

Residential Infill Project Summary

DISCUSSION DRAFT

Portland is changing

By 2035, Portland will grow by approximately 123,000 households – or 260,000 people. About 20 percent of this growth is expected to be in single-dwelling residential zones. The composition and housing needs of Portland’s population are also changing. The city is becoming more diverse, the overall population is aging and the number of people per household is getting smaller. In the future, the average Portland household will be smaller with fewer children per household.

Overlapping concerns

The Residential Infill Project examines several overlapping concerns. Some concerns relate to increasing demolitions, the size of new infill houses and impacts of narrow lot development on neighborhoods. Other concerns are about the rising cost of housing, the lack of housing choice and the fear that Portland is becoming a city that is only accessible to the wealthy.

The goal of the Residential Infill Project is to update Portland's single-dwelling zoning rules to better meet the changing housing needs of current and future residents.

Topics

This project addresses these concerns through the following topics:



1. SCALE OF HOUSES

Smaller houses that better fit existing neighborhoods.



2. HOUSING OPPORTUNITY

More housing choices for people’s changing needs.



3. NARROW LOTS

Clear and fair rules for narrow lot development.

Timeline



Comments on the Discussion Draft are due by 5 p.m., Monday, November 20, 2017.

October 2017

www.portlandoregon.gov/bps/infill



Bureau of Planning and Sustainability

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City of Portland, Oregon
Charlie Hales, Mayor - Susan Anderson, Director



SCALE OF HOUSES

SCALE OF HOUSES

1. Limit the size of houses while maintaining flexibility (R7, R5, and R2.5 zones).

- Establish a limit on house size by zone that is proportional to lot size using a floor area ratio (FAR) calculation.
- Exclude attics with low ceilings and basements from house size limits.
- Allow an additional 0.15 FAR for detached accessory structures (such as garages, sheds and accessory dwelling units).

	R7 – 7,000 square foot lot	R5 – 5,000 square foot lot	R2.5 – 2,500 square foot lot
Current code	7,650 sf (1.1 to 1 FAR)	6,750 sf (1.35 to 1 FAR)	4,375 (1.75 to 1 FAR)
Proposed code	2,800 (0.4 to 1 FAR) + 1,050 sf detached structure	2,500 (0.5 to 1 FAR) + 750 sf detached structure	1,750 (0.7 to 1 FAR) + 375 sf detached structure

2. Revise how height is measured (all zones).

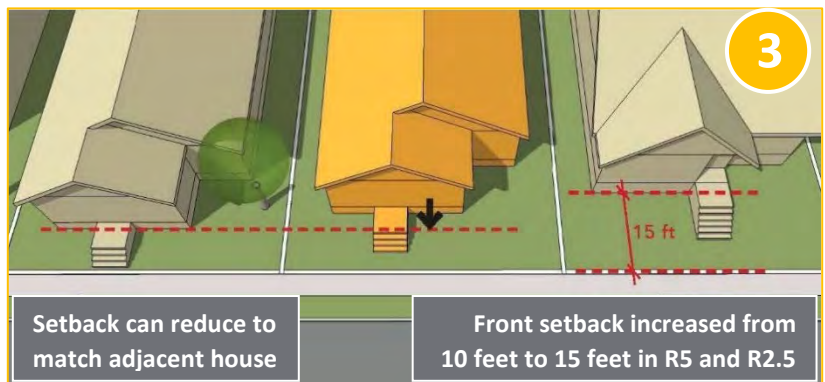
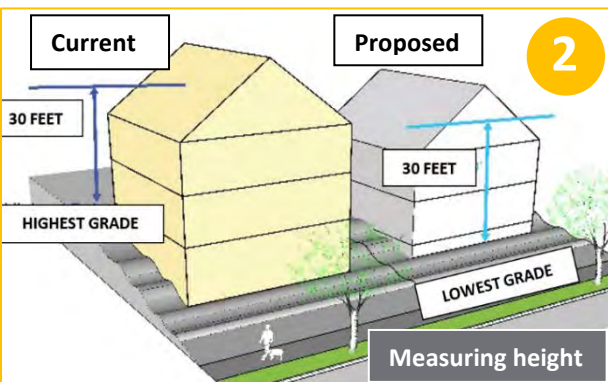
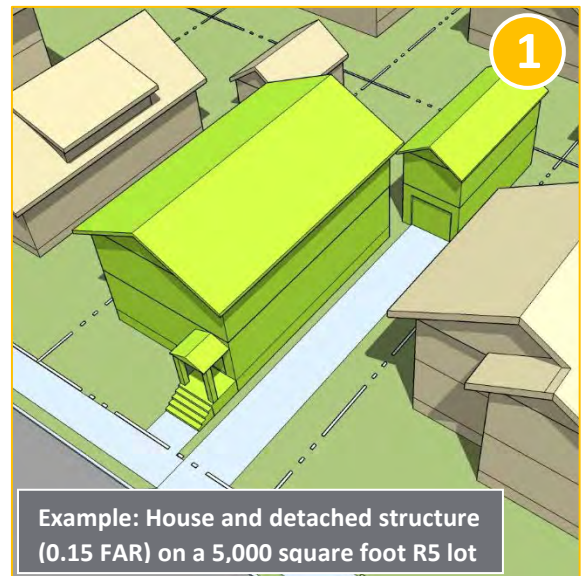
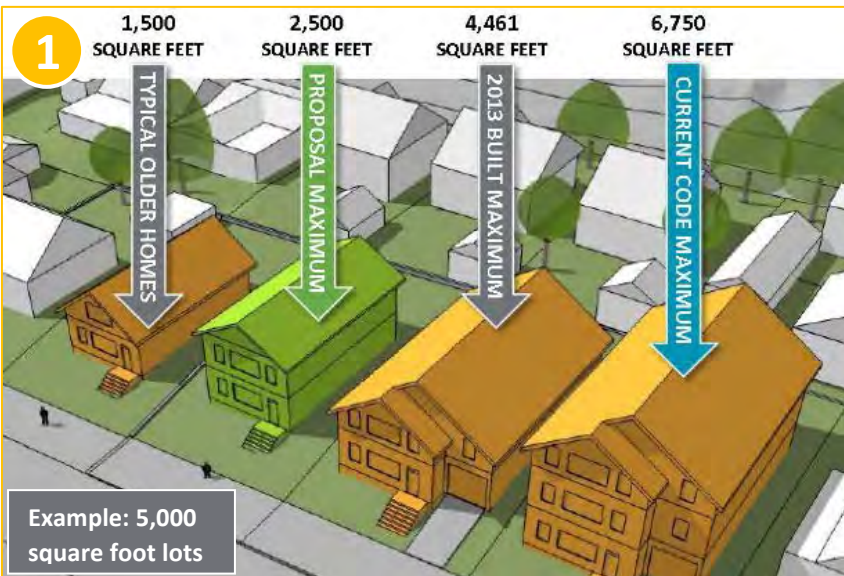
- Continue to allow 2½ story houses on standard lots (30 feet high).
- Measure height from the *lowest* point near the house, not the *highest* point.
- Clarify that small dormers are excluded from the height measurement.

3. Improve front setbacks to better reflect those of adjacent houses (R7, R5 and R2.5 zones).

- Increase front setbacks in R5 and R2.5 from 10 feet to 15 feet.
- Allow a front setback reduction to align with the house next door.

4. Improve building design (R10, R7, R5 and R2.5 zones).

- Limit the number of exterior, above-grade stairs that lead to the main entrance.
- Allow eaves to project up to 2 feet into setbacks.
- Require large, street-facing facades to be divided into smaller planes.



5. Create a new Additional Housing Opportunity overlay zone – the new ‘a’ overlay zone.

- Allow the following additional housing types in the new ‘a’ overlay if one of the units is “visitable”:
 - House with two accessory dwelling units (ADUs), one attached and one detached
 - Duplex
 - Duplex with one detached ADU
 - Triplex on corner lots
- Require the following visitability features for one unit: a low- or no-step entry, wider halls and doors, and living space and bathroom on the ground floor.
- Allow an additional 0.15 FAR for triplexes on corner lots.

6. Apply the new ‘a’ overlay zone in select areas.

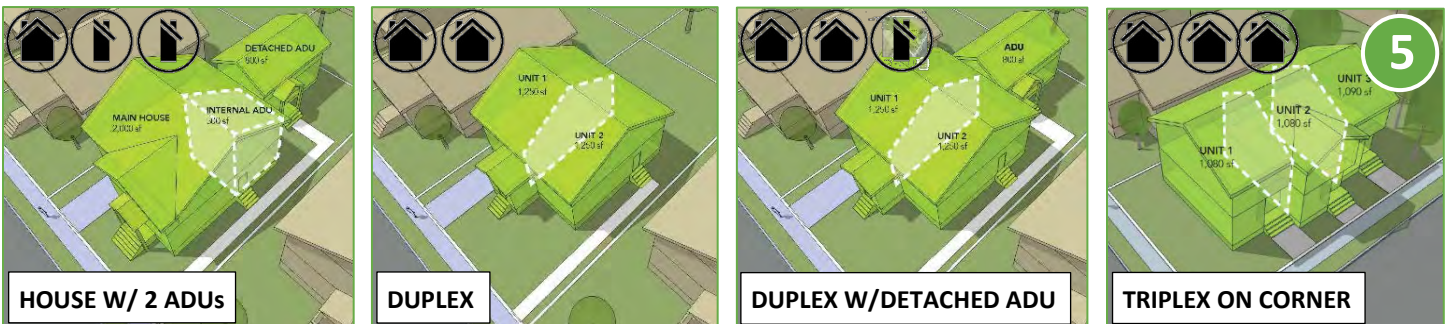
- Apply the new ‘a’ overlay to properties zoned R7, R5 and R2.5 within:
 - ¼ mile of centers;
 - ¼ mile of corridors with 15-minute bus service;
 - ¼ mile of MAX stations;
 - Inner ring districts; and/or
 - Higher opportunity housing areas (with services, amenities, jobs, schools, parks).
- Reduce the new ‘a’ overlay based on infrastructure and environmental constraints and in areas with vulnerable populations at risk of displacement.
- Expand the new ‘a’ overlay based on proximity to amenities, such as community centers, parks, schools and multiple bus lines.
- Remove the *existing* ‘a’ overlay (Alternative Design Density overlay zone) from all properties. Delete the current ‘a’ overlay zoning code provisions.

7. Provide incentives for affordable housing and historic preservation (new ‘a’ overlay zone).

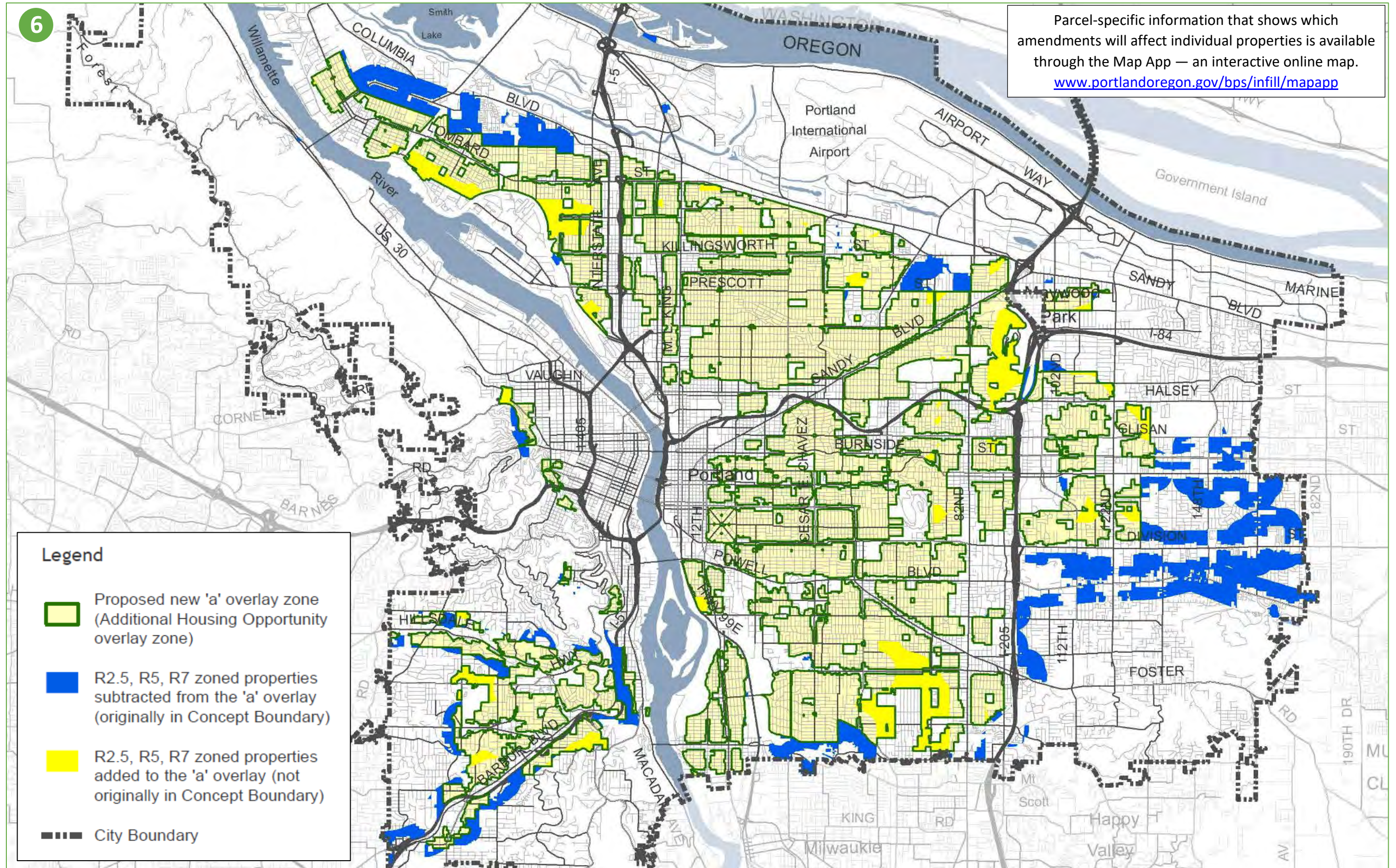
- Allow one bonus unit if all units are affordable (up to 80 percent of median family income).
- Promote preservation of historic resources when adding units through incentives such as waived parking requirements, additional FAR and flexibility in housing types.

8. Encourage more cottage cluster development (all single-dwelling zones).

- Continue allowing multiple houses to be built on a site through a Planned Development Review, but allow an ADU to be built with each house.
- Require at least half of the units in a cottage cluster development to be oriented around a common open space.
- Reduce the procedure type for some Planned Developments from Type III to Type IIx.



Lots in the new ‘a’ overlay would be allowed these additional housing types, provided they meet minimum lot size requirements.



NARROW LOTS

NARROW LOTS

9. Rezone some historically narrow lots from R5 to R2.5.

- In the 'a' overlay, rezone historically narrow lots that have the highest access to amenities from R5 to R2.5.
- For the remaining historically narrow lots zoned R5 citywide, do not allow development unless the lot meets the minimum dimension standards for the R5 zone – 3,000 square feet and 36 feet wide.

10. Revise rules for all narrow lots (less than 36 feet wide).

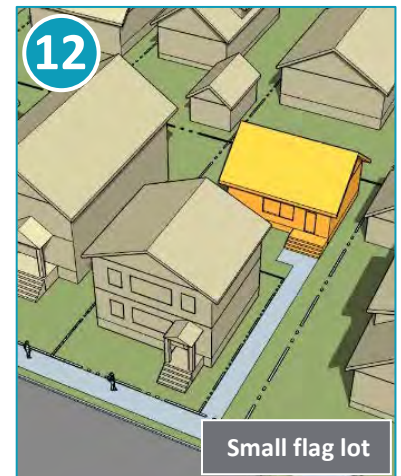
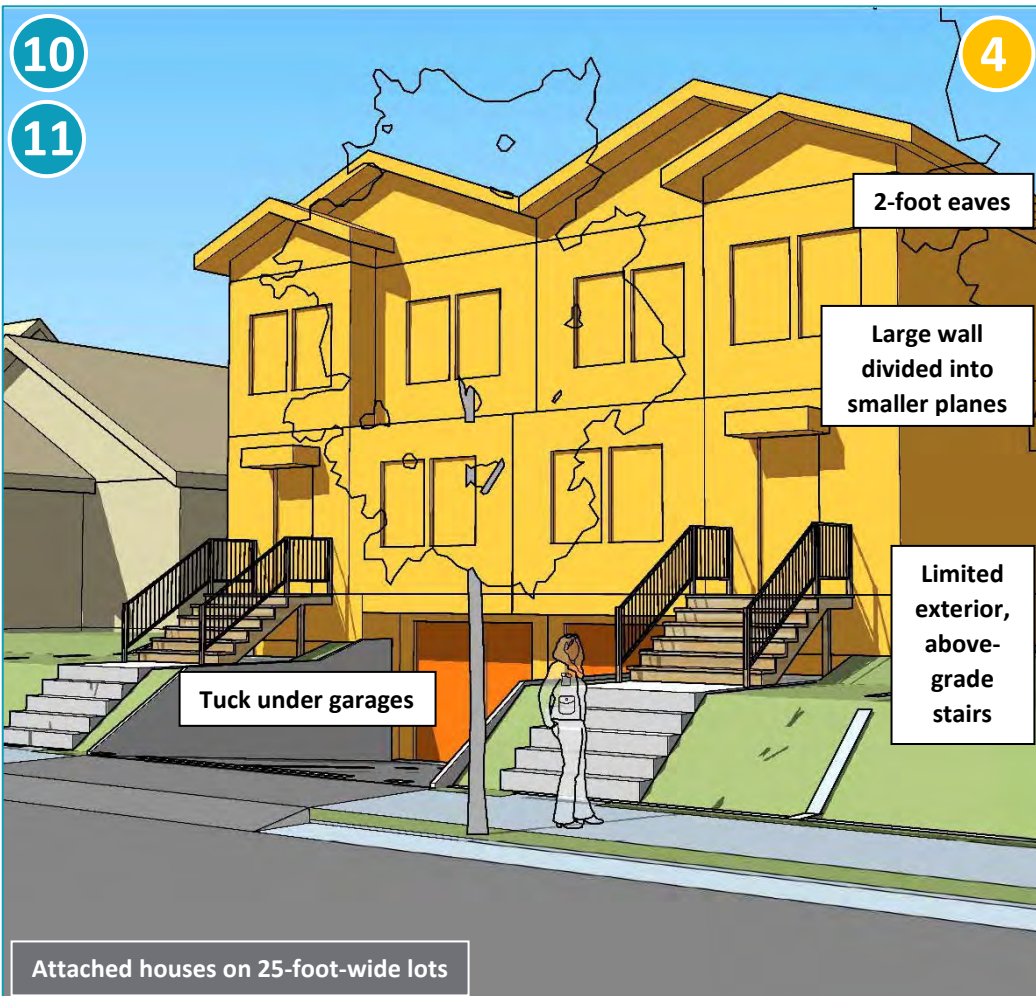
- Require attached houses on lots 25 feet wide or narrower.
- Allow attached and detached houses on lots wider than 25 feet.
- Limit height of a detached house to 1½ times its width.

11. Revise rules for parking and garages on all narrow lots (less than 36 feet wide).

- Allow, but don't require, parking on narrow lots.
- Continue disallowing at-grade garages on attached and detached houses less than 22 feet wide, but allow tuck-under garages on all attached houses.
- On a lot abutting an alley, require access from the alley when parking is proposed.

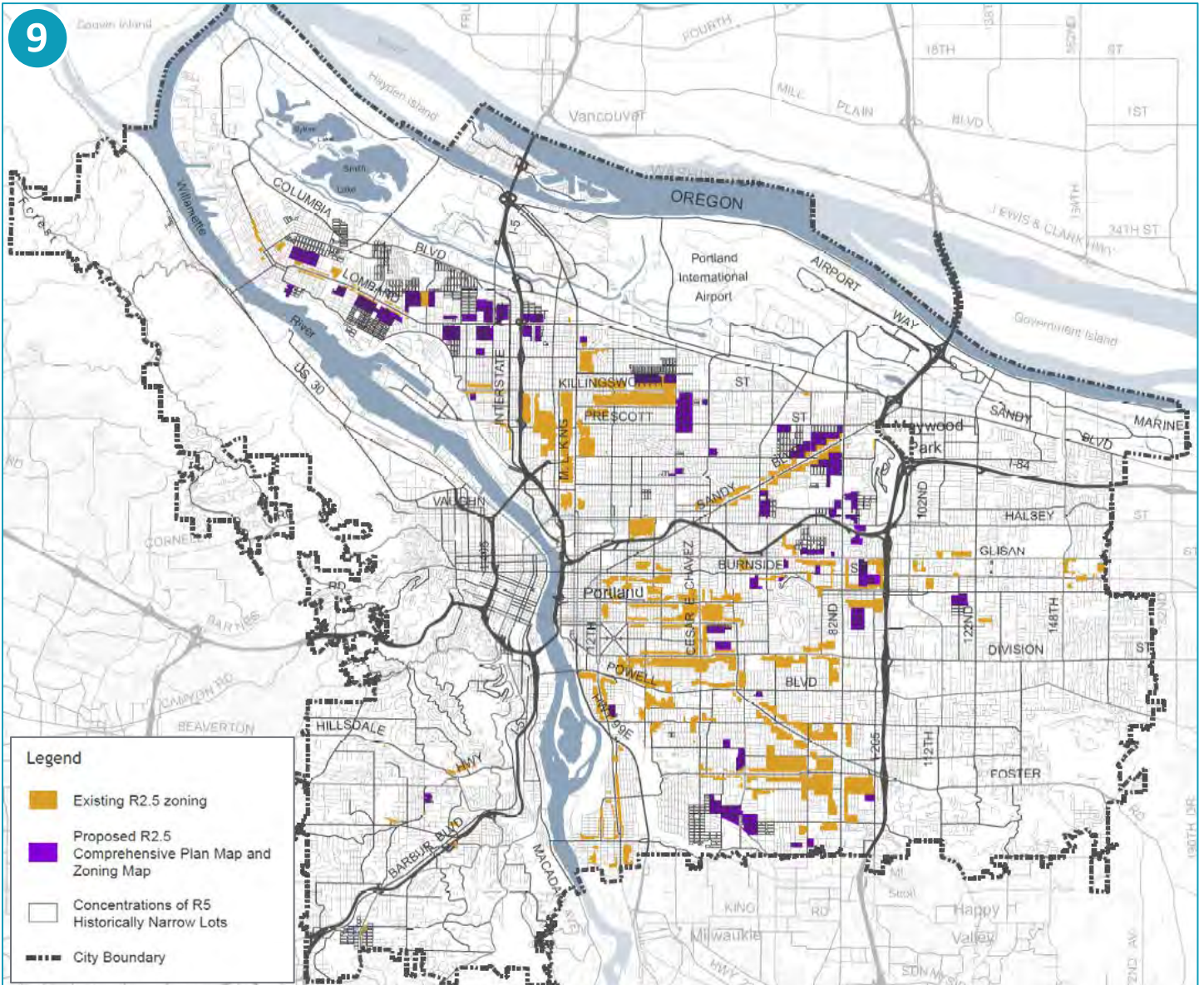
12. Make improvements to the R2.5 zone.

- Require at least two units when new development is proposed on a 5,000-square-foot lot or larger.
- For land divisions, reduce the minimum lot width from 36 to 25 feet.
- Allow property lines to be adjusted to create a small flag lot (less than 3,000 square feet) when a house is retained.
- Create rules for small flag lots that restrict the size of the new house to 1,000 square feet and the height to 20 feet, and require exterior design elements.



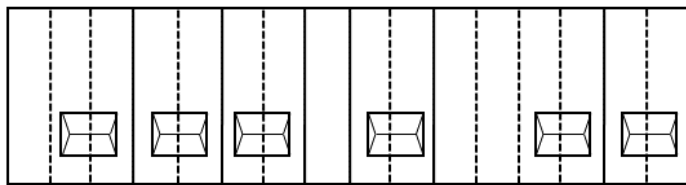
Proposed Base Zone Map Changes (R5 to R2.5)

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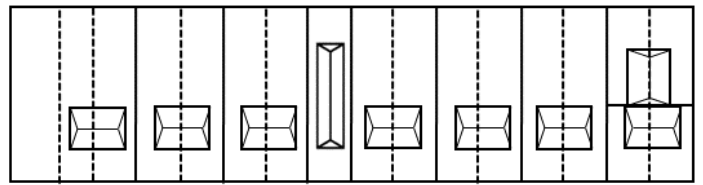


Legend

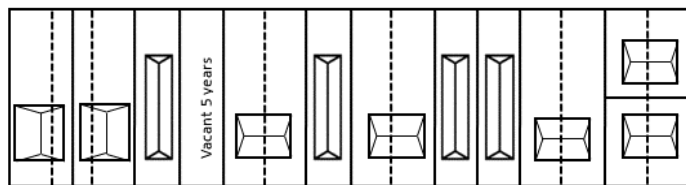
- Existing R2.5 zoning
- Proposed R2.5 Comprehensive Plan Map and Zoning Map
- Concentrations of R5 Historically Narrow Lots
- City Boundary



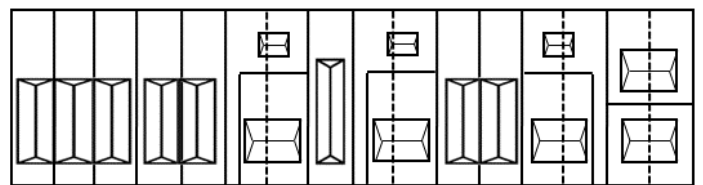
Existing historically narrow lots



R5 - Proposed infill potential



R5 - Current infill potential



R2.5 - Proposed infill potential

9

Residential Infill Project | LEARN MORE AND PARTICIPATE!

Phase I: Concept development

The concepts for the proposals were developed in Phase I, which took place in 2015 and 2016. In addition to the engagement of the 26-member Stakeholder Advisory Committee, over 10,000 people participated in Phase I. After hearing public testimony, City Council unanimously accepted the Residential Infill Project Concept Report with amendments in 2016.

Phase II: Code and map amendments

The proposals in the Residential Infill Project *Discussion Draft* are part of Phase II and include the Zoning Code and Zoning Map amendments needed to implement the concepts from Phase I. This 8-page document summarizes the draft proposals.

Staff is now sharing the draft amendments with the public and taking comments to develop a *Proposed Draft* for the Planning and Sustainability Commission's consideration. You're invited to participate in the following ways:

Kickoff meeting: Tuesday, October 10, 2017, 5 – 7:30 p.m.*

1900 Building, 1900 SW 4th Avenue, 2nd floor | *Presentation starts at 6:30 p.m.

Drop-in office hours

EAST	Wednesday, October 11, 2017 5 – 6 p.m. East Portland Neighborhood Office (EPNO) – 1017 NE 117 th Ave	NE	Monday, October 23, 2017 5 – 7 p.m. Central Northeast Neighborhoods (CNN) – 4415 NE 87 th Ave	NORTH	Thursday, Nov 2, 2017 5 – 7:30 p.m. Kenton Firehouse 8105 N Brandon St
NE	Thursday, October 19, 2017 5 – 7 p.m. Northeast Coalition of Neighborhoods (NECN) – 4815 NE 7 th Ave	SW	Monday, October 30, 2017 5 – 7:30 p.m. Multnomah Arts Center 7688 SW Capitol Hwy	SE	Tuesday, November 7, 2017 5 – 7:30 p.m. Southeast Uplift (SEUL) 3534 SE Main St

Submit Comments by Monday, November 20, 2017 at 5 p.m.

With an online comment form: www.surveymonkey.com/r/residentialinfill

By U.S. Mail: City of Portland Bureau of Planning and Sustainability;
Attn: Residential Infill Project
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201

By email: residential.infill@portlandoregon.gov

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Next Steps

After considering public comments on the *Discussion Draft*, staff will prepare a *Proposed Draft* for the Planning and Sustainability Commission's consideration. At that time, the public will be invited to submit formal public testimony to the PSC, at a public hearing in the winter of 2018. The Commission may amend the proposal and will subsequently vote to recommend changes to Portland City Council.

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503-823-7700 www.portlandoregon.gov/bps/71701			

Residential Infill Project

AN UPDATE TO PORTLAND'S
SINGLE-DWELLING ZONING RULES

DISCUSSION DRAFT
OCTOBER 2017

VOLUME 1: STAFF REPORT AND MAP AMENDMENTS

Comments due by November 20, 2017
See inside cover for more information



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City of Portland, Oregon
Ted Wheeler, Mayor • Susan Anderson, Director



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503-823-7700 | www.portlandoregon.gov/bps/71701

For more information:

Visit the web: www.portlandoregon.gov/bps/infill

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Residential Infill Project Kickoff Meeting

Tuesday, October 10, 2017, 5 – 7:30 p.m.*

*Presentation starts at 6:30 p.m.

1900 Building, Room 2500

1900 SW 4th Avenue, 2nd floor

TriMet: Multiple bus, MAX and streetcar lines. Visit TriMet.org for more information

Drop-In Office Hours

East Wednesday, October 11, 2017 5 – 6 pm East Portland Neighborhood Office (EPNO) 1017 NE 117 th Avenue TriMet: Bus #25, #71 and #77	Northeast Monday, October 23, 2017 5 – 7 pm Central Northeast Neighborhoods (CNN) 4415 NE 87 th Avenue TriMet: Bus #12 and #71	North Thursday, November 2, 2017 5 – 7:30 pm Kenton Firehouse 8105 N Brandon Street TriMet: Bus #4, MAX Yellow Line
Northeast Thursday, October 19, 2017 5 – 7 pm Northeast Coalition of Neighborhoods (NECN) 4815 NE 7 th Avenue TriMet: Bus #6 and #72	Southwest Monday, October 30, 2017 5 – 7:30 pm Multnomah Arts Center 7688 SW Capitol Highway TriMet: Bus #44	Southeast Tuesday, November 7, 2017 5 – 7:30 pm Southeast Uplift (SEUL) 3534 SE Main Street TriMet: Bus #14, #15, #66 and #75

How to Comment

Comments on the Residential Infill Project **Discussion Draft** are directed to city staff as part of developing a proposal. Comments from the public and other parties will be used to inform the **Proposed Draft** that will be considered by the Planning and Sustainability Commission early next year. The public will have an opportunity for formal testimony on the **Proposed Draft**.

Your comments on this **Discussion Draft** are requested by:

5 p.m., Monday, November 20, 2017

Send your comments to:

Email: residential.infill@portlandoregon.gov

Mail: City of Portland Bureau of Planning and Sustainability
Attn: Residential Infill Project
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Project Website: www.portlandoregon.gov/bps/infill

Next Steps:



Proposed Draft: Based on *Discussion Draft* feedback, a *Proposed Draft* will be published in early 2018 for Planning and Sustainability Commission (PSC) consideration. At that time, the public will be invited to submit formal public testimony to the PSC, in writing or in person, at a public hearing in the winter of 2018. The Commission may amend the proposal and will subsequently vote to recommend the changes to Portland City Council. This is then called the *Recommended Draft*.

Recommended Draft: City Council will hold an additional public hearing and take formal public testimony on the *Recommended Draft*. The City Council may amend the *Recommended Draft* before they vote to adopt the plan. This will likely occur in Spring of 2018.

Acknowledgements

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Table of Contents

Volume 1

Section 1: Introduction	V
Section 2: Public Involvement	6
Section 3: Summary of Amendments	10
Section 4: Analysis of Amendments	11
Section 5: Map Amendments	38

Volume 2 (under separate cover)

Section 6: Zoning Code Amendments

Volume 3 – Appendices (under separate cover)

Appendix A: Guidance from the Comprehensive Plan, BPS Staff, September 2017

Appendix B: *Use of Floor Area Ratios (FARs) in Single Family Zoning*, Dyett & Bhatia Urban and Regional Planners, June 2016

Appendix C: R2.5 Catalogue of 2015 New Single Family House Permits, BPS Staff, 2017

Appendix D: Visitability Best Practices, Alan DeLaTorre. Ph.D., Alex Freeman, and Matthew Wadleigh (Portland State University), June 27, 2017

Appendix E: Map Refinements by District, BPS Staff, 2017

Appendix F: Portland’s Historically Narrow Lots, BPS Staff, 2017

Section 1: Introduction

The goal of the Residential Infill Project is to update Portland's single-dwelling zoning rules to better meet the changing housing needs of current and future residents.

We all know Portland is changing.

You can feel it in the streets, on the freeways and in our neighborhoods. By 2035, the number of households in the city will increase by approximately 123,000. That's roughly 260,000 new residents — or 40 percent more people than live here today. About 20 percent of this growth will occur in single-dwelling residential zones.

The **composition of our neighborhoods** is also changing. The city is becoming more diverse, the overall population is aging and the number of people per household is getting smaller (from 2.3 to 2.1 persons in 2035). But despite shrinking households, there are few options for smaller households to live in single-dwelling neighborhoods, where increasing land costs and market trends have produced mostly larger houses.

The **rising cost of housing** is a top concern across the city, as more people are finding it difficult to afford housing — whether they are buying or renting. Between 2011 and 2015, the median home sale price citywide rose 44 percent — or more than \$100,000. And as of 2015, the median home sale price exceeded \$400,000 in more than half the neighborhoods in the city.

Portlanders are also worried about **increased demolitions** and replacements homes that are larger, more expensive and sited differently than surrounding older homes.

To address all these issues around growth and change, the City of Portland is taking a fresh look at the rules affecting development in single-dwelling neighborhoods to ensure that housing is available in a variety of sizes and prices for all Portlanders, regardless of age, income, ability, race or origin.

Earlier we shared a concept report with the community. This Discussion Draft reflects the feedback from robust public engagement and new direction from City Council as well as research and analysis. The proposed amendments are organized under three topics: scale of houses, housing opportunity and narrow lots.

Why is this project important?

The Residential Infill Project will help to incrementally increase the overall supply of housing units while maintaining the character of long-established single-dwelling neighborhoods. By applying better controls on house size and improving how houses relate to each other, additional units in the form of accessory dwelling units (ADUs), duplexes and triplexes can be better integrated into single-

dwelling neighborhoods. As well, by refining the rules around narrow lot development, more units — at a smaller scale — can become available for entry-level homeownership or rental.

Increasing the supply of housing helps to keep home prices in check. By expanding housing development options within single-dwelling neighborhoods, we also make it easier and more attractive for developers to creatively meet demand for a variety of single-family dwellings. This means more people can live in and enjoy the benefits of single-dwelling neighborhoods, if they want to.

Addressing inequity in our community

A history of racially discriminatory decision-making and public policies have contributed to many of today's inequitable outcomes for communities of color. While some groups and neighborhoods prospered, Black, Latino, Native American and immigrant households face structural barriers to housing stability and economic mobility. The historic use of racially restrictive covenants and redlining by both public and private actors directly contributed to today's racial disparities in homeownership rates and wealth attainment. It also contributed greatly to the geographic racial segregation that still exists.

Portland's new Comprehensive Plan includes policies to address equity, prevent displacement and provide for ongoing affordability. The Residential Infill Project is consistent with these policies. It is intended to create opportunities for more types of housing development but also to manage the risk this may create for involuntary displacement of households. Its recommendations were evaluated in terms of whether, how and where proposed land use changes could cause further harm to historically under-served and under-represented communities.

This is part of the reason that the proposal limits where new housing types will be allowed and where historically narrow lots will be allowed to be developed. *Section 5* of this report describes the methodology for determining displacement risk and how staff applied it to the Zoning Map.

Direction from the 2035 Comprehensive Plan

Portland's 2035 Comprehensive Plan guides how and where land is developed to prepare for and respond to population and job growth. The Residential Infill Project is proposing amendments to some of the Comprehensive Plan's most important implementation tools — the Zoning Code and Zoning Map. In addition, the project is proposing to amend the Comprehensive Plan map itself.

The amendments proposed are consistent with the Guiding Principles, goals and policies of the Plan. The following describes how the Plan shaped the proposals. Additional policy direction is provided in *Appendix A: Guidance from the Comprehensive Plan*.

The 2035 Comprehensive Plan gives direction to use equity as a lens when creating and assessing plans and programs. This is articulated in a Guiding Principle focused on equity and a suite of policies around displacement risk and mitigation. This approach is the result of the Equity Framework and Healthy Connected City Strategy in the Portland Plan. These have been incorporated into several

policies in the 2035 Comprehensive Plan that direct the City to evaluate plans and investments for the potential to cause displacement and to mitigate the anticipated impacts.

Guiding Principles

The 2035 Comprehensive Plan includes five guiding principles, recognizing that implementation of the plan must be balanced, integrated and multi-disciplinary. The Residential Infill Project helps advance these guiding principles in the following ways:

1. Equity

Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address, and prevent repetition of the injustices suffered by communities of color throughout Portland's history.

This project furthers this principle by increasing the range of housing types and choices available in well-served locations across the city. Increased opportunity for additional housing supply, incentives for affordable housing and reductions in the allowed size of new houses help stabilize and impede rising housing costs. Intentional outreach was conducted to engage with historically under-represented populations and will continue in the Discussion Draft phase. Specific measures, described in in *Section 5: Map Amendments*, were also employed to reduce the risk of displacement of vulnerable populations.

2. Economic Prosperity

Support a low-carbon economy and foster employment growth, competitiveness, and equitably-distributed household prosperity.

This principle is furthered by providing for population growth and added housing choice in neighborhoods near or accessible to areas of retail and service-sector job growth as well as transit. More people in and near these areas help to encourage and sustain neighborhood businesses. Allowing increased and well-located housing options affordable to more families supports household prosperity. This helps people spend less of their income on combined housing, utilities and transportation costs and invest a greater percentage of their income in the local economy.

3. Human Health

Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

The Residential Infill Project furthers this principle in several ways. It increases personal well-being by allowing flexibility for privacy, sunlight and outdoor space; minimizes personal stress caused by housing instability by allowing diverse housing types that meet changing household preferences, needs, abilities and economic conditions; promotes social interaction through requirements that allow people of all abilities to visit others; and reduces financial stress and increases potential for active mobility through reduced automobile use.

4. Environmental Health

Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland's air, water, and land.

This project furthers this principle by increasing open space and natural features while promoting development that responds to positive qualities of the natural setting and site conditions. By increasing minimum setbacks in R2.5 and R5 and implementing a new floor area ratio (FAR) tool, the proposal better accommodates sustainable stormwater solutions and provides additional space to grow and preserve trees. Also, emphasizing compact housing in areas close to frequent transit, services and other amenities promotes lower carbon emissions through reduced driving demand, thus improving air and water quality.

5. Resilience

Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and built environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.

This principle is furthered by providing additional opportunities for compact housing development in areas near designated centers and corridors with frequent transit as well as areas close to downtown and near schools, parks and jobs. These smaller units are more energy-efficient than most older homes and comparable larger new homes. New housing and houses that are retrofitted for additional units will be built to modern seismic and fire safety codes, thereby providing additional resiliency. Areas prone to flooding, landslides, wildfire or inadequate utility infrastructure were carefully evaluated when determining where additional housing units should be allowed. Moreover, by providing for a broader range of housing types and sizes, people are better able to find a dwelling suited to their needs and circumstances in changing economic climates.

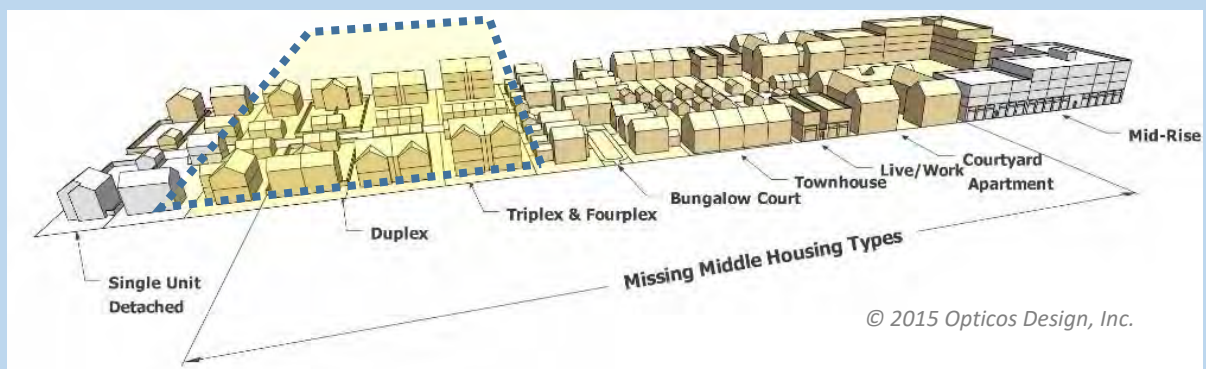
A paradigm shift towards more “middle” housing

Middle housing is a term used to describe housing forms that are compatible in scale with single-dwelling areas but accommodate more units. These housing types range from duplexes and triplexes on the low-intensity end to bungalow courts in the middle of the spectrum and live-work units and courtyard apartments on the higher-intensity end. This project focuses on the low-intensity end of the “middle” housing spectrum.

Consider a young Portland couple renting a one-bedroom apartment that may not be able to afford the significant investment needed to buy a house. But as their family grows they may seek additional indoor and outdoor living space in a walkable neighborhood with good access to amenities. A duplex or triplex could better offer this opportunity at a price that is more affordable than that of a single-family home. In addition, if this young couple moves out of a lower-rent apartment, that unit is then freed up for someone else who is entering the housing market.

Or consider an older adult who no longer wants to or can take care of a large house and yard but wants to remain near long-time neighbors and businesses in a familiar setting. Community-oriented cohousing and accessory dwelling units (ADUs) could provide viable alternatives for meeting these needs in a desired location.

In both scenarios, greater housing choice typically equates to more variety in unit prices and living arrangements, and thus greater opportunity to find a house in a location and at a price that suits a wider range of needs. Such options, when built at a scale and form compatible with single-dwelling neighborhoods, are considered the “middle” housing spectrum. Duplexes and triplexes along with additional ADUs are the part of that spectrum that the Residential Infill Project aims to expand. These new units will be at a size that complements older, existing homes that have defined Portland’s neighborhoods for decades.



The Residential Infill Project recommends allowances for a small segment of the range of middle housing types (shown in the dashed box) that can be achieved at a scale and within a form compatible with the character of many of the city’s single-dwelling residential neighborhoods.

Section 2: Public Involvement

For more information, see the [Project Public Involvement Plan](#).

This project is being completed in two phases. The concepts for the proposals were developed in Phase I, which took place in 2015 and 2016. The proposals in this report are part of Phase II and include the Zoning Code and Zoning Map amendments needed to implement the concepts from Phase I. Input from the public in Phase I was invaluable in developing the proposals in Phase II.

This fall staff is sharing the draft code and mapping amendments with the public and taking comments to develop a Proposed Draft to present to the Planning and Sustainability Commission. This outreach period is focused on informing the public of the proposals and familiarizing interested parties with the detailed amendments in preparation for their testimony to the Planning and Sustainability Commission.

Phase I: Concept Development

Public involvement completed from July 2015 to December 2016

Stakeholder Advisory Committee (SAC)

In September 2015, Mayor Charlie Hales appointed an advisory committee to assist the Bureau of Planning and Sustainability with the Residential Infill Project. The Stakeholder Advisory Committee (SAC) was composed of nominees from each of the District Coalition Offices, the Planning and Sustainability Commission, East Portland Action Plan, Home Builders Association of Metropolitan Portland, United Neighborhoods for Reform and the Immigrant and Refugee Community Organization. In addition, there were 13 members-at-large who were chosen to ensure the committee was well-balanced among individuals representing neighborhood interests, the development community and those who bring a different perspective related to single-dwelling housing issues, such as anti-displacement, aging and disability, and historic preservation advocates. A balance in terms of gender composition, geographic distribution and community networks was also considered while forming the SAC. (See *Stakeholder Advisory Committee* [Member Biographies](#).)

