

SEATTLE DESIGN REVIEW PROCESS | FINAL

Recommended Options for Improvement

Introduction

Per the Seattle City Council's statement of legislative intent 53-1-A-1-2013 passed during the 2014 budget planning process, the Seattle Metropolitan Chamber of Commerce (Chamber), in cooperation with NAIOP and the City of Seattle's Department of Planning and Development (DPD), is leading an effort related to improving the Design Review process. The objectives are to increase predictability, lower costs, and shorten overall timelines associated with the process. This work builds upon ongoing process improvement initiatives at the City.

As part of this work, BERK conducted telephone interviews from July to September, 2014 with 14 individuals from three key stakeholder groups: private sector participants, DPD staff, and current/former Design Review Board members. The Chamber and DPD also convened two workshops with the same mix of stakeholder groups to discuss options for improvement to the process. A summary of the interviews highlighting key themes and findings served as the starting point for discussion at the first workshop before moving to solutions in the second workshop.

This document starts with the recommended options for improvement followed by the interview summary.

Recommended Options for Improvement

Despite current challenges, participants recognize the value that Design Review provides to the city. However, several areas were identified by interviewees and workshop participants as potential **opportunities for improvement**.

One overarching concern expressed was related to creating highly prescriptive mandates in statute, as it limits flexibility in the future when conditions have changed. There was also a desire to work together with DPD to prioritize short-term solutions that can be implemented unilaterally by DPD staff and continue work on longer term fixes, which may require City Council action.

The group's initial recommendations are as follows:

General Considerations

- Change the design review process so that the guidelines and some aspects of the process are administered by Director's Rule, so that future changes or revisions would not require Council approval and would provide the program with greater flexibility to adapt to changing circumstances in the future.
- Avoid redundancy by reviewing only the neighborhood guidelines rather than both the neighborhood and the general guidelines.
- The DPD planner should conduct a technical review of the guidelines in advance of the meeting. They could report out on the review and it would not have to be addressed by the applicant or the board during the presentation period.
- Raise the threshold for what goes before Design Review boards and have smaller projects go through Administrative Review.
- Consider a pilot project in order to quickly test implementation of several recommendations (e.g. threshold recommendation above) before committing to a permanent change.

Rethink the Seven Boards. There was general agreement that the current system is not working for everyone, but not on the exact fix needed. Suggestions to consider include:

- Organize boards by project type (office, small/infill residential, large multi-family etc.) rather than geography OR have floating project type specialists.
- Have a few professional (paid?) board members that sit on several boards to provide consistency, increase the pool of substitute members and help with the quorum requirement.
- Establish on-call boards, not just former member “subs”, for periods when the current boards are at capacity.
- Add more members to each board, but keep the quorum at three members. This could happen with the current seven boards or if the number of boards were reduced down from seven to some other number.
- Collapse all boards into a single board that meets downtown OR have all seven boards meet downtown.

Training for all board members and planners involved with Design Review. Though training is currently provided, several areas were raised as needing additional clarification or emphasis. Given that low attendance at training sessions was mentioned, training could involve individual phone calls rather than an organized session.

- Training for all members (including Get Engaged members) on how to run an effective meeting, including how to handle common difficult situations.
- Clarify roles and decision-making authority of board members and planners and the purview of Design Review.
- When a new member joins a DRB and a project is midway through, a staff memo should emphasize that without significant new information, new members are not to restart the process or alter previously agreed upon decisions. The memo should become part of the project file with a cc to the applicants.

Change the Culture – encourage dialogue and departures

There was general agreement on the following suggested improvements:

- Allow more than 20 minutes for large scale or complex projects.
- On complex projects, applicants can hold informal, non-binding workshops prior to EDG with a subset of board members to explore ideas and work through suggested changes. This is a model that some applicants and the landmarks process already use successfully.
- While the level of project complexity will determine the number of meetings necessary to get adequate input and review, there was general agreement that one EDG meeting and one Design Review meeting should be the goal for less complicated projects or residential projects under 100 units. This goal should be communicated to boards.
- Allow the applicant(s) and board to have a dialogue (answer questions, clarify misunderstandings) during board deliberation to better reflect the design process.
- Allow applicants and board members the opportunity to review/correct the meeting summary.
- Make project cost part of the presentation context especially for projects that wholly or partly contain affordable housing. DPD could provide examples of good uses of lower cost materials.

- Find ways to better integrate other City departments (Neighborhoods, Transportation, Design Commission) into the process to better streamline permitting.

