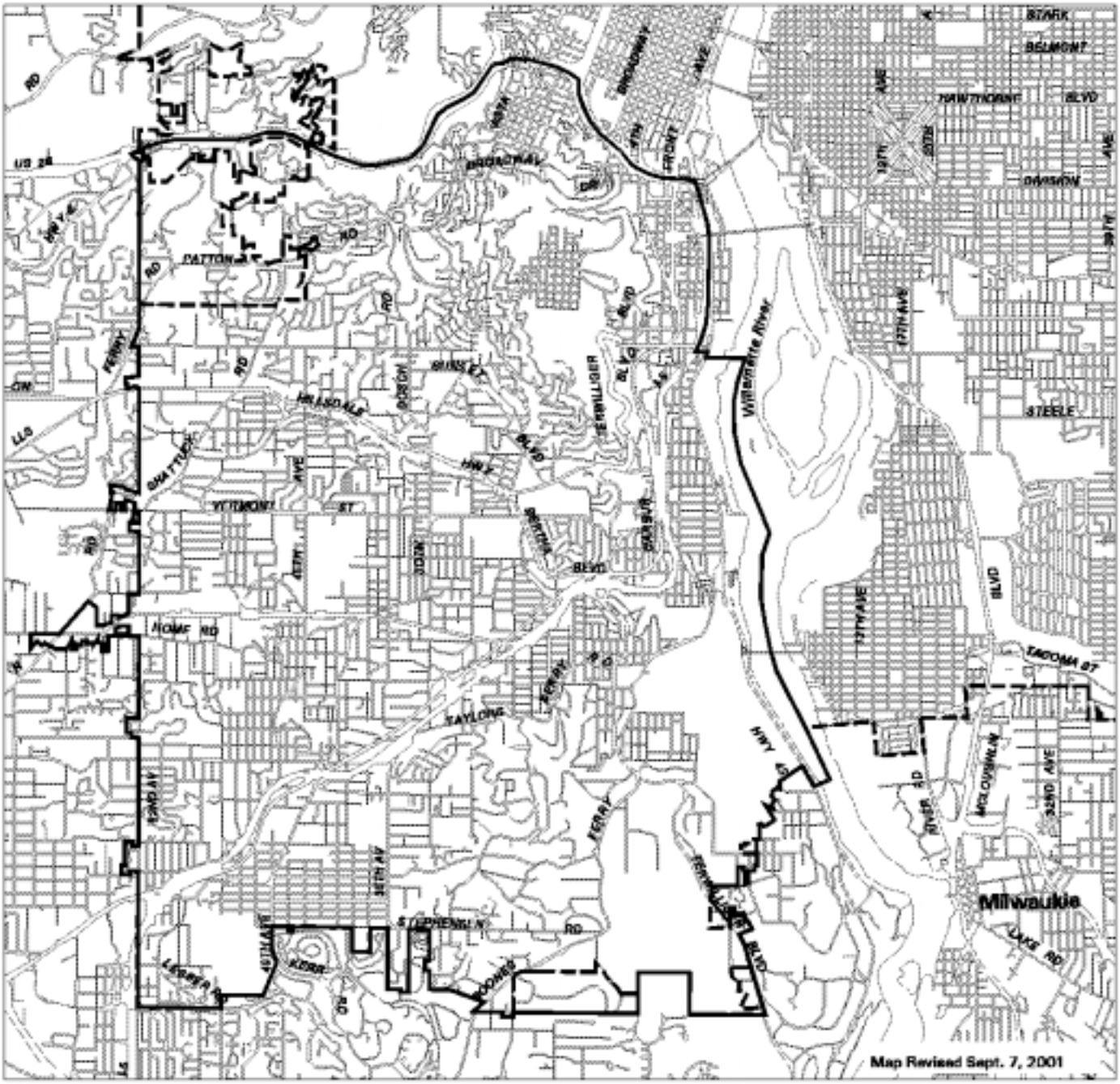

NORTH

0' 3525' 7050'

Scale in Feet

Community Plan Boundary

City Boundary

Map 825-4

Southwest Community Plan Area

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