The SAC met 14 times between September 2015 and October 2016. In addition to regular meetings, SAC members attended neighborhood walks and a full-day design workshop to develop a range of concepts and options for the Residential Infill Project concept proposal. A Facebook group was created to provide a forum for SAC members to share and discuss issues and articles related to their work on the project. Members of the public could view all postings, links and uploads to this group page.

The SAC was an advisory group and was not expected to come to a consensus. (See the [SAC Charter](#) and the June 2016 [SAC Summary Report](#).)

Public Outreach and Feedback

The SAC was just one element of an inclusive public engagement effort. Other efforts included regular project updates, an online open house and questionnaires, public events and City Council hearings. Public input helped formulate the recommendations in the Residential Infill Project Concept Report.

Project Updates

Updates on the project were shared in several ways: e-updates sent to the project mailing list, blog posts for news and updates, BPS E-newsletters and BPS social media sites (Facebook, NextDoor and Twitter).

Transparency in SAC Meetings

All SAC meetings were open to the public with time for public comments (oral and written) during the meetings. In addition to regular meetings, the public was invited to an open house after the SAC design workshop in January 2016. Announcements of upcoming meetings and summary notes of each meeting were included in e-updates and blog posts. In addition, all SAC meeting agendas, summaries and meeting materials are posted on the project website.

Online Questionnaire

Over 7,000 people participated in an online questionnaire (available in English and Spanish) from December 9, 2015 through January 12, 2016. The questionnaire asked participants to prioritize the residential infill issues that are most important to them. The majority of respondents throughout the city said housing affordability and neighborhood compatibility were their top concerns. Other top concerns included demolition of viable homes, preservation of farm and forestland outside the city and loss of green spaces and tree canopy. Staff used the results to help identify key community values for regulating development in single-dwelling zones. Concepts were developed for community review in the spring. In addition to the many voices and opinions that were shared, the demographic results also helped pinpoint where additional targeted outreach was needed to ensure that those not well-represented in this survey – East Portlanders, communities of color and newer residents – had opportunities to participate in later phases of the project. Results, including key findings, methodology, demographic information, responses by geographic areas and demographic groups, and open-ended comments summarized by topic areas were posted on the project website and shared with the SAC.

Public Review of Concept Report

The public review period for the Residential Infill Project Concept Report and Draft Proposals occurred from June 15, 2016 through August 15, 2016. Opportunities for the public to learn more about the project and give staff feedback included:

- An online open house and second questionnaire that offered the public a chance to learn about the project and provide comments on the proposals;
- A series of open houses around the city to learn about the project, review the proposals, ask questions and share feedback;
- Neighborhood drop-in hours with staff available to discuss the draft proposals;

- Meetings in collaboration with community members including Oregon Opportunity Network’s public forum on the Residential Infill Concept Report and Draft Proposals and a special meeting for older adults and people with disabilities; and
- Meetings with organizations to gather feedback and help distribute information about the draft proposal to their members, such as Anti-Displacement PDX, REACH CDC and the Portland Housing Center, among others.

During the eight-week public review period, **over 700** people attended an open house or meeting where the proposals of the project were presented, **8,604** people visited the online open house and staff collected more than **1,500** public comments from the online questionnaire, comment forms, chart pack notes at open houses, emails and letters.

The [Summary Report of Public Comments on the Draft Proposal](#) includes six appendices that provide the entire text of the comments received, the notes from the open house question and answer sessions and demographic cross-tab tables for the questionnaire responses.

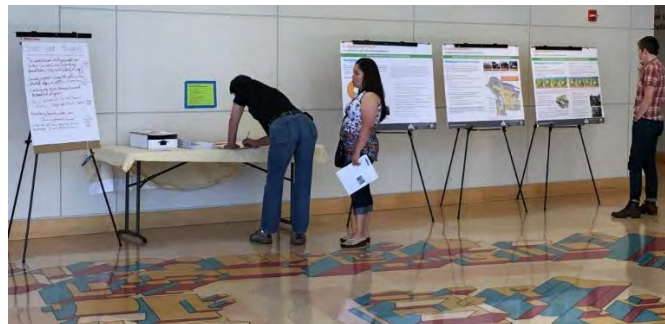
Staff used the feedback to refine the concepts in the Recommended Concept Report to City Council published on October 17, 2016.

Media Coverage

The project received much attention by several news outlets. Stories appeared in several neighborhood newspapers, in addition to *The Oregonian*, *Willamette Week* and *Portland Tribune*. Staff appearances on OPB, KBOO, KGW, FOX12 and KATU helped to disseminate information and publicize upcoming City Council hearings.

City Council Public Hearing

At the request of Mayor Hales, staff brought the concepts directly to City Council so that he would be able to provide input prior to the end of his term. City Council held public hearings on November 9 and November 16, 2016. Nearly 120 people testified in person; Council also received approximately 550 letters and emails during their review. In December 2016 Council passed several amendments to the concepts and passed a resolution directing staff to develop Zoning Code and mapping amendments to implement the concepts. Staff began the code development and map amendment process in early 2017.



Phase II: Code and Map Amendments

Upcoming public involvement from October 2017 through project completion

This Discussion Draft includes the proposed code and map amendments to implement City Council's concepts from Phase I. Comments received during the Discussion Draft public review period will inform the Proposed Draft, which is staff's proposal to the Planning and Sustainability Commission (PSC). The PSC will hold hearings in the winter of 2018 and provide their recommendations to City Council, which will hold public hearings in the spring of 2018 before making a final decision.

Discussion Draft Public Review

There will be a seven-week public review of the Discussion Draft (October 2 through November 20). During this time the public can learn about the proposals at a kick-off meeting and provide feedback at a series of drop-in office hours. Staff will also be working with Neighborhood Coalitions and presenting at various neighborhood meetings.

In addition to these public events, staff will be available to help groups and organizations participate in the Discussion Draft review. This can be done through staff presentations at meetings or other ways to share information about the project. Comments can be submitted via mail or email, or online using a comment form on the project website. Furthermore, parcel-specific information that shows which proposals will affect each specific property is available through the Map App (www.portlandoregon.gov/bps/infill/mapapp), an interactive online map.

For more information about providing feedback, please see the inside cover of this report.

Section 3: Summary of Amendments

In December 2016, City Council heard public feedback on the proposals of the concept phase of the Residential Infill Project. City Council directed staff to prepare amendments to the Zoning Code and Zoning Map that do the following:

- Reduce the **scale of houses** in Portland’s single-dwelling neighborhoods.
- Create more **housing opportunity** in the right locations.
- Improve rules for **narrow lots**.

In response, the Bureau of Planning and Sustainability prepared the following proposals that build on existing base zone allowances. The amendments address the scale of infill development; how and where to increase the range of new infill housing options; and how and where to allow development of historically narrow lots. Additional detail and analysis of the proposals is included in *Section 4: Analysis of Amendments*, noted by page number references below.

Scale of Houses

1. Limit the size of houses while maintaining flexibility. *Page 11*
2. Revise how height is measured. *Page 14*
3. Improve front setbacks to better reflect those of adjacent houses. *Page 15*
4. Improve building design. *Page 17*

Housing Opportunity

5. Create a new Additional Housing Opportunity overlay zone – the new ‘a’ overlay zone. *Page 18*
6. Apply the new ‘a’ overlay zone in select areas. *Page 20*
7. Provide incentives for affordable housing and historic preservation. *Page 23*
8. Encourage more cottage cluster development. *Page 25*

Narrow Lot Development

9. Rezone some historically narrow lots from R5 to R2.5. *Page 28*
10. Revise rules for all narrow lots. *Page 31*
11. Revise rules for parking and garages on all narrow lots. *Page 33*
12. Make improvements to the R2.5 zone. *Page 35*

Section 4: Analysis of Amendments

The goal of the Residential Infill Project is to update Portland’s single-dwelling zoning rules to better meet the changing housing needs of current and future residents. Over the next 20 years:

- Portland will grow by 260,000 people and will need 123,000 more units to house them. About 25,000 of those units will be in single-dwelling neighborhoods. Still, two-thirds of our housing in 20 years will be the housing that exists today.
- The average age of city residents is increasing, yet most of our housing supply will not be able to meet the mobility needs of these older adults and will provide a barrier to aging-in-community.
- The average number of people per household will continue to decrease, while the average new house size continues to increase.

The proposals in this report reflect three key changes to the Zoning Code and Zoning Map in single-dwelling areas. These proposals are intended to allow for a gradual transition to a more prosperous, healthy, equitable, and resilient city.

Scale of Houses

The proposals apply new tools to limit the *scale of houses*, resulting in:

- Greater consistency with the established Portland pattern of houses.
- Increased land use and resource efficiency.
- Additional outdoor yard space and/or increased privacy and solar access for neighbors.

1. Limit the size of houses while maintaining flexibility.

Affects R7, R5 and R2.5 zoned properties.

The proposal

- Establish a limit on house size by zone that is proportional to lot size using a floor area ratio (FAR) calculation.
- Exclude attics with low ceilings and basements from house size limits.
- Allow an additional .15 FAR for detached accessory structures (such as garages, sheds and accessory dwelling units).


What is the intended benefit?

Using FAR is intended to **prevent disproportionately large buildings, while retaining flexibility** that does not create a barrier to new development or remodels. There are other approaches like reduced building coverage, lower heights and increasing setbacks that could be applied; however, they can excessively limit development of smaller lots, while still allowing overly large buildings on larger lots.

Reducing building coverage alone encourages taller buildings. Combining height limits with building coverage limits creates a complicated set of rules that are inflexible. FAR provides for a

proportionate amount of square footage that is linked to lot size. How that square footage is allocated (either spread out or stacked up) remains flexible.

The proposed FARs have been set to **encourage, but not mandate, two-story buildings**. This can result in much lower building coverage than the maximum that is allowed (25 percent vs 45 percent on a 5,000-square-foot R5 zoned lot). For example:

	R2.5 – 2,500 square foot lot	R5 – 5,000 square foot lot	R7 – 7000 square foot lot
Current Code maximum size	4,375 square feet <i>This is roughly 1.75 to 1 FAR.</i>	6,750 square feet <i>This is roughly 1.35 to 1 FAR.</i>	7,650 square feet <i>This is roughly 1.1 to 1 FAR.</i>
Proposed Code maximum size	1,750 square feet <i>Maximum 0.7 to 1 FAR</i>	2,500 square feet <i>Maximum 0.5 to 1 FAR</i>	2,800 square feet <i>Maximum 0.4 to 1 FAR</i>
	 <p><i>Images: Current limit (house on left) vs. proposed limit (house on right) in each zone</i></p>		

What else about the proposal should I know?

An additional .15 FAR is allowed for detached accessory structures on lots to encourage detached garages and accessory dwelling units (ADUs), as well as to encourage breaking up the single massing of structures on the lot.

The calculation of total floor area does not include basements (floors located at least 4 feet below grade) or attics where the ceiling height is less than 80 inches (the minimum height required by the building code).

Houses built prior to the effective date of these new rules will be allowed to add up to 200 square feet without meeting the FAR limits. This allows for existing houses to make a small addition without having to provide floor plans for the entire house when they submit for building permits.

The proposed FAR limits take into consideration the typical sizes of new and existing homes in neighborhoods with different zoning. The first table below summarizes the average size of new houses built in 2015 by zone based on permit data. The second table shows the average size of existing houses by zone. This is based on tax assessor data, which has consistency and methodology issues but is the best available citywide data.

2015 Houses	R2.5	R5	R7
Number of permits	99	275	51
Largest house size (square feet)	4,574	4,627	4,809
Largest FAR	1.32 to 1	1.27 to 1	.96 to 1
Average house size (square feet)	2,381	2,669	3,252
Average FAR	.75 to 1	.64 to 1	.47 to 1
Percentage of permits above the proposed FAR	51%	76%	59%
Includes data for habitable area only, excluding low attics, utility areas, garages and unfinished basements.			

Existing Houses	R2.5	R5	R7
Number of houses	13,279	76,027	27,669
Average FAR	0.31 to 1	0.30 to 1	0.21 to 1
Number and percent of houses that are nonconforming with proposed FAR	476 (3.5%)	9159 (12%)	1412 (5.1%)

This comparison shows that while many of the new houses being built today surpass the proposed FAR limits, the majority of the housing stock – older, existing houses – would fall within the proposed limits. This means the proposed FAR limits would help the size of new houses align with what has historically been built in Portland.

What changed from the Concept Report?

The approach to FAR in the code proposal mirrors what was in the Concept Report with different floor area ratios established for each of the three affected residential zones.

City Council asked staff to establish **two different house sizes**: a smaller size for single houses inside the overlay and a larger size for single houses outside the overlay. Duplexes and triplexes inside the overlay would be allowed to be as large as single houses outside the overlay. The intent was to discourage one-for-one demolition and replacement (i.e. tearing down one house to build only one new house). The provision was thought to encourage building duplexes when houses were demolished.

Staff evaluated this approach and concluded that the FAR for a single-unit house would have to be significantly and impractically decreased to provide an effective disincentive. This approach also began to undermine the idea that total allowed building square footage should be set to be consistent with the development pattern of a zone regardless of whether the building contained one or more units.

2. Revise how height is measured.

Affects All zones, including non-residential zones.

The proposal

- Continue to allow 2½ story houses on standard lots (30 feet high).
- Measure height from the *lowest* point near the house, not the *highest* point.
- Clarify that small dormers are excluded from the height measurement.

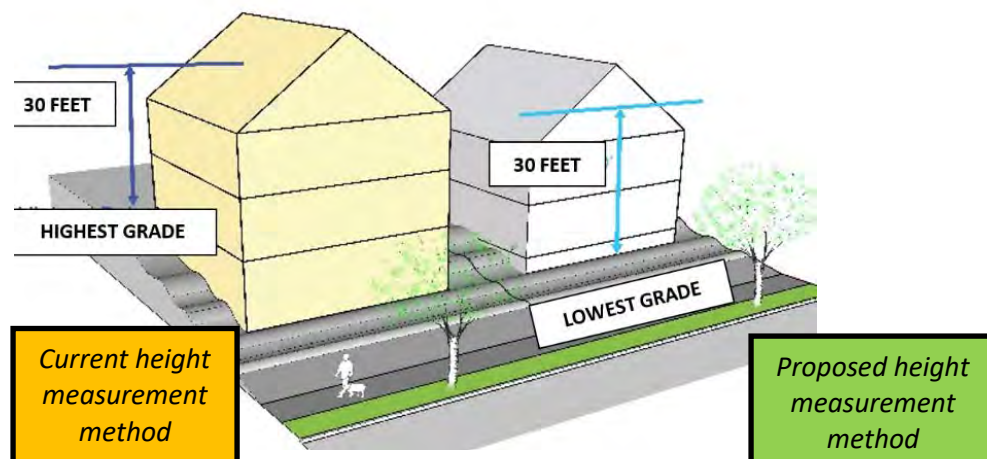
What is the intended benefit?

This change limits the ability to artificially elevate the reference point to obtain a taller structure or use dormers to fully extend an additional floor (see examples below).

The revised height measurement method ensures that structures have a **better relationship to the public realm**. Lots that slope up from the street currently may allow for a full additional floor when viewed at the street. Lots that steeply slope down from the street will continue to have an alternative method that allows for 23 feet of height above the sidewalk elevation. The net effects of the change are lower rooflines and facades that do not tower over the street.

The current height measurement uses the highest point near the house as the base point, and measures to the midpoint of the sloped roof. On sloping sites, this can result in houses that exceed 2½ stories. Moreover, use of retaining walls and fill can be used to artificially elevate one part of the site to obtain a higher base point measurement. By measuring height from the lowest point, it becomes more difficult to artificially raise the height reference point. The entire area around the house would need to be filled (as opposed to the current method, where only a single raised point can establish the base reference point).

For example:



Dormers (which are often not measured under current code and frequently yield a higher roof) would be counted unless they maintain a minimum 3:1 pitch, are set back from exterior walls by one foot and are less than 75 percent of the width of the roof they are on.

For example:

Currently, dormers are not included in height measurements.



pro.homeadvisor.com

The changes would include dormers in height measurements unless they met specific limits.



finehomebuilding.com

What else about the proposal should I know?

Since the height measurement is taken along a perimeter that sits five feet away from the edge of the building, window wells and exterior stairs to basements would not affect the new height measurement, provided they fall inside the 5-foot perimeter distance.

Alternative height measurement methods for mixed use zones and steeply sloping lots are unchanged.

What changed from the Concept Report?

There were no significant changes from the Final Concept Report. However, the code changes to the height methodology will apply to how *all* building heights are measured (not just in single-dwelling residential zones).

3. Improve front setbacks to better reflect those of adjacent houses.

Affects R7, R5 and R2.5 zoned properties.

The proposal

- Increase front setbacks in R5 and R2.5 from 10 feet to 15 feet.
- Allow a front setback reduction to align with the house next door.

What is the intended benefit?

The increased setback will help prevent newer homes from being built in front of and out of the established line of houses along a street. The setback matching provision enables the established building line – sometimes less than 15 feet in older neighborhoods or in newer development – to be continued by allowing the new houses to line up with neighboring houses.

For example:



This photograph shows houses set back to the older 15-foot requirement.



This photograph shows houses set closer to the street.

What else about the proposal should I know?

The current setback averaging provisions are replaced for the R7, R5 and R2.5 zones but continue to apply to larger-lot RF, R20 and R10 zones. The averaging method applied to RF through R10 zones allows for gradual transitions, which works better with larger side setback separation between structures. The intent of the setback matching requirement is to reinforce an established building line along the street, formed by equally lining up houses when they are spaced closer together. Setback matching does not apply to garages.

What changed from the Concept Report?

City Council suggested allowances for **setback flexibility if trees were being retained**. The larger front setback requirement will increase the likelihood that trees in the front yard are retained. The ability to reduce the minimum front setback is an allowance (only where adjacent homes have smaller setbacks) and not a requirement, so builders can still choose to set houses farther back to save front yard trees.

Larger front setbacks could impact the ability to retain rear yard trees, if the site was unable to reduce the front yard setback to match an adjacent house. Flexibility for additional tree retention is currently provided through an Adjustment process, which can evaluate the condition and viability of the tree, impose a condition of approval requiring the tree's long-term retention and apply mitigating measures to the design of the house to ensure that any deviation from the setback will equally or better meet the purpose of the setback regulation. The ability to apply this type of discretion cannot be achieved through clear and objective standards in the Zoning Code.

4. Improve building design.

Affects R10, R7, R5 and R2.5 zoned properties.

The proposal

- Limit the number of exterior, above-grade stairs that lead to the main entrance.
- Allow eaves to project up to 2 feet into setbacks.
- Require large, street-facing facades to be divided into smaller planes.

What is the intended benefit?

In zones with a required side yard setback of 5 feet, current projection allowances only provide for a 1-foot-deep eave when the house is built to the setback limits. On taller, wider houses these eaves appear disproportionately narrow, making the roof appear “unsettled” on the house. In addition to **enhanced building feature proportions**, wider eaves also afford better weather **protection from sun and rain**.

Changes to the street-facing façade requirements ensure that large flat walls are broken into distinct planes to add more **visual interest** and to **diminish the apparent bulk of a structure**. Features that meet this requirement for articulation include dormers, porches or façade off-sets.

Limiting the number of main entrance stairs above grade ensures that the first level of the house is kept closer to the surrounding grade. This helps to better ‘anchor’ the house and **visually reduces the apparent height** of the structure. It also helps provide a more approachable and less foreboding front door while maintaining the appearance of a conventional single-dwelling structure and prevents the façade from being obscured by stairs.

For example:



What else about the proposal should I know?

This proposal also includes changes to how eaves factor into building coverage calculations. Current code exempts eaves of any size from building coverage calculations. As long as a roof is cantilevered and not supported by posts, it is considered an eave. Consequently, very large eaves do not count toward building coverage limits. The proposed change to the definition of building coverage will now only exclude up to 2 feet of these eaves.

What changed from the Concept Report?

The concept report included a proposal to allow **bays and bay window projections** into setbacks to be increased from one foot to 1½ feet. Staff felt the increase, while nominal, could negatively impact privacy for adjacent properties.

Housing Opportunity

The proposal provides for more *housing opportunity*, resulting in:

- Increased potential for “middle housing” choices such as ADUs, duplexes and triplexes.
- Greater opportunities for affordable housing production.
- More “age-friendly” housing.
- Added protections and incentives for historic resources.

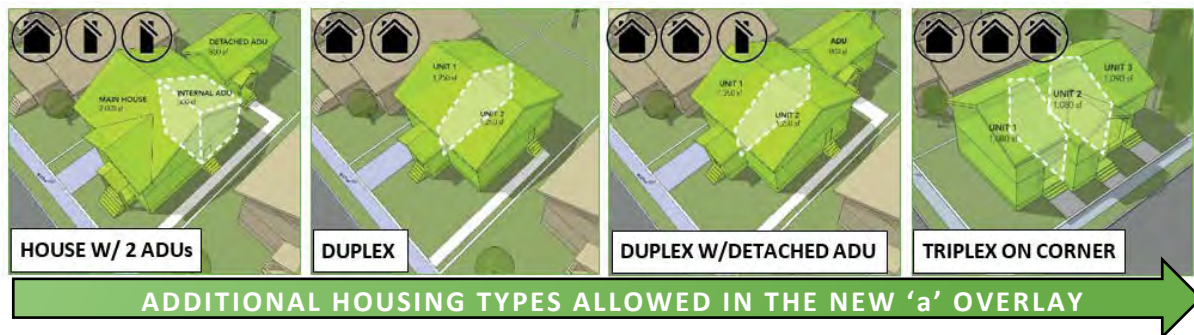
5. Create a new Additional Housing Opportunity overlay zone – the new ‘a’ overlay zone.

Affects Specific R7, R5 and R2.5 zoned properties (those inside the new ‘a’ overlay).

The proposal

- Allow the following additional housing types in the new ‘a’ overlay if one of the units is “visitable”:
 - House with two accessory dwelling units (ADUs), one attached and one detached
 - Duplex
 - Duplex with one detached ADU
 - Triplex on corner lots
- Require the following visitability features for one unit: a low- or no-step entry, wider halls and doors, and living space and bathroom on the ground floor.
- Allow an additional 0.15 FAR for triplexes on corner lots.

For example:



What is the intended benefit?

Portland is facing some tough choices about how to adapt to the changing housing needs of current and future residents. Home prices keep climbing and apartments are the predominant housing type being built (about 74 percent of units built in 2016). The additional housing types proposed offer **alternatives** to apartment buildings and single houses. In addition, many neighborhoods already have these housing types from past generations.

In addition, allowing additional housing types **uses land efficiently**, by allowing two or three families to live where just one family is allowed today. The proposal also limits the size of duplexes to the same overall size limit as a house on the same lot. This ensures that a duplex is compatible in scale with what is allowed for a house, but also that the physical development impacts are roughly equivalent.

Average household sizes have declined in Portland from nearly 4.2 persons a century ago to just about 2.3 persons today. At the same time, national home sizes have increased from just over 1,000 square feet to more than 2,600 square feet today. Smaller unit sizes are also more **energy-efficient** than a single unit twice the size. In addition, these smaller units also provide more options at varying **price levels** for people to locate or remain in areas with services, amenities or transit, beyond just a large single house or an apartment.

“Visitability” requirements promote a growing share of housing that can be accessed and visited by people with mobility impairments (including elderly and disabled persons), while also providing convenience to other users of all ages, who, for example, use strollers or bicycles. These requirements ensure that people can easily enter and move about at least one floor of a house and have access to a bathroom and an area to socialize. This helps remove barriers that can lead to social isolation.

To meet the visitability requirements, the dwelling must have a no- or low-step entry, wider hallways and doors (34 inches minimum), a bathroom with adequate maneuvering area and an area to socialize (10-foot by 10-foot room dimension) on the same floor as the bathroom and visitable entrance.

The visitability requirements are intended as low-cost, high-performing basic standards but do not meet the level of truly “accessible” living. Complete accessibility throughout a house can add cost and may not be needed by as many residents. The visitability standards instead provide a platform for future home modifications that can be tailored to meet the specific needs of the occupant.

What else about the proposal should I know?

The additional housing types proposed would only be allowed on lots that meet the following **minimum lot sizes**:

	Minimum Lot Size Requirement (square feet)		
	R2.5	R5	R7
House (with or without ADU)	1,600	3,000	4,200
House with two ADUs	3,000	4,500	6,300
Duplex (with or without ADU)	3,000	4,500	6,300
Triplex	4,800	4,800	6,300

An **additional 0.15 to 1 FAR for corner lot triplexes** (and conversions of historic properties, discussed below) is proposed. This aligns with the FAR limits proposed for a house and a detached accessory structure, combined. For example, in the R5 zone, a 0.5 to 1 FAR for the primary structure is proposed, while a 0.15 to 1 FAR detached accessory structure is proposed. For a triplex, these two

FAR limits could be combined to develop a single building with three units (i.e., a triplex) at 0.65 to 1 FAR. For triplexes, the separate allowance for a detached accessory structure is less useful. Unlike the house or duplex where a detached ADU or garage could be accommodated in the accessory structure, a triplex is less likely to have use for a detached structure. Therefore, the space allocated for that structure is simply folded into the triplex. While this can result in slightly larger single structures, their location on corner lots helps to mitigate this with increased separation on two street sides.

What changed from the Concept Report?

Staff was asked to explore requirements and bonus units for age-friendliness, affordability and tree preservation. Affordability and tree preservation are discussed in Proposal #7, below.

Age-friendly requirements have been incorporated into “**visitability**” standards, which are required when building an extra unit (i.e., second ADU, duplex or triplex). A summary of the research and findings around visitability is included in Appendix D: *Visitability Best Practices*.

The Final Concept Report called for requiring **design controls** for additional housing types. Several design controls are proposed for *all* housing types, including duplexes and triplexes: a covered entry for each primary entrance, limits to large unarticulated building elevations and limits on long elevated “jetway” stairs that serve the front door (see Proposal #4). Therefore, additional design standards specifically for duplexes and triplexes are not proposed.

6. Apply the new ‘a’ overlay zone in select areas.

Affects R7, R5 and R2.5 zoned properties in the new ‘a’ overlay zone.

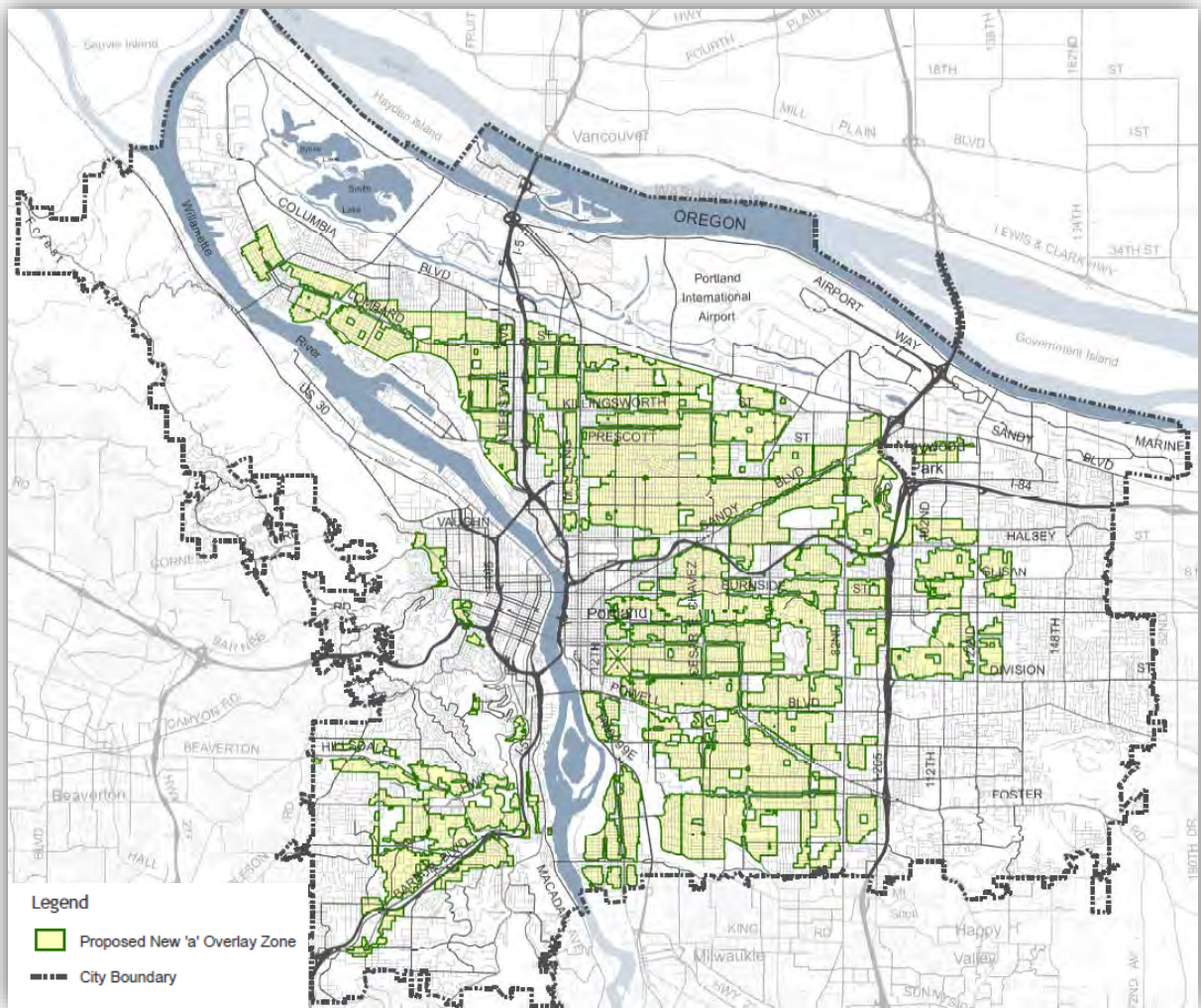
Also affects all properties that have the current ‘a’ overlay zone, which will be removed.

(See *Section 5: Map Amendments* for a description of the methodology used for this proposal.)

The proposal

- Apply the new ‘a’ overlay to properties zoned R7, R5 and R2.5 within:
 - ¼ mile of centers; corridors with 15-minute bus service; and/or MAX stations;
 - Inner ring districts; and/or
 - Higher opportunity housing areas (with services, amenities, jobs, schools, parks).
- Reduce the new ‘a’ overlay based on infrastructure and environmental constraints and in areas with vulnerable populations at risk of displacement.
- Expand the new ‘a’ overlay based on proximity to other amenities, such as community centers, parks, schools and multiple bus lines.
- Remove the *existing* ‘a’ overlay (Alternative Design Density overlay zone) from all properties. Delete the current ‘a’ overlay zoning code provisions.

Map 1: Proposed New 'a' Overlay Zone (Additional Housing Opportunity)



What is the intended benefit?

The 2035 Comprehensive Plan focuses growth in areas of the Central City, in Neighborhood and Town Centers and along corridors. In addition to ensuring there is a sufficient supply of housing to accommodate projected population growth, the Plan emphasizes diversifying the types of housing available in all neighborhoods of the city.

Staff proposes to reuse, update and redraw the 'a' zone overlay. The current version of the 'a' overlay has outlived its utility. It was designed for the Albina Community Plan. Over time the area covered by the 'a' overlay grew and **does not align with the centers and corridors growth strategy**. Also, many of the original 'a' overlay provisions have been incorporated into base zone provisions

that apply citywide. The other provisions have never attracted use. Of the nearly 45,000 properties in the overlay, fewer than 250 properties used these ‘a’ overlay provisions.¹

Under the proposal, areas in the new ‘a’ overlay would have access to **new provisions that encourage additional housing types**. The new ‘a’ overlay zone is proposed to be redrawn to better match the new Comprehensive Plan strategy:

- Target growth to areas around existing centers and corridors and, where appropriate, use growth to help support newly designated centers.
- Increase housing supply in areas that are well-served by transit and close to services, jobs, retailers and other amenities.
- Increase affordable and other less expensive housing options in these areas so lower-income households have greater access to the cost savings and benefits of these locations.

Approximately **3.5 to 5.5 percent of eligible lots** are estimated to utilize the additional allowances of the new ‘a’ overlay over the 20-year planning period, based on rates of use for similar allowances for corner lot duplexes that have been allowed citywide since 1991.²

What else about the proposal should I know?

The proposal is for a new ‘a’ overlay zone. It also deletes the current ‘a’ overlay zone. Properties that have the current ‘a’ overlay will no longer have the following allowances:

- Density bonus with Type III design review in R3, R2, and R1: The Type III design review, allowing up to a 50 percent density bonus, has not been used. Density bonuses granted as part of amenity bonuses in the multi-dwelling base zone were more frequently used.
- Flag lots in R2 and R2.5 zones: Newer provisions already allow flag lots in the R2.5 zone without design review. Flag-like lots are allowed in the R2 zone when the houses are attached.
- Attached houses in R5 zones: Newer provisions already allow attached houses on standard lots in R5 without design review.
- Triplexes in R2.5 zones: With the new ‘a,’ triplexes will be allowed on corner lots, and duplexes plus a detached ADU will be allowed on other lots.

What changed from the Concept Report?

In response to the public testimony during the concept phase, City Council asked staff to develop a **range of options** for areas where additional housing types would apply (the new ‘a’ overlay). Rather than having staff develop and provide public notice for several different proposed boundaries, Mayor Wheeler then directed staff to use the original concept boundary as a starting place for refining the boundary. This still allows the Planning and Sustainability Commission and City Council

¹ Staff analyzed building permit records for properties in the current ‘a’ and flagged those that either went through a design review or used the Community Design Standards (prerequisites for use of the ‘a’). Of the 45,420 properties, there were 5,889 permits for new construction or exterior alterations between 1995 and 2016. Of those, 68 properties applied for design review, and 144 properties used Community Design Standards. In addition, according to the 2003 Accessory Dwelling Unit Monitoring Project Inventory, there were 13 ADUs created in the ‘a’ before they were allowed more broadly.

² Duplexes have been allowed on all R20 through R2.5 zoned corner lots since 1991. Staff examined the number of duplexes that existed in 2016 on corner lots in the R7, R5 and R2.5 zones (the zones that are subject to the new ‘a’ overlay) and found that citywide, corner lot duplexes existed on about 3.5 percent of all corner lots. Within a ¼ mile of centers, about 5.5 percent of corner lots in these zones had duplexes on them.

to refine the proposal. These refinements could either expand the overlay, constrict the overlay and/or modify the methodology applied to create it.

Council asked staff to explore whether the **David Douglas School District** should be omitted from the overlay until school capacity issues are addressed. An omission would be consistent with the school-related development constraints identified in the 2035 Comprehensive Plan. Project staff met with David Douglas School District staff to discuss the relative impacts of the Residential Infill Project. There are roughly 4,200 lots in the proposed new ‘a’ overlay that fall inside the David Douglas School District.

Staff found that current utilization of additional housing allowances (i.e. duplexes on corner lots and accessory dwelling units) in East Portland tended to be low.³ This amounts to about 100 to 250 additional dwelling units for the district over 20 years. On a yearly basis, this equates to five to 12 units per year, which does not pose a significant concern to district staff. Portions of David Douglas School District were therefore included in the overlay boundary.

7. Provide incentives for affordable housing and historic preservation.

Affects Specific R7, R5 and R2.5 zoned properties (those inside the new ‘a’ overlay).

The proposal

- Allow one bonus unit if all units are affordable (up to 80 percent of median family income).
- Promote preservation of historic resources when adding units through incentives such as waived parking requirements, additional FAR and flexibility in housing types.

What is the intended benefit?

The **affordability bonus** will capitalize on existing nonprofit and community development corporation programs that develop affordable units. A major barrier for these organizations is the escalating cost of land. By offering one additional unit over market rate projects, those **land costs can be distributed across more units**, putting the 80 percent of the median family income level closer within reach and requiring less subsidy or program assistance per unit.

Preserving historic resources helps maintain an area’s character and provides visual examples of our history and of Portland’s significant architectural lineage. For some of these resources, protections to prevent them from being demolished are insufficient. There are also limitations at the State level on the degree of protections the City can impose.

³ While the citywide average “capture rate” for corner lot duplexes ranged between 3.5 and 5.5 percent (147 to 231 households), this rate was between 2 and 3 percent in East Portland, or between 84 and 126 additional households.

The additional housing options, described in Proposal #5, and historic preservation can coexist and may even be mutually beneficial. However, internally converting a house into two or three units can be uniquely challenging and costly, and each project has custom needs requires specialized knowledge. Certain structures offer better layout potential, while others may require extensive work to upgrade the construction to meet current building code requirements. Moreover, existing site layout and other code requirements can make adaptive reuse more challenging.

To encourage the retention of historic and potentially historically-eligible properties ranked on the City’s Historic Resource Inventory, added flexibility is proposed:

- Reduced parking requirements,
- Additional FAR,
- Smaller lot size threshold, and
- Additional housing arrangement flexibility (allows two ADU units, both of which may be inside or outside the existing house).



This graphic shows the different types of historic resource designations and their accompanying levels of resource protection.

For properties subject to discretionary historic resource review (National Register listings, historic landmarks and contributing structures in historic districts), the existing review process will ensure that proposed changes to the structure maintain the historic character and significance. For conservation landmarks, contributing structures in conservation districts and ranked properties on the Historic Resources Inventory, where there is no requirement for discretionary review, additional limits on exterior changes are proposed when these properties are being converted for additional housing units. Deviations from these additional limits may be sought through the discretionary historic resource review.

What else about the proposal should I know?

Additional housing types described in Proposal #5 are only allowed on lots that meet a minimum lot size. For example, a house in the R5 zone is allowed on a lot that is at least 3,000 square feet in area, whereas a duplex requires 4,500 square feet, and a triplex requires 6,300 square feet of lot area.

Conversions of houses that are historic resources are not subject to these minimum lot size requirements. Sites with historic resources that are either landmarks or contributing structures may not utilize the bonus provisions of the ‘a’ overlay if the resource has been demolished. This strengthens the relationship between the City’s various historic preservation policies by increasing flexibility and incentives for adaptive reuse while simultaneously providing additional housing options and opportunities.

In addition, for conversions of historic resources (and corner lot triplexes, described above), the FAR limit includes a small amount of additional floor area. This FAR limit includes the primary structure plus any detached accessory structure area and applies to all structures combined for the site. For

example, in the R5 zone, a 0.5 to 1 FAR for the primary structure is proposed, while a 0.15 to 1 FAR detached accessory structure is proposed. For historic resources, the combined allowable FAR for all structures would be 0.65 to 1. The intention is to provide greater flexibility for historic resource conversions where the house (which may be less than the FAR maximum for a primary structure) is maintained, such that the leftover FAR can be allocated to detached structures instead. At the same time, for larger historic resources, additions to the house can be made, provided that detached structures are smaller or not present.

What changed from the Concept Report?

In addition to exploring age-friendly provisions and historic preservation measures, City Council asked staff to explore requirements and bonus units for affordability and tree preservation.

The proposal includes **one bonus unit if all units on the site are affordable** to those making up to 80 percent of median family income. Staff recognizes that 100 percent of four units is a high bar. For comparison, in multi-dwelling and mixed use zones only 10 percent of units in buildings with 20 or more units are required to be affordable. Nevertheless, as this is a bonus and not a requirement, staff is proposing this incentive recognizing that other subsidies and program assistance can bridge the gap for nonprofit housing providers and help deliver affordable units to more areas of the city.

Staff also explored **tree preservation** bonuses but ultimately determined to not include these in the proposal. There are several reasons for this. First, the Tree Code already requires that one-third of 12-inch diameter and larger trees be preserved for each lot. Second, multi-dwelling zones allow a 10 percent density bonus for tree preservation, but the provision has not been used. Third, staff was concerned about offering a 33 percent bonus (one extra unit) without the discretion to evaluate the quality, significance or viability of the tree being retained. Finally, trees are subject to eventual decline and removal – meaning that at some point in the future, when the tree is removed, there would be a nonconforming extra dwelling on the site. Nonconforming density severely complicates purchase and refinance lending for the units on the site.

8. Encourage more cottage cluster development.

Affects All single-dwelling (RF, R20, R10, R7, R5 and R2.5) zoned properties.

The proposal

- Continue allowing multiple houses to be built on a site through a Planned Development Review, but allow an ADU to be built with each house.
- Require at least half of the units in a cottage cluster development to be oriented around a common open space.
- Reduce the procedure type for some Planned Developments from Type III to Type IIx.



For example: Smaller homes clustered around a common open space in Edgewood.

What is the intended benefit?

Cottage clusters are groups of **relatively small homes typically oriented around a shared common space** such as a courtyard or garden, with parking often relegated to the edge of the site. These clustered developments foster a **sense of community** among residents and can be modeled to suit **many specific living needs**. The units could be part of a cohousing project, tailored to older adults or people with disabilities, or built with innovative attributes.

Planned Development reviews (PDs) provide opportunity for these innovative developments while assuring that they are well-designed and complement neighborhood character. The primary difference between a cottage cluster PD and a standard subdivision is the lack of individual lots. Some or all of the units are on one shared site. This enables structures to be situated in a manner that is more flexible and responsive to site characteristics, constraints and opportunities. Because a cottage cluster is a break from the standard lot pattern, these proposals are reviewed for their site layout and architecture to ensure compatibility with the positive aspects of the surrounding neighborhood.

The proposal accomplishes **four key objectives**. First, it provides the same opportunities for ADUs as is allowed for houses in a subdivision, whereas the current PD rules do not. Second, it aligns the type of review type procedure with subdivisions proposing the same number of units, while applying criteria that are more relevant to the cluster proposal. Third, more specific criteria heighten the importance of the shared open space and elevate it to be a central feature of the PD site when proposing detached primary units (multiple houses). Finally, it provides the opportunity for community members to receive public notice and comment on the proposal.

What else about the proposal should I know?

Land use review procedures, in order from least to greatest level of process, include Type I and Ix, Type II and IIx, Type III and Type IV. Most PDs currently go through a Type III procedure, which is decided by a Hearings Officer and, if appealed, by City Council. By comparison, a Type IIx land use review, which applies to smaller land divisions, is less expensive, requires less time to process and is

a staff decision. Both procedure types utilize the same approval criteria and provide opportunities for appeals at both the City and State level.

The proposal changes the threshold for PDs so that proposals that include up to ten units (excluding ADUs) are processed as a Type IIX case, the same as a standard subdivision. Any proposal in a single-dwelling zone that includes commercial or multi-dwelling structures (structures containing four or more units), regardless of the number of units being proposed, remains a Type III review procedure.

The proposal maintains the current rule that density (which does not include ADUs) must be met. For example, an R5 lot would need to be 10,000 square feet before two primary houses and two ADUs could be developed. In R7 it would need to be 14,000 square feet, and in R2.5 it would be 5,000 square feet.

What changed from the Concept Report?

The Final Concept Report envisioned having detailed rules for cottage cluster development – minimum site size, specific limits on house size and additional standards for open space, parking and circulation in exchange for additional housing unit allowances.

Staff now recommends a **different approach** that uses the existing rules and procedures for PDs with a few changes. The changes include allowing each house in a PD to have an ADU and changing the PD review procedure and criteria to match those used for with similarly-sized land divisions. Criteria in the PD rules are proposed to be modified to ensure better open spaces and pedestrian circulation. There will be no restriction on unit size specific to cottage cluster proposals. Unit size will instead be established through the PD process to ensure compatibility with the surrounding neighborhood.

Staff explored, but ultimately did not propose, **bonus units for affordability or accessibility** in these PDs. In addition to the added regulatory complexity these bonuses would introduce, utilizing the existing PD regulations would have also meant that potential bonuses could have applied to a much broader range of development than just cottage clusters. In addition, these bonuses would not be limited to areas inside the new 'a' overlay, as cottage clusters through PD review are allowed citywide.

Narrow Lots

The proposals address historically narrow lots and improve regulations for all *narrow lot* development, resulting in:

- Understandable rules and predictability for neighbors and property owners
- Increased compatibility with neighboring houses
- Opportunities for smaller, less expensive houses

9. Rezone some R5 historically narrow lots to R2.5.

Affects Historically narrow lots in the R5 zone.