There was discussion that while departures often lead to a better project design, some applicants have been deterred from pursuing them based on experience with board members that view them as a nuisance or the applicant trying to “get something” from the code.

- Encourage departures to foster better design and ensure that once granted at EDG they cannot be revoked later at the Recommendation phase.
- Consider changing the name “departures” to communicate the pursuit of better design, (e.g. innovation initiative, enhancement, alternative approach) rather than a deviation from the code. A cultural shift may produce the same results. Thinking creatively and outside the rules can either be seen as a good thing or a bad thing depending on culture.
- DPD should track departures granted. If something comes up repeatedly, it may be an indicator that a revision to the code is needed.

Planner/applicant relationship. As an advocate for the City, the planner should do more prep work together with the applicant in advance of design review meetings and work as a team. Any planner actions that could be perceived as “gatekeeping” should be discouraged.

- DPD should clarify expectations on what applicants should include in their presentation. For example, applicants do not need to spend time discussing the site’s location within the City; the expectation should be that board members have reviewed the packet and visited the site. DPD could consider posting short videos of effective presentations.
- While DPD does have documented [proposal packet requirements](#), they could publish examples of baseline packets by project type/scale.
- There were suggestions about expanding the use of administrative review, though opinions were mixed on whether that should happen at the EDG or the Design Review recommendations stage. One suggestion was to conduct an open-to-the-public EDG meeting in the neighborhood, but have an administrative DRB recommendation process happen downtown, similar to the City of Bellevue’s process.
- DPD staff should encourage applicants to conduct neighborhood outreach in advance of their first public meeting. However, it should be a balance as outreach itself sometimes sets expectations that the applicant should do whatever is suggested by the public, which may or may not be in the best interest of the project or the City’s overall growth and development objectives.
- Clarify [Tip 224B](#) that explains major and minor revisions to a Master Use Permit.
- DPD could consider creating a simplified path for “consistently prepared applicants” to reward applicants who consistently meet the requirements of the process and provide an incentive for those that do not to change their practices.

Ongoing DPD initiatives. There was support for DPD’s plan to conduct more public outreach around long range planning and design review as an opportunity to communicate the purview of each process and provide another venue for the city residents to talk about non-design review issues, such as parking, zoning, height limits etc.

APPENDIX A: INTERVIEW SUMMARY

Introduction

Per the Seattle City Council's statement of legislative intent, the Seattle Metropolitan Chamber of Commerce (Chamber), in cooperation with the Department of Planning and Development (DPD), is leading an effort related to the Design Review process. The objectives are to increase predictability, lower costs to the applicant, and shorten overall timelines associated with the process. This work builds upon ongoing process improvement initiatives at the City.

BERK conducted telephone interviews from July to September, 2014 with 14 individuals from three key stakeholder groups: private sector participants, DPD staff, and current/former Design Review Board members. This Summary presents the key themes and findings from the interviews organized by question. While some questions received varied responses, there were many points of intersection and agreement, all of which are reflected in the summary of key findings. Comments made by at least four people are noted with the number of respondents in parentheses.

This summary served as the basis for discussion at the first Workshop on October 29.

Executive Summary

Interviews were conducted during a period of tremendous growth in Seattle. Interviewees noted that the combination of volunteer boards and a long list of projects needing to go through Design Review is placing considerable stress on the process and producing a desire for improvement by all participants – DPD planners, Board members, and applicants.

What we heard?

While most interviewees agreed that community input can be a **strength** of the process, it was also raised as a weakness since comments are frequently outside the purview of Design Review. Opinions were mixed on whether Design Review produces better design. Some expressed the concern that it encourages architects to copy what has been approved in the past to expedite the process and others stated that while it probably prevents really poor design, it is not a catalyst for exceptional design.

The length of time involved, lack of predictability, and increasing costs associated of the process were all raised as **concerns**. **Meeting frequency** and scheduling was raised by all interviewees but for different reasons. Volunteer board members feel taxed with the current expectation that they meet three times each month, planners are concerned as board members are increasingly unavailable (making a quorum difficult), and applicants are frustrated that there are insufficient meeting slots to handle the volume of projects, which significantly increases the wait to get on the agenda and the time between meetings.

Inconsistency across and within boards was also a weakness raised as a result of not only varying degrees of skill among individual board members but also board members terming off or substitutes attending meetings.

Interview Summary

Interviews were conducted with:

- DPD staff – 3
- DRB Members – 3
- Architects – 4
- Developers – 2
- Land Use Attorneys – 2

What is the purpose of Design Review?