The proposal

- In the ‘a’ overlay, rezone historically narrow lots that have the highest access to amenities from R5 to R2.5.
- For the remaining historically narrow lots zoned R5 citywide, do not allow development unless the lot meets the minimum dimension standards for the R5 zone – 3,000 square feet and 36 feet wide.

Summary of Lots and Area Proposed for Rezoning		
Citywide Statistics*	Lots	Acres
R5 historically narrow lots	14,435	1,804
R5 to R2.5 Rezoning		
R5 Historically narrow lots	7,147	837
Other R5 rezones (not historically narrow lots)	355	42
Total properties rezoned to 2.5	7,502	879

* Reflects zoning as adopted with the 2035 Comprehensive Plan

What is the intended benefit?

There are areas of the city where the **underlying platting pattern does not match the zone**. These areas are mostly zoned R5. Whereas a typical R5-zoned property is 50 feet wide by 100 feet deep (5,000 square feet), historically narrow lots are 25 feet wide by 100 feet deep (2,500 square feet). The platting pattern and the concentration of historically narrow lots in certain areas of the city predates modern zoning and their location is an artifact of history.

Current rules allow development on any legally-created property that meets the minimum lot dimension standards in the zone. For the R5 zone the minimum dimensions are 3,000 square feet and 36 feet wide. Current rules also allow development on sites that do not meet the minimum lot dimension standards if the lot has been vacant for five years. This applies to historically narrow lots. While the “vacant lot provision” has probably prevented some demolitions, it has also led to confusion about the zoning pattern and what is allowed and what is not. This issue is sometimes called the “Five-Year Moratorium.” For more information about historically narrow lots, see Appendix F: *Portland’s Historically Narrow Lots*.

Rezoning some historically narrow lots to R2.5 is **consistent with the Comprehensive Plan**. Policy 10.1 states that the R2.5 Single-Dwelling – 2,500 designation

“allows a mix of housing types that are single-dwelling in character. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally do not have development constraints. This designation often serves as a transition between mixed use or multi-dwelling designations and lower density single dwelling designations. The maximum density is generally 17.4 units per acre. The corresponding zone is R2.5.”

There are challenges to addressing historically narrow lots, but there are opportunities too:

Rezoning Some Historically Narrow Lots to R2.5	
Opportunities	Challenges
<ul style="list-style-type: none"> • Rezoning approach is transparent and consistent with lot size and density • Increases supply of lots for housing in the right places • Increases opportunities for fee-simple homeownership • Smaller homes and lots can be less expensive • Promotes smaller, more energy-efficient houses 	<ul style="list-style-type: none"> • Locations of historically narrow lots are not distributed evenly throughout the city • Increases demolition pressures in some neighborhoods • Narrow houses often do not reflect neighborhood character of houses built on wider lots • Multiple driveways eliminate on-street parking opportunities

As the table above lists, there are several benefits to rezoning some areas to R2.5. The top three are as follows.

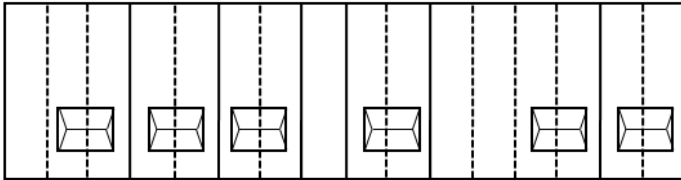
First, it provides **property owners and neighbors with long-needed clarity** regarding what can and cannot be developed on underlying platted historically narrow lots. Rezoning half of the historically narrow lots to R2.5 signals that these areas can and should support additional small lots. Conversely, maintaining the R5 zoning and removing the vacant lot provision for the other half of the properties clarifies what is allowed in those areas.

Second, the rezonings **increase the supply of housing in amenity-rich areas**, as called for in the Comprehensive Plan. The rezonings are based on their proximity to centers, parks, schools and other community amenities as well as consistent zoning extensions and patterns of development.

Third, the proposal provides the opportunity for a different housing type – **fee-simple attached houses** – at the same density as allowed by the ‘a’ overlay zone. Fee-simple ownership is the most common ownership type in single-dwelling neighborhoods. It differs from condominium ownership in that the land under the house is owned by one owner, instead of being owned in common. Also, since these lots already exist, more costly land divisions would not be required to provide fee-simple lots.

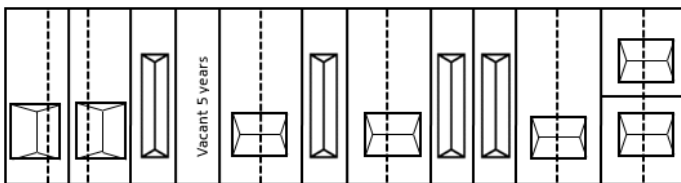
What else about the proposal should I know?

There are exceptions that would still permit developing substandard R5 lots. For example, if there is already a narrow house built on a substandard lot, the house may be rebuilt if damaged or demolished. Also, if a substandard lot already exists under separate ownership from abutting lots, that stand-alone lot would be allowed to be built (subject to meeting other zoning requirements). Where two or more substandard lots are combined to meet the minimum lot dimension requirements, this combination of lots would also be allowed to build a primary structure.



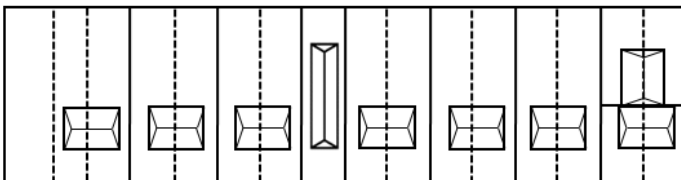
Existing historically narrow lots

This shows an example R5 zoned block with 7 tax lots (solid lines) and 16 historically narrow lots (dashed lines).



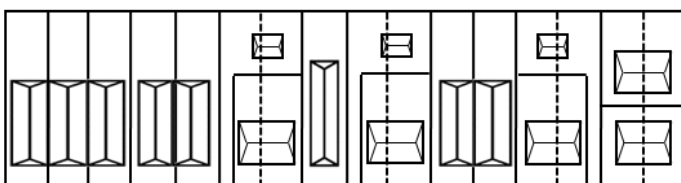
R5 - Current infill potential

Under current rules, property lines can be adjusted to create 2 lots. A house can be built on 1 side, leaving the other side vacant for 5 years. The stand-alone lot can be built, skinny houses can be built on the vacant lots, and the corner lot can rotate the property line for detached houses.



R5 - Proposed infill potential

With the proposed change, the vacancy rule is replaced with the requirement that lots must be at least 36' wide and 3,000 s.f. The stand-alone lot can still be built, and attached houses on corner lots continue to be allowed.



R2.5 - Proposed infill potential

Areas rezoned to R2.5 will have more infill opportunities. Attached houses will be required, and flag lots will be allowed through property line adjustments. Stand-alone lots can be built. Corner lots can rotate property lines for detached houses on wider lots.

What changed from the Concept Report?

In December 2016, City Council did not accept staff's recommendation to rezone all the historically narrow lots inside the new 'a' overlay zone. The initial proposal affected nearly 90 percent of the more than 14,000 lots that have historically narrow lots. This proposal affects about **50 percent of historically narrow lots**.

This modified proposal, which applies a **focused analysis to identify lots** very close to centers, parks, schools and other community amenities; identify infrastructure and environmental constraints; and create consistent zoning extensions and patterns of development; represents about 7,150 lots, or about 50 percent of these historically narrow lots. Also, small pockets of R5-zoned areas that did not

include historically narrow lots have been included in the proposal (about 350 lots) to provide for a logical transition between existing higher density zones and proposed rezone areas.

(For more information about the criteria used to rezone areas, see *Section 5: Map Amendments*.)

10. Make citywide improvements to all narrow lots.

Affects Primarily R2.5 zoned properties but also any lot in single-dwelling zones less than 36 feet wide (for example, lots approved through a land division or substandard lots under separate ownership from abutting lots)

The proposal

For development on lots less than 36 feet wide:

- Require attached houses on lots 25 feet wide or narrower.
- Allow attached and detached houses on lots wider than 25 feet.
- Limit height of a detached house to 1½ times its width.

For example:



The proposal discourages detached tall houses, individual garages and minimal landscaping.



The proposal requires attached houses with landscaping and other design elements.

What is the intended benefit?

These improvements are intended to enhance the development outcomes on narrow lots. They include some streamlining and consolidation of rules to treat similar lot sizes the same and require building forms that are more consistent with established neighborhood patterns.

Consolidated rules. There are several sets of requirements that currently apply to narrow lots, depending on the date the lot was created. The proposed rules consolidate and update these requirements into one set of narrow lot rules, improving consistency and reducing confusion about development outcomes on lots with similar dimensions and zoning.

Height limit. Narrow facades tend to accentuate vertical proportions and appear taller. Establishing a relationship of building height to building width helps control these proportions and prevent buildings from looking incompatibly taller.

Front landscaping. These standards help soften the appearance of houses on narrow lots and make them look more established by ensuring that new development provide landscaping along the front foundation wall and front yard.

Attached houses. One significant change proposed is the requirement for attached houses when the lots are very narrow. Attached houses provide wider floorplates (typically 20 feet each versus 15 feet) and their combined width better mirrors the width of more common wider house facades. They are also more energy-efficient and require less material than detached houses. By attaching the houses instead of leaving small side yard setbacks, coupled with the FAR limits on house size, the resulting houses will tend to be less deep (e.g., 43 feet) than detached houses (e.g., 58 feet), leaving more useable backyard space.



Energy Use comparison between detached and attached houses. Source: EPA

What else about the proposal should I know?

There are exceptions for the attached house requirement to acknowledge that stand-alone narrow lots exist or that in some cases existing development on the abutting lots may make attached houses impractical.

The current rules for narrow lots allow exceptions through either design review, Planned Development review or Adjustment review. The proposed change consolidates these into one land use review type: Adjustment review. The Adjustment review evaluates how a proposal will equally

or better meet the purpose of the requirement being adjusted, ensures that the proposal will not significantly detract from the livability or appearance of the residential area, and requires that any impacts are mitigated.

What changed from the Concept Report?

There were no significant changes from the Final Concept Report. However, the requirement for attached houses was expanded from sites where houses were demolished to apply to all narrow lots. In addition to the benefits for attached houses on narrow lots noted above, a uniform requirement is more predictable.

11. Revise rules for parking and garages on all narrow lots.

Affects Primarily R2.5 zoned properties but also any lot in single-dwelling zones less than 36 feet wide (for example, lots approved through a land division or substandard lots under separate ownership from abutting lots)

The proposal

For development on lots less than 36 feet wide:

- Allow, but don't require, parking on narrow lots.
- Continue disallowing at-grade garages on attached and detached houses less than 22 feet wide, but allow tuck-under garages on all attached houses.
- On a lot abutting an alley, require access from the alley when parking is proposed.

For example:



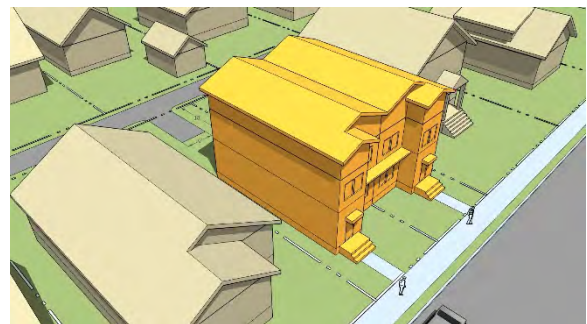
Detached “skinny” houses with street-facing garages would not be allowed.



Wider houses (22 feet or wider) would be allowed to have a garage.



Attached houses with no off-street parking would be allowed.



If parking is proposed on a lot that abuts an alley, parking must be from the alley.



*Parking alternative for attached houses:
Parking pad, no garage.*



*Parking alternative for attached houses:
Tuck-under garage.*

What is the intended benefit?

Narrow lots present **unique challenges for accommodating parking**. First, their narrow width means that there is already limited curb space for on-street parking and each driveway curb cut removes 15 feet of curb (9-foot-wide driveway with 3-foot aprons on each side). For example, on a 25-foot-wide lot, only ten feet of curb remains. This essentially removes one on-street parking space for an off-street space.

Secondly, the narrow width of the front façade of a detached house means that nearly 80 percent of the first floor facing the street is a garage. Attached houses fare slightly better at 60 percent. Current rules limit garages on most lots to 50 percent of the width of the house to **lessen the garage prominence** and **maintain a stronger connection between the living area of the house and the public realm**. When a house is at least 22 feet wide, a garage may be built.

For attached houses on narrow lots, the proposal includes an exception to the garage width limit when a **“tuck under”** garage is proposed. These garages are located below the main floor and are typically incorporated into a basement. By lowering the garage and requiring a distinct separation between the garage and main floor, the prominence of the garage is diminished and the entire width of the main floor can be oriented toward the street and not obstructed by the garage.

Alley-loaded parking is an optimal parking solution where alleys are present. It preserves the street-facing side of the house for landscaping and more interesting architectural details, retains area for street trees, eliminates curb cuts and reduces conflicts with pedestrians. However, requiring alley access has been problematic in some cases where the condition of the alley is unimproved, or where there are multiple encroachments (e.g. sheds, gardens, fences). The proposal strikes a balance by requiring alley access for vehicles when the lot abuts an alley but not requiring parking to account for those cases when it may be impractical to use or improve the alley.

What else about the proposal should I know?

Currently, parking is not required for historically narrow lots, yet a 12-foot-wide garage is allowed on the main floor. Narrow lots created more recently through a land division are required to have parking, but garages are not allowed and alley access is required where alleys are present. The proposal combines these requirements so that parking is not required, but when provided it must be from an alley or, when there is no alley, either a parking pad or tuck under garage is allowed.

The proposed tuck under garage exception applies to attached houses on narrow lots. The proposal limits the garage door opening to 8 feet wide but does not limit the internal width of the garage. It also requires that the main entrance be located above the elevation of the top of the garage door and that the elevation of the bottom of the garage door is at least 2 feet below the elevation of the street. To reinforce the prominence of the upper floor and break up the vertical façade, either a porch, balcony or living area must be located above the garage and project at least 3 feet in front of the garage wall.

What changed from the Concept Report?

There were no significant changes from the Final Concept Report. However, the requirement to **combine driveways for attached houses** was removed due to potential conflicts with transportation requirements and site-specific situations. In some cases, it may be more advantageous to separate these driveways to retain street trees or preserve more on-street parking.

12. Make improvements to the R2.5 zone.

Affects R2.5 zoned properties

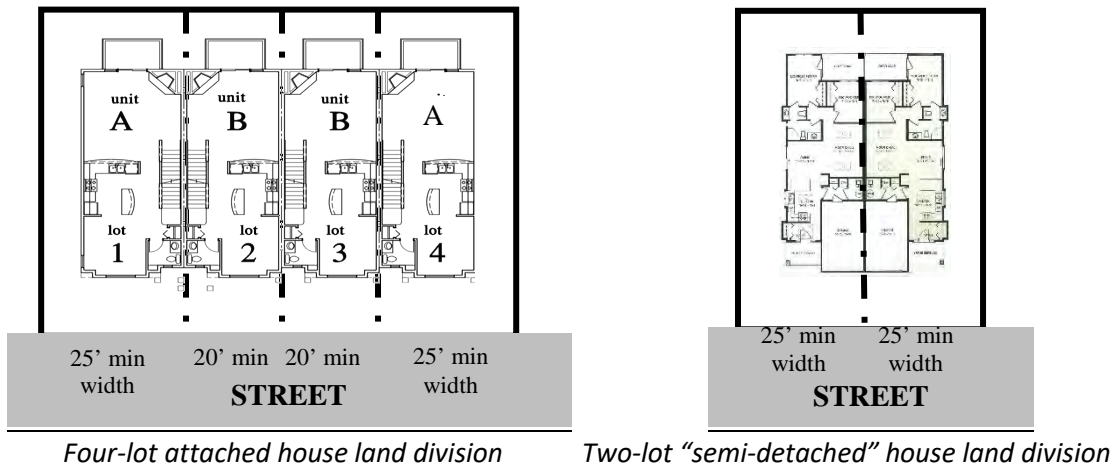
Proposal

- Require at least two units when new development is proposed on a 5,000-square-foot lot or larger.
- For land divisions, reduce the minimum lot width from 36 to 25 feet.
- Allow property lines to be adjusted to create a small flag lot (less than 3,000 square feet) when a house is retained.
- Create rules for small flag lots that restrict the size of the new house to 1,000 square feet and the height to 20 feet, and require exterior design elements.



For example: This image shows how a flag lot created through a property line adjustment could accommodate a small house.

Reduced lot widths in the R2.5 zone will allow for additional attached houses.



Four-lot attached house land division

Two-lot "semi-detached" house land division

What is the intended benefit?

While the R2.5 zone has the most flexibility of Portland's single-dwelling residential zones in terms of allowed housing types, not many areas of the city (less than 4 percent) are currently zoned R2.5. Even with the proposed rezone areas (see Proposal #9), the R2.5 zone will only account for 4.4 percent of the city. Moreover, the vast majority of the rezoned areas will be 5,000-square-foot sites with historically narrow lots.

Two-unit minimum. The R2.5 zone allows one housing unit for each 2,500 square feet of lot area. However, when a single R2.5-zoned house is demolished on a 5,000-square-foot lot (large enough for two housing units), current rules allow it to be replaced with a single house. This is a lost opportunity for adding smaller housing units in amenity-rich areas. The proposal would allow for a duplex or a house with an ADU to meet the requirement.

Lot width. Current rules require new lots in the R2.5 zone to be at least 36 feet wide, unless an exception can be justified. This can be difficult for dividing lots that are 50 feet wide and makes it difficult to retain an existing house on a site. A 25-foot minimum width for attached houses allows a 50-foot wide lot to be divided into two equal 25-foot wide lots and is a logical width for a zone designed at a density of one unit per 2,500 square feet of site area.

Small flag lots. Generally, flag lots are a less desirable form of development because the lots are disconnected from the public street. Because they are behind an existing house, they are also located next to the back yards of adjacent houses. On the other hand, flag lots afford infill opportunities while retaining existing houses⁴.

The proposal allows for a small flag lot to be created from two historically narrow lots through a property line adjustment process that is quicker and less costly than a land division. A streamlined review process supports the creation of more fee-simple homeownership

⁴ Staff estimates that in proposed rezone areas, less than 10 percent of historically narrow lots are vacant, while lots with flag lot potential is closer to 20 percent.

opportunities with smaller, less expensive units and provides homeowners with the opportunity to capitalize on their investment. The provision encourages the preservation of a house by allowing this process and lot configuration only if a house is retained.

A house size (1,000 square feet) and height (15 feet) limit are also proposed for the house built on the flag lot. Those limits are similar to those that apply to detached ADUs. This maintains an expected urban form.

What else about the proposal should I know?

Lot width. For R2.5 land divisions, lot widths for detached houses will remain at 36 feet unless there is existing development or site configurations that preclude wider lots. For attached houses, lot width may be reduced to 25 feet for pairs of attached houses. When there are three or more rowhouses (up to eight), lots for the middle units may be 20 feet wide. This is intended to provide consistent unit widths (as units on the end are required to have 5-foot-wide side setbacks). See the examples above.

Small flag lots. Houses on small flag houses would not be allowed to have an ADU. If the house on the small flag lot is taller than 15 feet, it must meet similar design standards as detached ADUs, such as siding material, trim, roof pitch and eave requirements. Since these smaller houses will not be required to provide parking, the width of the flag lot “pole” can be reduced to what is necessary for utility connections.

What changed from the Concept Report?

There were few changes from the Final Concept Report. However, the **small flag lot** proposal has been refined considerably. The Final Concept Report included an allowance for flag lots by adjusting property lines but was silent on the limits that applied to the house on the flag lot. This proposal introduces several standards for houses on small flag lots so that development on the flag lot would more closely follow allowances for detached ADUs.

Section 5: Map Amendments

Map changes in this section reflect 2035 Comprehensive Plan direction to prioritize growth in areas in and around centers and corridors and increase housing choice and supply. *Section 4: Analysis of Amendments* provides the background and analysis of all the proposals, including the map amendment proposals. This section describes the methodology that was used to develop the map proposals. It is divided into the following subsections:

- **Applying a New ‘a’ Overlay Zone:** Applies the proposed Additional Housing Opportunity overlay zone (new ‘a’ overlay) in select areas;
- **Using an Equity Lens to Inform Map Amendments:** Describes how a displacement risk analysis was used to assess and mitigate impacts to populations most vulnerable to displacement;
- **Rezoning Historically Narrow Lots:** Amends the Comprehensive Plan Map and Zoning Map in select areas that include historically narrow lots from R5 to R2.5; and
- **Removing the Current ‘a’ Overlay Zone:** Removes the existing Alternative Design Density overlay zone from properties not included in the new ‘a’ overlay.

Applying a New ‘a’ Overlay Zone

The purpose of an overlay zone is to apply distinct rules and requirements to specific geographic areas. The regulations in an overlay zone work in concert with the underlying base zone. This tool can be used to further specific goals. For example, the ‘c’ and ‘p’ overlays advance environmental goals and the ‘d’ overlay advances design goals.

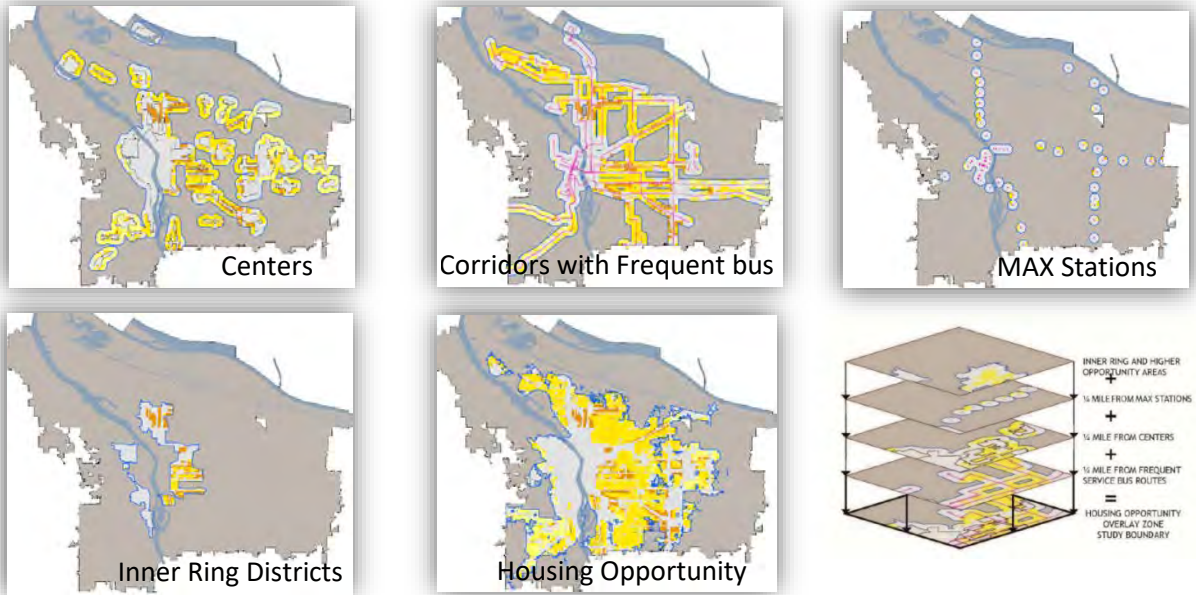
The new Additional Housing Opportunity overlay zone (‘a’ overlay) is proposed in select areas to further Comprehensive Plan goals related to housing choice and adaptability as well as other housing goals in areas that align with Comprehensive Plan growth strategies and future investments. The purpose of the new ‘a’ overlay is to “allow for increased housing choices in high opportunity areas including areas near frequent transit, areas designated as Centers in the Comprehensive Plan and areas close to schools, employment and everyday services. The overlay zone promotes compatible infill development and provides opportunities for a variety of housing types that will accommodate households of varying sizes, income levels and physical abilities. The overlay zone also encourages adaptive reuse of historic properties.”

The proposed ‘a’ overlay was applied to the Zoning Map in five steps:

Step 1. Concept Report Boundary

The Concept Report proposed a boundary within which additional housing types would be allowed in single-dwelling zones. This was the focus of much of the debate during the Concept Phase of the project in 2016. That boundary was based on the growth strategy adopted in the 2035 Comprehensive Plan and contained the following three layers:

1. Areas within ¼ mile (approximately five blocks or a five-minute walk) from:
 - Centers (Central City, Gateway, Town and Neighborhood Centers),
 - Corridors with frequent bus service (15-minute or better headways), and
 - High-capacity transit (MAX) stations;
2. Inner ring districts (neighborhoods within walking distance of Central City); and
3. Medium to high opportunity housing areas elsewhere that may be slightly farther from centers and corridors but still have good transit access, include a well-connected street grid and are near schools, parks and jobs.



The concept boundary was developed by combining these different layers.

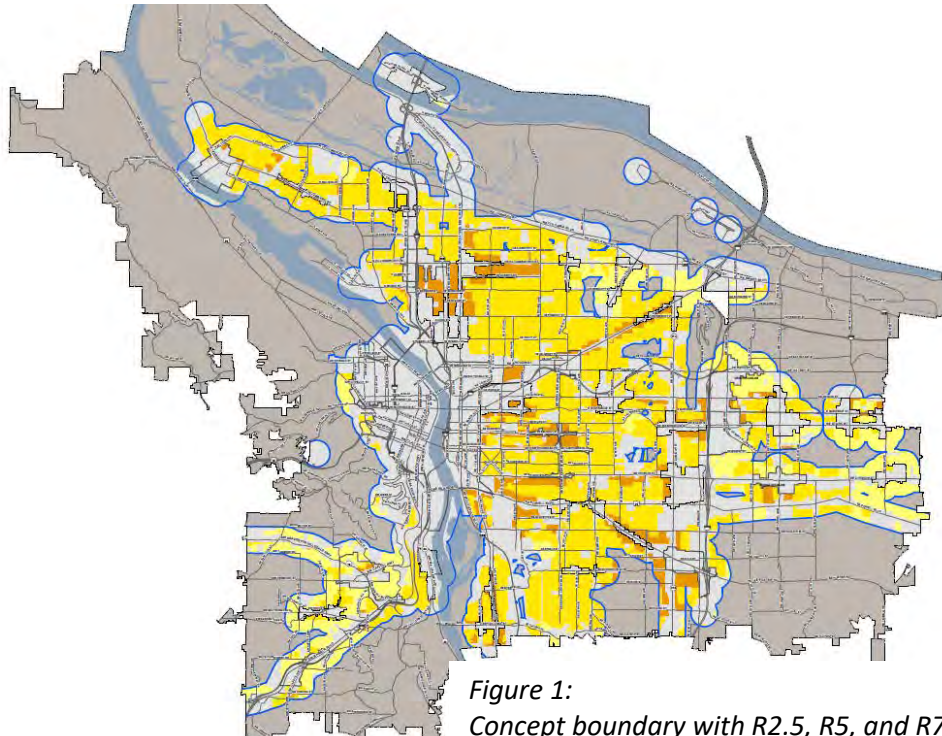


Figure 1:
Concept boundary with R2.5, R5, and R7 zones shown.

Step 2. Zoning Patterns and Street Centerlines

Next, the Concept Boundary was refined into a specific boundary based on the following considerations:

1. **Base zones.** All properties that are not zoned R2.5, R5 or R7 were removed from the boundary because the regulations in the overlay zone only apply to R2.5, R5 and R7 zones.
2. **Street centerlines.** When possible, street centerlines were used as the boundary because street locations are less likely to shift than property lines. This approach reduces the creation of split-zoned lots in the future.
3. **Zoning pattern.** Staff avoided creating small pockets or peninsulas of areas inside or outside the overlay zone boundary.

Step 3. Constraints

With the help of an inter-bureau Technical Mapping Team, over 50 potential constraints were identified and evaluated. Many constraints were determined to have a negligible effect or were not relevant to the application of the proposed overlay, because the effect of the proposed provisions was no different than impacts from current zoning regulations. For example, earthquake hazards are the same for a structure regardless of whether it is a house, duplex or triplex.

However, other constraints related to infrastructure and services, natural hazards or other overlay zone and plan district regulations were relevant. Some of these constraints automatically precluded an area from being included (base constraints), while others by themselves did not rise to the level of excluding an area but in combination with other constraints may have led to an area being removed (aggregate constraints).

- **Base constraints.** Properties with any of the following base constraints were automatically removed from the proposed overlay:
 - Sewer conveyance limitations (due to risks for health and safety)
 - 100-year floodplain (due to risks for health and safety)
 - Portland International Airport Noise Impact Zone (due to risks for health and safety)
 - Glendoveer R7 parcels (due to Multnomah County annexation agreement)
 - Johnson Creek Plan District (includes Transfer of Development Rights allowances⁵)
 - Northwest Hills Plan District (includes Transfer of Development Rights allowances⁵)
- **Aggregate constraints.** Properties that had one of the following constraints were not automatically excluded, but were more closely considered when two or more constraints were present:
 - Stormwater limitations

⁵ Transfer of Development Rights allowances provide a mechanism for owners of property in flood plain or landslide-prone areas to transfer development rights (dwelling units) to other properties in the district. Providing additional housing opportunities in these areas would weaken the market for transferring units.

- Steep slopes
- Landslide history
- Water service limitations
- Wildfire hazard

Physical barriers to centers and transit corridors. Areas where significant physical barriers that limit convenient connections to centers and transit corridors were removed from the overlay. This includes areas with poor street connectivity, steep topography, natural features and other barriers such as freeways and railroads.

Unpaved streets. The lack of a paved street means it is harder to bike and walk, and these streets are less accessible for people with mobility impairments. Unpaved streets also bring maintenance concerns due to reduced durability, resulting in increased stormwater issues and more rapid degradation of the travel surface. For these reasons, streets that have not been accepted by the City for maintenance are not eligible to use the additional housing type allowances in the overlay zone. Because the condition of streets will change over time, this limitation is embedded in the Zoning Code provisions of the overlay zone instead of excluding lots on ineligible streets from the overlay boundary on the Zoning Map.

Step 4. Proximity to a Combination of Other Amenities

As staff evaluated the constraints layers at a finer scale, they identified areas outside the concept boundary where the application of the ‘a’ overlay also makes sense. Some reasons for expanding the ‘a’ overlay in these areas include proximity to amenities, such as MAX stations slightly farther than ¼ mile, community centers, parks, schools, the presence of multiple bus lines and convenient access to services. An example of this expansion includes an area in Arbor Lodge. While not captured by the concept boundary, the area is close to the Rosa Parks light rail station and to commercial services on North Lombard Street.

Map 2: Proposed ‘a’ Overlay Zone with Areas Subtracted and Added shows the areas where the concept boundary was expanded based on this step. For more detailed information, refer to Appendix E: *Map Refinements by District*, which contains district maps and a matrix of the reasons why areas were added to the ‘a’ overlay zone.

Step 5. Equity Lens

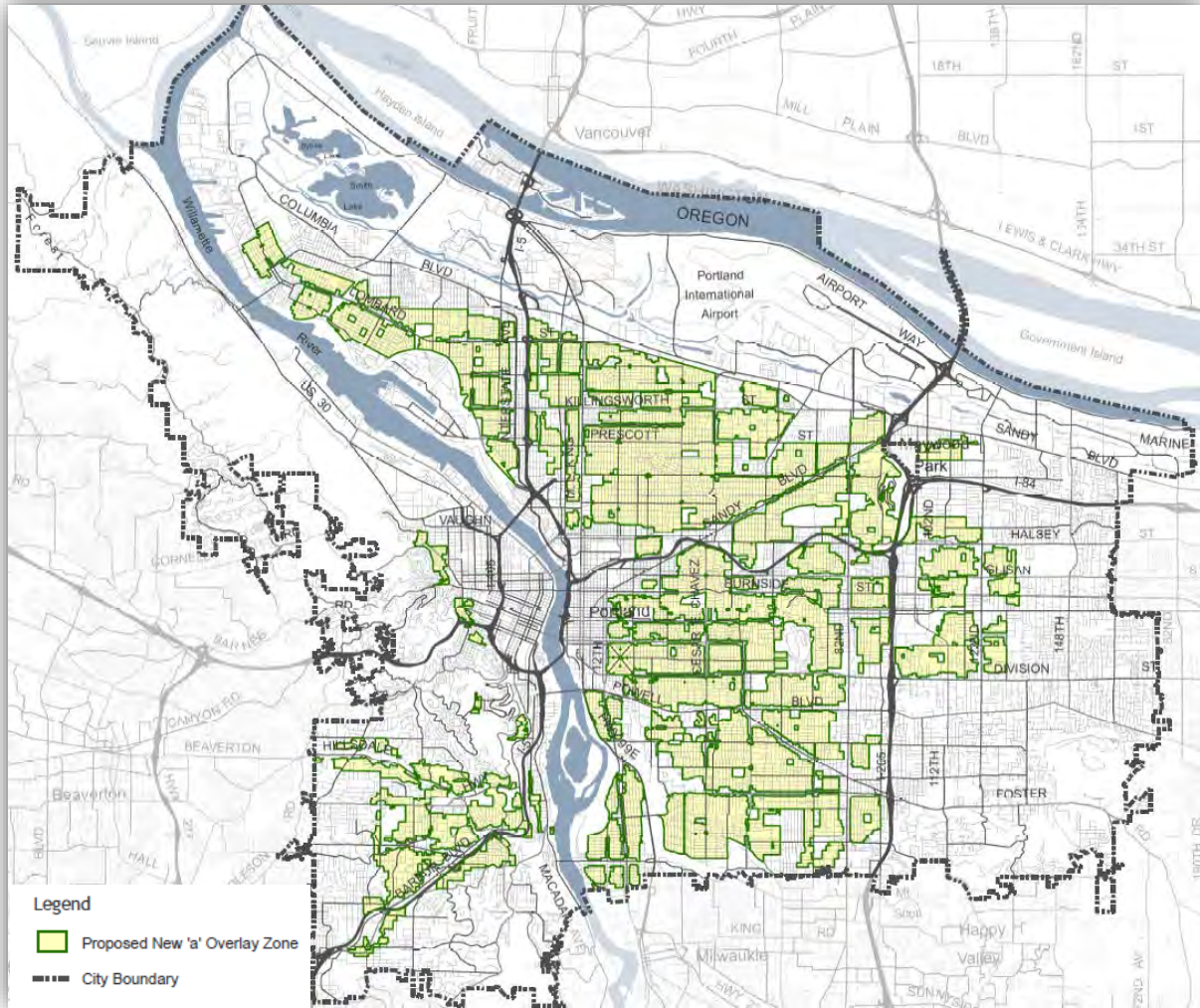
The ‘a’ overlay boundary was then analyzed for potential displacement impacts on vulnerable populations, and further adjusted to lessen potential impact. The result was that the overlay is not proposed in areas with lower access to opportunity and a higher percentage of vulnerable populations.

A detailed description of this methodology is described in the following pages: *Applying an Equity Lens to Inform Map Amendments*. See Appendix E: *Map Refinements by District* for more information on mapping refinement.

Staff Proposal

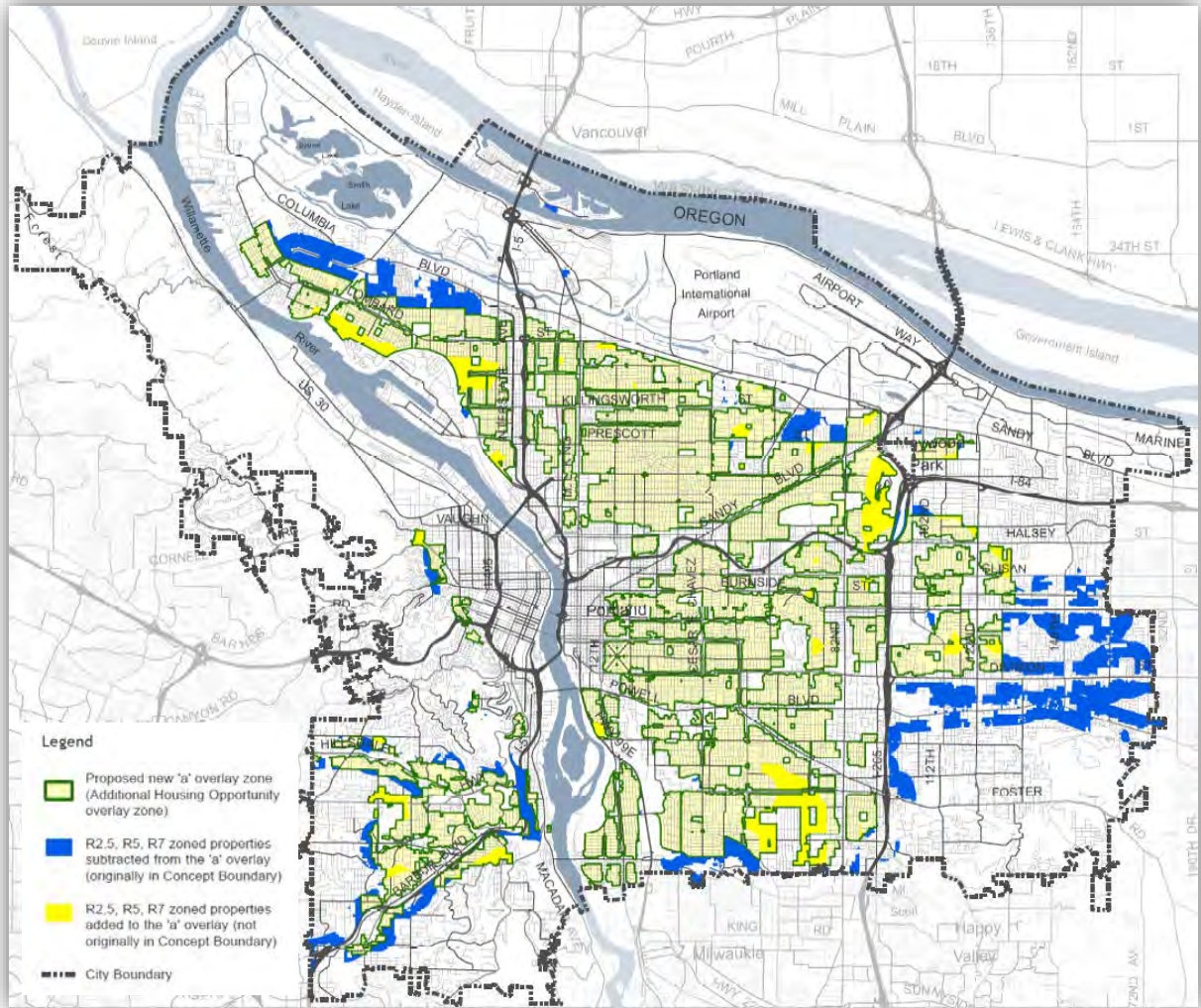
The outcome of these five steps is shown on *Map 1: Proposed New 'a' Overlay Zone (Additional Housing Opportunity)*. *Map 2: Proposed 'a' Overlay Zone with Areas Subtracted and Added* shows the areas that were added to the concept boundary in bright yellow. The areas subtracted from the concept boundary are shown in blue.

Map 1: Proposed New 'a' Overlay Zone (Additional Housing Opportunity)



Lots and Acreage in proposed overlay boundary		
Proposed 'a' overlay	Lots	Acres
R7	9,612	2,178
R5	58,304	8,088
R2.5	18,850	2,215
TOTAL	86,766	12,481
Percent of R2.5-R7	65%	58%
Percent of SF zones	58%	40%
Percent of city		17%

Map 2: Proposed 'a' Overlay Zone with Areas Subtracted and Added



Using an Equity Lens to Inform the ‘a’ Overlay Map Proposal

Zoning changes can result in benefits for some and burdens for others. City policy, embodied in the 2035 Comprehensive Plan, expresses the importance of applying an equity lens when creating plans and policies to avoid negative consequences of land use changes – particularly displacement – on underserved and under-represented communities.

The final step in developing a proposal for the ‘a’ overlay zone was to analyze the potential for overlay zone changes to result in unintended displacement of individuals and families. Based on the findings of this analysis, staff has adjusted the proposal for the ‘a’ overlay zone and, by extension, the extent of proposed R2.5 rezoning of historically narrow lots.

Displacement Risk Analysis: Overview

The displacement risk analysis focused on areas with high percentages of renters and communities of color – groups who have historically experienced the greatest risk of displacement and the lowest access to amenity-rich or opportunity-rich neighborhoods.

The analysis looked citywide at the relationship between *areas of opportunity* (places with good transportation connections and proximity to amenities and services that people need in their daily lives) and *areas with populations most vulnerable to displacement* (considering race/ethnicity, education level, housing tenure and income). A number of factors, described later in this section, were measured to assess degrees of “opportunity” and “vulnerability” in this analysis.

The Additional Housing Opportunity overlay zone is proposed to be more broadly applied in areas with lower levels of vulnerability and higher levels of opportunity. By increasing the supply and variety of housing options in these areas, more people of all income levels will have access to neighborhoods that have abundant amenities and services and include the ingredients that contribute to social, physical and economic well-being.

The overlay zone was not applied to areas of higher vulnerability and lower opportunity to lessen the risk of displacing lower income residents, particularly renters. Neighborhood-level market

Equity Guiding Principle

Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.

pressures, and associated neighborhood change, pose a more serious risk to residents who are less economically resilient to weather these challenges.

Sub-area housing markets within the Portland region are inextricably linked. Opening up greater housing supply and choice in high opportunity/low vulnerability areas will help to relieve housing pressures *throughout* the region, including areas that are not proposed for any zone change. Applying zone changes informed by this analysis follows an “avoid” rather than “mitigate” approach – a prudent approach, considering the devastating effects of displacement on people and communities and the extreme challenge to local government to mitigate the effects of displacement of vulnerable populations after the fact.

Displacement Risk Analysis: Measuring “Vulnerability” and “Opportunity”

This displacement risk analysis examines the interaction between vulnerable populations and areas of opportunity. This analysis allows land use and policy decisions to leverage existing amenities and investments in infrastructure to provide more housing options and housing choice to Portlanders in areas that provide better health and economic outcomes. This analysis also provides an opportunity to limit new household growth in areas that lack access to services, safe active transportation and transit connections, and poorer access to living wage employment opportunities throughout the region.

Vulnerability score

For each census tract, vulnerability is measured with the following four equally-weighted demographic factors:

1. Race/ethnicity: Share of population identifying as a person of color (including Hispanic or Latino); the 2015 citywide average was 28 percent.
2. Education: Share of population over 25 years old lacking a four-year degree; the 2015 citywide average was 54 percent.
3. Tenure: Share of households that are renters; the 2015 citywide average was 46 percent.
4. Income: Share of households that are earning below 80 percent median family income (i.e., \$58,800 for a family of four); the 2015 citywide average was 42 percent.

There are 143 census tracts that encompass the city of Portland. A score was assigned to each of the census tracks based on the quintile that each tract fell into for the vulnerability indicators above – a higher score indicates higher vulnerability.

Translating census data into a composite vulnerability score.

To create a composite score, data ranges were converted into quintiles. A quintile is a value that represents 20 percent of the sample (see the table at right). The composite vulnerability score is the simple sum of each census tract’s quintile score for each individual demographic factor.

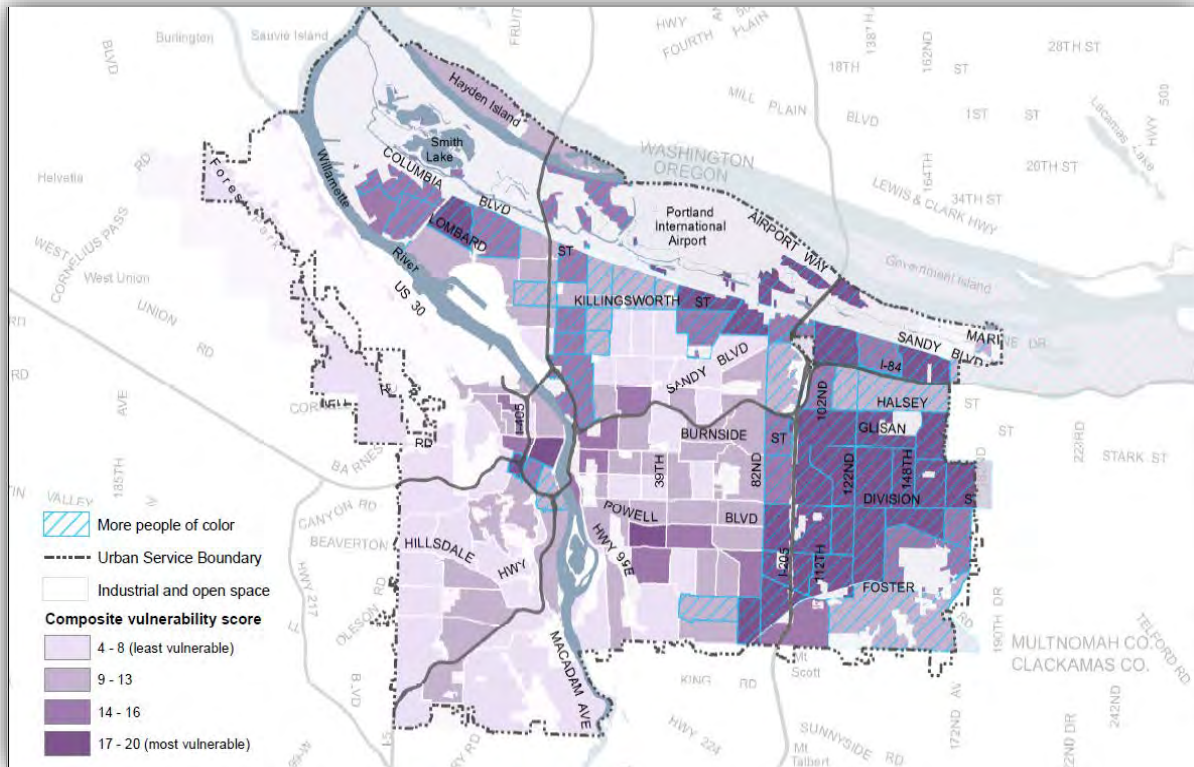
For example, Tract 75 (in the Cully Neighborhood):
 40.4% people of color (quintile score = 5),
 66.2% of people lacking a four-year degree (quintile score = 4),
 42.8% of households that were renters (quintile score = 3), and
 50.8% of households that were low-income (quintile score = 4).

Therefore, the composite vulnerability score for Tract 75 is
 $5 + 4 + 3 + 4 = 16$.

Quintile Share	Quintile Score
Share of people of color	
Up to 15.9%	1
16.0% to 19.7%	2
19.8% to 30.8%	3
30.9% to 39.7%	4
39.8% or more	5
Share of people without a four-year degree	
Up to 34.1%	1
34.2% to 44.1%	2
44.2% to 57.7%	3
57.8% to 76.9%	4
70.0% or more	5
Share of households that are renters	
Up to 25.5%	1
25.6% to 37.7%	2
37.8% to 47.2%	3
47.3% to 62.9%	4
63.0% or more	5
Share of households that are low-income	
Up to 29.3%	1
29.4% to 39.5%	2
39.6% to 46.4%	3
46.5% to 55.0%	4
55.1% or more	5

Because this analysis focuses specifically on people who are vulnerable to housing displacement, particularly communities of color, *Map 3: Composite Vulnerability Score, 2017* highlights the tracts that have higher shares of communities of color – those tracts scoring a 4 or 5 on the communities of color demographic variable above (tracts with a 30.9 percent or higher share of people of color).

Map 3: Composite Vulnerability Score, 2017



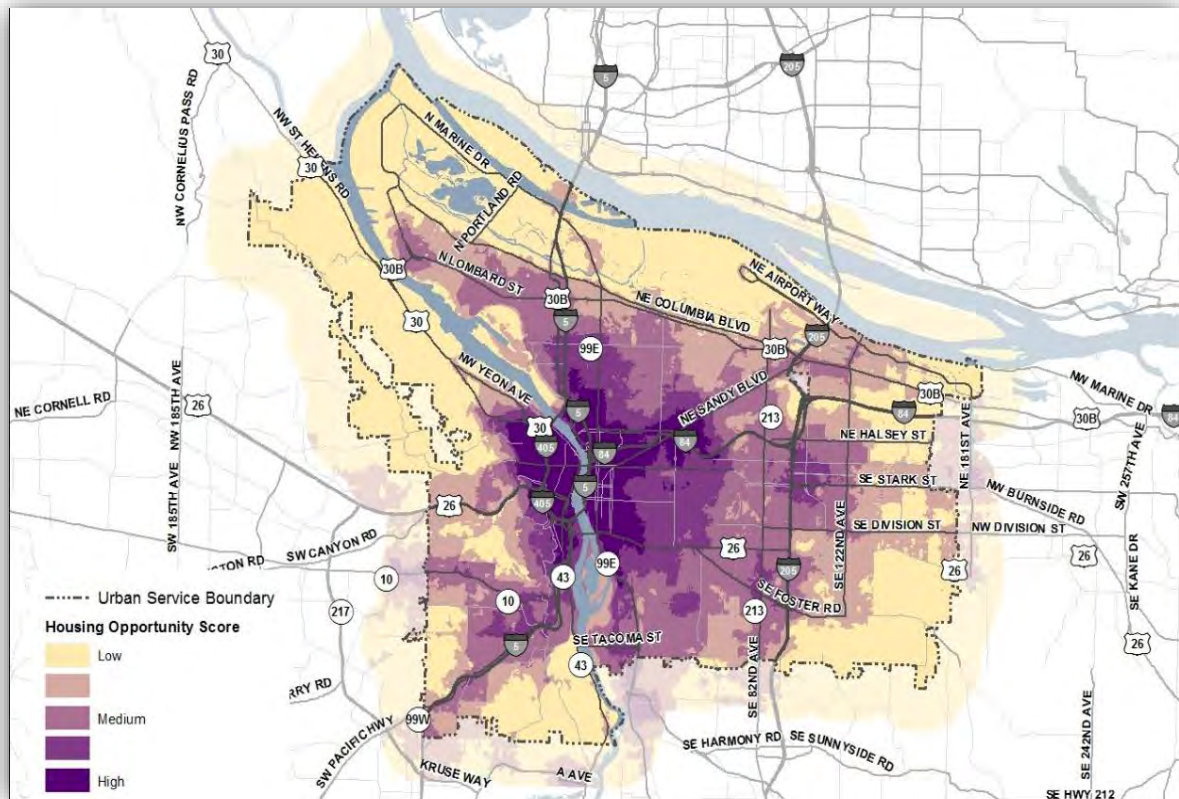
Opportunity Score

Access to opportunity is a measure of connectivity and proximity to amenities and services people need in their daily lives. Amenities and services used in this analysis include things like access to transit, family-wage jobs, grocery stores, daycare, social services and quality schools and parks. Increasing housing options in walkable neighborhoods near active transportation, employment centers, open spaces, high-quality schools and supportive services enhances quality of life and increases economic mobility for residents. The Portland Plan's Healthy Connected City Strategy and the Comprehensive Plan provide policy guidance to expand opportunities for Portlanders to live in high-opportunity neighborhoods that provide access to a mix of services and amenities.

Housing opportunity, displayed in *Map 4: Housing Opportunity Map*, is measured across the following five equally-weighted factors:

1. Childhood education: Weighted by achievement index of schools (60 percent), high school graduation rates (20 percent) and proximity to high-performing schools (20 percent)
2. Employment: Weighted by the density of family-wage jobs (55 percent), lower-wage industries (35 percent) and proximity to adult educational resources (10 percent)
3. Access to family-wage jobs: Weighted 100 percent by the number of family-wage jobs within 60 minutes using mass transit
4. Transportation: Weighted by proximity to transit (MAX, bus) and bike infrastructure (70 percent), density of sidewalks (20 percent) and density of curb cuts (10 percent)
5. Healthy eating/active living: Weighted by proximity to food sources like grocery stores and farmers' markets (50 percent), proximity to parks and natural areas (30 percent) and proximity to health care providers (20 percent)

Map 4: Housing Opportunity Map



Applying the Analysis to the ‘a’ Overlay Zone

While the Comprehensive Plan calls for increased housing options in high opportunity areas, it may not be desirable to put additional housing in low opportunity areas. These areas lack access to services, safe active transportation and transit connections, and they have poorer access to living-wage employment opportunities. Applying the ‘a’ overlay in these areas may increase the risk of displacement of a vulnerable population.

The displacement risk analysis started by looking at areas with a composite vulnerability score of 14 and higher. As shown on *Map 3: Composite Vulnerability Score, 2017*, many areas were identified.

Next, staff looked at census tracts with a low opportunity score, shown on *Map 4: Housing Opportunity Map*. Several areas were identified, including St. Johns (north of N Smith Street), Portsmouth, Cully (north of NE Prescott Street between Cully Boulevard And NE 82nd Avenue), East Portland (east of 122nd Avenue) and Brentwood-Darlington (south of SE Duke Street between SE 72nd Avenue and SE 82nd Avenue).

Conclusion. As a result of this analysis, the ‘a’ overlay zone is not proposed in high vulnerability/low opportunity areas. This includes areas in St. Johns, Portsmouth, Cully, and East Portland. In the vulnerability analysis, these areas scored high for the share of renters and people of color. Not applying the ‘a’ overlay to these areas is consistent with Comprehensive Plan policies to prevent displacement.

The eastern portion of Brentwood-Darlington is an exception. The ‘a’ overlay zone is proposed east of SE 72nd Avenue in Brentwood-Darlington, despite being identified as a high vulnerability/low opportunity area. This area is different from other high vulnerability areas in that there is a relatively high percentage of homeowners in single-dwelling areas. The census tract contains many renters because of the number of apartments in the area, which would not be impacted by this proposal. Homeowners are less likely to be displaced and may benefit from increased allowances for additional housing units. Therefore, this area was not removed from the ‘a’ overlay boundary.

Rezoning Historically Narrow Lots

Staff proposes to rezone some areas with concentrations of historically narrow lots from R5 to R2.5. Coupled with the Zoning Map amendment proposal are also amendments to the Comprehensive Plan Map. *Section 4: Analysis of Amendments* provides the background and analysis of these proposals. This section describes the methodology that was used to develop the map proposals.

The proposed rezoning from R5 to R2.5 was applied to the Zoning Map in four steps:

Step 1. Historically Narrow Lots in the New ‘a’ Overlay

As described in *Section 4: Analysis of Amendments*, recognizing historically narrow lots and allowing them to be developed is another way to provide for housing choice. Therefore, it made sense to begin with areas where policy calls for greater housing opportunity – the new ‘a’ overlay zone – and identify concentrations of historically narrow lots that were zoned R5 within the proposed overlay boundary.

Staff identified these areas by reviewing plats citywide. Single historically narrow lots or small areas with few historically narrow lots were not included. Plats with historically narrow lots are randomly located throughout the city with a high concentration in North and Northeast Portland, less in Southeast Portland and almost none in the east and west areas of the city.⁶ These lots created the “pool” of lots to start with. Of the approximately 14,400 historically narrow lots in the city, 11,700 (or 81 percent) are in the ‘a’ overlay.

Step 2. Proximity to Centers and Corridors

While additional housing opportunity in the right areas is a City goal, the pace of change and the concentration of change can be alarming to community members. Because we expect development on easily developed fee-simple R2.5 lots to be faster than other development proposed in the ‘a’ overlay, the rezoning proposal does not include all the historically narrow lots in the ‘a’ overlay. Rather, the rezoning proposal is limited to a two- to three-block proximity to:

- Gateway Regional Center, Town Centers and Neighborhood Centers
- Frequent bus lines, MAX light rail stations and streetcar stops
- Neighborhood amenities such as parks, community centers and schools
- Commercial zoning and neighborhood commercial uses

⁶ There are small pockets of historically narrow lots in the West Portland Park area and in Linnton. However, since 2003, these lots have had larger lot size requirements, based on infrastructure and natural hazard constraints.

Step 3. Physical Factors

In addition, the presence of the following factors weighed *favorably* towards rezoning:

- **Alley access.** Alley access provides greater flexibility and better design of houses on narrow lots.
- **Consistent zoning pattern.** Where adjacent areas were zoned R2.5 or a higher-intensity zoning designation, the R2.5 zone provides for a logical transition to lower-intensity zones.

The presence of the following factors weighed *unfavorably* towards rezoning:

- **Discontinuous and unclear zoning patterns.** Creating inconsistent zoning patterns (for example, R2.5 leapfrogging across other zones or creating islands of isolated R2.5 zones) was avoided.
- **Public land.** Publicly-owned properties that are in public use were not weighed favorably.
- **Site constraints.** Areas with a high number of unimproved streets, poor connectivity or stormwater or topography issues were not weighed favorably.

Step 4. Equity Lens

These proposed zone changes will allow development of more historically narrow lots with fee-simple housing options. Where development occurs, this can potentially displace existing renters but also provides benefits to homeowners in these areas. The equity lens was applied to the rezoning proposal but did not change the outcome.

Nexus with the Additional Housing Opportunity overlay zone. Consistent with the reasons for adjusting the boundary of the new ‘a’ overlay, described above, historically narrow lots that were outside the proposed overlay zone were excluded from further consideration. This incorporates strategies that were applied to avoid areas with higher risk of displacement.

Consideration of demographic factors. Staff examined the proportion of renters and communities of color in census block groups that coincided with areas where rezones are proposed. The table below shows that the rezoned areas do not disproportionately affect any racial or ethnic group, as compared to the citywide average.

Comparison of citywide race/ethnicity composition to proposed rezones

	White	Black/African American	American Indian/Alaskan Native	Asian-American	Pacific Islander	Other race	Two or more races	Latino/Hispanic
Citywide	71.59%	5.62%	0.57%	7.43%	0.56%	0.25%	4.10%	7.73%
Rezones	74.18%	4.83%	0.66%	6.72%	0.69%	0.29%	4.36%	8.27%

Consideration of geography. The platting pattern and the concentration of historically narrow lots in certain areas of the city predate modern zoning, and their location is an artifact of history. Regardless, staff examined whether the rezone proposals affected one part of the city more than another. This is not to say that there is equal distribution of these lots by neighborhood.

The table below shows the geographic distribution of historically narrow lots citywide, how many are in the proposed ‘a’ overlay and how many are proposed to be rezoned. Unsurprisingly, East and West pattern areas have the fewest historically narrow lots, while North has the most. However, within the new ‘a’ overlay, Northeast has the highest number of historically narrow lots. In fact, 100 percent of the historically narrow lots in Northeast are in the ‘a’ overlay.

	Narrow lots citywide	Narrow lots in ‘a’ overlay	% of narrow lots in ‘a’ overlay	Narrow lots proposed to be rezoned	% of narrow lots citywide proposed to be rezoned	% of narrow lots in overlay proposed to be rezoned
North	5,878	3,622	62%	2,269	39%	63%
West	447	158	35%	27	6%	17%
Northeast	4,567	4,567	100%	2,697	59%	59%
East	262	262	100%	170	65%	65%
Southeast	3,281	3,131	95%	1,984	60%	63%
Total	14,435	11,740	81%	7,147	50%	61%

The table shows that out of 14,435 historically narrow lots in the city, half – 7,147 – are proposed to be rezoned.

It also shows that the rezones are proposed for about two-thirds of the narrow lots in the new ‘a’ overlay zone in all parts of the city, except for the West pattern area. This is also not surprising, as most of the historically narrow lots in West are located in West Portland Park, an area with steep slopes, unpaved streets and considerable infrastructure constraints.

Conclusion

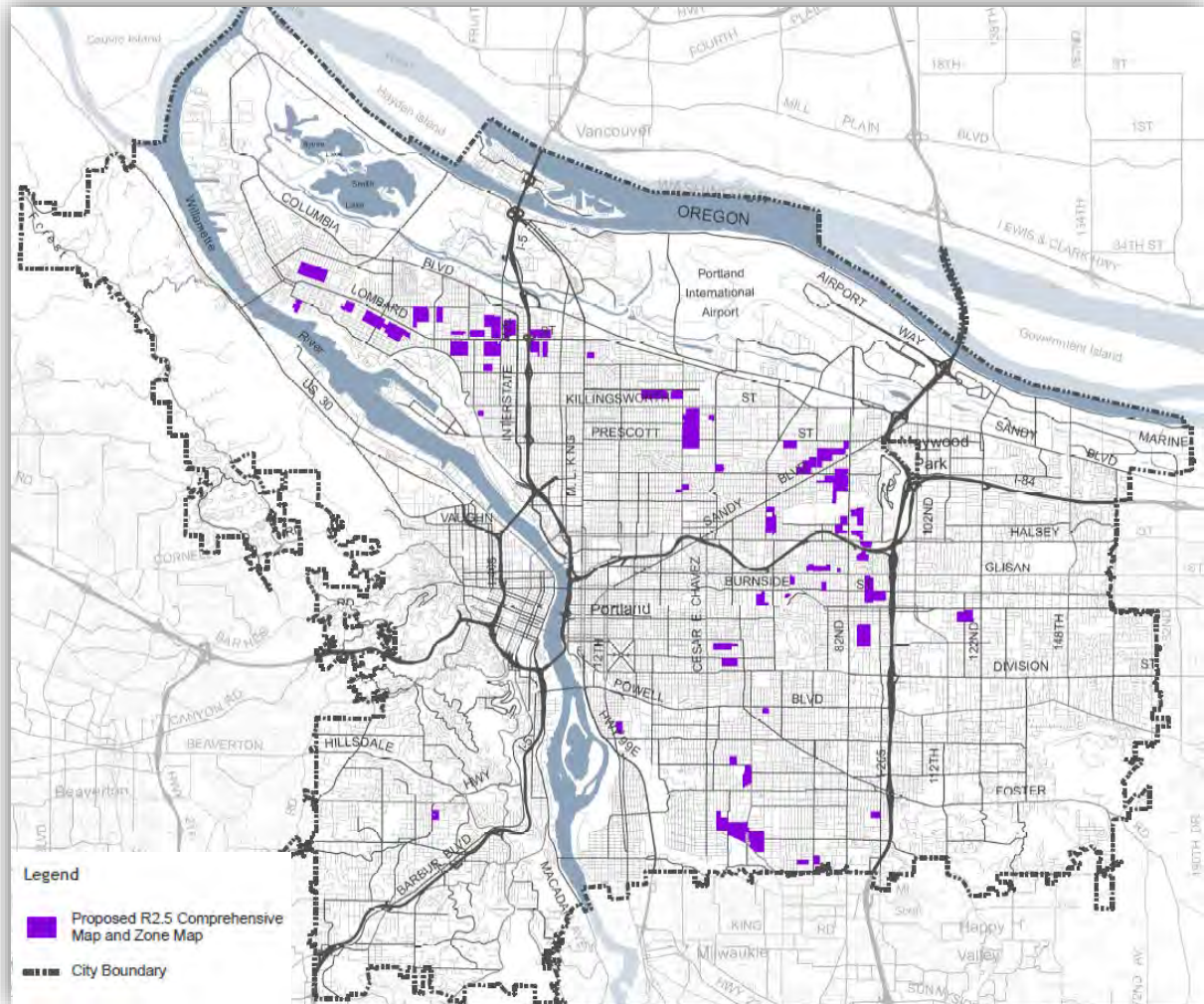
This proposal amends the Comprehensive Plan and rezones about half – 7,147 out of 14,435 – of the historically narrow lots in the city from R5 to R2.5. The rezones are proposed in areas with the most convenient access to services and where physical barriers and site constraints are not present. The proposal does not disproportionately affect one racial or ethnic group more than another. Finally, about two-thirds of the historically narrow lots in the ‘a’ overlay is proposed to be rezoned to R2.5 in each quadrant of the city, except West.

While the proposed ‘a’ overlay would allow a duplex on these lots, rezoning them provides for the opportunity for these properties to be easily divided and for two attached houses to be built.

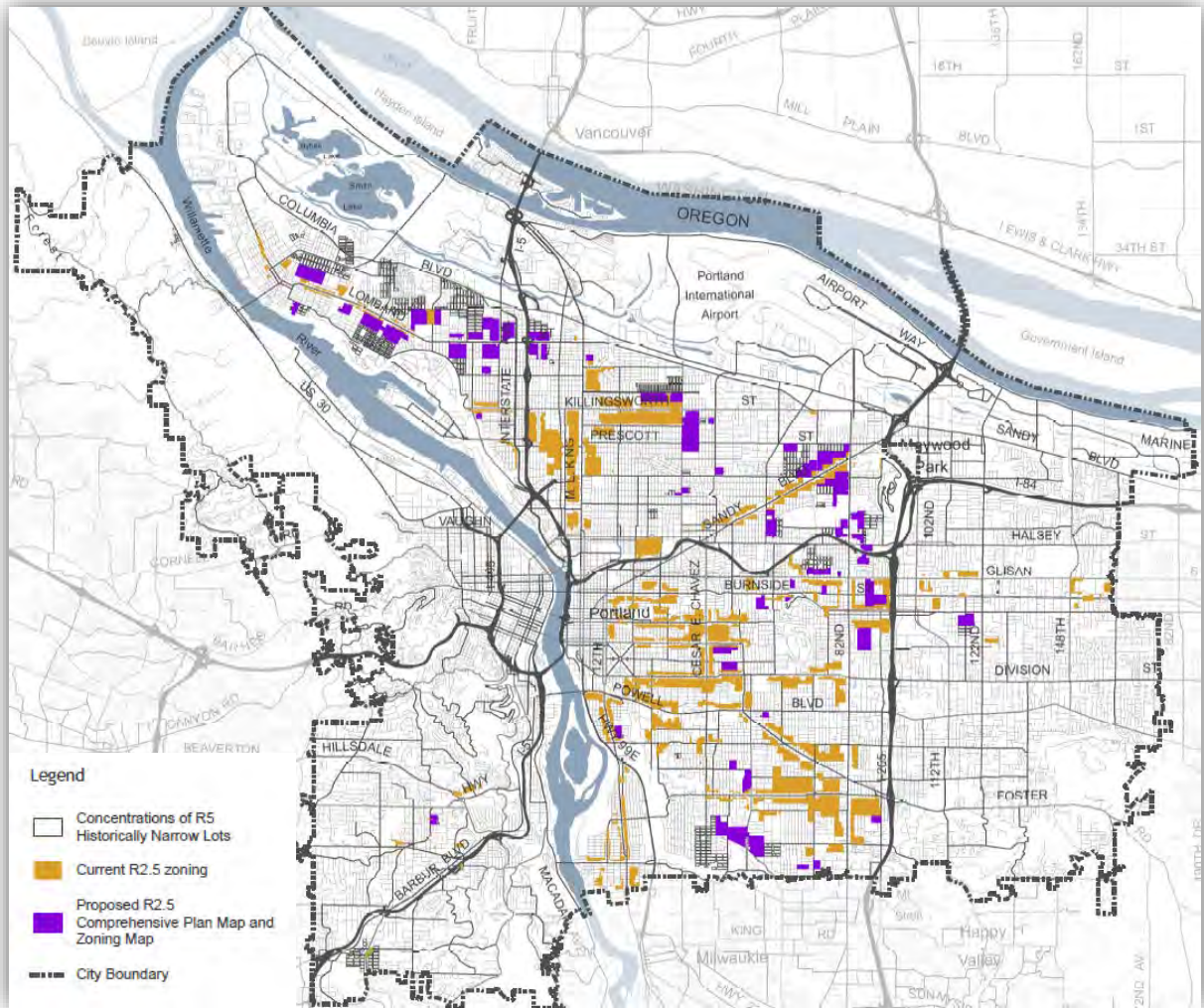
Staff Proposal

The outcome of these four steps is shown on *Map 5: Proposed Comprehensive Plan Map and Zoning Map Changes (R5 to R2.5)*. *Map 6: Rezoning Historically Narrow Lots* shows the proposed rezones in context with other current R2.5 zoning and the distribution of historically narrow lot plats throughout the city.

Map 5: Proposed Comprehensive Plan Map and Zoning Map Changes (R5 to R2.5)



Map 6: Rezoning Historically Narrow Lots



Removing the Current 'a' Overlay Zone

Proposal

These map amendments remove the current 'a' overlay for all zones citywide. Concurrently, the code is being amended to delete the provisions of the current 'a' overlay (see *Section 6: Zoning Code Amendments* in Volume 2).

Background

The current Alternative Design Density overlay zone (also abbreviated as the 'a' overlay and to be replaced with the new Additional Housing Opportunity overlay zone [new 'a' overlay]) was adopted with the Albina Community Plan in 1993 and was later expanded to apply to areas in Lents, Powellhurst-Gilbert and Sellwood. In single-dwelling zones the 'a' overlay offered an additional dwelling unit in the form of an internal or detached accessory dwelling unit (ADU), attached residential units on vacant lots and flag lot development options in the R2.5 zone. Design review, with the option of using Community Design Standards as an alternative to discretionary design review, was required for these additional units.

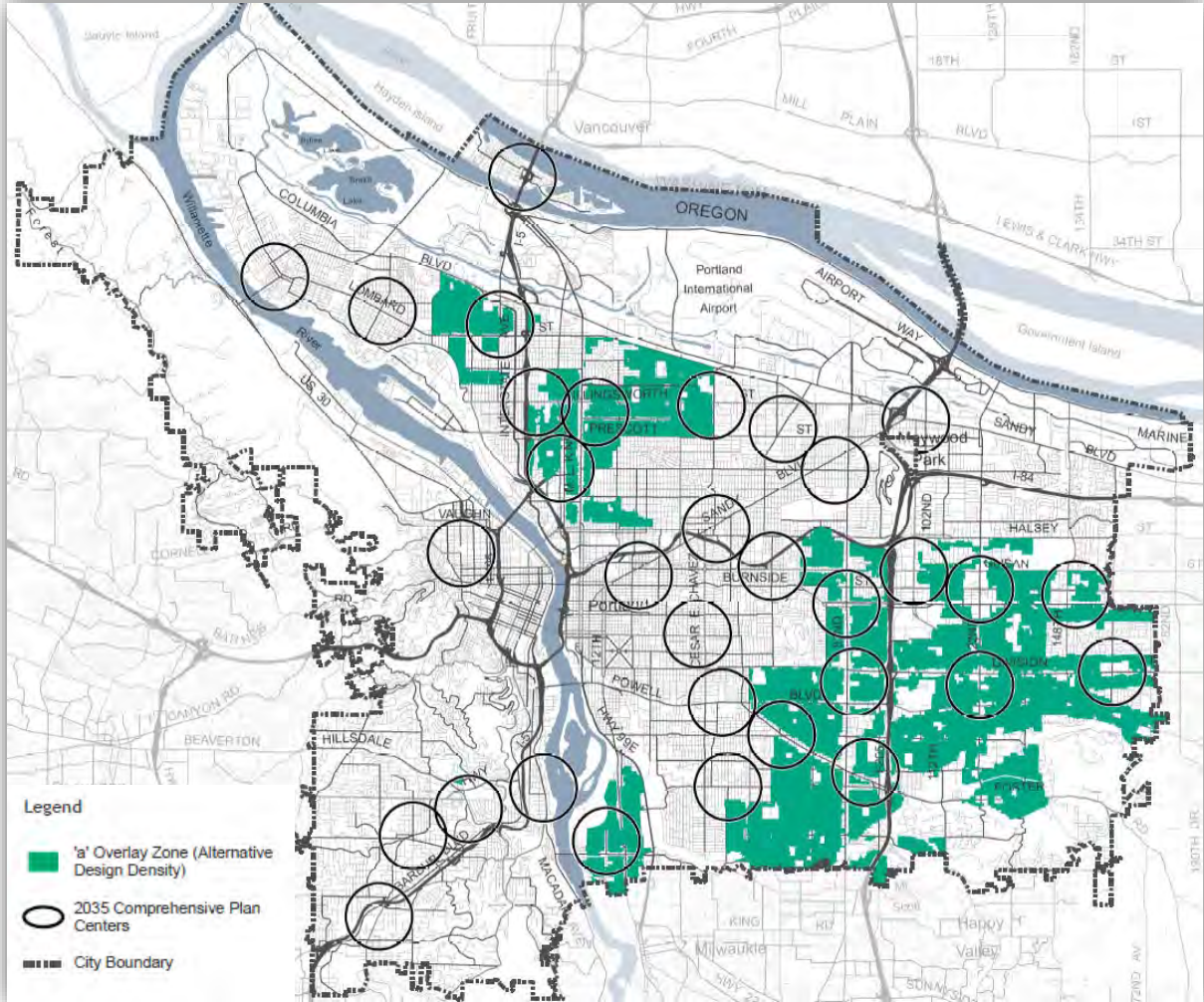
In the intervening years since the current 'a' overlay zone was established, many of the original provisions have been incorporated into the base zone regulations. The provisions that remain in the current 'a' overlay have not been well-utilized. In fact, of the nearly 45,000 properties in the overlay zone, staff estimates that fewer than 250 properties have used the 'a' overlay provisions.¹ This was in large part due to the requirements for design review, and later due to the incorporation of similar allowances in the base zones, where design review was not required.

In addition, the location of the current 'a' overlay is inconsistent with the 2035 Comprehensive Plan growth strategy for a variety of reasons. Also, the current 'a' overlay is applied to properties where there are no corresponding regulations, either because the regulations have been removed (e.g., in R10) or the base zoning on the parcel changed from a residential zone to a zone that did not have corresponding regulations in the 'a' overlay (e.g., mixed use and employment zones).

Staff Proposal

Map 7: Alternative Design Density Overlay Zone to be Removed shows where the current 'a' overlay will be removed.

Map 7: Alternative Design Density Overlay Zone to be Removed



Conclusion

These map amendments remove the current 'a' overlay for all zones citywide. Concurrently, the code is being amended to delete the provisions of the current 'a' overlay. Therefore, properties that have the current 'a' overlay (those in green on the map above), will no longer be able to increase their density using the provisions in the code today. For a list of those provisions, see Proposal #6 in *Section 4: Analysis of Amendments*.

Residential Infill Project

AN UPDATE TO PORTLAND'S
SINGLE-DWELLING ZONING RULES

DISCUSSION DRAFT
OCTOBER 2017

VOLUME 2: ZONING CODE AMENDMENTS

Comments due by November 20, 2017
See inside cover for more information



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For more information:

Visit the web: www.portlandoregon.gov/bps/infill

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Residential Infill Project Kickoff Meeting

Tuesday, October 10, 2017, 5 – 7:30 p.m.*

*Presentation starts at 6:30 p.m.

1900 Building, Room 2500

1900 SW 4th Avenue, 2nd floor

TriMet: Multiple bus, MAX and streetcar lines. Visit TriMet.org for more information

Drop-In Office Hours

East Wednesday, October 11, 2017 5 – 6 pm East Portland Neighborhood Office (EPNO) 1017 NE 117 th Avenue TriMet: Bus #25, #71 and #77	Northeast Monday, October 23, 2017 5 – 7 pm Central Northeast Neighborhoods (CNN) 4415 NE 87 th Avenue TriMet: Bus #12 and #71	North Thursday, November 2, 2017 5 – 7:30 pm Kenton Firehouse 8105 N Brandon Street TriMet: Bus #4, MAX Yellow Line
Northeast Thursday, October 19, 2017 5 – 7 pm Northeast Coalition of Neighborhoods (NECN) 4815 NE 7 th Avenue TriMet: Bus #6 and #72	Southwest Monday, October 30, 2017 5 – 7:30 pm Multnomah Arts Center 7688 SW Capitol Highway TriMet: Bus #44	Southeast Tuesday, November 7, 2017 5 – 7:30 pm Southeast Uplift (SEUL) 3534 SE Main Street TriMet: Bus #14, #15, #66 and #75

How to Comment

Comments on the Residential Infill Project **Discussion Draft** are directed to city staff as part of developing a proposal. Comments from the public and other parties will be used to inform the **Proposed Draft** that will be considered by the Planning and Sustainability Commission early next year. The public will have an opportunity for formal testimony on the **Proposed Draft**.

Your comments on this **Discussion Draft** are requested by:

5 p.m., Monday, November 20, 2017

Send your comments to:

Email: residential.infill@portlandoregon.gov

Mail: City of Portland Bureau of Planning and Sustainability
Attn: Residential Infill Project
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Project Website: www.portlandoregon.gov/bps/infill

Next Steps:



Proposed Draft: Based on *Discussion Draft* feedback, a *Proposed Draft* will be published in early 2018 for Planning and Sustainability Commission (PSC) consideration. At that time, the public will be invited to submit formal public testimony to the PSC, in writing or in person, at a public hearing in the winter of 2018. The Commission may amend the proposal and will subsequently vote to recommend the changes to Portland City Council. This is then called the *Recommended Draft*.

Recommended Draft: City Council will hold an additional public hearing and take formal public testimony on the *Recommended Draft*. The City Council may amend the *Recommended Draft* before they vote to adopt the plan. This will likely occur in Spring of 2018.

Table of Contents

Volume 2

Section 6: Zoning Code Amendments

33.110 Single-Dwelling Zones	6
33.205 Accessory Dwelling Units	108
33.218 Community Design Standards.....	112
33.251 Manufactured Homes and Manufactured Dwelling Parks	114
33.266 Parking, Loading, And Transportation And Parking Demand Management	116
33.270 Planned Development	120
33.281 Schools and School Sites	122
33.405 Additional Housing Opportunity Overlay Zone.....	124
33.563 Northwest Hills Plan District	134
33.564 Pleasant Valley Plan District.....	148
33.610 Lots in RF through R5 Zones	150
33.611 Lots in the R2.5 Zone	154
33.654 Rights of Way	158
33.676 Lot Confirmation	160
33.677 Property Line Adjustment.....	166
33.825 Design Review	172
33.854 Planned Development Review.....	178
33.900 List of Terms.....	184
33.910 Definitions.....	186
33.930 Measurements.....	194

This section presents staff-proposed zoning code amendments. The section is formatted to facilitate readability by showing draft code amendments on the right-hand pages and explanatory commentary on the facing left-hand pages. The table of contents provides page numbers for each affected chapter of the zoning code. The “crosswalk table” on the following page provides a cross reference between the core proposals in the Residential Infill Project and where those code changes appear in this document.

Note about the amendments shown in this version of the zoning code:

The amendments shown in this draft reflect changes that have already been adopted as part of the “2035 Comprehensive Plan Early Implementation Projects.” Those adopted amendments are scheduled to go into effect January 1, 2018 and are available online for viewing:

www.portlandoregon.gov/bps/article/641579

Proposal	Summary of change	Code reference
SCALE OF HOUSES		
Limit the size of houses	New floor to area (FAR) standard Accessory structure FAR Floor area defined	33.110.215; 33.110.250.C.3 33.910
Revise height measurement	Measure from lowest point Reduced height for detached house in R2.5 Dormer projection	33.930 Table 110-3 33.110.220.C.2
Improve setbacks	Increased setback in R2.5 and R5 Setback matching Fence location and height Parking area locations Measuring setback matching	Table 110-3 33.110.225.D.2 33.110.280.C.1. 33.930 33.266.C.1
Improve articulation	2' eave projections Limit above grade stairs Large building façade articulation	33.110.225.C.2 33.110.240.E 33.110.240.D
HOUSING OPPORTUNITY		
Allow more housing types	2 ADUs, Duplex, Triplex Additional FAR for Triplex	33.405.050
Age-friendly housing	Visitability standards	33.405.060
Historic preservation	Incentives and limitations for historic resources	33.405.070
Affordability	One bonus unit for 80% MFI units	33.405.080
Cottage clusters	Allow ADUs in single-site planned developments Add open space and circulation criteria Do not count ADUs for density Reduce Type III review to Type IIx	33.205.020.C 33.854.310.F&G. 33.205.050 33.854.200.C
NARROW LOTS		
Substandard R5 lots	Primary structures not allowed on substandard R5 lots Lot confirmation process Property line adjustment not allowed to make an unbuildable lot buildable	33.110.210 & Table 110-6 33.676 33.677.100.B
Revise rules for narrow lots	Require attached houses on 25' wide lots Limit height of detached house	33.110.260.C.1 33.110.260.C.2
Revise parking rules	No required parking Restrict at-grade garages Provide a tuck under garage exception Require alley access	33.110.260.C.3 33.110.255.D.3 33.110.260.C.4 33.110.260.C.3
Improvements to the R2.5 zone	Require 2 units on 5,000 s.f. and larger lots Allow property line adjustments to create flag lots to encourage housing retention Apply size limits and design standards Reduce lot width for attached houses in land divisions	33.110.205 33.677.100 & 33.677.300.C. 33.110.265.C.2. 33.611.200.C.2

Commentary

33.110 Single-Dwelling Zones

The chapter is being reorganized and renumbered.

These changes:

- Reorganize the order of sections so that general development standards are located toward the front of the chapter, followed by additional standards, alternative development options, institutions, and fences and retaining walls (sections that are less frequently referred to)
- Remove sections that solely referenced other regulations (i.e. Trees, Demolitions, Nuisances, Nonconforming Development, Signs)
- Add a section for required housing types in the R2.5 zone, i.e. two-unit minimum on 5,000 square foot and larger size lots (33.110.205)
- Add a new section for Floor Area Ratios (33.110.215)
- Move the relevant parking and loading standards into Additional Development Standards for Narrow Lots, (33.110.260)
- Revise rules that previously applied to historically narrow lots and substandard sized lots created before July 26, 1979 to a new section "Additional Development Standards for Narrow Lots
- Move flag lot provisions from Alternative Development Options into a new section "Additional Development Standards for Flag Lots", (33.110.265)

References are updated in the remainder of the zoning code as applicable.

33.110 Single-Dwelling Zones

110

Sections:

General

- 33.110.010 Purpose
- 33.110.020 List of the Single-Dwelling Zones
- 33.110.030 Other Zoning Regulations

Use Regulations

- 33.110.100 Primary Uses
- 33.110.110 Accessory Uses
- ~~33.110.120 Nuisance-Related Impacts~~

Development Standards

- 33.110.200 Housing Types Allowed
- 33.110.205 Housing Types Required
- 33.110.210~~33.110.212~~ When Primary Structures are Allowed
- 33.110.215 Floor Area Ratios
- 33.110.220~~33.110.215~~ Height
- 33.110.225~~33.110.220~~ Setbacks
- 33.110.230~~33.110.225~~ Building Coverage
- ~~33.110.227~~ Trees
- 33.110.235~~33.110.230~~ Main Entrances in R10 through R2.5 Zones
- 33.110.240~~33.110.232~~ Street-Facing Facades in R10 through R2.5 Zones
- 33.110.245~~33.110.235~~ Required Outdoor Areas
- 33.110.250 Detached Accessory Structures
- 33.110.255~~33.110.253~~ Additional Development Standards for Garages
- 33.110.260~~33.110.213~~ Additional Development Standards for Narrow Lots and Lots of Record
Created Before July 26, 1979
- 33.110.265 Additional Development Standards for Flag Lots
- 33.110.270~~33.110.240~~ Alternative Development Options
- 33.110.275~~33.110.245~~ Institutional Development Standards
- 33.110.280~~33.110.255~~ Fences
- 33.110.285~~33.110.257~~ Retaining Walls
- ~~33.110.260~~ Demolitions
- ~~33.110.270~~ Nonconforming Development
- 33.110.275 Parking and Loading
- ~~33.110.280~~ Signs

General

33.110.010 Purpose

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

Commentary

No changes this page

- A. Use regulations.** The use regulations are intended to create, maintain and promote single-dwelling neighborhoods. They allow for some non-household living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.
- B. Development standards.** The development standards preserve the character of neighborhoods by providing six different zones with different densities and development standards. The development standards work together to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The site development standards allow for flexibility of development while maintaining compatibility within the City's various neighborhoods. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. The development standards are generally written for houses on flat, regularly shaped lots. Other situations are addressed through special regulations or exceptions.

33.110.020 List of the Single-Dwelling Zones

The full names, short names, and map symbols of the single-dwelling residential zones are listed below. When this Title refers to the single-dwelling zones, it is referring to the six zones listed here. When this Title refers to the residential zones, or R zones, it is referring to both the single-dwelling zones in this chapter and the multi-dwelling zones in Chapter 33.120. The Residential Farm/Forest zone is intended to generally be an agricultural zone, but has been named Residential Farm/Forest to allow for ease of reference.

Full Name	Short Name/Map Symbol
Residential Farm/Forest	RF
Residential 20,000	R20
Residential 10,000	R10
Residential 7,000	R7
Residential 5,000	R5
Residential 2,500	R2.5

33.110.030 Other Zoning Regulations

The regulations in this chapter state the allowed uses and development standards for the base zones. Sites with overlay zones, plan districts, or designated historical landmarks are subject to additional regulations. The Official Zoning Maps indicate which sites are subject to these additional regulations. Specific uses or development types may also be subject to regulations in the 200s series of chapters.

Use Regulations

33.110.100 Primary Uses

- A. Allowed uses.** Uses allowed in the single-dwelling zones are listed in Table 110-1 with a "Y". These uses are allowed if they comply with the development standards and other regulations of this Title. Being listed as an allowed use does not mean that a proposed use will be granted an adjustment or other exception to the regulations of this Title. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters.

Commentary

Footnotes are renumbered so that they align with the order that they appear in the table.

B. Limited uses. Uses allowed that are subject to limitations are listed in Table 110-1 with an "L". These uses are allowed if they comply with the limitations listed below and the development standards and other regulations of this Title. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters. The paragraphs listed below contain the limitations and correspond with the footnote numbers from Table 110-1.

110. Retail Sales and Service. This regulation applies to all parts of Table 110-1 that have note [~~110~~]. Retail plant nurseries are a conditional use.
26. Manufacturing And Production. This regulation applies to all parts of Table 110-1 that have note [26]. Utility Scale Energy Production from large wind turbines is a conditional use in the RF zone. All other Manufacturing And Production uses are prohibited.
35. Basic Utilities. This regulation applies to all parts of Table 110-1 that have note [35].
- a. Basic Utilities that service a development site are accessory uses to the primary use being served.
 - b. Small Scale Energy Production that provides energy for on-site or off-site use are considered accessory to the primary use on the site. Installations that sell power they generate-at retail (net, metered) or wholesale-are included. However, they are only considered accessory if they generate energy from biological materials or byproducts from the site itself, or conditions on the site itself; materials from other sites may not be used to generate energy. The requirements of Chapter 33.262, Off Site Impacts must be met.
 - c. All other Basic Utilities are conditional uses.
41. Community Service Uses. This regulation applies to all parts of Table 110-1 that have note [41]. Most Community Service uses are regulated by Chapter 33.815, Conditional Uses. Short term housing and mass shelters have additional regulations. ~~in~~ See Chapter 33.285. ~~Short Term Housing and Mass Shelters.~~
52. Parks And Open Areas. This regulation applies to all parts of Table 110-1 that have note [52]. Parks And Open Areas uses are allowed by right. However, certain accessory uses and facilities which are part of a Parks And Open Areas use require a conditional use review. These accessory uses and facilities are listed below.
- a. Swimming pools.
 - b. Cemeteries, including mausoleums, chapels, and similar accessory structures associated with funerals or burial.
 - c. Golf courses, including club houses, restaurants and driving ranges.
 - d. Boat ramps.
 - e. Parking areas.
 - f. Recreational fields for organized sports. Recreational fields used for organized sports are subject to the regulations of Chapter 33.279, Recreational Fields for Organized Sports.

Commentary

33.110.100. B.8 Agriculture in R10 and R7 zones. Added statement about footnote for consistency with other paragraphs.

33.110.100. B.9. Agriculture in R5 and R2.5 zones. Revised the reference for clarity ("it" could be referring to the use or the site).