Better Design [8]

- Improve building aesthetics and the built environment and foster design excellence.
- City Code outlines the purpose: enhance quality of development with respect to public realm.

Community Input [6]

- To allow opportunity for public to provide feedback on new development and buildings in their neighborhood.
- Involve the community, solicit input, and improve communication between developers, neighborhood and the City.
- Has become a forum for neighbors concerned about growth in general.

Neighborhood Context [6]

- To help shape design that fits the neighborhood context and enhances the existing neighborhood character.

Public Benefits

- Design Review has evolved as a mechanism to extract public benefits and amenities from developers even beyond those that may be required by code.

Does the program meet that purpose?

Design Excellence

- **No.** Prohibits good design and results in “design by committee.” Encourages the design of similar buildings to what has been approved before. Punishes creativity.
- **Yes.** Helps prevent really bad designs from moving forward. Varying opinions on whether the overall caliber of building design in Seattle has been improved as a result of having Design Review.
- **Maybe.** Prevents some bad design

Community Input

- **Yes.** Many respondents felt that this was the strongest positive aspect of Design Review.
- **Not really.** Most community input is related to issues outside of purview of Design Review especially issues related to parking, zoning, and heights.

Neighborhood Context

- **Yes.** Some respondents felt that Design Review is successful at helping new development reflect and enhance existing neighborhood character.
- **No.** Buildings going through Design Review are too similar to what has already been built in the past. Not much room for creating bold new designs. The result is a more monotonous and uniform urban form.

Public Benefits

- **Yes.** A perception exists the Design Review is being used a mechanism to extract additional public benefits or amenities beyond what is outlined in the code.

What aspects of the Design Review process work well?

Community Input [6]

- Provides opportunity for public to be part of dialogue. Near universal agreement that public participation is an integral part of process.
- Early input. Find out from the community what is important early in the design process. Help prioritize design elements with neighborhood and street character.
- Neighborhood orientation of DR Boards. Members are familiar with their area and have potential to provide continuity of design advice.
- When there are well-informed participants who are savvy about design, community input can contribute positively to how a project looks, the pedestrian scale, etc.
- Participation of organized neighborhood groups can be helpful – e.g. Pike/Pine Urban Neighborhood Council. Not officially part of the process but result in design improvements.
- At times, public comments raise specific concerns about a particular project as opposed to stating generally that they do not want development.

Design Preview Packets

- Packets posted online help other applicants and the public get familiar with the project. Old packets provide neighborhood context.
- Useful tool for outreach.
- Website –helpful for staff, applicants, Board members and public.

Design

- Sometimes results in better design and can help prevent bad design.
- Dialogue between Board and Developer can sometimes improve the design of the project.

DPD Staff

- Some planners are great at giving direction and are clear, up-front and honest and facilitate the process extremely well.
- Some planners summarize feedback well in the meeting minutes and provide a clear written record of guidance issued and decisions made.
- Some planners are doing a great job with Design Review.

Board Members

- Recognition that Board members are committed volunteers who live throughout the city, often work in the field, and are passionate about design.

Early Design Guidance

- “Good and useful.” When it works well, provides feedback that informs the project and makes it better.

Is there anything that does not work well?

Length of Time, Predictability and Cost to Applicant [6]

- Process takes too long, creates bottleneck in development schedule. Increases risk to architects and developers.
- Too expensive, time consuming, and arbitrary.
- Difficult for architects to give a client a predictable fee to take a project through Design Review. Boards are asking for more and more detail.
- No cap on number of meetings – at start it was one EDG and one DRB. Now it can be a number of meetings across an extended period of time.
- Becoming more challenging and onerous – more pieces of paper, additional requests, preparation.
- Cost of going through Design Review contributes to high cost of housing.

Meeting Frequency & Agenda [6]

- Difficult to get on agenda, if Board meeting is cancelled it can take many weeks or months to get rescheduled.
- Not enough meeting slots – the time to get in front of the Board is challenging. New changes created more delays.
- There are not enough meetings to handle volume of projects.
- It's difficult to get on the agenda because there is no room on the calendar.

Community Input [6]

- Members of the public comment on issues unrelated to the purview and scope of Design Review (e.g. open space, parking, height limits, zoning) and then get frustrated that their issues are not addressed. Design Review is one of the only venues for neighbors to voice frustration about growth related topics.
- Discussion of non-Design Review topics can take away time from Design Review related issues.
- There are a number of very small but vocal groups that are swaying opinion about development. There is no communication from the City or developers to challenge or change this.