- ~~63.~~ Daycare. This regulation applies to all parts of Table 110-1 that have note [~~63~~]. Daycare uses are allowed by right if locating within a building ~~which~~that contains or contained a College, Medical Center, School, Religious Institution, or a Community Service use.
7. Agriculture in RF and R20 zones. This regulation applies to all parts of Table 110-1 that have note [7]. Agriculture is an allowed use. Where the use and site meet the regulations of Chapter 33.237, Food Production and Distribution, the applicant may choose whether it is allowed as a Market Garden.
8. Agriculture in R10 and R7 zones. This regulation applies to all parts of Table 110-1 that have note [8]. Agriculture is a conditional use. Where the use and site meet the regulations of Chapter 33.237, Food Production and Distribution, the applicant may choose whether it is allowed as a Market Garden, which does not require a conditional use.
9. Agriculture in R5 and R2.5 zones. This regulation applies to all parts of Table 110-1 that have note [9]. If the use and site do not meet the regulations of Chapter 33.237, Food Production and Distribution, ~~it~~Agriculture is prohibited.
- ~~104.~~ Radio Frequency Transmission Facilities. This regulation applies to all parts of Table 110-1 that have note [~~104~~]. Some Radio Frequency Transmission Facilities are allowed by right. See Chapter 33.274.

C. Conditional uses.

1. Table 110-1. Uses ~~which~~that are allowed if approved through the conditional use review process are listed in Table 110-1 with a "CU". These uses are allowed provided they comply with the conditional use approval criteria for that use, the development standards, and other regulations of this Title. Uses listed with a "CU" that also have a footnote number in the table are subject to the regulations cited in the footnote. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters. The conditional use review process and approval criteria are stated in Chapter 33.815, Conditional Uses.
2. Accessory short-term rentals. Accessory short-term rentals are accessory uses that may require a conditional use review. See Chapter 33.207.

- D. Prohibited uses.** Uses listed in Table 110-1 with an "N" are prohibited. Existing uses in categories listed as prohibited may be subject to the regulations of Chapter 33.258, Nonconforming Uses And Development.

33.110.110 Accessory Uses

Accessory uses to a primary use are allowed if they comply with all development standards. Accessory home occupations, accessory dwelling units, and accessory short-term rentals have specific regulations in Chapters 33.203, 33.205, and 33.207 respectively.

Commentary

33.110.120 Nuisance-Related Impacts

Removed references that are not regulatory and only refer to other titles of City code.

Table 110-1

Numbers in Table 110-1 have been reordered to reflect the order that they appear in the table (and correspond to the revisions to the previous notes in 33.110.100).

33.110.120 Nuisance-Related Impacts

- A. ~~Off-site impacts.~~** All nonresidential primary and accessory uses must comply with the standards of Chapter ~~33.262, Off-Site Impacts.~~
- B. ~~Vehicles.~~** The regulations for operable vehicles and for vehicle service and repair are stated in ~~33.266.150, Vehicles in Residential Zones.~~ The open accumulation and storage of inoperable, neglected, or discarded vehicles is regulated by Section ~~29.20.010 of Title 29, Property and Maintenance Regulations.~~
- C. ~~Animals.~~** Nuisance-type impacts related to animals are regulated by Title 13, Animals. Title 13 is enforced by the County Health Officer.
- D. ~~Other nuisances.~~** Other nuisances are regulated by Section ~~29.20.010 of Title 29, Property and Maintenance Regulations.~~

Table 110-1 Single-Dwelling Zone Primary Uses						
Use Categories	RF	R20	R10	R7	R5	R2.5
Residential Categories						
Household Living	Y	Y	Y	Y	Y	Y
Group Living	CU	CU	CU	CU	CU	CU
Commercial Categories						
Retail Sales And Service	L [<u>110</u>]	L [<u>110</u>]	L [<u>110</u>]	L [<u>110</u>]	L [<u>110</u>]	L [<u>110</u>]
Office	N	N	N	N	N	N
Quick Vehicle Servicing	N	N	N	N	N	N
Vehicle Repair	N	N	N	N	N	N
Commercial Parking	N	N	N	N	N	N
Self-Service Storage	N	N	N	N	N	N
Commercial Outdoor Recreation	N	N	N	N	N	N
Major Event Entertainment	N	N	N	N	N	N
Industrial Categories						
Manufacturing And Production	CU [<u>26</u>]	N	N	N	N	N
Warehouse And Freight Movement	N	N	N	N	N	N
Wholesale Sales	N	N	N	N	N	N
Industrial Service	N	N	N	N	N	N
Bulk Fossil Fuel Terminal	N	N	N	N	N	N
Railroad Yards	N	N	N	N	N	N
Waste-Related	N	N	N	N	N	N

Commentary

Table 110-1

Numbers were updated to be in numerical order

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

Table 110-1 Single-Dwelling Zone Primary Uses						
Use Categories	RF	R20	R10	R7	R5	R2.5
Institutional Categories						
Basic Utilities	L/CU <u>[35]</u>	L/CU <u>[35]</u>	L/CU <u>[35]</u>	L/CU <u>[35]</u>	L/CU <u>[35]</u>	L/CU <u>[35]</u>
Community Service	CU <u>[41]</u>	CU <u>[41]</u>	CU <u>[41]</u>	CU <u>[41]</u>	CU <u>[41]</u>	CU <u>[41]</u>
Parks And Open Areas	L/CU <u>[52]</u>	L/CU <u>[52]</u>	L/CU <u>[52]</u>	L/CU <u>[52]</u>	L/CU <u>[52]</u>	L/CU <u>[52]</u>
Schools	CU	CU	CU	CU	CU	CU
Colleges	CU	CU	CU	CU	CU	CU
Medical Centers	CU	CU	CU	CU	CU	CU
Religious Institutions	CU	CU	CU	CU	CU	CU
Daycare	L/CU <u>[63]</u>	L/CU <u>[63]</u>	L/CU <u>[63]</u>	L/CU <u>[63]</u>	L/CU <u>[63]</u>	L/CU <u>[63]</u>
Other Categories						
Agriculture	L [7]	L [7]	L/CU [8]	L/CU [8]	L [9]	L [9]
Aviation And Surface Passenger Terminals	CU	N	N	N	N	N
Detention Facilities	N	N	N	N	N	N
Mining	CU	N	N	N	N	N
Radio Frequency Transmission Facilities	L/CU <u>[104]</u>	L/CU <u>[104]</u>	L/CU <u>[104]</u>	L/CU <u>[104]</u>	L/CU <u>[104]</u>	L/CU <u>[104]</u>
Railroad Lines And Utility Corridors	CU	CU	CU	CU	CU	CU

Y = Yes, Allowed

L = Allowed, But Special Limitations

CU = Conditional Use Review Required

N = No, Prohibited

Notes:

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [] are stated in 33.110.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

Development Standards

33.110.200 Housing Types Allowed

- A. Purpose.** Housing types are limited in the single-dwelling zones to maintain the overall image and character of the City's single-dwelling neighborhoods. However, the regulations allow options to increase housing variety and opportunities, and to promote affordable and energy-efficient housing.
- B. Housing types.** The kinds of housing types allowed in the single-dwelling zones are stated in Table 110-2.

Commentary

Table 110-2

Deleted "Attached Duplexes" throughout the code:

Attached Duplexes are currently allowed through a planned development in single-dwelling zones and as an Alternative Development Option in multi-dwelling zones. The state building code treats these dwellings as commercial structures, and includes provisions that make it difficult for these housing types to be constructed. Attached Duplexes are a very rare development type, built in the 1970's and 1980' under earlier versions of state building codes. There have been no recent attached duplex applications.

Added reference to "Multi-dwelling development":

Multi-dwelling development includes multiple housing types built on a single site, such as multiple detached single-dwellings. This is already allowed in single dwelling zones with a planned development (see current code section 33.638.100.E or the 2018 adopted code section 33.270.100.E). The change here just clarifies and aligns with the planned development chapter. Also the chapter reference is revised to reflect the new Planned Development Review chapter location (moved with prior Task 5 Comp plan project - effective in 2018)

33.110.205 Housing Types Required

On R2.5-zoned sites that are at least 5,000 square feet, a new single house will not be allowed to be built. Instead, either a duplex or a house with an accessory dwelling unit (ADU) will be required. Existing houses on 5,000 square foot or larger R2.5 lots will become nonconforming, but allowed to be rebuilt within 5 years when damaged or destroyed by fire. New primary structures on sites that are vacant or where a house was intentionally demolished will be required to be built as a house with an ADU, or as duplex.

This change is related to the mapping proposals to rezone areas with historically platted lots from R5 to R2.5. Many of these sites are currently 5,000 square feet but are comprised of multiple underlying lots. The intent of the rezone is to provide additional zoning capacity for additional housing units. This provision limits 1:1 house demolition/replacements on these sites, while not requiring a land division to build two units.

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

Table 110-2 Housing Types Allowed In The Single-Dwelling Zones						
Housing Type	RF	R20	R10	R7	R5	R2.5
House	Yes	Yes	Yes	Yes	Yes	Yes
Attached house (See 33.110. 240 <u>270</u> .C, E & H <u>G</u> , and 33.110.260)	No	Yes	Yes	Yes	Yes	Yes
Accessory dwelling unit (See 33.205)	Yes	Yes	Yes	Yes	Yes	Yes
Duplexes: On corners (See 33.110. 240 <u>270</u> .E)	No	Yes	Yes	Yes	Yes	Yes
On transitional lots (See 33.110. 240 <u>H 270</u> .G)	No	Yes	Yes	Yes	Yes	Yes
Other situations (See 33.110. 240 <u>270</u> .D)	No	No	No	No	No	Yes
Manufactured home (See Chapter 33.251)	Yes	Yes	Yes	Yes	Yes	Yes
Manufactured Dwelling park	No	No	No	No	No	No
Houseboat (See Chapter 33.236)	Yes	Yes	Yes	Yes	Yes	Yes
Single Room Occupancy (SRO) units	No	No	No	No	No	No
Attached Duplexes	Only in Planned Developments, See Chapter 33.638.					
Group structure	Only when in conjunction with an approved conditional use.					
Multi-dwelling structure	Only in Planned Developments, See Chapter <u>33.270</u> 33.638					
<u>Multi-dwelling development</u>	<u>Only in Planned Developments, See Chapter 33.270</u>					

Yes = allowed; No = prohibited.

33.110.205 Housing Types Required

- A. Purpose.** Certain housing types are required in the R2.5 zone to ensure that larger sites are not underutilized. The regulation prevents a one for one replacement of dwelling units on a site that is intended for at least two units. Requiring two dwelling units on these larger sites accommodates an additional household with minimal impact to the character of the R2.5 zone.
- B. Housing types required.** In the R2.5 zone two dwelling units are required on a site that is 5,000 square feet or larger. The dwelling units can be configured as a duplex, a house with accessory dwelling unit, attached house with accessory dwelling unit, or a manufactured home with accessory dwelling unit.

Commentary

33.110.210 Updated section numbering

See NEW Chapter 33.676 for provisions relating to lot confirmation procedures

33.110.21033-110.212 When Primary Structures are Allowed

- A. Purpose.** The regulations of this section allow for development of primary structures on lots and lots of record, but do not legitimize plots that were divided after subdivision and partitioning regulations were established. The regulations also allow development of primary structures on lots that were large enough in the past, but were reduced by condemnation or required dedications for right-of-way.
- B. Adjustments.** Adjustments to this section are prohibited.
- C. Primary structures allowed.** In all areas outside the West Portland Park Subdivision, primary structures are allowed as follows:
1. On lots created on or after July 26, 1979;
 2. On lots created through the Planned Development or Planned Unit Development process;
 3. On lots, lots of record, lot remnants, or combinations thereof that have not abutted a lot, lot of record, or lot remnant under the same ownership on July 26, 1979 or any time since that date;~~;~~
 4. On lots, lots of record, lot remnants, or combinations thereof created before July 26, 1979 that meet the requirements of Table 110-6;~~;~~
 5. Primary structures are allowed on lots, lots of record, lot remnants, and combinations thereof that did meet the requirements of Table 110-6 in the past but were reduced below those requirements solely because of condemnation or required dedication by a public agency for right-of-way; or~~;~~
 6. On lots, lots of record, lot remnants, and combinations thereof zoned R20 that met the requirements of Table 110-6 in the past but no longer meet the requirements solely due to a zone change effective on January 1, 2018.
- D. Regulations for West Portland Park.** In the West Portland Park subdivision, primary structures are allowed as follows:
1. On lots created on or after July 26, 1979;
 2. On lots, lots of record, lot remnants, or combinations thereof that have not abutted a lot, lot of record, or lot remnant under the same ownership on July 26, 1979 or any time since that date;
 3. On lots, lots of record, lot remnants, or combinations thereof created before July 26, 1979, that meet the requirements of this paragraph. The requirements are:
 - a. R7 zone. In the R7 zone, the lot, lot of record, lot remnant or combinations thereof must be at least 7,000 square feet in area;
 - b. R5 zone. In the R5 zone, the lot, lot of record, lot remnant or combinations thereof must be at least 5,000 square feet in area; or
 - c. R2.5 zone. In the R2.5 zone, the lot, lot of record, lot remnant or combinations thereof must meet the requirements of Table 110-6;~~;~~

Commentary

Table 110-6

In the R5 zone, lots, lots of record, adjusted lots and lot remnants will be required to be 36' wide and 3,000 square feet minimum in area to allow a primary structure. Previous provisions that allowed for narrower or smaller lot dimensions when the site has been vacant for 5 years have been removed.

The property line adjustment regulations were also changed so that combination Lot Confirmation/Property Line Adjustments cannot occur concurrently to make a buildable lot from a lot that is not independently "confirmable"

Note [1] was deleted since the standards for lots and adjusted lots are now the same

Note [2] was deleted since this provision had to do with sites that had a dwelling unit on it in the last 5 years. This provision is no longer a threshold for confirming a lot.

Note [3] was renumbered and amended to allow a lot that has been maintained under separate ownership or is in the process of being confirmed under the rules prior to the enactment of these changes.

Note [4] was renumbered.

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

- 4. Primary structures are allowed on lots, lots of record, lot remnants and combinations thereof that did meet the requirements of D.2, above, in the past but were reduced below those requirements solely because of condemnation or required dedication by a public agency for right-of-way.
- E. **Plots.** Primary structures are prohibited on plots that are not lots, lots of record, lot remnants, or tracts.
- F. **Nonconforming situations.** Existing development and residential densities that do not conform to the requirements of this chapter may be subject to the regulations of Chapter 33.258, Nonconforming Situations, ~~which Chapter 33.258~~ also includes regulations regarding damage to or destruction of nonconforming situations.

Table 110-6		
Minimum Lot Dimension Standards for Lots, Adjusted Lots, Lots of Record, and Lot Remnants Created Prior to July 26, 1979 [1]		
RF through R5RZ Zones		
Lots, including Adjusted Lots [1]	36 feet wide and meets the minimum lot area requirement of Table 610-2. [2][4]	
Lot Remnants		
Lots of Record		
R5-Zone		
Lots, including Adjusted Lots [1, 3]	If the lot has had a dwelling unit on it in the last five years or is in an environmental zone [2]	3000 sq. ft. and 36 ft. wide [4]
	If the lot has not had a dwelling unit on it within the last five years and is not in an environmental zone	2400 sq. ft. and 25 ft. wide [4]
	If the lot was approved through a property line adjustment under 33.667.300.A.1.d.	1600 sq. ft. and 36 ft. wide [4]
Lot Remnants [3]		3000 sq. ft. and 36 ft. wide [4]
Lots of Record [1, 3]		3000 sq. ft. and 36 ft. wide [4]
R2.5 Zone		
Lots, including Adjusted Lots [1]	1600 sq. ft.	
Lot Remnants		
Lots of Record		

Notes:

[1] If the property is both an adjusted lot and a lot of record, the site may meet the standards for adjusted lots.

[2] Primary structures are allowed if the site has had a dwelling unit on it within the last five years that has been demolished as a public nuisance under the provisions of Chapter 29.40.030 or 29.60.080. The site is exempt from minimum lot dimension standards.

[3] Primary structures are allowed on a site if it has been under a separate tax account number from abutting lots or lots of record on April 24, 2010 or an application was filed with the City before April 24, 2010 authorizing a separate tax account and the site has been under separate tax account from abutting lots or lots of record by April 24, 2011. The site is exempt from minimum lot dimension standards.

[1] Primary structures are allowed when a lot, adjusted lot, lot remnant, lot of record or combinations thereof does not meet the standards of this table but has been under separate ownership from abutting lots before [EFFECTIVE DATE OF THIS ORDINANCE] or when a lot confirmation was issued by the City before [6 MONTHS FROM THE EFFECTIVE DATE OF THIS ORDINANCE].

[2]4- Lot width for a flag lot is measured at the midpoint of the flag portion of the lot.

Commentary

Table 110-3

The addition of Floor Area Ratio (FAR) limits for the R7, R5, and R2.5 zones was created to be the principle tool for reducing the maximum size allowed for houses. The following table shows comparisons of maximum building sizes for the three zones on "standard" and minimum size lots. The maximum house size and FAR is calculated for the current code by multiplying maximum building coverage by the number of stories allowed (3 in R7 and R5, 3.5 in R2.5) and dividing by the lot size.

Standard Lot	R7 - 7000 s.f. lot	R5 - 5,000 s.f. lot	R2.5 - 2,500 s.f. lot
Current Code max size*	7,650 (FAR 1.1:1)	6,750 (FAR 1.35:1)	4,375 (FAR 1.75:1)
Proposed Code max size	2,800 (FAR 0.4:1)	2,500 (FAR 0.5:1)	1,750 (FAR 0.7:1)
Minimum Lot	R7 - 4200 s.f. lot	R5 - 3,000 s.f. lot	R2.5 - 1,600 s.f. lot
Current Code max size*	5,850 (FAR 1.4:1)	4,500 (FAR 1.5:1)	2,800 (FAR 1.75:1)
Proposed Code max size	1,680 (FAR 0.4:1)	1,500 (FAR 0.5:1)	1,120 (FAR 0.7:1)

* Floor area ratios are not currently used in the single-dwelling zones, but have been calculated here based on current height and building coverage regulations for comparison.

Additional floor area is provided for detached accessory structures on lots to encourage detached garages, accessory dwelling units (ADUs), while reducing the mass of the primary structure. See 33.110.250, Detached Accessory Structures

Floor area is not counted for floors located at least 4 feet below grade (basements) or attic space where the ceiling height is less than 80 inches (the minimum height required for habitable space by the building code). See also amended definition of Floor Area (33.910)

33.110.215 Floor Area Ratios

FARs are effective tools for regulating the overall bulk of a structure while providing reasonable flexibility in siting, style, and design. Buildings with more floors will have smaller footprints, which increase outdoor area and yard space, but more floors can increase shadowing and reduce privacy on adjacent lots. Buildings that are single level will have larger footprints that reduce yard space, but improve privacy for adjacent lots. The proposed FARs were calculated with consideration of building coverage limits to encourage smaller building footprints and larger outdoor areas. The proposed FARs also encourage compatibility with adjacent existing houses.

33.110.215.C

An exception to floor area limits is provided for existing houses (those built before this ordinance goes into effect) to allow modest additions (200 s.f. or less) that exceed the FAR limits. A 5-year period is included to limit serial alterations. This reduces complexity for the applicant because demonstrating compliance would require showing the interior layout and dimensions of the entirety of a house, not just the proposed addition. That can result in a significant amount of work when the information is not already available. However, since full plan sets of houses built today are kept with city permit records, information can be readily retrieved in the future to ensure that subsequent alterations to new houses conform to FAR limits.

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

Table 110-3 Summary of Development Standards In Single-Dwelling Zones							
Standard	RF	R20	R10	R7	R5	R2.5 detached attached See 33.110.240.C <u>33.110.270.C</u>	
<u>Maximum FAR</u> (See 33.110.215;	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>0.4 to 1</u>	<u>0.5 to 1</u>	<u>0.7 to 1</u>	<u>0.7 to 1</u>
Maximum Height (See 33.110. 220 215)	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	35 ft. 30 ft.	35 ft.
Minimum Setbacks							
- Front building setback	20 ft.	20 ft.	20 ft.	15 ft.	10 ft. <u>15 ft.</u>	10 ft. <u>15 ft.</u>	10 ft. <u>15 ft.</u>
- Side building setback	10 ft.	10 ft.	10 ft.	5 ft.	5 ft.	5 ft.	0/5 ft.
- Rear building setback	10 ft.	10 ft.	10 ft.	5 ft.	5 ft.	5 ft.	5 ft.
- Garage entrance setback (See 33.110. 225 220)	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.
Required Outdoor Area							
- Minimum area	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	200 sq. ft.
- Minimum dimension (See 33.110. 245 235)	12 ft. x 12 ft.	12 ft. x 12 ft.	12 ft. x 12 ft.	12 ft. x 12 ft.	12 ft. x 12 ft.	12 ft. x 12 ft.	10 ft. x 10 ft.

33.110.215 Floor Area Ratios

- A. Purpose.** Floor area ratio (FAR) works with height, setback, and building coverage requirements to control the overall bulk and placement of buildings. FAR standards ensure that the bulk of a building on one lot does not overwhelm development on adjacent lots. Additionally, the standards help define the character of the different zones by establishing higher limits for the more intensely developed zones.
- B. Maximum FAR standard.** Maximum floor area ratios are stated in Table 110-3. Additional floor area is allowed for detached accessory structures. See 33.110.250.C.3.
- C. Exception.** Maximum FAR does not apply to one 200 square foot addition to a primary structure built prior to [INSERT EFFECTIVE ORDINANCE DATE HERE]. This exception is allowed once every 5 years.

Commentary

33.110.220.B.2. Exceptions

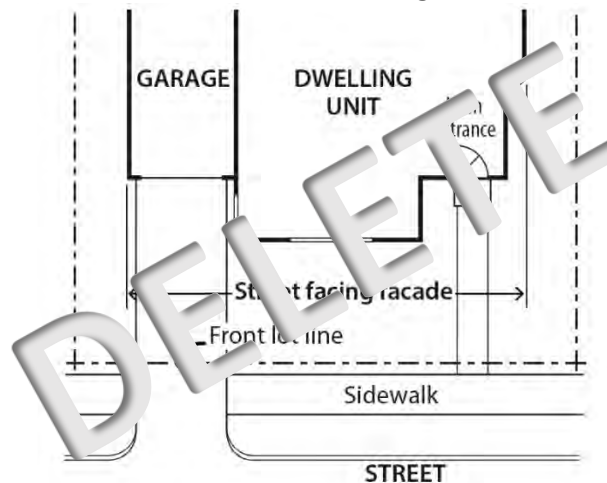
Standards for all narrow lots have been consolidated and amended, and are now in section 33.110.260, Additional Development Standards for Narrow Lots

Figure 110-1 was moved to 33.110.260 Additional Development Standards for Narrow Lots

33.110.220215 Height

- A. Purpose.** The height standards serve several purposes:
- They promote a reasonable building scale and relationship of one residence to another;
 - They promote options for privacy for neighboring properties; and
 - They reflect the general building scale and placement of houses in the city's neighborhoods.
- B. Maximum height.** ~~1. Generally.~~ The maximum height allowed for all structures is stated in Table 110-3. ~~The maximum height standard for institutional uses is stated in 33.110.245, Institutional Development Standards.~~ The maximum height standards for detached accessory structures are stated in 33.110.250, Detached Accessory Structures. The maximum height allowed on lots, lots of record, or combinations thereof that are less than 36 feet wide is stated in 33.110.260, Additional Development Standards for Narrow Lots. The maximum height for structures on flag lots less than 3,000 square feet in area is stated in 33.110.265, Additional Standards for Flag Lots. The maximum height standard for institutional uses is stated in 33.110.275, Institutional Development Standards.
- ~~2. Exceptions.~~
- ~~a. R10-R5 zones. The maximum height for all primary structures on new narrow lots in the R10 to R5 zones is 1.2 times the width of the structure, up to the maximum height limit listed in Table 110-3; and~~
- ~~b. R2.5 zone. The maximum height for all primary structures on new narrow lots in the R2.5 zone is 1.5 times the width of the new structure, up to the maximum height limit listed in Table 110-3.~~
- ~~— For the purposes of this Paragraph, width is the length of the street-facing facade of the dwelling unit. See Figure 110-1. Modifications are allowed through Planned Development Review, see Chapter 33.638, Planned Development. Adjustments to this paragraph are prohibited.~~

Figure 110-1
Width of Street-Facing Facade



Commentary

33.110.220.C. Exceptions to Maximum Height.

Changes to the way height is calculated are included in Chapter 33.930 Measurements. Currently, on a gable roof the midpoint of the "highest gable" is used to measure the top. Dormers can be used to extend a full floor above the height limit, provided the ridge of the dormer is below the top of the gable (making it not the "highest gable"). The new height measurement method identifies the "top" of a building as the roof that yields the highest reference point. On a house with a dormer, the shed roof of the dormer would be measured to the highest point (the apex of the dormer shed roof).

Dormers can provide additional useable space, and help add interest and variety to otherwise blank roof masses. The proposed exception is intended to allow dormer projections but constrain them so that they remain a secondary roof mass, and not an extension of the entire floor as a way of circumventing the height limit (see comparison below)

Complies with exception to height standard

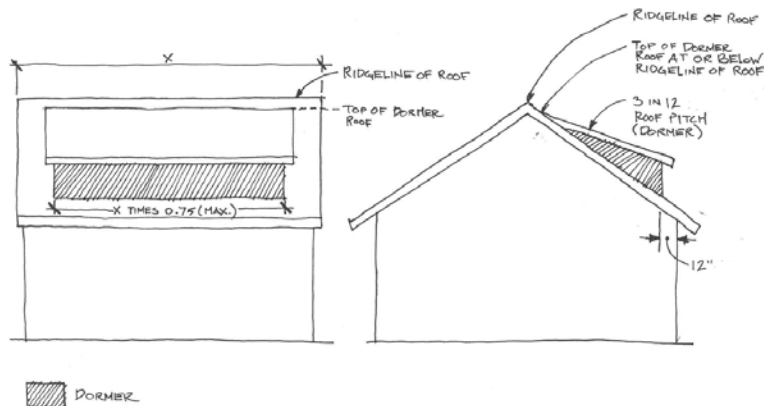
Would not meet dormer standard



Credit: finehomebuilding.com



Credit: pro.homeadvisor.com



33.110.220.D. Alternative height limits for steeply sloping lots.

Additional clarity was included as to how to measure the average street grade. This uses the elevations at each of the property corners (as opposed to the sidewalk, street centerline, or somewhere else).

Paragraph 3 was added to clarify that an applicant may choose which alternative height method to apply when a site is a corner lot or through lot and can be sloping both uphill from one street, while downhill from the other adjoining street.

C. Exceptions to the maximum height.

1. Chimneys, flag poles, satellite receiving dishes and other similar items attached to a building, with a width, depth, or diameter of 3 feet or less may extend above the height limit, as long as they do not exceed 5 feet above the top of the highest point of the roof. If they are greater than 3 feet in width, depth, or diameter, they are subject to the height limit.
2. Dormers may extend above the height limit when the following are met:
 - a. The roof of the dormer has a pitch of at least 3 in 12 and no part of the dormer extends above the ridgeline of the roof.
 - b. The walls of the dormer are set back at least 12 inches from the plane of any exterior wall of the floor below.
 - c. The width of the dormer is not more than 75 percent of the width of the underlying roof.
- ~~3~~2. Farm buildings associated with an agricultural use, such as silos and barns are exempt from the height limit as long as they are set back from all lot lines, at least one foot for every foot in height.
- ~~4~~3. Antennas, utility power poles, and public safety facilities are exempt from the height limit.
- ~~5~~4. Small wind turbines are subject to the standards of Chapter 33.299.
- ~~6~~5. Roof mounted solar panels are not included in height calculations, and may exceed the maximum height limit if the following are met:
 - a. For flat roofs or the horizontal portion of mansard roofs, they may extend up to 5 feet above the top of the highest point of the roof.
 - b. For pitched, hipped or gambrel roofs, they must be mounted no more than 12 inches from the surface of the roof at any point, and may not extend above the ridgeline of the roof. The 12 inches is measured from the upper side of the solar panel.

D. Alternative height limits for steeply sloping lots.

1. Downhill slope from street. On lots that slope downhill from the street with an average slope of 20 percent or greater, the height limit is the higher of either 23 feet above the average grade of the street measured at the property corners on the street lot line, or the normal height limit calculated as stated in Chapter 33.930, Measurements. In addition, the alternative height and setback standards of Subsection 33.110.~~225~~220.D apply.
2. Uphill slope from the street. On lots that slope uphill from the street with an average slope of 20 percent or greater the alternative height and setback standards of Subsection 33.110.220.D apply.
3. On lots that slope uphill from one street and downhill from another street, and where the average slope is 20 percent or greater, the applicant may choose either D.1 or D.2.

Commentary

33.110.225.C. Extensions into required building setbacks.

The change to allow greater eave projections into required setbacks helps improve the relationship of eave proportion to the building height and width. The amendment provides for a static 2-foot dimension rather than a percentage of setback allowance to account for the different size setbacks in the single dwelling zones. For example, allowing eaves to project 40 percent into side yard setbacks in the R5 zone would accomplish 2-foot-deep eaves, while 40 percent into a 15 foot front yard setback is 6 feet.

Incidentally, a 3-foot distance from lot lines is the minimum required before additional building code regulations for fire protecting eaves are triggered

33.110.225220 Setbacks

A. Purpose. The setback regulations for buildings and garage entrances serve several purposes:

- They maintain light, air, separation for fire protection, and access for fire fighting;
- They reflect the general building scale and placement of houses in the city's neighborhoods;
- They promote a reasonable physical relationship between residences;
- They promote options for privacy for neighboring properties;
- They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;
- They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and
- They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

B. Required setbacks. The required setbacks for buildings and garage entrances are stated in Table 110-3. The walls of the garage structure are subject to the front, side, and rear building setbacks stated in Table 110-3. The minimum setbacks for institutional uses are stated in 33.110.245. Other setbacks may apply to specific types of development or situations.

C. Extensions into required building setbacks.

1. The following features of a building may extend into a required building setback up to 20 percent of the depth of the setback. However, the feature must be at least three feet from a lot line:
 - a. ~~Eaves, e~~Chimneys, fireplace inserts and vents, mechanical equipment, and fire escapes;
 - b. Water collection cisterns and stormwater planters that do not meet the standard of Paragraph C.~~32~~;
 - c. Decks, stairways, wheelchair ramps and uncovered balconies that do not meet the standards of Paragraph C.~~32~~; and
 - d. Bays and bay windows that meet the following requirements:
 - (1) Each bay and bay window may be up to 12 feet long, but the total area of all bays and bay windows on a building facade cannot be more than 30 percent of the area of the facade;
 - (2) At least 30 percent of the area of each bay which faces the property line requiring the setback must be glazing or glass block;
 - (3) Bays and bay windows must cantilever beyond the foundation of the building; and
 - (4) The bay may not include any doors.
2. Building eaves may project up to 2 feet into a required setback, provided the eave is at least three feet from a lot line.

Commentary

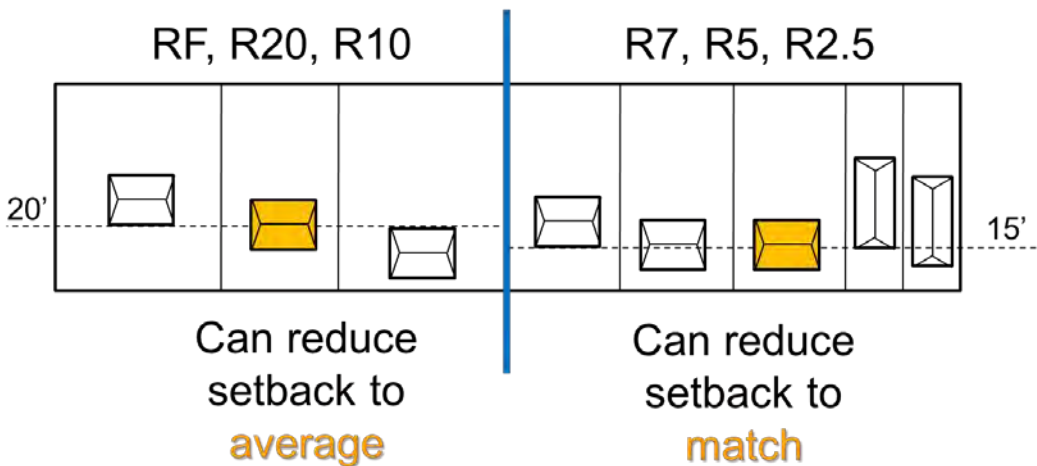
33.110.225 D.1 and D.2 Exceptions to the required setbacks

The setback in R2.5 and R5 was increased from 10 to 15 feet (consistent with the current R7 zone). The setback in these zones was reduced from fifteen feet in 1991. Since then, some homes have been built at the smaller setback and project in front of the established setback pattern of other homes on the street. A new exception has been added that will allow houses to reduce the front setback to match the setback of a house on either side if the house is built to the smaller setback. This enables new development to reinforce the pattern of existing homes along the street where those setbacks are already less than 15 feet.

In R10, R20, and RF zones the established building line is less critical since the lots are larger and space between houses is greater. In these cases, a gradual transition from one house to another is more reasonable. Therefore, in these zones the setback averaging provision (using the average of the front setbacks on both abutting lots) is applied.

Allowances to reduce garage entrance setbacks were removed due to visibility and safety concerns along with the increased potential that cars would park across sidewalks. Reductions to garage setbacks may still be requested through an Adjustment review which can consider compatibility while also mitigating for these potential impacts.

Together, these provisions reinforce front setback patterns that are visually consistent with adjacent houses.



32. The following minor features of a building may extend into the entire required building setbacks:
- a. Utility connections attached to the building that are required to provide services such as water, electricity, and other similar utility services;
 - b. Gutters and downspouts that drain stormwater off a roof of the structure;
 - c. Stormwater planters that are no more than 2-1/2 feet above the ground;
 - d. Water collection cisterns that are 6 feet or less in height;
 - e. Attached decks, stairs and ramps that are no more than 2-1/2 feet above the ground. However, stairways and wheelchair ramps that lead to one entrance on the street-facing façade of a building are allowed to extend into the required setback from a street lot line regardless of height above ground; and
 - f. On lots that slope down from the street, vehicular or pedestrian entry bridges that are no more than 2-1/2 feet above the average sidewalk elevation.
43. Detached accessory structures. The setback standards for detached accessory structures, including detached mechanical equipment, are stated in 33.110.250. Fences are addressed in 33.110.255. Detached accessory dwelling units are addressed in Chapter 33.205.

D. Exceptions to the required setbacks.

1. Setback averaging. In the RF, R20, and R10 zones, the~~The~~ front building setback, ~~garage entrance setback,~~ and the setback of decks, balconies, and porches may be reduced to the average of the respective setbacks on the abutting lots. See Chapter 33.930, Measurements, for more information.
2. Front setback matching. In the R7, R5, and R2.5 zones, the front building setback and the setback of decks, balconies, and porches may be reduced to match the respective setback on either abutting lot if the lot is in the same base zone. See Chapter 33.930, Measurements, for more information.
32. Flag lots. The lot in front of a flag lot may reduce its side building setback along the flag pole lot line to 3 feet. Eaves may be within 2 feet of the flag pole lot line. All other setback requirements remain the same.
43. Environmental zone. The front building and garage entrance setback may be reduced to zero where any portion of the site is in an environmental overlay zone. Where a side lot line is also a street lot line the side building and garage entrance setback may be reduced to zero. All other provisions of this Title apply to the building and garage entrance.

Commentary

33.110.225 D.5 Steeply Sloping Lots

The changes in subparagraphs b. and c. removed the reference to specific zones. Previously R5 and R2.5 were differentiated since the front setback was less than in R7 through RF zones; however, now that all single-dwelling zone setbacks are greater than 10 feet, specific references to zones is not needed.

The references to see Figure 110-2 and 110-3 are only needed in subparagraph c, since both a. and b. point to c.

54. Steeply sloping lots. This provision applies to lots ~~which~~that slope up or down from the street with an average slope of 20 percent or greater. See Chapter 33.930, Measurements, for more information on how to measure average slope.
- a. ~~In the RF, R20, R10, and R7 zones, the~~The front building setback for the dwelling may be reduced to 10 feet. However, the height limitations of subparagraph c. below apply. ~~See Figures 110-2 and 110-3.~~
 - b. ~~In all single dwelling residential zones, the~~The front building setback for the garage wall and/or ~~the~~ garage entrance setback may be reduced to five feet. However, the height limitations of c. below apply. ~~See Figures 110-2 and 110-3.~~
 - c. Height limitation. The height limit in the area of the reduced setback is lowered one foot for every foot of reduced setback. See Figures 110-2 and 110-3.
65. Established building lines. The front, side, or rear building setback for the primary structure may be reduced for sites with existing nonconforming development in a required setback. The reduction is allowed if the width of the portion of the existing wall of the primary structure within the required setback is at least 60 percent of the width of the respective facade of the existing primary structure. The building line created by the nonconforming wall serves as the reduced setback line. Eaves associated with the nonconforming wall may extend the same distance into the reduced setback as the existing eave. However, side or rear setbacks may not be reduced to less than 3 feet in depth and eaves may not project closer than 2 feet to the side or rear property line. See Figure 110-4. This reduced setback applies to new development that is no higher than the existing nonconforming wall. For example, a second story could not be placed up to the reduced setback line if the existing nonconforming wall is only one story high.
76. Split zoning. No setbacks are required from an internal lot line that is also a zoning line on sites with split zoning.
87. Land divisions with existing development. In the R7, R5, and R2.5 zones, the following setback reductions are allowed when proposed as part of a land division:
- a. The minimum setback between an existing building and a side lot line along a proposed right-of-way dedication or street tract may be reduced to three feet;
 - b. When a dedication of public right-of-way along the frontage of an existing street is required as part of a land division, the minimum front or side setback between an existing building and a lot line that abuts the right-of-way may be reduced to zero. Future additions or development must meet required minimum setbacks.
 - c. Eaves on an existing building may extend one foot into the reduced setback allowed by D.87.a. or b. above, except they may not extend into the right-of-way.
98. Alley. No side, rear, or garage entrance setback is required from a lot line abutting an alley.

Commentary

In Figure 110-2, the reduced setback for dwelling now applies to all zones (see 33.110.225.D.5). The reference to (RF-R7 only) is deleted.

Language to be **added** is underlined>
Language to be **deleted** is shown in ~~strikethrough~~

Figure 110-2
Exceptions To Front Building Setback And Garage Entrance Setback—Downhill

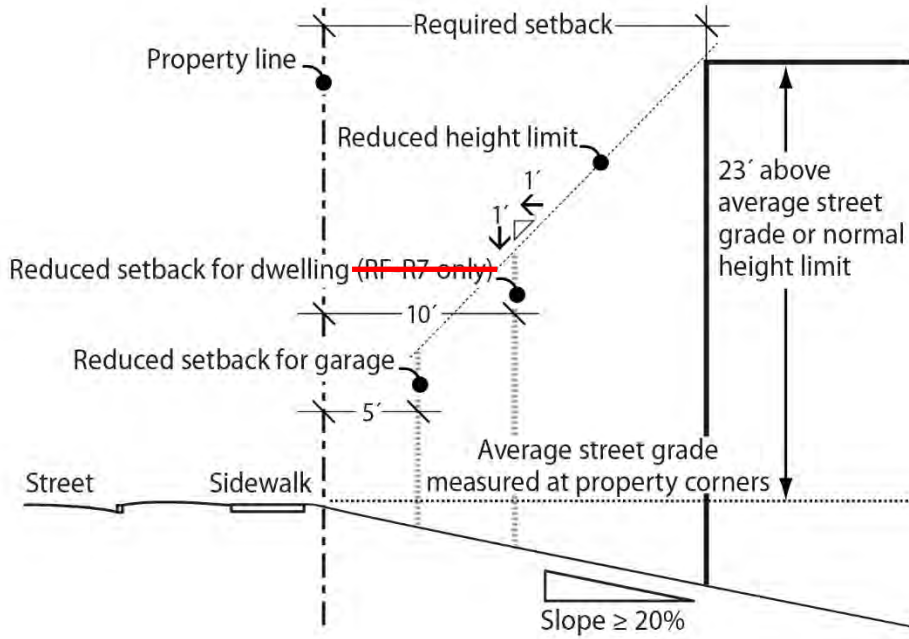
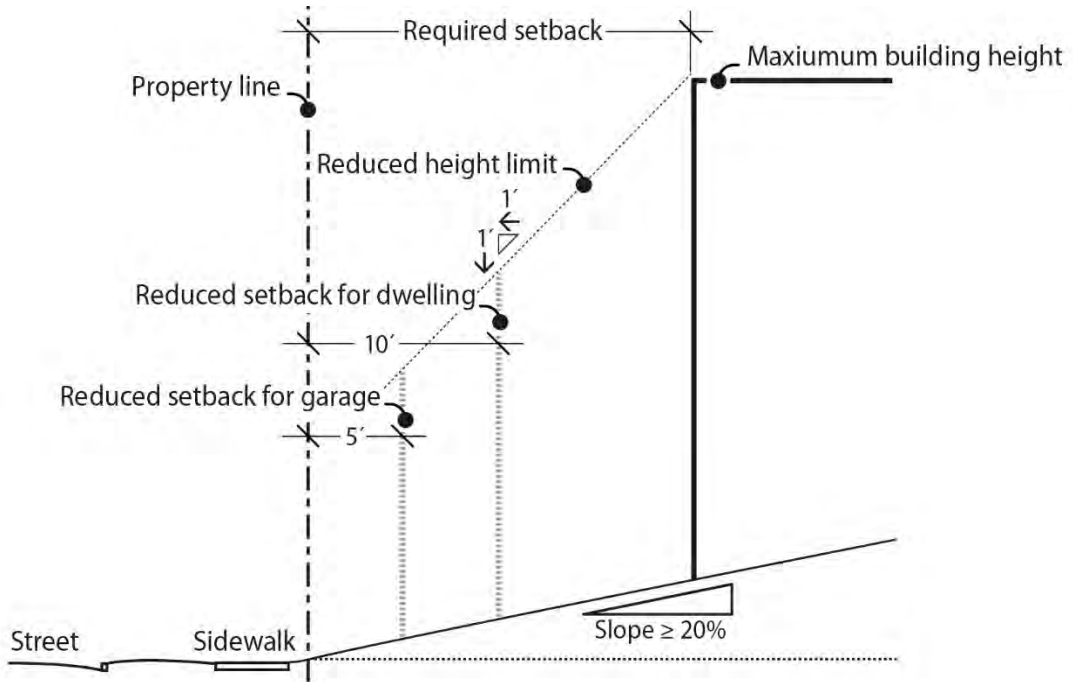


Figure 110-3
Exceptions To Front Building Setback And Garage Entrance Setback—Uphill



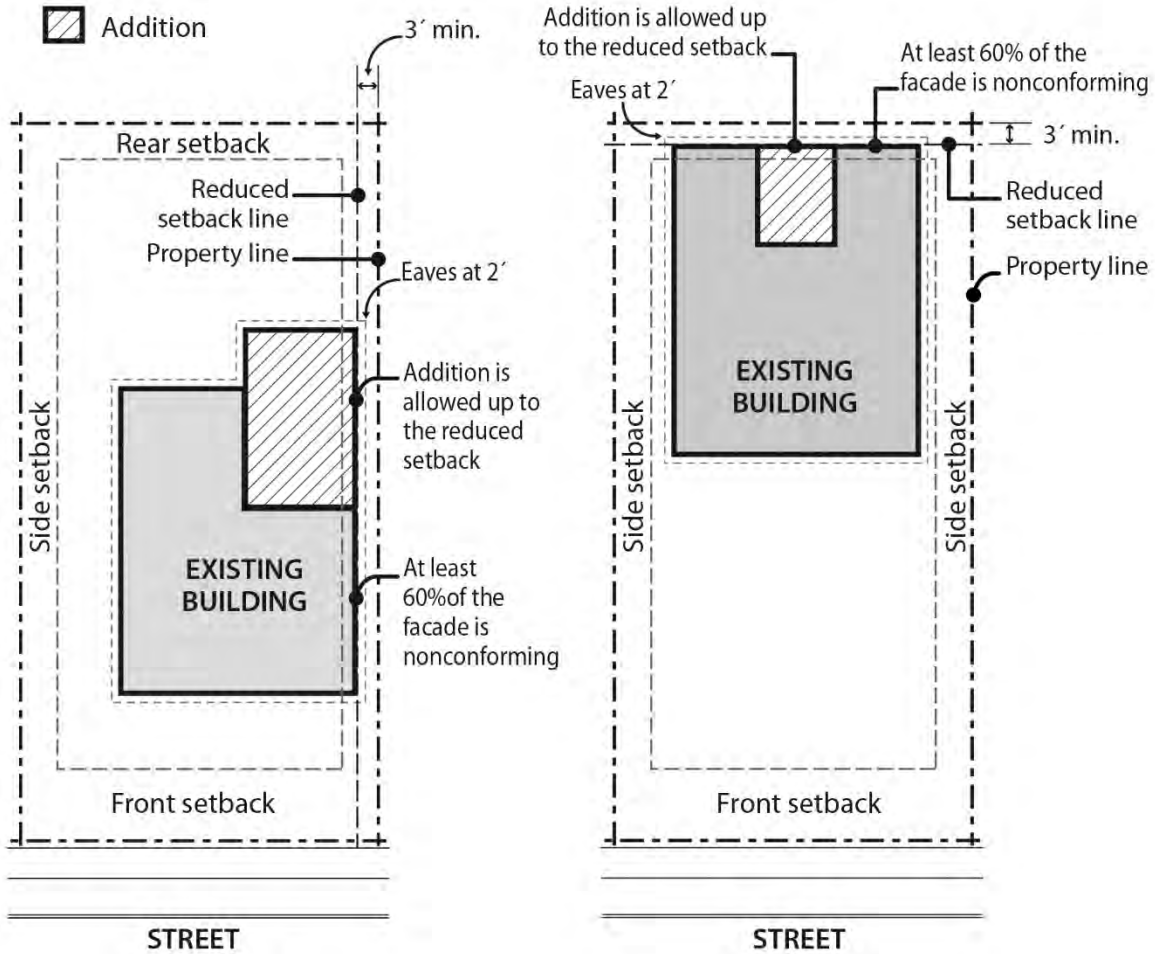
Commentary

33.110.230 Building Coverage

With the introduction of Floor Area Ratio (FAR), the purpose statement for building coverage limits was updated. FAR is better related to limiting building bulk by ensuring taller buildings don't have large footprints or that buildings with large footprints are not as tall. The intent of the building coverage requirement is now focused on limiting the building footprint (since FAR alone does not).

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

Figure 110-4
Established Building Lines



33.110.230225 Building Coverage

- A. Purpose.** The building coverage standards limit the footprint of buildings and work together with the height, and setback, and floor area ratio standards to control the overall bulk of structures. ~~They are intended to assure that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent houses.~~ Additionally, the standards help define the character of the different zones by limiting the amount of buildings allowed on a site.
- B. Building coverage standards.** The maximum combined building coverage allowed on a site for all covered structures is stated in Table 110-4.

Commentary

33.110.227 Trees

Deleted references to other regulations that are contained in other city Titles throughout chapter.

33.110.235.B. Where these standards apply

Standards for main entrances on narrow lots were incorporated into 33.110.260, Additional Standards For Narrow Lots.

Lot Size	Maximum Building Coverage
Less than 3,000 sq. ft.	50% of lot area
3,000 sq. ft. or more but less than 5,000 sq. ft.	1,500 sq. ft. + 37.5% of lot area over 3,000 sq. ft.
5,000 sq. ft. or more but less than 20,000 sq. ft.	2,250 sq. ft. + 15% of lot area over 5,000 sq. ft.
20,000 sq. ft. or more	4,500 sq. ft. + 7.5% of lot area over 20,000 sq. ft.

Notes:

[1] Group Living uses are subject to the maximum building coverage for institutional development stated in Table 110-5.

33.110.227 Trees

~~Requirements for street trees and for on-site tree preservation, protection, and overall tree density are specified in Title 11, Trees. See Chapter 11.50, Trees in Development Situations.~~

33.110.232~~30~~ Main Entrances in R10 through R2.5 Zones

A. Purpose. These standards:

- Together with the street-facing facade and garage standards, ensure that there is a physical and visual connection between the living area of the residence and the street;
- Enhance public safety for residents and visitors and provide opportunities for community interaction;
- Ensure that the pedestrian entrance is visible or clearly identifiable from the street by its orientation or articulation; and
- Ensure that pedestrians can easily find the main entrance, and so establish how to enter the residence.
- Ensure a connection to the public realm for development on lots fronting both private and public streets by making the pedestrian entrance visible or clearly identifiable from the public street.

B. Where these standards apply.

1. The standards of Subsection C apply to houses, attached houses, manufactured homes, and duplexes in the R10 through R2.5 zones;
- ~~2. The standard of Subsection D applies to attached houses on new narrow lots.~~
23. Where a proposal is for an alteration or addition to existing development, the standards of this section apply only to the portion being altered or added;
34. On sites with frontage on both a private street and a public street, the standards apply to the site frontage on the public street. On all other sites with more than one street frontage, the applicant may choose on which frontage to meet the standards;
45. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more is exempt from these standards; and
56. Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from these standards.

Commentary

33.110.235.C.2 Main entrances to a duplex

The main entrance requirements are being separated between houses and primary structures that contain more than one unit. This new standard ensures that in addition to one main entrance on a building facing the street or opening onto a porch, that any additional main entrances (e.g. a duplex unit, or ADU) is afforded basic weather protection for residents and visitors. These additional entrances need not be on the same façade as the street-facing main entrance but the standards do allow entrances to be combined under a single covered porch.

~~33.110.235.D. Distance from Grade~~

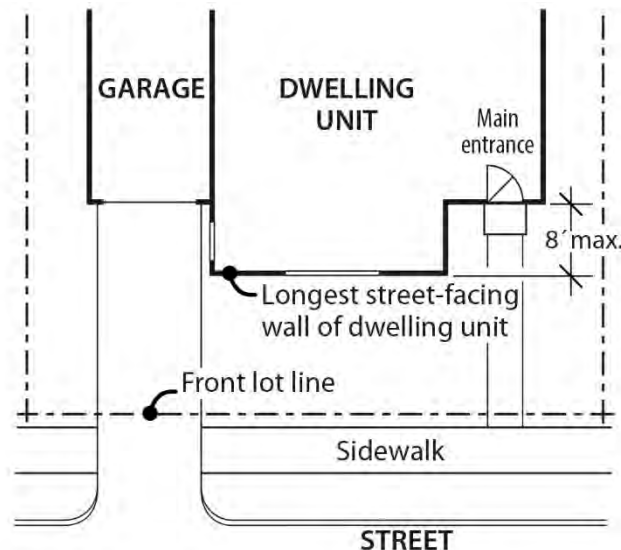
This requirement is being replaced in 33.110.240 Street facing Facades in the R10 through R2.5 zones. The new requirement, which limits above grade stairs will apply more broadly than just new narrow lots. Distance from grade is difficult to apply and verify in the field and did not uniformly result in keeping entrances closer to the ground. When the façade includes a tuck-under garage, measuring the average grade can still result in significant grade differences that met the 4-foot from grade requirement.

C. Main entrance~~Location.~~

1. At least one main entrance for each structure must:~~1. Be~~ be within 8 feet of the longest street-facing wall of the dwelling unit; and either:
 2. ~~Either:~~
 - a. Face the street. See Figure 110-5;
 - b. Be at an angle of up to 45 degrees from the street; or
 - c. Open onto a porch. See Figure 110-6. The porch must:
 - (1) Be at least 25 square feet in area;
 - (2) Have at least one entrance facing the street; and
 - (3) Have a roof that is:
 - No more than 12 feet above the floor of the porch; and
 - At least 30 percent solid. This standard may be met by having 30 percent of the porch area covered with a solid roof, or by having the entire area covered with a trellis or other open material if no more than 70 percent of the area of the material is open.
2. If the structure contains more than one dwelling unit, the main entrance to each additional unit need not face the street but must have a covered entry. The cover must be at least 2 feet deep, at least 8 square feet in area, and no more than 12 feet above the floor of the main entrance.

- D. ~~Distance from grade.~~** ~~The main entrance that meets Subsection C, above, must be within 4 feet of grade. For the purposes of this Subsection, grade is the average grade measured along the foundation of the longest street-facing wall of the dwelling unit. See Figure 110-7. Modifications to this standard are allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~

**Figure 110-5
Main Entrance Facing the Street**



Commentary

Figure 110-7

Since the regulation pertaining to the main entrance distance above grade for attached houses on new narrow lots was deleted, this figure is not needed.

Language to be **added** is underlined>
Language to be **deleted** is shown in ~~strikethrough~~

Figure 110-6
Main Entrance Opening onto a Porch

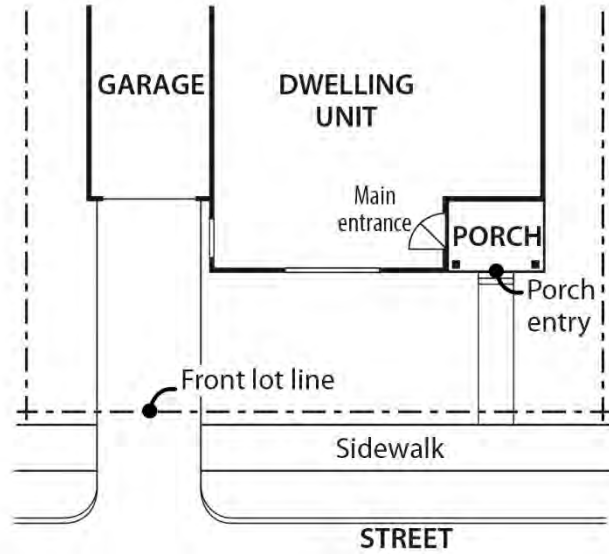
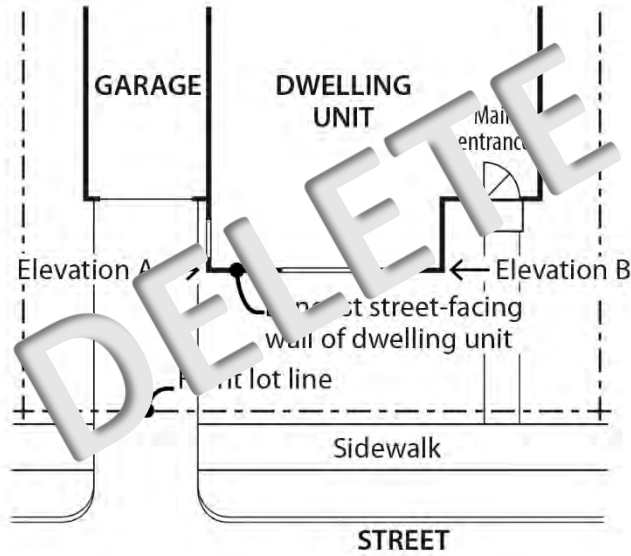


Figure 110-7
Calculation of Grade: ~~(Elevation A + Elevation B) / 2~~



Commentary

33.110.240 A. Additional standards were added to the street facing façade requirements. An additional purpose statement relates to the new standard that limits raised stairways on the front façade of a house

33.110.240.C. The subsection was renamed to differentiate the minimum window requirement from the other standards that were added.

33.110.240 D. Dividing large building facades is consistent with the stated purpose of “preventing large expanses of blank facades along streets.” It incorporates a provision from the community design standards chapter that previously only applied to houses, attached houses, and duplexes in the single dwelling zones that also had a design overlay zone designation.

33.110.240 E. This new standard replaces the main entrance standard that previously applied only to attached houses on new narrow lots. This new standard is more broadly applicable in that it applies to any stairs located on a street facing façade. It limits the number of elevated stairs that can be used to reach an entrance. Additional steps that are built into the grade are allowed. Taller stairs on non-street facing facades are also allowed. The intention is to have a standard that is easier to understand and verify in the field than the previous standard, while limiting long, tall runs of “floating” stairways. This also improves the relationship between the first floor of the dwelling and the surrounding grade.



Houses with long runs of stairs supported by an above grade structure (middle) and ground entry (right)



Stairs on grade plus raised stairs that would be allowed



Example of a second floor entry on the front façade, which would not be allowed

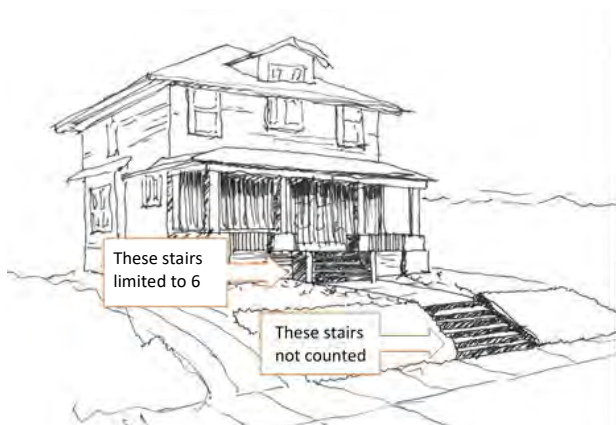


Figure illustrating which stairs are subject to limit

33.110.24033-110.232 Street-Facing Facades in ~~R10 through R2.5~~ Zones

A. Purpose. ~~This~~ These standards:

- Together with the main entrance and garage standards, ~~ensure~~ ensures that there is a visual connection between the living area of the residence and the street;
- Reduce the height of elevated stairways to improve the relationship to the surrounding grade and increase compatibility with existing neighborhood character;
- Enhance ~~Enhances~~ public safety by allowing people to survey their neighborhood from inside their residences; and
- Provide ~~Provides~~ a more pleasant pedestrian environment by preventing large expanses of blank facades along streets.

B. Where ~~the~~ this standards applies. The standards of this section ~~apply~~ applies to houses, attached houses, manufactured homes, and duplexes in the R10 through R2.5 zones. Where a proposal is for an alteration or addition to existing development, the applicant may choose to apply the standard either to the portion being altered or added, or to the entire street-facing facade. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more are exempt from this standard. In addition, subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from this standard.

C. ~~The standard.~~ Windows. At least 15 percent of the area of each street-facing facade that faces a street lot line must be windows or main entrance doors. Windows used to meet this standard must allow views from the building to the street. Glass block does not meet this standard. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard. To count toward meeting this standard, a door must be at the main entrance and facing a street lot line.

D. Facade articulation. The street facing facade of large structures must be divided into smaller areas or planes. When the street facing facade is more than 500 square feet in area, it must be divided into distinct planes of 500 square feet or less. For this standard, areas of a wall that are entirely separated from other wall areas by a projection, such as the porch or a roof over a porch, are also individual building wall planes. This division can be done by:

1. A porch, a dormer that is at least 4 feet wide, or a balcony that is at least 2 feet deep and is accessible from the interior living area;
2. A bay window that extends at least 2 feet; or
3. Recessing a section of the facade by at least 2 feet; the recessed section must be at least 6 feet wide.

E. Exterior stairs. On any street facing facade, no more than six steps in an exterior stairway may be supported by an above grade structure. All other exterior stairs must be built into the grade. Sites located within the Special Flood Hazard Area are exempt from this standard. See Figure 110-X;

Commentary

New Figure added

A new figure is added to illustrate the limitations on the main entrance steps per 33.110.240.E

33.110.245 Required outdoor areas

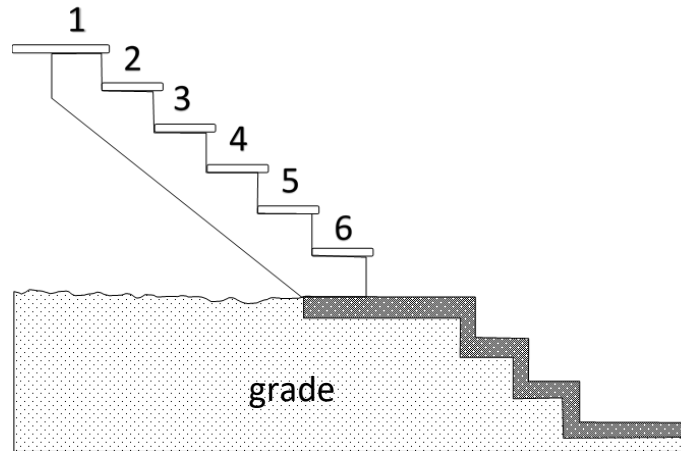
Renumbered section reference

Clarification was added to reinforce that outdoor areas are required for each dwelling unit, excluding accessory dwelling units, consistent with current practice.

A few minor changes were made to help clarify and improve the functionality of outdoor areas. To prevent these areas from being used as vehicle areas (including storage of vehicles), this restriction was made more explicit.

Additional clarification was also included to address duplexes (or triplexes in the case of some properties in the proposed new 'a' overlay) to ensure that each unit has access to its required outdoor area.

[INSERT] Figure 110-X
Limitation on Street-Facing Façade Stairs



33.110.24533-110.235 Required Outdoor Areas

- A. Purpose.** The required outdoor areas standards assure opportunities in the single-dwelling zones for outdoor relaxation or recreation. The standards work with the maximum building coverage standards to ensure that some of the land not covered by buildings is of an adequate size and shape to be usable for outdoor recreation or relaxation. The location requirements provide options for private or semiprivate areas. The requirement of a required outdoor area serves in lieu of a large rear setback requirement and is an important aspect in addressing the livability of a residential structure.
- B. Required outdoor area sizes.** The minimum sizes of required outdoor areas per primary dwelling unit are stated in Table 110-3. Outdoor area is not required for accessory dwelling units. The shape of the outdoor area must be such that a square of the stated dimension will fit entirely in the outdoor area.
- C. Requirements.**
1. The required outdoor area must be a contiguous area and may be on the ground or above ground. The outdoor area must be directly accessible to the dwelling unit.
 2. The area must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for recreational purposes. User amenities, such as tables, benches, trees, planter boxes, garden plots, drinking fountains, spas, or pools may be placed in the outdoor area. It may be covered, such as a covered patio, but it may not be fully enclosed. Outdoor area may not be used for vehicle areas.
 3. General landscaped areas ~~that which~~ are included as part of the required outdoor area may extend into the required side and rear building setback, but the required outdoor area may not be located in the front building setback.

Commentary

No changes are made to provisions on this page

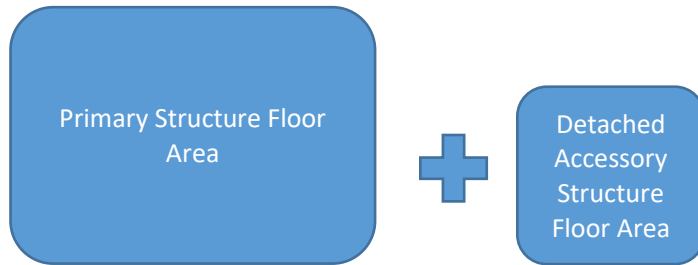
33.110.250 Detached Accessory Structures

- A. Purpose.** This section regulates detached structures that are incidental to primary buildings to prevent them from becoming the predominant element of the site. The standards limit the height and bulk of the structures, promote compatibility of design for larger structures, provide for necessary access around larger structures, help maintain privacy to abutting lots, and maintain open front setbacks.
- B. General standards.**
1. The regulations of this section apply to all detached accessory structures. Farm structures associated with an agricultural use such as barns and silos are exempt from these standards as long as they are set back from all lot lines at least one foot for every foot in height. Additional regulations for accessory dwelling units are stated in Chapter 33.205.
 2. Detached accessory structures are allowed on a lot only in conjunction with a primary building, and may not exist on a lot prior to the construction of the primary structure, except as allowed by Paragraph B.3, below.
 3. A detached accessory structure that becomes the only structure on a lot as the result of a land division, a property line adjustment, a separation of ownership, or a demolition of the primary structure may remain on the lot if the owner has executed a covenant with the City that meets the requirements of Section 33.700.060.
 - a. For a land division, the covenant must require the owner to remove the accessory structure if, within two years of final plat approval, a primary structure has not been built and received final inspection. The covenant must be executed with the City prior to final plat approval.
 - b. For a property line adjustment or a separation of ownership, the covenant must require the owner to remove the accessory structure if a primary structure has not been built and received final inspection within two years. The two years begins on the date the letter from BDS confirming the property line adjustment or separation of ownership is mailed. The covenant must be executed with the City before the final letter from BDS is issued.
 - c. For a demolition of a primary structure, the covenant must require the owner to remove the accessory structure if a new primary structure has not been built and received final inspection within two years. The two years begins on the date of the final inspection of the demolition. The covenant must be executed with the City prior to the issuance of the demolition permit.
- C. Detached covered accessory structures.** Detached covered accessory structures are items such as garages, carports, greenhouses, artist's studios, guest houses, accessory dwelling units, storage buildings, wood sheds, water collection cisterns, and covered decks or patios. The following standards apply to all detached covered accessory structures. Garages are also subject to the standards of 33.110.253.

Commentary

33.110.250.C.3 Floor Area

Separate floor area standards from primary and attached accessory structures are included for detached accessory structures. The FAR limits ensure that detached accessory buildings do not get excessively large. For example, current code applies a 15% building coverage limit which allows a two-story detached structure as large as 1,500 square feet on a 5,000 square foot lot. The separate FAR standard simplifies permit review for accessory structures (since a combined FAR limit would require information about the house size to construct a detached accessory building), encourages breaking up the massing of buildings on a site, and promotes detached structures for rear garages and/or accessory dwelling units.



Breaking up massing on a lot is an important strategy to reduce bulk. However FAR only measures enclosed building area. A combination of FAR and building coverage limits ensures that other types of covered structures (like pergolas, gazebos, covered patios) do not cumulatively add up to large structures in backyards.



Example of an accessory structure that would not count in FAR but does count towards building coverage.

1. Height. The maximum height allowed for all detached covered accessory structures is 20 feet.
2. Setbacks. Except as follows, detached covered accessory structures are subject to required building setbacks. See the additional regulations for garages in 33.110.253.
 - a. Water collection cisterns that are 6 feet or less in height are allowed in side and rear setbacks.
 - b. In the R7, R5 and R2.5 zones, detached covered accessory structures other than water collection cisterns are allowed in the side and rear building setbacks if all of the following are met:
 - (1) The structure is at least 40 feet from a front lot line, and if on a corner lot, at least 20 feet from a side street lot line;
 - (2) The structure footprint has dimensions that do not exceed 24 feet by 24 feet, excluding eaves;
 - (3) If more than one structure is within the setback, the combined length of all structures in the setback adjacent to each property line is no more than 24 feet;
 - (4) The structure is no more than 15 feet high, and the walls of the structure are no more than 10 feet high, excluding the portion of the wall within a gable;
 - (5) The portion of the structure within the setback must be screened from adjoining lots by a fence or landscaping, unless it is enclosed within the setback by a wall. Screening is not required for enclosed structures. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening;
 - (6) Walls located within the setback do not have doors or windows facing the adjacent lot line;
 - (7) The structure does not have a rooftop deck; and
 - (8) Dormers are set back at least 5 feet from the side and rear lot lines.
- ~~3.~~ 3. Floor area. The following additional floor area standards apply to detached covered accessory structures in the R7, R5 and R2.5 zones:
 - a. The combined floor area of all detached covered accessory structures may not exceed 15 percent of the total area of the site; and
 - b. The floor area of a detached covered accessory structure may not be greater than the floor area of the primary structure.
- ~~43.~~ Building coverage. The following additional building coverage standards apply to detached covered accessory structures:
 - a. The combined building coverage of all detached covered accessory structures may not exceed 15 percent of the total area of the site; and
 - b. The building coverage of a detached covered accessory structure may not be greater than the building coverage of the primary structure.

Commentary

33.110.250.D. Detached uncovered vertical structures.
Updated reference to Fence section.

54. Additional development standards for detached covered accessory structures. The following additional standards apply to detached covered accessory structures that are more than 15 feet high. Additions to existing structures that do not meet a standard are exempt from that standard.
- a. Exterior finish materials. The exterior finish materials on the detached covered accessory structure must meet one of the following:
 - (1) The exterior finish material must be the same or visually match in type, size and placement, the exterior finish material of the primary structure; or
 - (2) Siding must be made from wood, composite boards, vinyl or aluminum products, and the siding must be composed in a shingle pattern, or in a horizontal clapboard or shiplap pattern. The boards in the pattern must be 6 inches or less in width.
 - b. Roof Pitch. The roof pitch of the detached covered accessory structure must meet one of the following:
 - (1) The predominant roof pitch must be the same as the predominant roof pitch of the primary structure; or
 - (2) The roof pitch must be at least 6/12.
 - c. Trim. The trim on the detached covered accessory structure must meet one of the following:
 - (1) The trim must be the same in type, size, and location as the trim used on the primary structure; or
 - (2) The trim around all windows and doors must be at least 3 ½ inches wide.
 - d. Windows. The windows on all street facing facades of the detached covered accessory structure must meet one of the following:
 - (1) The windows must match those on the street facing façade of the primary structure in orientation (horizontal or vertical); or
 - (2) Each window must be square or vertical – at least as tall as it is wide.
 - e. Eaves. The eaves on the detached covered accessory structure must meet one of the following:
 - (1) The eaves must project from the building walls the same distance as the eaves on the primary structure;
 - (2) The eaves must project from the building walls at least 1 foot on all elevations; or
 - (3) If the primary structure has no eaves, no eaves are required.
- D. Detached uncovered vertical structures.** Detached uncovered vertical structures are items such as flag poles, trellises, arbors and other garden structures, play structures, antennas, satellite receiving dishes, and lamp posts. The following standards apply to detached uncovered vertical structures. Fences are addressed in 33.110.~~280,255~~:
- 1. Height. Except as follows, the maximum height allowed for all detached uncovered vertical structures is 20 feet:

Commentary

No changes are made to provisions on this page.

- a. Antennas, utility power poles, and public safety facilities are exempt from the height limit.
 - b. Flagpoles are subject to the height limit of the base zone for primary structures.
 - c. Detached small wind turbines are subject to the standards of 33.299, Wind Turbines.
2. Setbacks. Except as follows, detached uncovered vertical structures are subject to required building setbacks:
- a. Detached uncovered vertical structures that are no larger than 3 feet in width, depth, or diameter and no taller than 8 feet are allowed in required building setbacks.
 - b. A single arbor structure that is up to 6 feet wide, up to 3 feet deep, and up to 8 feet tall is allowed in the front setback. The arbor must allow for pedestrian access under its span.
 - c. Flagpoles are allowed in required building setbacks.
 - d. In the R7, R5, and R2.5 zones, detached uncovered vertical structures that exceed the allowances of Subparagraph 2.a are allowed in side and rear setbacks if all of the following are met:
 - (1) The structure is at least 40 feet from a front lot line, and if on a corner lot, at least 20 feet from a side street lot line;
 - (2) The structure has dimensions that do not exceed 24 feet by 24 feet;
 - (3) The structure is no more than 10 feet high;
 - (4) The portion of the structure within the setback must be screened from adjoining lots by a fence or landscaping, unless it is enclosed within the setback by a wall. Screening is not required for enclosed structures. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening; and
 - (5) The structure does not have a rooftop deck.
- E. Detached uncovered horizontal structures.** Uncovered horizontal structures are items such as decks, stairways, swimming pools, hot tubs, tennis courts, and boat docks not covered or enclosed. The following standards apply to detached uncovered horizontal structures.
1. Height. The maximum height allowed for all detached uncovered horizontal structures is 20 feet.
 2. Setbacks. Except as follows, detached uncovered horizontal structures are subject to required buildings setbacks:
 - a. Detached uncovered decks, ramps, and stairways that are more than 2-1/2 feet above the ground may extend into a required building setback up to 20 percent of the depth of the setback. However, the deck or stairway must be at least three feet from a lot line.
 - b. Structures that are no more than 2-1/2 feet above the ground are allowed in required building setbacks.

Commentary

33.110.255 Additional Development Standards for Garages

Renumbered section and revised name to match other sections that address "additional development standards"

F. Detached mechanical equipment. Detached mechanical equipment includes items such as heat pumps, air conditioners, emergency generators, radon mitigation components, and water pumps. Generally, detached mechanical equipment will not be attached to a building but may have components such as ventilation or electrical systems attached to the primary structure. The following standards apply to detached mechanical equipment:

1. Height. The maximum height allowed for all detached mechanical equipment is 20 feet.
2. Setbacks. Except as follows, detached mechanical equipment is subject to required buildings setbacks. Detached mechanical equipment is allowed in side or rear building setbacks if all of the following are met:
 - a. The equipment is no more than 5 feet high; and
 - b. The equipment is screened from adjoining lots by walls, fences or vegetation. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening.

33.110.255~~33.110.253~~ Additional Development Standards for Garages

A. Purpose. These standards:

- Together with the window and main entrance standards, ensure that there is a physical and visual connection between the living area of the residence and the street;
- Ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage;
- Prevent garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
- Provide for a more pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
- Enhance public safety by preventing garages from blocking views of the street from inside the residence.

B. Additional Regulations. The regulations of this Section apply in addition to those of 33.110.250, Accessory Structures.

C. Existing detached garages.

1. Rebuilding. A detached garage that is nonconforming due to its location in a setback, may be rebuilt on the footprint of the existing foundation, if the garage was originally constructed legally. In this case, the rebuilt garage may be no more than 15 feet high, and the garage walls may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The rebuilt garage is not required to comply with other standards of this chapter.
2. Additions. An addition may be made to an existing detached garage that is nonconforming due to its location in a setback as follows:
 - a. The expanded garage complies with all other standards of this chapter; or

Commentary

33.110.255.D.1. Corrected reference to the relevant exemptions

33.110.255.D.2.d Added a cross reference to the exception for tuck under garages on attached houses that are on narrow lots.

33.110.255.D.4 Exception

This exception was for development on historically narrow lots. Narrow lot standards were consolidated (and amended) into one section 33.110.260 "Additional Development Standards For Narrow Lots". Instead of this exception, tuck under garages will be allowed but are subject to new standards. See 33.110.260.C.4. for tuck under garage standards.

- b. The combined size of the existing foundation and the addition is no larger than 12 feet wide by 20 feet deep. In this case, the garage may be no more than 15 feet high, and the walls of the addition may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The expanded garage is not required to comply with other standards of this chapter.

D. Length of street-facing garage wall.

1. Where these regulations apply. Unless exempted by Paragraph DE.2, below, the regulations of this subsection apply to garages accessory to houses, attached houses, manufactured homes, and duplexes in the R10 through R2.5 zones.
2. Exemptions.
 - a. Garages that are accessory to development on flag lots, or development on lots ~~which~~that slope up or down from the street with an average slope of 20 percent or more are exempt from the standards of this subsection.
 - b. Garages in subdivisions and PUDs that received Preliminary Plan approval between September 9, 1990, and September 9, 1995, are exempt from the standards of this subsection.
 - c. On corner lots, only one street-facing garage wall must meet the standards of this subsection.
 - d. Attached houses on lots, lots of record, or combinations thereof that are less than 36 feet wide are exempt if the standards of 33.110.260.C.4 are met.
3. Standards.
 - a. The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building façade. See Figure 110-11. For duplexes, this standard applies to the total length of the street-facing facades. For all other lots and structures, the standards apply to the street-facing facade of each unit.
 - b. Where the street-facing facade is less than 22 feet long, an attached garage is not allowed as part of that facade.
4. ~~Exception. Where the building is not being built on a new narrow lot, the garage wall facing the street may exceed the standards listed in Paragraph D.3 above if D.4.a and either D.4.b or c. are met. See Figure 110-12.~~
 - a. ~~The garage wall facing the street is no more than 12 feet long; and~~
 - b. ~~There is interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall; or~~
 - c. ~~There is a covered balcony above the garage that is at least the same length as the street facing garage wall, at least 6 feet deep, and accessible from the interior living area of the dwelling unit.~~

Commentary

33.110.255.D.5.

As part of the consolidation of narrow lot standards, exceptions to those requirements can be requested through an Adjustment review, instead of a Planned Development review.

- ~~5. For new narrow lots, modifications to the standards of this subsection are allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~

E. Street lot line setbacks.

1. Where this standard applies. The standard of this paragraph applies to garages that are accessory to houses, attached houses, manufactured homes, and duplexes in the R10 through R2.5 zones. Where a proposal is for an alteration or addition to existing development, the standard applies only to the portion being altered or added.
2. Exemptions.
 - a. Development on flag lots or on lots ~~which~~that slope up or down from the street with an average slope of 20 percent or more are exempt from this standard.
 - b. Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from this standard.
 - c. Where a lot has more than one street lot line, and there is an existing dwelling unit on the lot, this standard must be met only on the street-facing facade on which the main entrance is located.
3. Standard. A garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the dwelling unit. See Figure 110-13.
4. Exception. A street-facing garage wall may be up to 6 feet in front of the longest street-facing wall of the dwelling unit, if:
 - a. The street-facing garage wall is 40 percent or less of the length of the building facade; and
 - b. There is a porch at the main entrance. The garage wall may not be closer to the street lot line than the front of the porch. See Figure 110-14. The porch must meet the following:
 - (1) The porch must be at least 48 square feet in area and have minimum dimensions of 6 feet by 6 feet;
 - (2) The porch must have a solid roof; and
 - (3) The roof may not be more than 12 feet above the floor of the porch.

Commentary

~~Figure 110-12~~

Since this exception is being deleted from the base zone, Figure 110-12 is deleted.

Language to be **added** is underlined>
Language to be **deleted** is shown in ~~strikethrough~~

Figure 110-11
Length of Street-Facing Garage Wall

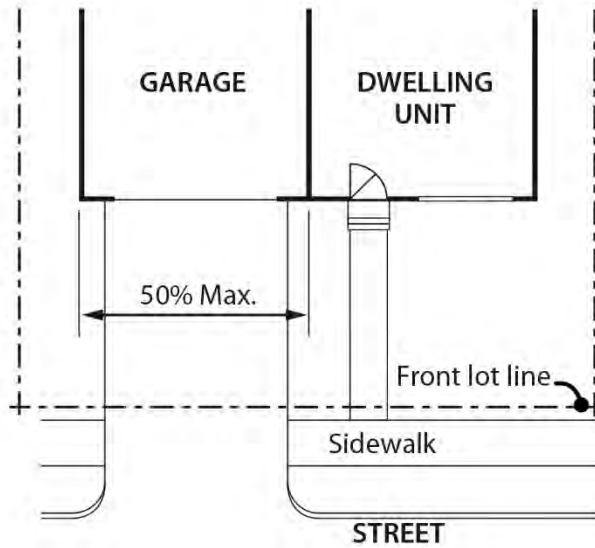
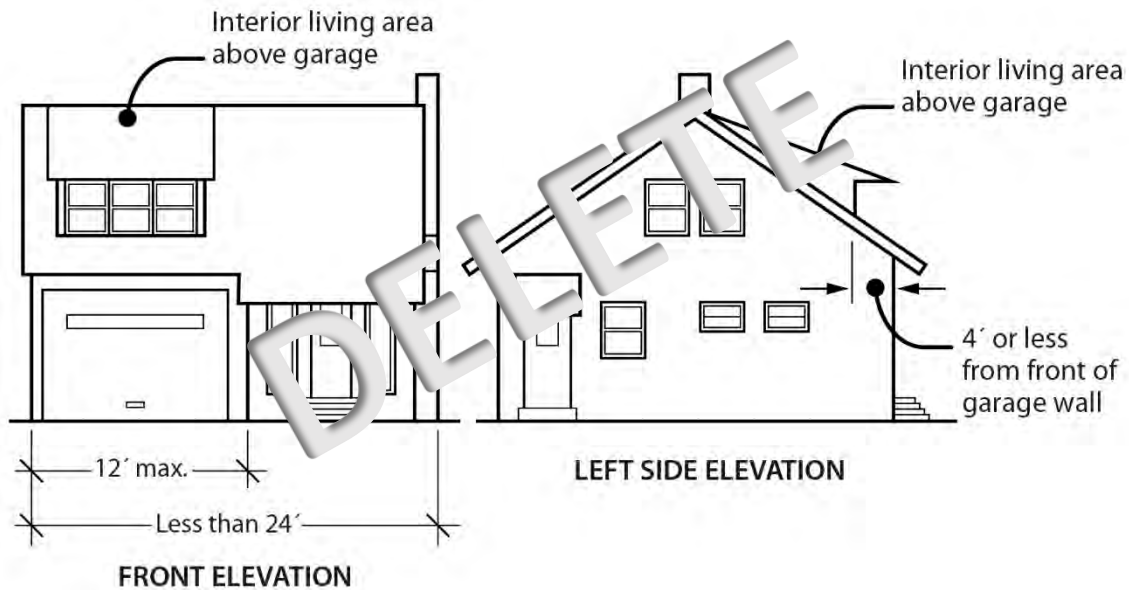


Figure 110-12
Length of Street Facing Garage Wall Exception



Commentary

No changes are made to these figures

Language to be **added** is underlined>
Language to be **deleted** is shown in ~~strikethrough~~

Figure 110-13
Street Lot Line Setback

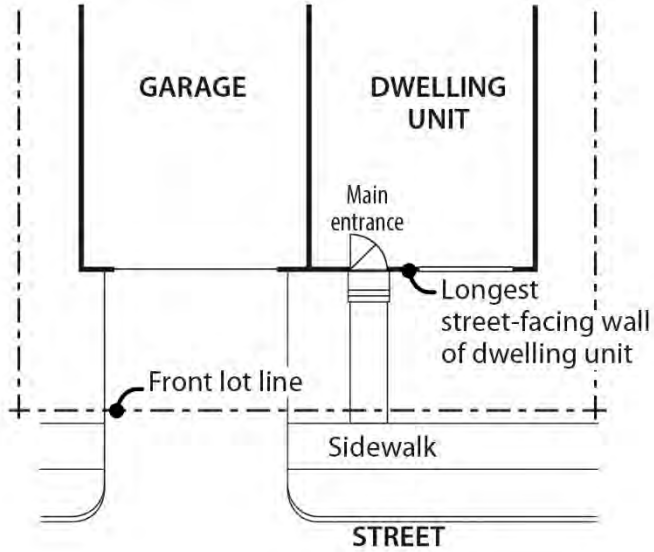
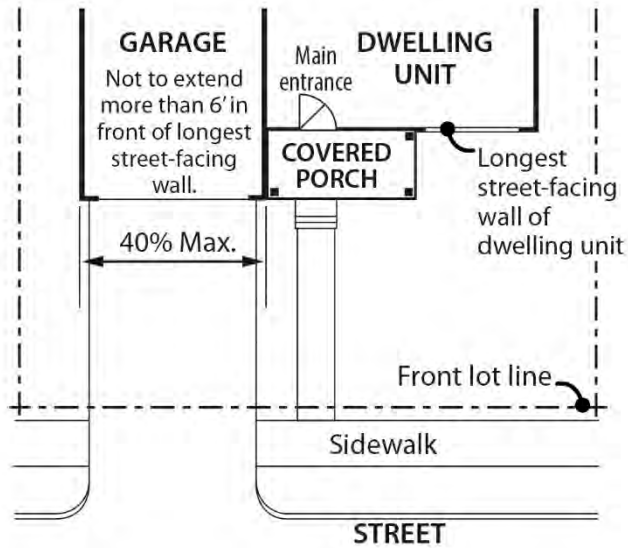


Figure 110-14
Garage Front Setback Exception



Commentary

33.110.260 Additional Standards for Narrow Lots

This section was repurposed from previous code requirements for historically narrow lots and new narrow lots. Rules were updated, consolidated and made consistent for all narrow lots regardless of when they were created (historically narrow lots [created pre July 26, 1979], new narrow lots [created post June 30, 2002], and other narrow lots [created between 1979 and 2002])

Having three sets of applicable standards for the same size and shape of lot was confusing and irrational. The resulting development should relate to the lot dimensions and site conditions, not when the lot was created. The table below compares the current code and proposed changes. The proposed changes relate the rules to the type of house (attached or detached), and apply to all lots less than 36 feet wide. Further consolidation included removing design and planned development reviews, relying instead on the Adjustment review process for requested exceptions to these standards.

Standard	Current Code		Proposed Code
	New Narrow Lots	Historically Narrow Lots	All Narrow Lots (<36 feet wide)
House type	Detached and attached houses	Detached and attached houses	Detached allowed (26'to <36' wide) Attached required (<26' wide)
Parking space	Required (alley access required)	Not required (access not limited)	Not required (alley access required if parking provided)
Street facing garage	Not allowed	12' wide max allowed	Not allowed for detached houses <22 feet wide. Tuck under garage allowed for attached houses only
Height	1.2 X width of house (R5) 1.5 X width of house (R2.5)	1.5 X width of house (R5&R2.5)	Detached: 1.5 X width of house up to 30' max Attached: 30' (R5) 35' (R2.5)
Setbacks	Base zone	Base zone	Base zone (increased to 15')
Main Entrance requirements	Attached houses only	All houses	Base zone (limited above grade stairs)
Building Coverage	50% max	40% max	50% max
Materials, trim, and eaves	Not regulated	Required	Required
Front landscaping	Attached houses only	Not regulated	Required
Exceptions to development standards	<u>Planned Development</u> Garages, height, and landscaping <u>Adjustment</u> Setbacks and building coverage	<u>Design Review</u> Garages, height, setbacks, building coverage, and materials	<u>Adjustment</u> Any exception to additional development standards

**33.110.26033-110.213 Additional Development Standards for Narrow Lots and Lots of Record
Created Before July 26, 1979**

- A. Purpose.** These standards increase the compatibility of new houses and attached houses on small and narrow lots. The standards:
- Reinforce the pattern of a wider façade on a wider lot by requiring attached houses on very narrow lots;
 - Limit the height of detached houses to reduce the visual impact of a narrow structure;
 - Encourage the retention of existing houses by allowing flexibility for detached houses where there is preexisting development.
 - Promote open landscaped front yards and quality building materials for improved compatibility;
 - Reduce the prominence of street facing garages, to strengthen the relationship between the living area of the dwelling unit and the street.
 - Maximize on-street parking opportunities by reducing off-street parking requirements and utilizing alleys for vehicle access.
- B. Where these regulations apply.** The following additional development standards apply to all single-dwelling zoned lots, lots of record or combinations thereof that are less than 36 feet wide. Lots in planned unit developments are exempt from these additional standards.
- ~~1. RF through R7 zones. These regulations apply in the RF through R7 zones, if the lot, lot of record, or combination of lots or lots of record is less than 36 feet wide and has not abutted any lot or lot of record owned by the same family or business on July 26, 1979, or any time since that date.~~
 - ~~2. R5 zone. In the R5 zone, these regulations apply to lots, lots of record, or combinations of lots or lots of record that were created before July 26, 1979 and are:
 - a. Less than 3,000 square feet in area; or
 - b. Less than 36 feet wide.~~
 - ~~3. R2.5 zone. In the R2.5 zone, these regulations apply to lots, lots of record, or combinations of lots or lots of record that were created before July 26, 1979 and are less than 1,600 square feet in area.~~
 - ~~4. Planned unit developments. Lots in planned unit developments are exempt from the requirements of this section.~~
- C. Standards.** Modifications to the standards of this subsection may be requested through Design Review. Adjustments are prohibited. The standards are:
1. Attached housing required.
 - a. Attached houses are required on lots, lots of record or combinations thereof that are less than 26 feet wide except as follows:
 - (1) The lot, lot of record, or combinations thereof has not been owned in common with an adjacent lot or lot of record since [EFFECTIVE DATE OF ORDINANCE]; or
 - (2) There are primary structures on each lot that share a side lot line with the lot, lot of record, or combinations thereof.

Commentary

33.110.260. A Purpose

Additional purpose statements have been added that reflect the general intent of the development standards beyond general compatibility in order to provide guidance when adjustments are requested.

33.110.260. B. Where the regulations apply

These standards will apply to all lots that are less than 36 feet wide, regardless of which single dwelling zone and regardless of when they were created.