Design Review Board [6]

- Quality and expertise within a Board can vary producing less than optimal feedback or guidance for applicants.
- Lack of consistency both within and across Boards. "Going in front of a different Board can feel like going to a different city."
- Lack of consistency in Board comments sometimes occurs from meeting to meeting; especially when the composition of Boards changes. This can have large design and cost impacts. One Board had turnover and then rescinded a previous decision.
- Board members are not always clear on purpose of Design Review or what the zoning allows.
- There is inconsistent training for new Board members and some "learn on the job."

- Sometimes Board members seem unaware of the gravity of their decisions. Stray comments can have potential big impacts to a project. For example, sending an applicant back to EDG.
- Some Board members have a personal design aesthetic that produces a loss of objectivity.
- A weak chair may not give clear direction to applicants leaving them confused as to what to do.
- Process can allow a single Board member or vocal members of the public to potentially hijack discussion and influence direction of the Board.
- Board members are volunteers and there are concerns about burnout due to large time commitments and demands. There are limits on how much can be asked of volunteers. And sometimes volunteer members are not as well prepared.
- At times there may not be enough Board members in attendance for a quorum and/or occasionally meetings have to be cancelled.
- The only people who apply to be on a Board either know the process or are upset about development. You may have people on a DRB who are against development in general.

Planning Staff [5]

- Planners have varying levels of skills and expertise. Some act as advocates for projects and others act as “gatekeepers” using their power to hold up the process. Some are hostile to applicants.
- Some planners give design guidance beyond their role and act inappropriately by pushing their own design agendas. Sometimes a planner won’t schedule an applicant for Board meeting unless applicant agrees to enact recommendation or guidance given by the planner.
- Ideally planners clearly lay out purview and purpose of DR at Board meetings and help Board and public stay within purview of Design Review. However, this is not always the case and can vary from planner to planner.

Renderings, Packets Are Expensive to Produce [4]

- De facto expectation has emerged that applications should have high quality and detailed renderings even though this level of design detail is technically not required as part of Design Review.
- Boards like highly detailed renderings but they are expensive. Packets can be many pages with 11x17 renderings in color. Effort, cost, and time can be prohibitive.
- Perception exists that applicants with high quality renderings/graphics go through more easily.
- Creating a DR packet can range from \$20K to \$40K just to do one iteration.

“Lowest Common Denominator” Design

- Design Review actually impedes design excellence and encourages “lowest common denominator” design. Design by committee never results in great design. EMP and the Central Library did not go through Design Review.
- Land use code needs to incentivize excellence in design and reward developers and architects for this.
- Design Review encourages monotonous design. To mitigate risks and costs of going through Design Review, the architect and developer present designs that have been approved by the DRB in the past.

- Underlying problem is that the land use code has been remodeled and remodeled and remodeled again but with no urban design strategy for the city. The built environment framework for city is being driven by the land use code and not by an urban design strategy. The land use code should follow the urban design strategy.
- Architects can create good buildings on their own, without being told what to do. Often the feedback to improve design is marginal, helps only to improve lower end projects.
- There were many good buildings in Seattle before Design Review.

Structure of Design Review Meetings

- No opportunity for interaction with Board when they deliberate. Sometimes the Board uses incorrect information during their deliberations that could easily be corrected with two way dialogue.
- Time allowed for applicant presentation (20 minutes) is not enough for complicated or controversial projects. Large projects (full block) should get more time and attention.
- There is no opportunity to discuss costs. The process needs to consider the functional aspects of buildings. If design decisions are made in a vacuum the Board may not realize what they are asking for and what the cost impacts are for the applicant.
- Having no handouts for the public makes focused public participation more difficult.
- Requests for design variances/departures from the guidelines are burdensome and take too much time at meetings.
- EDG should only look at simple massing.

Guidelines

- New city-wide design guidelines cause overlap and confusion with 15 year old neighborhood specific guidelines. In some instances they contradict each other.
- Boards struggle to apply the guidelines and can spend too much time at meetings trying to decide which guidelines are being met rather than focusing energy and time on the design itself.
- Need greater clarity on prioritization of guidelines during Early Design Guidance – i.e. giving 20 to 30 guidelines in effect does not provide prioritization.

What would be lost if a Design Review process did not exist?

Community Input [7]

- There is value in providing opportunity for people to speak up, engage face to face, and impact the built environment. There aren't many other opportunities for the public to influence design.
- People want a say in their neighborhood. Without a venue for public input in the process, people get surprised and can feel frustrated about a project or development.