33.110.260.C Standards

1. Attached houses. The intent is to require attached houses on all pairs of very narrow (<26 foot wide) lots. Consistent with the alternative development options, pairs of attached houses are allowed in R20-R5 zones and up to eight units are allowed in the R2.5 zone. Attached houses have wider floorplates and mirror the greater building width of more standard detached houses. They are also more energy efficient and require less siding material than detached houses. Building in the "common wall" side setbacks, coupled with the FAR limits results in houses that are less deep (43 feet) than detached houses (58 feet) which leaves more useable backyard space.

There are exceptions built into this requirement to acknowledge that stand-alone narrow lots exist, and that in other cases there may be existing development on the abutting previously owned in common lot. In these cases detached houses would be allowed. There may be other instances that preclude attached house development. In these cases, regulatory relief can be provided through an Adjustment review.

2. Maximum height. The height limit that previously applied to new narrow lots in the R5 zone will now be applied only to detached houses on narrow lots (up to the max height of 30 feet). A 15 foot wide house would be capped at 22.5 feet, while a 25 foot wide or wider house would be capped at 30 feet.

~~**Maximum Building coverage.**~~ This provision is being deleted. The result is that the same building coverage limits that apply to similarly sized lots will also apply to narrow lots.

~~**Main Entrance.**~~ This provision is deleted. Instead, a new requirement in 33.110.240 Street Facing Facades will apply to all stairs on street facing elevations that limits stairs built on stringers or other above grade structures to a maximum of 6 steps (approximately 3' max). Additional stairs are allowed, but must be incorporated into the surrounding grade.

3. Parking and access. This section was changed to reflect that when parking is proposed, and a lot abuts an alley, the parking must be accessed via the alley.

4. Street-facing garages. Previously, historically narrow lots were allowed a 12 foot wide garage with an 8 foot wide garage door. New narrow lots were required to get a Planned Development approval for garages that did not meet the 50% street-facing garage wall width limit. These standards for narrow lots provide a new exception that allows "tuck-under" garages on attached houses that have a façade less than 22 feet wide (per lot). The requirements establish a minimum drop from the sidewalk grade to ensure that garages sit partially below "street level", require the garage floor to be below the main floor, limit the width of the garage door, and that either living area, a porch or balcony project over the garage to break up the vertical appearance of the front façade of the house.

b. Number of units.

- (1) In the R20 through R5 zones, two attached units may have a common wall. Structures made up of three or more attached houses may be approved through a Planned Development.
 - (2) In the R2.5 zone, up to eight attached houses may have a common wall. Structures made up of nine or more attached houses are prohibited.
- ~~24.~~ Maximum height. The maximum height allowed for ~~all detached~~ primary structures is 1.5 times the width of the structure, up to the maximum height limit listed in Table 110-3. For the purpose of this paragraph, width is the length of the street facing façade of the dwelling unit as measured along the foundation. See Figure 110-1;
- ~~2.~~ Maximum building coverage. The maximum combined building coverage for structures on lots, adjusted lots, and lots of record in the R5 zone that have not had a dwelling unit on it in the last five years, and is not in an environmental zone is 40 percent.
- ~~3.~~ Main entrance. The main entrance that meets Subsection 33.110.230.C, Main entrances in R10 through R2.5 Zones, must be within 4 feet of grade. For the purposes of this requirement, grade is the average grade measured along the foundation of the longest street-facing wall of the dwelling unit. See Figure 110-7;
- ~~35.~~ Parking and access. ~~No parking required.~~ No off-street parking is required. If parking is provided, and the lot, lot of record, or combination of lot or lot of record abuts an alley, vehicle access must be from the alley;
4. Street-facing garages. An attached house is exempt from 33.110.255.D when the following are met: Garage door. In addition to meeting the requirements of 33.110.253.E, if the garage door is part of the street-facing facade, it may not be more than 8 feet wide. If there is more than one garage door, the combined width may not be more than 8 feet;
- a. There is only one garage opening and the opening does not exceed 8 feet in width;
 - b. The top of the garage opening is located below the bottom elevation of the main entrance to the primary dwelling unit;
 - c. The grade at the bottom of the garage opening must be a minimum of two feet lower than the grade at the street lot line. For purposes of this standard, grade is measured at the center point of the driveway. See Figure 110-X; and
 - d. There is interior living area located above the garage that is as wide as the street-facing garage wall, and projects a minimum of 3 feet in front of the garage wall. A minimum 3-foot-deep covered porch or uncovered balcony accessible from the interior living area of the primary dwelling unit may be used to meet this standard.

Commentary

5. Exterior finish materials. These standards are being revised to be more concise

6. Trim. No change.

7. Eaves. No change.

8. Landscape standards. These standards currently apply to attached houses on new narrow lots (see old alternative development options in 33.110.240.C.1.d and C.2.d, attached housing) but not historically narrow lots. They ensure that adequate area in the front yard is landscaped with new development.

~~**9. Attached housing.**~~ This section was deleted and replaced by 33.110.260.C.1 which requires new houses on very narrow lots to be attached

~~**10. Setbacks.**~~ This section was deleted. Exceptions to all of these additional standards may be requested through an Adjustment review.

An abridged comparison of relevant criteria:

Adjustment criteria:

- A. The adjustment (or cumulative adjustments) will equally or better meet the purpose of the regulation to be modified
- B. The proposal will not significantly detract from the livability or appearance of the residential area
- C. Impacts are mitigated.

Design Review modification criteria:

- A. On balance, the modification will be consistent with the purpose of the standard for which a modification is requested.
- B. The [community] design guidelines are met

Planned Development Criteria:

- A. Visually integrate the natural and built features of the site and surrounding area.
- B. On balance, the proposal will be consistent with the purpose of the standards for which a modification is requested.

56. Exterior finish materials. The exterior finish material must be made from brick, stone, stucco, wood, composite material, vinyl or aluminum. Wood, vinyl or aluminum siding must be arranged in a shingle, horizontal clapboard, or shiplap pattern. The boards in the pattern must be 6 inches or less in width. The standards of this paragraph must be met on all building facades;
- a. ~~Plain concrete block, plain concrete, corrugated metal, plywood, composite materials manufactured from wood or other products, and sheet pressboard may not be used as exterior finish material, except as secondary finishes if they cover no more than 10 percent of each facade.~~
 - b. ~~Composite boards manufactured from wood or other products, such as hardboard or hardplank, may be used when the board product is less than 6 inches wide;~~
 - c. ~~Where wood products are used for siding, the siding must be shingles, or horizontal siding, not shakes;~~
 - d. ~~Where horizontal siding is used, it must be shiplap or clapboard siding composed of boards with a reveal of 6 inches or less, or vinyl or aluminum siding which is in a clapboard or shiplap pattern where the boards in the pattern are 6 inches or less in width;~~
 - e. ~~Siding material may not cover required window and door trim.~~
67. Trim. Trim must mark all building rooflines, porches, windows, and doors on all facades. The trim must be at least 3-1/2 inches wide. Buildings with an exterior material of brick, stone, or stucco or ~~masonry~~ are exempt from this standard;
78. Eaves. Roof eaves must project from the building wall at least 12 inches on all elevations; and
8. Landscape standards.
- a. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and
 - b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use or for use by pedestrians. Examples include lawns, walkways, play areas, and patios.
- ~~9.~~ Attached housing. ~~Attached housing is allowed, but no more than two units may be attached. Attached housing allowed under this provision is not subject to the development standards of subsection 33.110.240.C.~~
- ~~10.~~ Setbacks. ~~Adjustments to minimum required setbacks are prohibited. Modifications may be requested through Design Review.~~

Commentary

New Figures added

Figure 110-1 is moved from the height exceptions (33.110.220) as the figure relates specifically to narrow lots

A new figure is also added to illustrate how to measure the minimum grade difference between the street lot line and the garage floor.

Flag Lots

Flag lots were considered an "alternative development option" and up until 2003, applicable standards were contained in a separate Chapter 33.277. In 2003 the Land Division Code rewrite embedded the standards in the base zone alternative development options and land division chapters.

With increased infill and more challenging lot configurations, flag lots provide for additional housing opportunities, promote a more efficient use of residential land, while allowing for existing homes to be retained. Flag lots can be a less preferred development type due to the break from the traditional pattern of street facing lots, as well as potential privacy impacts from homes in former large backyards.

Flag lot standards are being moved from the alternative development options in 33.110.270 into a new section 33.265, to acknowledge that flag lots are less of an "alternative" today, and also to help users find the relevant standards more quickly.

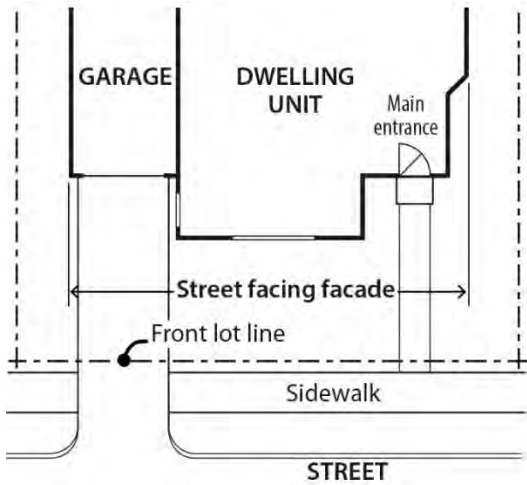
33.110.265 Additional Development Standards for Flag Lots

The section now addresses two types of flag lots. Larger flag lots (3,000 square feet and bigger in all zones) and small flag lots (less than 3,000 s.f.). The standards (now applicable to large flag lots) were previously in the Alternative Development Options. However, since the land division code rewrite in 2002, flag lots have become a more standard development option. The language for larger flag lots remains nearly the same with the one change noted in C.1.b below. New standards for small flag lots are described in C.2. below.

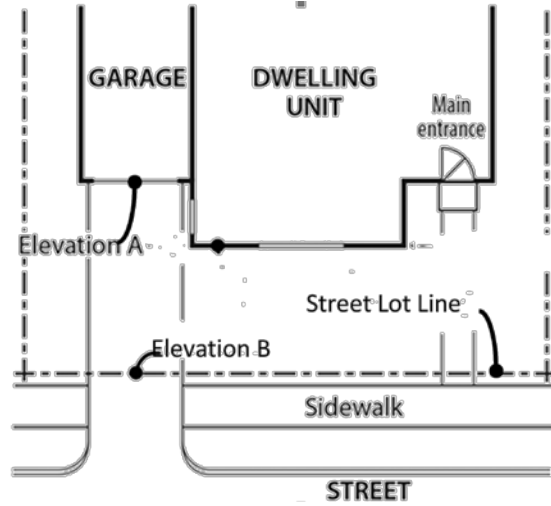
33.110.265.C.1.b. Landscape Buffer Area. This requirement previously only applied to lots in R7 through R2.5 zones. The flag lot standards were in place when the minimum lot size in the R10 zone was 10,000 square feet (and therefore this standard would not apply). Now that the minimum lot size in R10 is 6,000 square feet, there is no rationale to distinguish between an R7 zoned 6,000 square foot lot and an R10 zoned 6,000 square foot lot for buffering from surrounding lots. Therefore, the language was changed so that this requirement applies to any lot less than 10,000 square feet, consistent with the original intent of this standard.

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

[INSERT] Figure 110-1
Width of Street-Facing Facade



[INSERT] Figure 110-X
Calculation of Garage Grade



33.110.265 Additional Development Standards for Flag Lots

- A. Purpose.** These standards include required screening and setbacks to protect privacy of abutting residences and increase compatibility of new houses on small flag lots.
- B. Where these standards apply.** The additional standards of this section apply to flag lots in the single-dwelling zones.
- C. Standards.**
 - 1. Large flag lots. The following standards apply to flag lots in all single-dwelling zones that are 3,000 square feet and larger in area. Only the area of the flag portion is included when calculating the lot area for the flag lot. The pole portion of the lot is not included.
 - a. Setbacks. Flag lots have required building setbacks that are the same along all lot lines. The required setbacks are:

Zone	Setback
<u>RF, R20, R10</u>	<u>15 feet</u>
<u>R7, R5, R2.5</u>	<u>10 feet</u>

- b. Landscaped buffer area. On flag lots that are 3,000 to 10,000 square feet in area, a landscaped area is required around the perimeter of the flag lot to buffer the flag portion from surrounding lots. The pole and the lot lines that are internal to the original land division site or are adjacent to an alley are exempt from this requirement. The landscaped area must be at least 5 feet deep and be landscaped to at least the L3 standard. It may be reduced where the pole portion meets the flag portion to accommodate a 9-foot driveway. See Figure 110-9.

Commentary

33.110.265.C.2. Small flag lots

Development on small flag lots has the potential to create disproportionately large homes in former backyard spaces, especially on small sites with limited area for buffering. While backyard cottages and accessory dwelling units (ADUs) have become more common, the size of a house (even with new FAR limits) could be up to 2,100 square feet on a 3,000 s.f. R2.5 lot. Additional requirements are proposed to ensure more compatible development of these lots.

Like smaller narrow lots, on-site parking is not required, but where vehicle access is proposed, the access must be from an alley where available, or through a shared drive to limit curb cuts, reduce pedestrian conflicts, and maximize available on-street parking.

These new standards would limit the size, height, and design of the dwelling to make it generally consistent with what is allowed for a detached accessory dwelling unit. This helps maintain the block pattern of houses with a detached accessory structure or accessory dwelling unit (ADU) in the back yard, but these "accessory structures" would not be accessory to the house, they would be primary structures on an independently owned lot.



An existing accessory detached structure is not allowed to become the primary structure on a lot through a property line adjustment or a land division unless a covenant has been signed agreeing to either build a primary structure or remove the accessory structure within 2 years (see 33.110.250.B.3.) However, there is the possibility that an accessory dwelling unit becomes the sole structure on the flag lot. In these cases, a conversion to a primary structure may be possible, once certain code and utility requirements have been reviewed. In some cases, this may mean payment of System Development Charges (since waivers currently apply only to Accessory Dwelling Unit) and combined sewer, storm, water and private utilities will need to be separated and located on their own respective lots.

- c. Building coverage. Only the area of the flag portion of the flag lot is considered when calculating building coverage. The area of the pole portion of the lot is not included.
 - d. Required outdoor area. The required outdoor area may not extend into the required landscaped buffer area required by C.2.
 - e. Detached accessory structures. Detached accessory structures may project into the flag lot setbacks as allowed in 33.110.250. However, accessory structures may not extend into the landscaped buffer area required by C.2.
2. Small flag lots. The following standards apply to flag lots that are less than 3,000 square feet in area. Only the area of the flag portion is included when calculating the lot area for the flag lot. The pole portion of the lot is not included.
- a. Parking and vehicle access.
 - (1) Parking is not required for the flag lot, however if the flag lot abuts an alley, and vehicle access is provided, the flag lot vehicle access must be from the alley.
 - (2) If vehicle access will be provided to the flag lot and there is no alley, only a single curb cut for both lots is allowed.
 - b. Setbacks. A 5-foot setback is required along all lot lines.
 - c. Only one dwelling unit is allowed. An accessory dwelling unit is prohibited.
 - d. Detached accessory structures. An existing detached accessory dwelling unit may remain on the lot or be converted to a primary structure subject to necessary building permits. See also 33.110.250.B.;
 - d. The lot may have no more than 1000 square feet of floor area;
 - e. The maximum height allowed for the dwelling unit is 20 feet, and if the dwelling unit is more than 15 feet tall, the following must be met:
 - (1) Exterior finish materials. The exterior finish material must be made from brick, stucco, wood, composite material, vinyl or aluminum. Wood, vinyl or aluminum siding must be arranged in a shingle, horizontal clapboard, or shiplap pattern. The boards in the pattern must be 6 inches or less in width.
 - (2) Roof Pitch. The roof pitch must be at least 6/12.
 - (3) Trim. The trim around all windows and doors must be at least 3 ½ inches wide.
 - (4) Eaves. The eaves must project from the building walls at least 1 foot on all elevations.

Commentary

Figure 110-9 moved from previous 33.110.240. (now 33.110.270) Alternative Development Options along with related regulations for Flag Lots

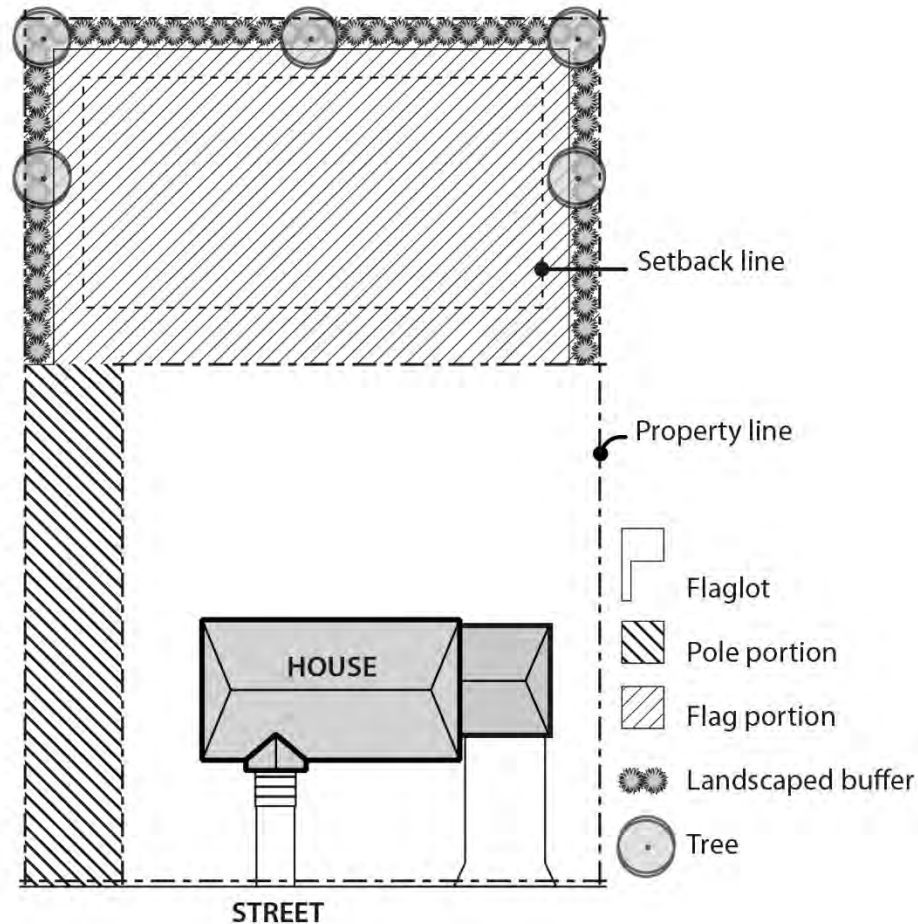
33.110.270 Alternative Development Options. Section was renumbered

33.110.270.A Purpose

A minor revision to the purpose statement to remove the reference to density standards since current provisions that allow duplexes and attached houses on corner lots and transition sites allow development that exceeds maximum base zone densities.

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

[INSERT] Figure 110-9
Flag Lot Description and Buffer



33.110.270~~33.110.240~~ Alternative Development Options

- A. Purpose.** The alternative development options allow for variety in development standards while maintaining the overall character of a single-dwelling neighborhood. These options have several public benefits:
- They allow for development that is sensitive to the environment, especially in hilly areas and areas with water features and natural drainageways;
 - They allow for the preservation of open and natural areas;
 - They promote better site layout and opportunities for private recreational areas;
 - They promote opportunities for affordable housing;
 - They promote energy-efficient development;
 - They allow for the provision of alternative structure types ~~where density standards are met~~; and
 - They reduce the impact that new development may have on surrounding residential development.

Commentary

33.110.270.B General Requirements

This change clarifies the allowances in this section and limits proposals to only one alternative development option. For example, a transition site (a lot located next to a commercial zone) that is also a corner lot could not utilize the additional density for both situations.

33.110.270.C.1.d. Landscape standards

These narrow lot standards have been moved to 33.100.260, Additional Standards for Narrow Lots.

- B. General requirements for all alternative development options.** The alternative development options listed in this section are allowed by right unless specifically stated otherwise. Only one alternative option may be used per site. The project must comply with all of the applicable development standards of this section. The project must also conform with all other development standards of the base zone unless those standards are superseded by the standards in this section.
- C. Attached housing.** Attached housing allows for more efficient use of land and for energy-conserving housing.
1. R20 through R5 zones.
 - a. Lot dimensions. Each attached house must be on a lot that complies with the lot dimension standards for new lots in the base zone stated in Chapter 33.610, Lots in RF through R5 Zones.
 - b. Building setbacks.
 - (1) Interior (noncorner) lots. On interior lots the side building setback on the side containing the common wall is reduced to zero. The reduced setback applies to all buildings on the lot and extends along the full length of the lot line that contains the common or abutting wall. The side building setback on the side opposite the common wall must be double the side setback standard of the base zone.
 - (2) Corner lots. On corner lots either the rear setback or nonstreet side setback may be reduced to zero. However, the remaining nonstreet setback must comply with the requirements for a standard rear setback.
 - c. Number of units. Two attached houses may have a common wall. Structures made up of three or more attached houses are prohibited unless approved as a Planned Development.
 - ~~d. Landscape standards. The following landscape standards must be met on lots in the R10 through R5 zones that do not meet the minimum lot width standard of 33.610.200.D.1, and were created by a land division submitted after July 1, 2002. Modification of these standards is allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~
 - ~~(1) All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and~~
 - ~~(2) Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios.~~
 2. R2.5 zone.
 - a. Density and lot size. The density and minimum lot dimension standards are stated in Chapter 33.611, Lots in the R2.5 Zone, apply.
 - b. Number of units. Up to eight attached houses may have common walls. Structures made up of nine or more attached houses are prohibited.

Commentary

33.110.270.C.2.d. Landscape standards

These narrow lot standards have been incorporated into 33.110.260, Additional Standards for Narrow Lots.

33.110.270.D. Duplexes in the R2.5 zone

The reference to meeting development standards of the base zone was deleted as it was redundant and unnecessary.

The limitation on fire escapes and stairs on the front façade was incorporated as a general requirement in 33.110.240 Street Facing Façades in R10 through R2.5 Zones.

- c. Building setbacks.
 - (1) Perimeter building setbacks. The front, side, and rear building setbacks around the perimeter of an attached housing project are those of the base zone.
 - (2) Interior building setbacks. The side building setback on the side containing the common wall is reduced to zero. The reduced setback extends along the full length of the lot line that contains the common or abutting wall.
 - (3) Corner lots. On corner lots either the rear setback or nonstreet side setback may be reduced to zero. However, the remaining nonstreet setback must comply with the requirements for a standard rear setback.
- ~~d. Landscape standards. The following landscape standards must be met on lots in the R2.5 zone that do not meet the minimum lot width standard of 33.611.200.C.1, and were created by a land division submitted after July 1, 2002. Modification of these standards is allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited:~~
 - ~~(1) All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and~~
 - ~~(2) Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios.~~
- D. Duplex in R2.5 zone.** Duplexes are allowed in the R2.5 zone if the following are met:
 - ~~1. Density.~~ A maximum density of 1 unit per 2,500 square feet of site area is allowed. Density for this standard is calculated before public right-of-way dedications are made;
 - ~~2. Development standards.~~ Duplexes must comply with the height, building setback, building coverage, and required outdoor area requirements of the base zone, overlay zone, or plan district; and
 - ~~3. Front facade.~~ Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building.
- E. Duplexes and attached houses on corners.** This provision allows new duplexes and attached houses in locations where their appearance and impact will be compatible with the surrounding houses. Duplexes and attached houses on corner lots can be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street.
 - 1. Qualifying situations. This provision applies to corner lots in the R20 through R2.5 zones.
 - 2. Density. One extra dwelling unit is allowed up to a maximum of two units.

Commentary

33.110.270.E. Duplexes and Attached Houses on Corner Lots

This language was condensed by using a table indicating minimum lot size requirements. The requirements for corner lot duplexes/attached houses are largely the same with one notable exception. The minimum lot sizes in R7 through R20 zones have been increased:

Minimum Lot/Site Size for Duplex/Attached Houses		
Zone	Previous Minimum Lot Area	New Minimum Lot Area
R2.5	3,000 sq. ft.	No change
R5	4,500 sq. ft.	No change
R7	4,200 sq. ft.	6,300 sq. ft.
R10	6,000 sq. ft.	9,000 sq. ft.
R20	12,000 sq. ft..	18,000 sq. ft.

Minimum lot sizes were previously increased in R2.5 and subsequently for the R5 zones, through prior legislative (RICAP) code projects. However, the minimum lot sizes for the R7 through R20 zones were unchanged. This resulted in a minimum lot size for a duplex in the R7 zone that was smaller than the lot size required in R5. Lot sizes were increased in these zones to reflect a 90 percent of the zone density lot size (i.e. 90 percent of a 10,000 square foot lot in R10 = 9,000 s.f.) consistent with the earlier R5 lot size change.

3. Required lot dimensions.

- a. Duplexes. A lot for a duplex must meet the minimum lot area requirement shown in Table 110-X. Adjustments are prohibited:

Zone	Minimum Lot Area
R2.5	3,000 sq. ft.
R5	4,500 sq. ft.
R7	6,300 sq. ft.
R10	9,000 sq. ft.
R20	18,000 sq. ft.

- b. Attached houses. Where attached houses are proposed the original lot, before division for the attached houses, must meet the minimum lot area requirement shown in Table 110-X. In the R20 through R5 zones, the new lots created for the attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone. There are no minimum lot dimension standards for the new lots in the R2.5 zone.
- c. Attached houses as a result of a Property Line Adjustment. Attached houses are allowed on adjusted lots that are the result of a Property Line Adjustment.

~~3. Lot dimension regulations. Lots in the R20 through R2.5 zones must meet the lot dimension regulations of this section. Adjustments are prohibited.~~

- ~~a. In the R20 through R7 zones:~~

- ~~(1) Duplexes. Lots for duplexes must meet the minimum lot dimension standards for new lots in the base zone.~~
- ~~(2) Attached houses. Where attached houses are proposed, the original lot, before division for the attached house proposal, must meet the minimum lot dimension standards for new lots in the base zone. The new lots created for the attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone.~~
- ~~(3) Attached houses as a result of a Property Line Adjustment. Attached houses are allowed on adjusted lots that are a result of a Property Line Adjustment.~~

- ~~b. In the R5 zone:~~

- ~~(1) Duplexes. Lots for duplexes must be at least 4,500 square feet in area.~~
- ~~(2) Attached houses as a result of a land division. Where attached houses are proposed, the original lot, before division for the attached house proposal, must be at least 4,500 square feet. The new lots created for the attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone.~~
- ~~(3) Attached houses as a result of a Property Line Adjustment. Attached houses are allowed on adjusted lots that are a result of a Property Line Adjustment.~~

Commentary

33.110.270.E.4

These standards (entrance orientation, compatible building height, and exterior materials) were previously not eligible for adjustments to deviate from the objective standards, but modifications could be requested through design review.

In general, modifications are allowed to be reviewed concurrently as part of a design review or historic resource review. The criteria for modifications and adjustments are very similar:

An abridged comparison of relevant criteria:

Adjustment criteria:

- A. the adjustments will equally or better meet the purpose of the regulation to be modified
- B. the proposal will not significantly detract from the livability or appearance of the residential area
- C. impacts are mitigated.

Design Review Modification criteria:

- A. On balance, the modification will be consistent with the purpose of the standard for which a modification is requested.
- B. The [community] design guidelines are met

The current code provisions require that an applicant request design review (even when not subject to design review) to modify one of these standards. Since the adjustment review process can address these proposals, the prohibition on adjustments is being deleted.

33.110.270.E.4.a Entrances

This subsection was changed to allow both existing and new duplexes to have shared internal access. Differentiating between existing and new development was inconsistent with the purpose of this subsection. A single common entry will have only one front door, making it appear more single-dwelling in character.

~~33.110.270.F. Flag Lot development standards~~

These provisions were moved to a new section, 33.110.265 Additional Development Standards for Flag Lots

~~c. In the R2.5 zone:~~

- ~~(1) Duplexes. Lots for duplexes must be at least 3,000 square feet in area.~~
- ~~(2) Attached houses as a result of a land division. Where attached houses are proposed, the original lot, before division for the attached house proposal, must be at least 3,000 square feet. There are no minimum lot dimension standards for the new lots.~~
- ~~(3) Attached houses as a result of a Property Line Adjustment. Attached houses are allowed on adjusted lots that are a result of a Property Line Adjustment.~~

4. Development standards. Both units of the duplex or attached houses must meet the following standards to ensure that the two units have compatible elements. ~~Adjustments to this paragraph are prohibited, but modifications may be requested through Design Review. The standards are:~~

- a. Main Entrances. Each of the units must have its address and main entrance oriented towards a separate street frontage. ~~Where an existing house is being converted to two units, one~~ For duplexes, one main entrance with internal access to both units is also allowed provided the entrance meets the standards in 33.110.235;
- b. Height. If attached housing is proposed, the height of the two units must be within four feet of each other; and
- c. On both units:
 - (1) Exterior finish materials. The exterior finish material must be the same, or visually match in type, size and placement.
 - (2) Roof pitch. The predominant roof pitch must be the same.
 - (3) Eaves. Roof eaves must project the same distance from the building wall.
 - (4) Trim. Trim must be the same in type, size and location.
 - (5) Windows. Windows must match in proportion and orientation.

~~**F. Flag lot development standards.** The development standards for flag lots include specific screening and setback requirements to protect the privacy of abutting residences. The following standards apply to development on flag lots:~~

- ~~1. Setbacks. Flag lots have required building setbacks that are the same along all lot lines. The required setbacks are:~~

Zone	Setback
RF, R20, R10	15 feet
R7, R5, R2.5	10 feet

- ~~2. Landscaped buffer area. In the R7 through R2.5 zones, on lots that are 10,000 square feet or less in area, a landscaped area is required around the perimeter of the flag lot to buffer the flag portion from surrounding lots. The pole and the lot lines that are internal to the original land division site, or adjacent to an alley, are exempt from this requirement. The landscaped area must be at least 5 feet deep and be landscaped to at least the L3 standard. It may be reduced where the pole portion meets the flag portion to accommodate a 9-foot driveway. See Figure 110-9.~~

Commentary

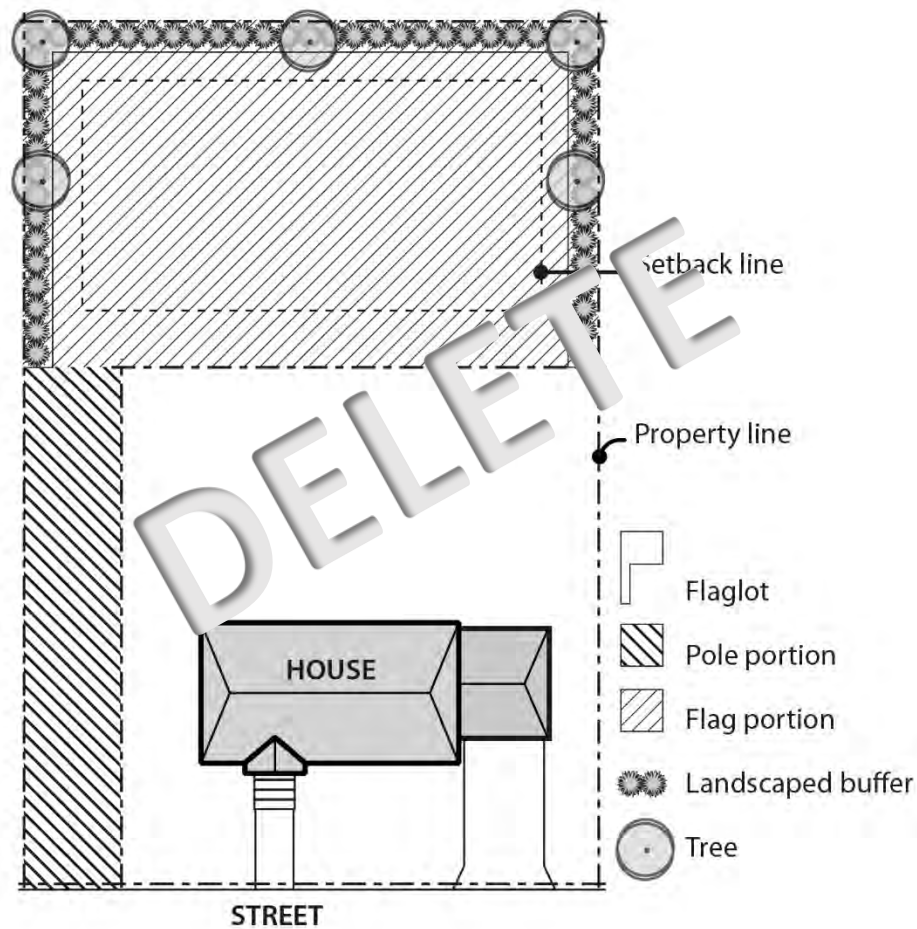
33.110.270.F. Planned development. Changed chapter reference to reflect new location

~~Figure 110-9~~—Figure Moved to Section 33.110.265

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

3. ~~Building coverage. Only the area of the flag portion of the flag lot is considered when calculating building coverage. The area of the pole portion of the lot is not included.~~
4. ~~Required outdoor area. The required outdoor area may not extend into the required landscaped buffer area required by F.2.~~
5. ~~Detached accessory structures. Detached accessory structures may project into the flag lot setbacks as allowed in 33.110.250. However, these structures may not extend into the landscaped buffer area required by F.2.~~

Figure 110-9
Flag Lot Description and Buffer



F.G. Planned development. See Chapter 33.270 ~~33.638~~, Planned Developments.

Commentary

~~33.110.270.I. Zero Lot Line~~

This development option was deleted due to its lack of use and difficulty permitting. The building code requirements complicate zero lot line developments. For example, no window or door openings are allowed within 3 feet of a property line and eaves may not project across a property line. While double side yards do provide more useable open area, the low frequency of these development proposals in combination with building code limitations made these regulations obsolete.

G.H. Transitional sites. The transitional site standards allow for a transition of development intensities between nonresidential and single-dwelling zones. A stepped increase in density is allowed on single-dwelling zoned lots that are adjacent to most commercial, employment or industrial zones. The transitional site provisions promote additional housing opportunities in a way that has minimal impacts on built-up single-dwelling neighborhoods.

1. **Qualifying situations.** The transitional site regulations apply only to sites in the R20 through R2.5 zones that have a side lot line that abuts a lot in the CS, CM, CG, CX, E, or I zones. The side lot line of the residential site must abut the lot in a nonresidential zone for more than 50 percent of the residential site's length. The residential site must comply with the minimum lot dimension standards in the applicable base zone listed in Chapters 33.610 and 33.611.
2. **Density.** The site may have one dwelling unit more than the density allowed by 33.610.100.C.1 and 33.611.100.C.1.
3. **Housing types allowed.** The site may contain a duplex or be divided for attached houses.
4. **Standards for attached housing projects.** New lots created for attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone. Development must meet the site development regulations for attached houses in the R2.5 zone.

~~**I. Zero lot line.** A zero lot line development is where houses in a development on a common street frontage are shifted to one side of their lot. See Figure 110-10. This provides for greater usable yard space on each lot. These developments require that the planning for all of the house locations be done at the same time. Because the exact location of each house is predetermined, greater flexibility in site development standards is possible while assuring that the single-dwelling character is maintained.~~

- ~~1. **Qualifying situations.** Zero lot line developments are allowed for houses in the R20 through R2.5 zones.~~
- ~~2. **Procedure.** Zero lot line developments are allowed by right. Restrictions which assure the minimum distance between houses, and any required easements, must be recorded on the deeds of the applicable lots. Proof of such recording must be submitted as part of the building permit application.~~
- ~~3. **Building setbacks.** The side building setback on one side of the house may be reduced to zero. This reduction does not apply to the side building setback adjacent to a street, or to the side building setback adjacent to lots that are not part of the zero lot line project.~~

Commentary

~~33.110.270. J Permit Ready Houses.~~ This reference was deleted since the City's permit ready house program has been suspended. Separate pending amendments to the code will remove Chapter 33.278, Permit Ready Houses.

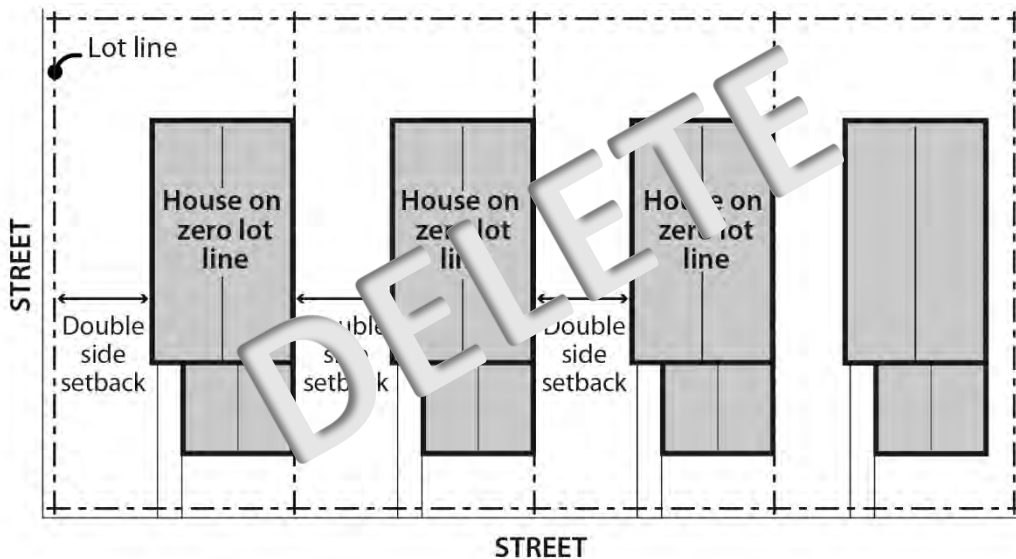
~~Figure 110-10~~ Figure was deleted with removal of related zero lot line provisions.

4. ~~Additional site development standards.~~

- a. ~~Distance between houses. The minimum distance between all buildings in the development must be equal to twice the required side building setback standard of the base zone. A deed restriction must be recorded on the deed of each applicable lot to ensure the continued fulfillment of this setback.~~
- b. ~~Eaves. The eaves on the side of a house with a reduced setback may project a maximum of 18 inches over the adjacent property line. In this case, an easement for the eave projection must be recorded on the deed for the lot where the projection occurs.~~
- c. ~~Maintenance. An easement between the two property owners to allow for maintenance or repair of the house is required when the eaves or side wall of the house are closer than four feet to the adjacent property line. The easement on the adjacent property must be wide enough to allow four feet between the eaves or side wall and the edge of the easement.~~
- d. ~~Privacy. If the side wall of the house is on the property line, or within three feet of the property line, windows or other openings which allow for visibility into the side yard of the adjacent lot are not allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or a translucent window, are allowed.~~

J. ~~Permit-Ready Houses.~~ Chapter 33.278 contains provisions for Permit-Ready houses on narrow lots.

Figure 110-10
Zero Lot Line Development



Commentary

33.110.275 Institutional Development Standards

Section renumbered. No changes were made to provisions.

33.110.275~~33.110.245~~ Institutional Development Standards

- A. Purpose.** The general base zone development standards are designed for residential buildings. Different development standards are needed for institutional uses which may be allowed in single-dwelling zones. The intent is to maintain compatibility with and limit the negative impacts on surrounding residential areas.
- B. Use categories to which these standards apply.** The standards of this section apply to uses in the institutional group of use categories, whether allowed by right, allowed with limitations, or subject to a conditional use review. The standards apply to new development, exterior alterations, and conversions to institutional uses. Recreational fields used for organized sports on a school, school site, or in a park, are subject to Chapter 33.279, Recreational Fields for Organized Sports.
- C. The standards.**
1. The development standards are stated in Table 110-5. If not addressed in this section, the regular base zone development standards apply.
 2. Setbacks on a transit street or in a Pedestrian District.
 - a. Purpose. The purpose of these regulations is to reduce reliance on the automobile and encourage pedestrians and transit riders by ensuring safe and convenient pedestrian access to buildings.
 - b. Building setbacks on a transit street or in a Pedestrian District. Buildings on a transit street or in a Pedestrian District must meet the provisions of 33.120.220.C.
 - c. Conflicts.
 - (1) If the depth of the minimum building setback or buffering standards conflicts with the maximum building setback standard, the depth of the maximum building setback standard supersedes the depth of the minimum building setback and buffering standards.
 - (2) If the depth of the minimum setback standard for detached accessory structures conflicts with the depth of the minimum buffering standard, the depth of the minimum buffering standard supersedes the depth of the minimum setback standard for detached accessory structures.
 - d. Exception. Development that is not subject to conditional use review under Section 33.815.040 is exempt from the maximum transit street setback requirement.
 3. Exterior storage. Exterior storage of materials or equipment is prohibited.
 4. Outdoor activity facilities. Except as specified in paragraph C.5. below, outdoor activity facilities, such as swimming pools, basketball courts, tennis courts, or baseball diamonds must be set back 50 feet from abutting R-zoned properties. Playground facilities must be set back 25 feet from abutting R-zoned properties if not illuminated, and 50 feet if illuminated. Where the outdoor activity facility abuts R-zoned properties in School uses, the required setback is reduced to zero.
 5. Recreational fields for organized sports. Recreational fields used for organized sports on a school, school site, or in a park, are subject to Chapter 33.279, Recreational Fields for Organized Sports.

Commentary

No changes were made to provisions on this page.

6. Mechanical equipment. Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators must be screened from the street and any abutting residential zones by walls, fences, or vegetation. Screening must comply with at least the L2 or F2 standards of Chapter 33.248, Landscaping and Screening, and be tall enough to screen the equipment. Mechanical equipment placed on roofs must be screened in one of the following ways, if the equipment is within 50 feet of an R zone:
 - a. A parapet along facades facing the R zone that is as tall as the tallest part of the equipment;
 - b. A screen around the equipment that is as tall as the tallest part of the equipment; or
 - c. The equipment is set back from roof edges facing the R zone 3 feet for each foot of height of the equipment.
7. Electrical substations. In addition to the standards in Table 110-5, the entire perimeter of electrical substations, including the street lot line (except for the access point), must be landscaped to the L3 standards stated in Chapter 33.248. This landscaping must be planted on the outside of any security fence. Electrical substations that are in a fully enclosed building are exempt from this requirement.
8. Grassy areas. Grassy play areas, golf courses, cemeteries, and natural areas are not subject to the L3 landscaping standard of Table 110-5 and are exempt from the setback standard of Paragraph 4, above.
9. Garbage and recycling collection areas. All exterior garbage cans. Garbage collection areas, and recycling collection areas must be screened from the street and any adjacent properties. Trash receptacles for pedestrian use are exempt. Screening must comply with at least the L3 or F2 standards of Chapter 33.248, Landscaping and Screening. See Section 17.102.270, Business and Multifamily Complexes Required to Recycle, of the Portland City Code for additional requirements for recycling areas.
10. Pedestrian standards. The on-site pedestrian circulation system must meet the standards of Section 33.120.255, Pedestrian Standards.

Commentary

Table and Footnote [5]

Updated Chapter 266 name

Footnote [7]

Updated section reference

33.110.280 Fences.

Renumbered section

Table 110-5 Institutional Development Standards [1]	
Minimum Site Area for New Uses	10,000 sq. ft.
Maximum Floor Area Ratio [2]	0.5 to 1
Maximum Height [3]	50 ft.
Minimum Building Setbacks [2]	1 ft. back for every 2 ft. of bldg. height, but in no case less than 15 ft.
Maximum Building Setback Transit Street or Pedestrian District [7]	20 ft. or per CU/IMP review
Maximum Building Coverage [2]	50% of site area
Minimum Landscaped Area [2,4]	25% of site area to the L1 standard
Buffering from Abutting Residential Zone [5]	15 ft. to L3 standard
Buffering Across a Street from a Residential Zone [5]	15 ft. to L1 standard
Setbacks for All Detached Accessory Structures Except Fences [6]	10 ft.
Parking and Loading	See Chapter 33.266, Parking And Loading
Signs	See Title 32, Signs and Related Regulations

Notes:

[1] The standards of this table are minimums or maximums as indicated. Compliance with the conditional use approval criteria might preclude development to the maximum intensity permitted by these standards.