Neighborhood Character [4]

- Neighborhood guidelines help reinforce neighborhood character and what makes a neighborhood unique.
- Design Review encourages consideration of how a project fits into the neighborhood and provides good reference for neighborhood design.

Prevention of Bad Design [4]

- Design Review acts as a bulwark against egregious or really poor designs – this would be lost without Design Review. Before Design Review existed design some bad designs made it through to development - e.g. Belltown apartment buildings with front doors directly on sidewalk.
- Design would be driven mostly by market conditions.

More Appeals

- There would be potential for more appeals [with SEPA], which would make the process longer. Right now the community is involved – can provide feedback during Design Review and participate on Boards. Without this, there would be more potential for appeals.

Do you have specific suggestions on how to improve the current Design Review process?

Rethink the Board structure and training

- **Consider one professional, city-wide Board** e.g. Seattle Design Commission. Professional, paid Board leads to different expectations.
 - Portland has one design commission that reviews everything – top professionals from an array of design disciplines, cohesive. Size allows one member to miss a meeting.
 - Create paid positions– make it a coveted position within the design community so you get the best of the best.
 - High caliber, qualified, dedicated members that are trained by DPD.
- **Consolidate Boards, with more members.**
 - Need 7-9 members rather than current 5 – to better ensure ability to have quorum.
 - Collapse 7 Boards into 3 with more than 5 members.
 - Larger Boards with higher caliber lend to better discussions about design and lead to better designed building.
 - Larger Boards also provide more continuity and mitigate risk of not having a quorum.
- **More training for Board members.**
 - What their role is and purview of Design Review.

Improve meeting facilities, and/or hold downtown, possibly during the day

- Community centers are often not suitable. Neighborhood meeting locations are sometimes difficult to get to and the facility quality varies from acoustics to AV capability.
- Better location affects perceived importance of process, can lead to better meetings. Other cities meet in Council chambers. Meeting downtown (e.g. City Council chambers) would provide a higher profile location, enhanced acoustics and AV, and better transit access.
- Ideally Boards would sometimes meet downtown during the day.
- Share meetings across Boards – e.g. Downtown reviews SLU projects if they are less busy.

Improve scheduling and make changes to format

- Consider placing a cap on number of meetings. For example, two meeting limit for Design Review or limit of one EDG and one Design Review meeting.
- Schedule meetings closer together. Long delay between first and next design meeting can result in loss of continuity of what was initially discussed.
- In most cities, the meeting begins with a staff presentation of key issues and concerns - provides a link to the public, sets out guidelines and establishes the planner as a project advocate.
- Allow more than 20 minutes for applicant presentation for large scale or complex projects.
- Allow applicant and Board to interact and converse during Board deliberation.

Allow more administrative Design Review by DPD

- For example, have part of the project be reviewed by the Planner and the other part reviewed by the Design Review Board.
- Other cities have more staff review before a project goes to a Board. Consider doing smaller project reviews at a staff level/administrative level – might speed things up.
- Potentially raise threshold for what goes before Design Review and have other projects go through Administrative Review.
- Bellevue is a good example of an effective Administrative Design Review process. Professional city planners who understand architectural and construction materials. Less politicized. Work with just one person. More integrated process - bring more people to the table at one time (e.g. landscape, utilities). Bellevue has arguably as good if not better designed buildings than Seattle.

Guidelines

- During Board meetings the focus should be on the design of the project under review and not drilling down on which guidelines are applicable or being met. Boards sometimes spend a lot of time on whether a recommendation is addressing guideline A, B, or C as numerous guidelines can touch upon a given recommendation.
- Clearer and shorter list of priority list of guidelines should be given at EDG.

Give clear guidance to the public about purview of Design Review meetings

- Communication of purview and scope should be part of Design Review meetings.
- Improve follow up communication, for example if the project has been approved or not, or if a rezoning has been approved and its reasoning.
- Use online or other processes to get more neighborhood voices heard (e.g. crowdsourcing).
- Make full text of the guidelines available at meetings for the public. This could help prevent discussions on topics outside DR purview (e.g. parking).
- DPD could provide another venue for neighbors to talk about non-Design Review issues, such as parking, zoning, height limits, etc.

Potentially have applicants meet with neighborhood groups before Board meetings

- May help the neighbors to better understand the project and help developer be more informed about how project better fits into neighborhood context. Has potential to help projects go through Design Review process more smoothly.