[2] For campus-type developments, the entire campus is treated as one site. Setbacks are only measured from the perimeter of the site. The setbacks in this table only supersede the setbacks required in Table 110-3. The normal regulations for projections into setbacks and for detached accessory structures still apply.

[3] Towers and spires with a footprint of 200 square feet or less may exceed the height limit, but still must meet the setback standard. Elevator mechanical equipment that is set back at least 15 feet from all roof edges on street facing facades may extend up to 16 feet above the height limit. Other mechanical equipment and stairwell enclosures that provide rooftop access when these cumulatively cover no more than 10 percent of the roof area and are set back at least 15 feet from all roof edges on street facing facades may extend up to 10 feet above the height limit.

[4] Any required landscaping, such as for required setbacks or parking lots, applies towards the landscaped area standard.

[5] Surface parking lots are subject to the parking lot setback and landscaping standards stated in Chapter 33.266, ~~Parking, Loading And Transportation And Parking Demand Management And Loading~~.

[6] Setbacks for structures that are accessory to recreational fields for organized sports on a school, school site, or in a park, are stated in Chapter 33.279, Recreational Fields for Organized Sports.

[7] The maximum building setbacks are described in 33.110.~~275~~245.C.

33.110.280~~33.110.255~~ Fences

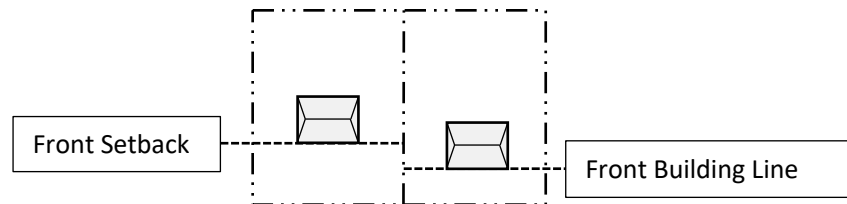
- A. Purpose.** The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.

Commentary

33.110.280.C.1. Front Building Setbacks

A slight change was made to this subsection that contemplates the results of the setback averaging and new setback matching provisions.

These changes require that fences taller than 3 ½-feet be built at or behind the front setback (now 15' in R5 and R2.5 zones) unless the house is already closer to the street than the required setback. In this case, the taller fence can be built in line with the front of the house



B. Types of fences. The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

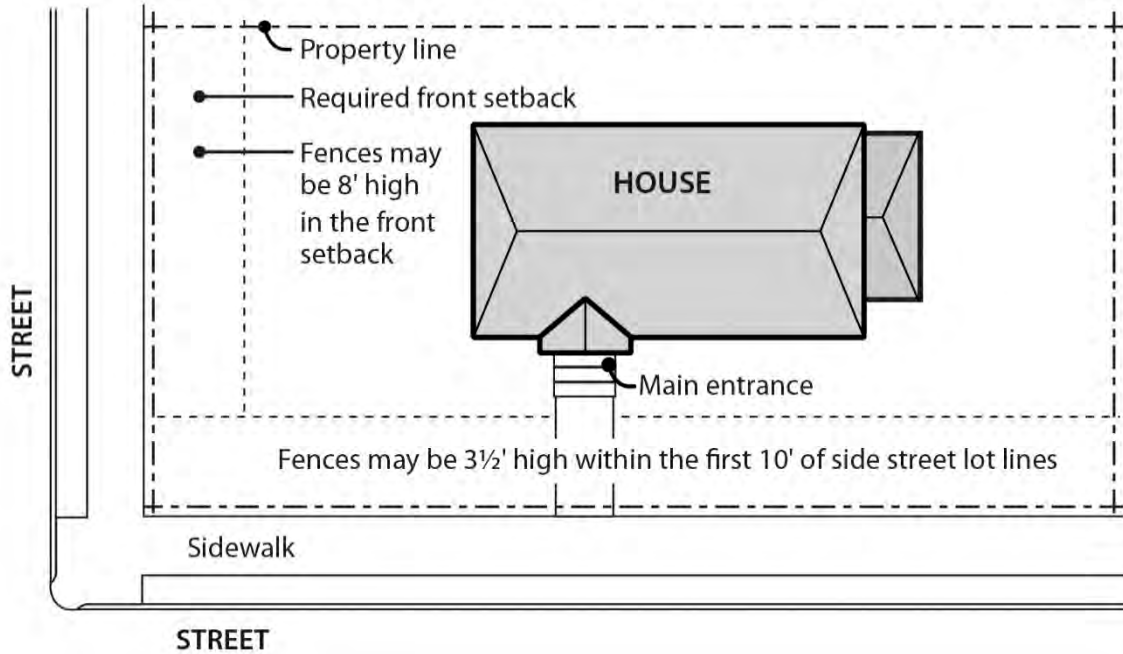
C. Location and height.

1. Front building setbacks. Fences up to 3-1/2 feet in height high are allowed in required front setbacks, or between the front lot line and the front building line, whichever is less. ~~in required front building setbacks.~~
2. Side and rear building setbacks.
 - a. Fences up to 8 feet high are allowed in required side or rear building setbacks that do not abut a pedestrian connection.
 - b. Fences abutting a pedestrian connection.
 - (1) Fences up to 8 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is at least 30 feet wide.
 - (2) Fences up to 3-1/2 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide.
3. Exceptions for corner lots. On corner lots, if the main entrance is on the facade facing the side street lot line, the applicant may elect to meet the following instead of C.1 and C.2. See Figure 110-15.
 - a. Fences up to 3-1/2 feet high are allowed within the first 10 feet of the side street lot line.
 - b. Fences up to 3-1/2 feet high are allowed in required setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide;
 - c. Fences up to 8 feet high are allowed in the required front building setback, outside of the area subject to 3.a.
 - d. Fences up to 8 feet high are allowed in all other side or rear building setbacks.
4. Not in building setbacks. The height for fences that are not in required building setbacks is the same as the regular height limits of the zone.

Commentary

33.110.285 Retaining Walls
Renumbered section

Figure 110-15
Fence Height Option on Corner Lots



- D. Reference to other regulations.** Electrified fences are regulated under Title 26, Electrical Regulations. The use of barbed wire is regulated under Title 24, Building Regulations.

33.110.28533-110.257 Retaining Walls

- A. Purpose.** The standards of this section help mitigate the potential negative effects of large retaining walls. Without mitigation, such walls can create a fortress-like appearance and be unattractive. By requiring large walls to step back from the street and provide landscaping, the wall is both articulated and visually softened.
- B. Where these regulations apply.**
- Generally. These regulations apply to the portions of street-facing retaining walls that are in required setbacks along street lot lines. Where there is no required setback, or the setback is less than 10 feet, the regulations apply to the first 10 feet from the line.
 - Exceptions. The following are not subject to the regulations of this section:
 - Retaining walls in the areas described in B.1 that are less than four feet high, as measured from the bottom of the footing.
 - Retaining walls on sites where the site slopes downward from a street in the area described in B.1.
 - Retaining walls on sites where the site slopes upward from a street and the existing slope within the area regulated by B.1 is 50 percent or more.
 - Replacing an existing retaining wall, where the replacement will not be taller or wider than the existing wall.

Commentary

~~33.110.260 Demolitions~~

Deleting sections that simply reference other regulations. No changes were made to those referenced regulations

~~33.110.270 Nonconforming Development~~

Deleting sections that simply reference other regulations. No changes were made to those referenced regulations

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

- e. Retaining walls on sites where any portion of the site is in an environmental overlay zone.

C. Standards.

1. Retaining walls are limited to 4 feet in height measured from the bottom of the footing, as shown in Figure 110-16.
2. Retaining walls must be set back at least 3 feet from other street-facing retaining walls, as shown in Figure 110-16. The 3 foot setback area must be landscaped to at least the L2 standard, except that trees are not required. A wall or berm may not be substituted for the shrubs.

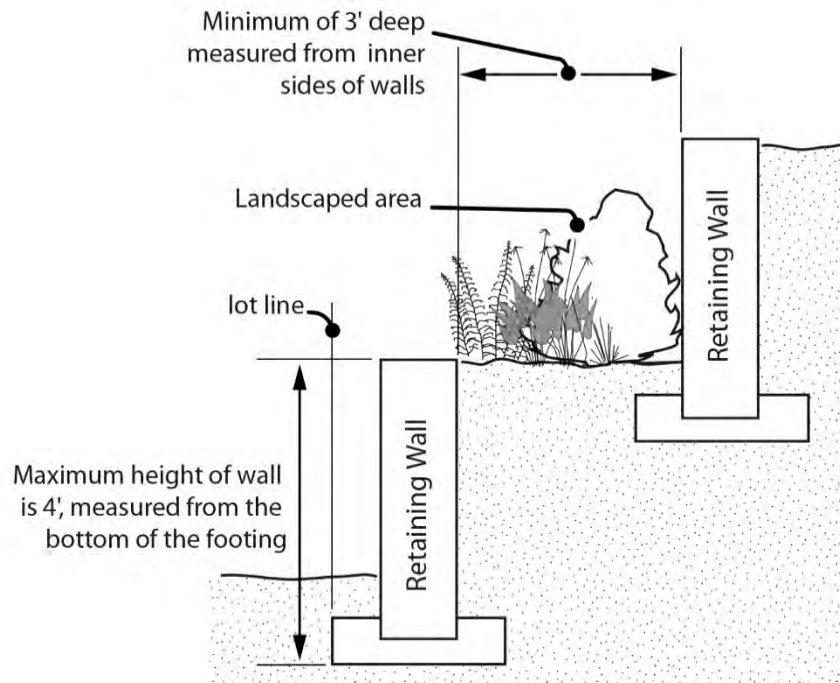
33.110.260 Demolitions

- ~~A. **Generally.** Demolition on a site that requires a demolition permit is subject to the tree preservation and protection requirements of Title 11, Trees. See Chapter 11.50, Trees in Development Situations.~~
- ~~B. **Historic resources.** Demolition of historic resources is regulated by Chapter 33.445, Historic Resource Overlay Zone.~~

33.110.270 Nonconforming Development

~~Existing developments that do not conform to the development standards of this chapter may be subject to the regulations of Chapter 33.258, Nonconforming Situations.~~

**Figure 110-16
Retaining Walls**



Commentary

~~33.110.275 Parking and Loading~~

These regulations previously applied to new narrow lots. These provisions were incorporated into section 33.110.260 Additional Development Standards For Narrow Lots

~~33.110.280 Signs~~

Deleting sections that simply reference other regulations. No changes were made to those referenced regulations

33.110.275 Parking and Loading

A. Access to parking. Vehicle access to a lot must be from an alley under the following conditions. Modifications to this standard are allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.

1. ~~The lot abuts an alley;~~
2. ~~The lot was created by a land division submitted after July 1, 2002; and~~
3. ~~The lot is either:~~
 - a. ~~In the R10 through R5 zones and does not meet the minimum lot width standard of 33.610.200.D.1; or~~
 - b. ~~In the R2.5 zone and does not meet the minimum lot width standard of 33.611.200.C.1.~~

B. Parking and loading. ~~For all other parking and loading regulations, see Chapter 33.266, Parking and Loading.~~

33.110.280 Signs

~~The sign regulations are stated in Title 32, Signs and Related Regulations.~~

Commentary

33.205 Accessory Dwelling Units

33.205.020 Where the regulations apply

Updated section reference to Alternative Development Options in the single dwelling base zone.

Added clarification to align the proposals that allow accessory dwelling units (ADU's) in conjunction with detached units in multi-dwelling development Planned Developments (PD's) as well as the provision to allow a detached ADU with a duplex in the revised "a" overlay zone.

33.205.030.A. Number of residents.

Changed subsection to reflect that ADUs may be on sites with more than one primary dwelling.

33.205.040. Purpose

The phrase "house, attached house, or manufactured home" was changed to "primary dwelling unit" to reflect that in some cases, ADUs are allowed with duplexes. Also when built on a single PD site, multiple "houses" are technically "detached primary dwelling units located on a multi dwelling development site".

33.205 Accessory Dwelling Units

205

Sections:

- 33.205.010 Purpose
- 33.205.020 Where These Regulations Apply
- 33.205.030 General Requirements
- 33.205.040 Development Standards
- 33.205.050 Density

33.205.010 Purpose

Accessory dwelling units are allowed in certain situations to:

- Create new housing units while respecting the look and scale of single-dwelling development;
- Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
- Allow more efficient use of existing housing stock and infrastructure;
- Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- Provide a broader range of accessible and more affordable housing.

33.205.020 Where These Regulations Apply

An accessory dwelling unit may be added to:

- A.** ~~a~~A house, attached house, or manufactured home in an R, C, or EX zone except for attached houses in the R20 through R5 zones that were built using the regulations of 33.110.~~270~~240.E, Duplexes and Attached Houses on Corners;
- B.** Sites in the Additional Housing Opportunity overlay zone. See Chapter 33.405;
- C.** A detached single-dwelling unit in a multi-dwelling development when approved as part of a Planned Development. See Chapter 33.270.

33.205.030 General Requirements

- A. Number of residents.** The total number of individuals that reside in the primary unit and its accessory dwelling unit ~~both units~~ may not exceed the number that is allowed for a household.
- B. Other uses.**
 1. Type B home occupation. An accessory dwelling unit is prohibited on a site with a Type B home occupation.
 2. Type A accessory short-term rental. An accessory dwelling unit is allowed on a site with a Type A accessory short-term rental.
 3. Type B accessory short-term rental. An accessory dwelling unit is allowed on a site with a Type B accessory short-term rental if the accessory dwelling unit meets the standards of Paragraph 33.815.040.B.1.

Commentary

33.205.040.C.1. Location of entrances

These revisions ensure that the entrance requirements apply to ADU's developed on PD sites where there are multiple detached single dwelling units. For duplexes in the "a" overlay zone, only detached ADU's are allowed, so this standard does not apply.

33.205.040.C.2. Parking

Revised section to be more concise.

33.205.040.C.3. Maximum Size

These provisions were changed to address size limits when an ADU is proposed with a duplex (where there are two primary units). This also clarifies that in these cases, the size of the ADU is tied to the smaller of the primary units to ensure that the ADU does not end up being larger than a primary unit.

33.205.040.C.4. Setbacks

Revising to "primary dwelling unit" term instead of "houses, etc."

33.205.040 Development Standards

- A. Purpose.** Standards for creating accessory dwelling units address the following purposes:
- Ensure that accessory dwelling units are compatible with the desired character and livability of Portland’s residential zones;
 - Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards;
 - Ensure that accessory dwelling units are smaller in size than primary dwelling units ~~houses, attached houses, or manufactured homes~~; and
 - Provide adequate flexibility to site buildings so that they fit the topography of sites.
- B. Generally.** The development standards for accessory dwelling units are stated in this section. If not addressed in this section, the base zone development standards apply.
- C. Requirements for all accessory dwelling units.** All accessory dwelling units must meet the following:
1. Location of entrances. Only one entrance may be located on the facade of the primary dwelling unit ~~house, attached house, or manufactured home~~ that faces ~~the street,~~ unless the primary dwelling unit ~~house, attached house, or manufactured home~~ contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks. Detached accessory dwelling units are exempt from this standard.
 2. Parking. No additional parking is required for the accessory dwelling unit. Existing required parking ~~for the house, attached house, or manufactured home~~ must be maintained or replaced on-site.
 3. Maximum size. The size of the accessory dwelling unit may be no more than 75 percent of the living area of the primary dwelling unit or 800 square feet of living area, whichever is less. The measurements are based on what the square footage of the primary dwelling unit and accessory dwelling unit will be after the accessory dwelling unit is created. In the case of a duplex, the size of the accessory dwelling unit may be no more than 75 percent of the living area of the smaller of the two primary units or 800 square feet, whichever is less.
 4. Setbacks. Detached accessory dwelling units must be:
 - a. Set back 40 feet from the front lot line; or
 - b. Located behind a line established parallel with the rear wall of the primary dwelling unit ~~house, attached house, or manufactured home~~. For the purpose of this regulation, the rear wall of the primary dwelling unit ~~house~~ is the wall furthest from the wall with the main entrance to the street.
 5. Detached accessory dwelling units must meet the development standards for detached covered accessory structures in the base zone.

33.205.050 Density

In the single-dwelling zones, accessory dwelling units are not included in the minimum or maximum density calculations for a site. In all other zones, accessory dwelling units are included in the minimum density calculations, but are not included in the maximum density calculations.

Commentary

33.218 Community Design Standards

33.218.015 Purpose

Deleted reference to 33.405 to reflect revisions in that chapter. The provisions in that chapter are not tied to design review or meeting Community Design Standards.

~~33.218.100. C. Large building elevations divided into smaller areas.~~

This subsection is being incorporated as a base zone requirement for all houses and duplexes in the single dwelling zones (see 33.110.240, Street Facing Facades in R10 through R2.5), and was no longer needed here.

33.218 Community Design Standards

218

33.218.015 Procedure

- A. Generally.** This chapter provides an alternative to the design review process or historic resource review process for some proposals. Where a proposal is eligible to use this chapter, the applicant may choose to go through either the discretionary design review process set out in Chapter 33.825, Design Review, and Chapter 33.846, Historic Resource Reviews, or to meet the objective standards of this chapter. If the proposal meets the standards of this chapter, no design review or historic resource review is required. The standards determining which proposals are eligible to use this chapter are in ~~Chapter 33.405, Alternative Design Density Overlay Zone;~~ Chapter 33.420, Design Overlay Zone; Chapter 33.445, Historic Resource Overlay Zone; and Chapter 33.505, Albina Community Plan District.

The standards of this chapter do not apply to proposals reviewed through the discretionary design review processes set out in Chapter 33.825, Design Review, and Chapter 33.846, Historic Resource Reviews. Where a proposal is for an alteration or addition to existing development, the standards of this chapter apply only to the portion being altered or added.

- B. - C. [No change]**

Standards

33.218.100 Standards for Primary and Attached Accessory Structures in Single-Dwelling Zones

The standards of this section apply to development of new primary and attached accessory structures in single-dwelling zones.

- A. Landscaping.** [no change]
- B. Front setbacks in the Southwest Community Plan area and conservation districts.**
[no change]
- ~~**C. Large building elevations divided into smaller areas.**~~ The front elevation of large structures must be divided into smaller areas or planes. When the front elevation of a structure is more than 500 square feet in area, the elevation must be divided into distinct planes of 500 square feet or less. For the purpose of this standard, areas of wall that are entirely separated from other wall areas by a projection, such as the porch or a roof over a porch, are also individual building wall planes. This division can be done by:
- ~~1. A porch, a dormer that is at least 4 feet wide, or a balcony that is at least 2 feet deep and is accessible from an interior room;~~
 - ~~2. A bay window that extends at least 2 feet; or~~
 - ~~3. Recessing a section of the facade by at least 2 feet; the recessed section must be at least 6 feet long.~~

- D. - P. [Renumber C. - O.]**

Commentary

33.251 Manufactured Homes and Manufactured Dwelling Parks

33.251.020.D. Other regulations.

Rearranged the order of these standards.

Floor Area. Deleted the minimum floor area limitation from the manufactured dwelling provisions. In addition to lifting restrictions on a housing type that provides more affordable housing, this permits smaller manufactured homes to be used for ADUs (currently requires an Adjustment to either the ADU maximum living area or manufactured home minimum floor area).

Roof. Retained requirement for 3/12 pitch roof as this helps to maintain compatibility with conventional built houses. The requirement for eaves was updated to be more consistent with wording elsewhere in the code.

33.251 Manufactured Homes and Manufactured Dwelling Parks

251

33.251.010 Purpose

This chapter provides standards ~~which will that~~ allow the placement of manufactured homes, mobile homes and manufactured dwelling parks in residential areas without changing the character of existing neighborhoods. These regulations promote additional housing options and provide locational opportunities for manufactured dwellings.

33.251.020 Manufactured Homes on Individual Lots

A. through B. [No change]

C. Development standards. Manufactured homes must meet the development standards of the base zone, except on individual lots in manufactured dwelling parks that were created under the provisions of Chapter 33.642.

D. Other regulations. Manufactured homes must meet the following standards:

- ~~1.~~ Floor area. ~~The manufactured home must be at least 1,000 square feet in floor area.~~
15. Hauling mechanisms. The transportation mechanisms including the wheels, axles and hitch must be removed.
23. Foundation. The manufactured home must be set on an excavated, back-filled foundation and enclosed at the perimeter.
34. Exterior siding. The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings. Metal siding must be painted or anodized.
42. Roof. The manufactured home must have a pitched roof with a pitch of at least ~~a nominal~~ 3/12. ~~The roof must be covered with shingles, shakes, or tile. Eaves must project from the building wall at least 12 inches on all elevations. Eaves from the roof must extend at least 1 foot from the intersection of the roof and the exterior walls.~~

Commentary

33.266 Parking, Loading, And Transportation And Parking Demand Management

33.266.120 Development Standards for Houses, Duplexes and Triplexes.

The parking standards are currently divided between houses/duplexes and “all other development”. This means that triplexes are subject to the same parking development standards as commercial uses or larger apartments. The result is that parking for triplexes tend to be more commercial in appearance than what is more characteristic of single dwelling residential areas. For example, the current triplex standards have larger allowances for front yard paving, as well as requirements for forward entry and exiting, curbs, striping and screening.

These changes categorize triplexes with houses and duplexes, which have standards that allow 9-foot wide driveways and backing egress, and also include additional front yard paving limits.

33.266.120.A Purpose

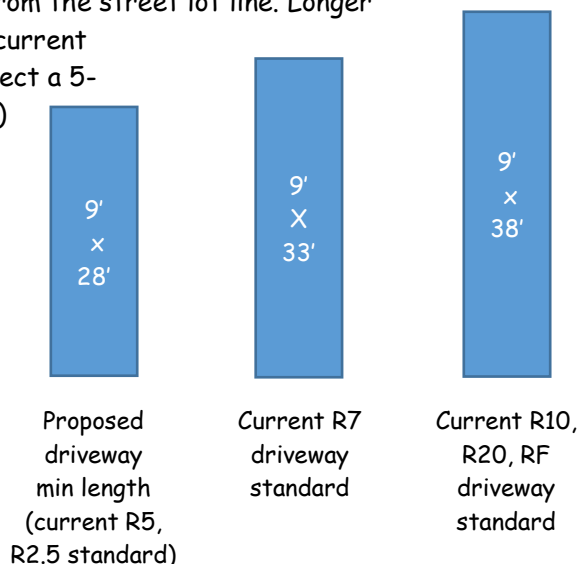
This change aims to reduce curb cuts and preserve on street parking with shared driveways, combined curb cuts, and parking waivers. When an adjustment is sought to a particular development standard, applicants will need to show how the proposal equally or better meets this purpose.

33.266.120. B. When these regulations apply

Changed the subsection title to be more consistent with wording elsewhere in the code. Also, removed the reference to attached duplexes, since this residential structure type is being removed from the code.

33.266.120.C. Parking area locations

Due to the front setback matching and setback averaging provisions for single dwelling zones, the “front setback” is subject to a large degree of variability. Consequently, describing the regulation to applicants (or with code compliance cases) could become more challenging. With the setback flexibility, the driveway dimension could result in a parking pad that is too long for a single car, but not quite long enough to accommodate 2 cars completely on site. This tends to encourage parking in a manner that obstructs sidewalks. This amendment replaces the relationship of the parking pad to the front setback with a static 10 foot set back from the street lot line. Longer driveways are still permitted. This is the same as current requirements for R2.5 and R5 zones, but does reflect a 5-foot reduction in R7 (from 33 to 28 feet in length) and a 10 foot reduction in R10-RF zones (from 38 to 28 feet in length).



33.266 Parking, Loading, And Transportation And Parking Demand Management

266

33.266.120 Development Standards for Houses, ~~and Duplexes, and Triplexes~~

- A. Purpose.** The size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods, minimize curb cuts, and preserve on street parking.
- B. When these regulations apply.** ~~Structures these regulations apply to.~~ The regulations of this section apply to houses, attached houses, duplexes, ~~attached duplexes,~~ triplexes, manufactured homes, and houseboats. The regulations apply to required and excess parking areas. The following are exceptions to this requirement:
1. – 2. [No change]
- C. Parking area locations.**
1. Required parking.
- a. Generally. Required parking spaces are not allowed within the first 10 feet from a front lot line ~~or in a required front setback, whichever is greater.~~ In addition, on corner lots, required parking spaces are not allowed within the side street setback.
- b. Exception for common greens and shared courts. On lots where the front lot line abuts a common green or shared court, parking spaces are allowed within 10 feet of the front lot line.
- 2.-4. [No change]
- D.-E.** [No change]

Commentary

Figure 266-1

Revised image to replace phrase "10' or front setback, whichever is greater" with "10'" to match revised regulation in 33.266.120.C.

Figure 266-2

No change

Language to be **added** is underlined>
Language to be **deleted** is shown in ~~strikethrough~~

Figure 266-1
Non-Required Parking

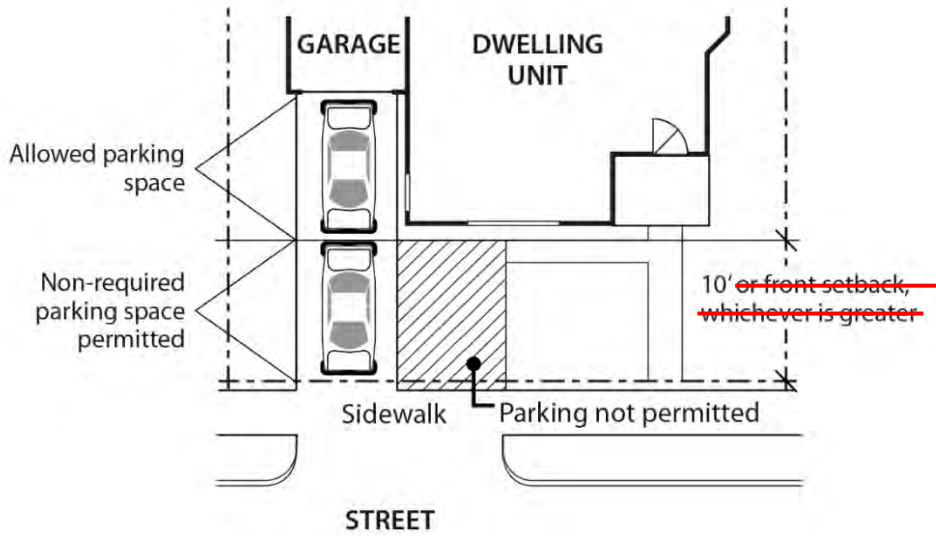
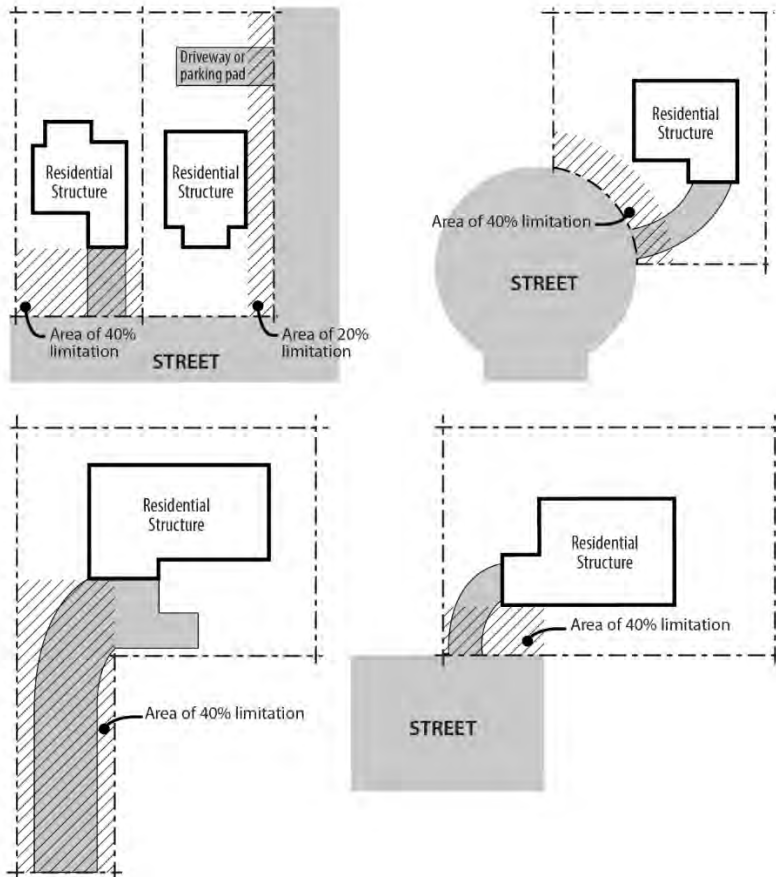


Figure 266-2
Parking Area Limitation



Commentary

33.270 Planned Development

As part of prior changes to the zoning code made as part of the Early Implementation Zoning Code Project (adopted December 21, 2016), the Planned Development chapters were moved from the 600 series of chapters into 33.270 Planned Development, and 33.854 Planned Development Review. These changes will be effective January 1, 2018 (concurrent with the new Comprehensive Plan) and are available online for viewing: www.portlandoregon.gov/bps/article/641579

The changes shown here update that adopted (but not yet in effect) code and reflect the allowance of accessory dwelling units (ADUs) as part of detached primary dwelling units on multi-dwelling development sites as well as incorporating triplexes specifically as an additional allowed development that can be requested through a PD.

33.270.020.B. Density and FAR.

Currently, ADU's are only allowed in conjunction with a "house", defined as a dwelling unit located on its own lot. When multiple houses are placed on a single site, they are technically "detached dwelling units on a multi-dwelling development site" and ADU's are consequently not allowed.

The presence or lack of invisible property lines should not affect whether an ADU is allowed with what are visibly the same type of structure. ADU's are not counted towards density in a land division (they do count towards meeting *minimum* density in multi dwelling zones, but do not count against *maximum* density). To keep the Planned Developments consistent with land divisions, ADUs are allowed. These changes also provide a cross reference to the ADU density standards in 33.205.

Reference to FAR is being removed from this section as it is confusing density with bulk limits and where FAR is used to determine density, it is described as such in the corresponding base zone chapter.

33.270.100.C. ~~Attached Duplexes~~ Triplexes.

References to attached duplexes were deleted from the code as the residential structure type was deleted.

Triplexes were added because they had previously been categorized under subsection D as a type of multi-dwelling structure, but multi dwelling structures are now defined as buildings with four or more units.

33.270 Planned Development

270

33.270.020 Relationship to Other Regulations

- A. **Flexibility.** Approval of a Planned Development allows certain kinds of flexibility for development in residential zones and commercial/mixed use zones. Some of the flexibility allowed by Planned Developments may also be allowed under other provisions of this Title. Where such situations exist, the applicant may choose which provision to apply.
- B. **Density and FAR.** Minimum ~~residential density and minimum FAR~~ requirements must be met in a Planned Development. Adjustments to minimum density ~~or minimum FAR~~ are prohibited. Where the density requirement is expressed as a number of lots, it can be met in the Planned Development by providing the same number of dwelling units. Maximum density requirements in Single-Dwelling zones are specified in 33.610.100 and 33.611.100. Density provisions for accessory dwelling units are described in 33.205.050. ~~Maximum FAR requirements are specified in 33.130.205.~~
- C. **Land Divisions.** A Planned Development may be the only land use review requested for a site, or may be part of a proposal for a Land Division. Certain site conditions or aspects of a proposal require a Land Division, including situations where a tract is required (such as when there is floodway on the site), or where rights-of-way are requested or required.

33.270.100 Additional Allowed Uses and Development

In addition to the housing types and uses allowed by other chapters of this Title, the following uses and development may be requested through Planned Development Review. More than one of these elements may be requested:

- A. **Attached houses. [No change]**
- B. **Duplexes. [No change]**
- C. **Triplexes.** ~~Triplexes may be requested in the RF through R2.5 zones; **Attached duplexes.** Attached duplexes may be requested in the RF through R2.5 zones;~~
- D. **Multi-dwelling structures. [No change]**
- E. **Multi-dwelling development. [No change]**
- F. **Modification of site-related development standards. [No change]**
- G. **Alternative residential dimensions.** Proposals for lots that do not meet one or more of the minimum lot dimension regulations in 33.610.200 or 33.611.200 area, minimum lot depth, or minimum front lot line standards may be requested in RF through R2.5 zones. Proposals for lots that do not meet the minimum lot size dimensions may be requested in the RH through R3 zones.
- H. **Commercial uses. [No change]**
- I. **Additional height and FAR. [No change]**
- J. **Transfer of development within a site. [No change]**
- K. **Transfer of development between sites. [No change]**

Commentary

33.281 Schools and School Sites

33.281.100 General

This reference was updated to match the changes to numbering in Chapter 33.110.

33.281 Schools and School Sites

281

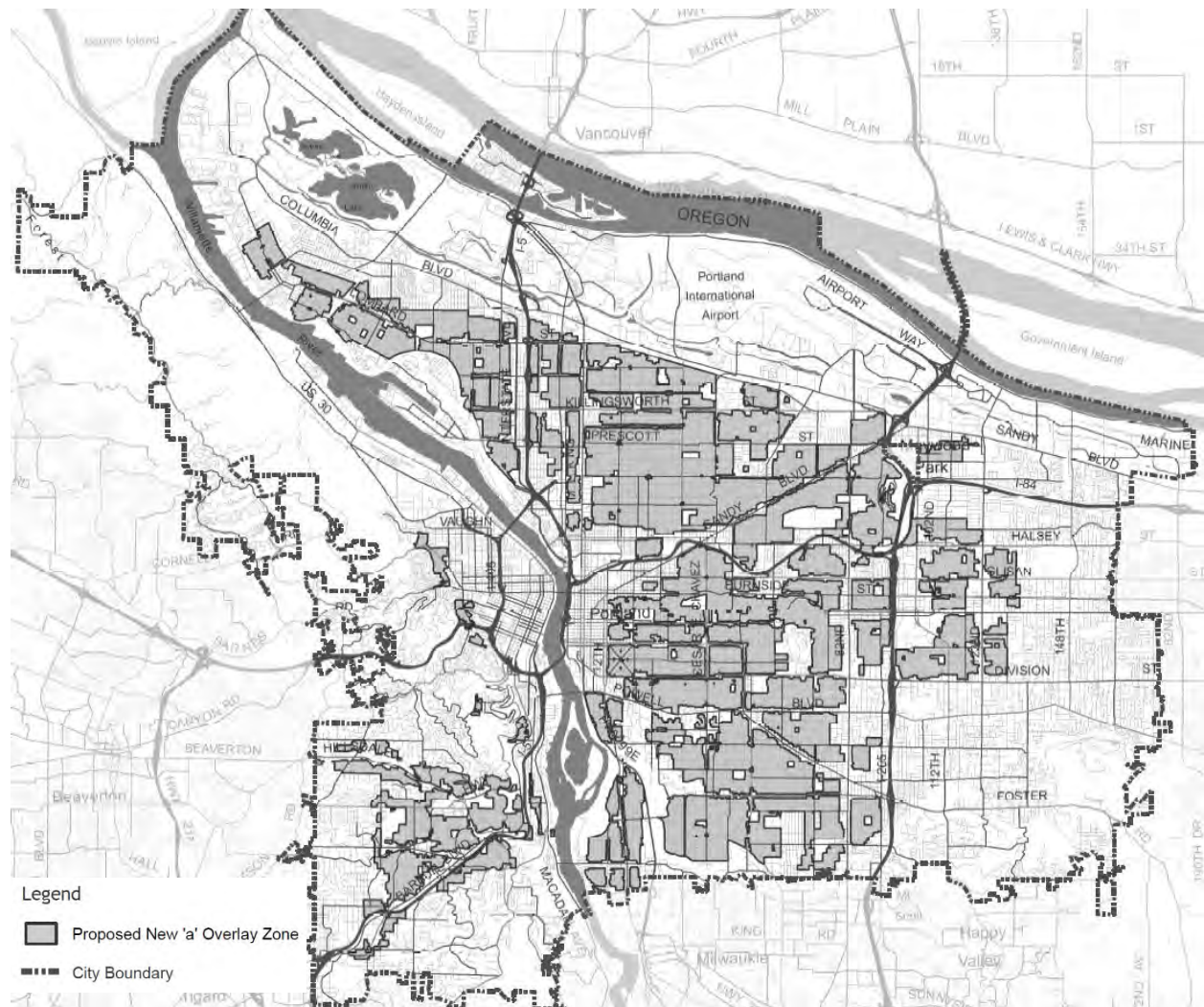
33.281.100 General Standards

In the OS and R zones, the development standards for institutional uses apply except where superseded by the standards in this chapter. The institutional development standards are stated in ~~33.110.245~~ 33.110.275 and 33.120.275. In C and E zones, the development standards of the base zone apply except where superseded by the standards in this chapter. Recreational fields used for organized sports are subject to Chapter 33.279, Recreational Fields for Organized Sports.

Commentary

33.405 Additional Housing Opportunity Overlay Zone

Besides the changes in 33.110, the changes to 33.405 are the most significant in implementing the concepts in the Residential Infill Project. These changes are part of related map proposals to remove the current 'a' (Alternative Design Density) overlay zone and replace with the new 'a' (Additional Housing Opportunity overlay zone) shown below.



The 2035 Comprehensive Plan identifies the need for a diversity of housing types in high-opportunity areas, i.e. areas with convenient access to jobs, services, schools, and amenities. Additionally, areas that are well-served by transit help reduce people's reliance on driving as a means to conduct their daily trips, reducing the overall burden on transportation infrastructure and reducing greenhouse gasses. In R2.5, R5, and R7 zoned areas that have the new "a" overlay zone, additional types of housing are being allowed. Where a house is allowed today, a duplex will be allowed. Where a house with just one accessory dwelling unit (ADU) was allowed, two ADU's are allowed. Where a duplex was allowed on corner lots today, a triplex can be built.

33.405 Additional Housing Opportunity Overlay Zone

405

Sections:

33.405.010 Purpose

33.405.020 Map Symbol

33.405.030 Applying the Additional Housing Opportunity Overlay Zone

33.405.040 Ineligible Sites

33.405.050 Accessory Dwelling Units, Duplexes and Triplexes

33.405.060 Visitability

33.405.070 Additional Regulations for Historic Resources

33.405.080 Affordable Housing Bonus

33.405.010 Purpose

The Additional Housing Opportunity overlay zone allows increased density in high opportunity areas including areas near frequent transit, areas designated as Centers in the Comprehensive Plan, and areas close to schools, employment, and everyday services. The overlay zone promotes compatible infill development and provides opportunities for a variety of housing types that will accommodate households of varying sizes, income levels, and physical abilities. The overlay zone also encourages adaptive reuse of historic properties.

33.405.020 Map Symbol

The Additional Housing Opportunity overlay zone is shown on the Official Zoning Maps with the letter “a” map symbol.

33.405.030 Applying the Additional Housing Opportunity Overlay Zone

The Additional Housing Opportunity overlay zone may be established or removed as the result of a legislative procedure. Establishment or removal of the Additional Housing Opportunity overlay zone through a quasi-judicial procedure is prohibited. The Additional Housing Opportunity overlay zone is only applicable in the R7, R5, and R2.5 zones. When property is rezoned to a zone other than R7, R5, or R2.5, the Additional Housing Opportunity overlay zone will be deleted from the Official Zoning Map.

33.405.040 Ineligible Sites

Sites that do not have at least one lot line on a street that has been accepted for maintenance by the City of Portland, or the State of Oregon in the case of state highways, are not eligible to use the provisions of this Chapter. See Title 17.42, Property Owner Responsibility for Streets. Payments in lieu of street improvements do not satisfy this requirement.

Commentary

33.405.040 Ineligible Sites

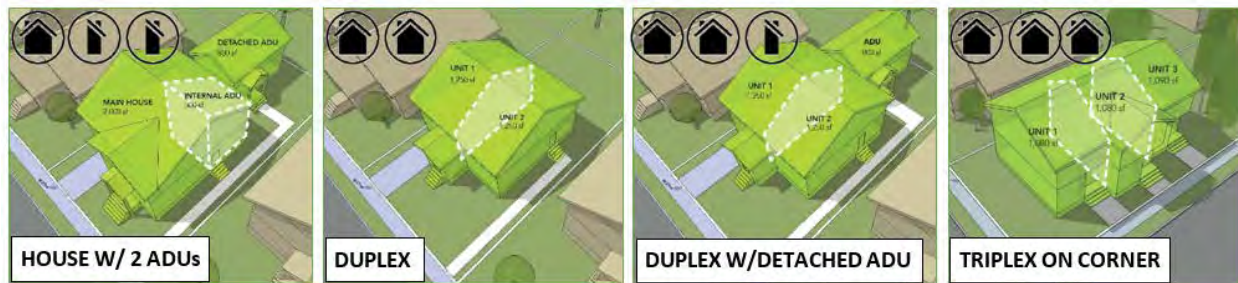
Convenient access (to transit, services, daily needs) is a fundamental function of the overlay. Areas with unimproved streets create impediments to this access, reducing walkability and bikeability. While new development and conversions to add units would trigger the need for street improvements, the incremental improvements may occur mid-block and not connect to the street network, leaving an isolated improvement. Alternatively, a fee in lieu of constructing improvements may be paid. While the payment goes into a fund for improvements to be made to the overall system, the improvements do not necessarily occur where the development occurs..

Therefore, to ensure access to a convenient and functioning street network, sites that are not fronting on City maintained streets will not be eligible to use the provisions of this overlay. As streets are improved and accepted for City maintenance in the future those sites will become eligible.

It should be noted that private streets would also be ineligible. This is in part due to the wide variety of private street conditions that exist in the city (from gravel roads to fully developed streets with curbs and sidewalks), but also due to the fact that maintenance cannot be assured by the City as the responsibility falls to a homeowners association or individual property owners on a street.

33.405.050 Accessory Dwelling Units, Duplexes and Triplexes

Existing houses may be converted, or new structures built to achieve one of the following:



33.405.050.D Standards

Minimum lot sizes are included to ensure that in combination with FAR limits, units will be able to be reasonable sizes (two to three bedroom units on average), and adequate site size will remain for required outdoor area, parking, and other regulatory requirements (such as stormwater infiltration).

Base Zone	House Min Lot Area	Avg unit	Duplex Min Lot Area	Avg unit	Triplex Min Lot Area	Avg unit
R2.5	1,600 s.f.	1,120 s.f.	3,000 s.f.	1,050 s.f.	4,800 s.f.	1,360 s.f.
R5	3,000 s.f.	1,500 s.f.	4,500 s.f.	1,125 s.f.	4,800 s.f.	1,040 s.f.
R7	4,200 s.f.	1,680 s.f.	6,300 s.f.	1,260 s.f.	6,300 s.f.	1,155 s.f.

33.405.050 Accessory Dwelling Units, Duplexes and Triplexes

- A. Second accessory dwelling unit.** A second accessory dwelling unit may be added to a house, attached house, or manufactured home provided:
 - 1. One of the accessory dwelling units is in a detached accessory structure. The other accessory dwelling unit must either be internal to the house or in an addition attached to the house.
 - 2. The standards of Subsection D. are met.
- B. Duplex.** A duplex or duplex with one detached accessory dwelling unit is allowed on a lot when the standards of Subsection D. are met.
- C. Triplex.** A triplex is allowed on a corner lot when:
 - 1. The triplex meets or has received an adjustment to the development standards in the base zone that are applicable to a house; and
 - 2. The standards of Subsection D. are met.
- D. Standards.**
 - 1. Minimum Lot Area. The proposed development is on a lot that meets the minimum lot area requirements listed in Table 405-1. Adjustments are prohibited;

Base Zone	House with 2 ADUs or Duplex with up to 1 ADU	Triplex
<u>R2.5</u>	<u>3,000 square feet</u>	<u>4,800 square feet</u>
<u>R5</u>	<u>4,500 square feet</u>	<u>4,800 square feet</u>
<u>R7</u>	<u>6,300 square feet</u>	<u>6,300 square feet</u>

- 2. Maximum FAR. For houses and duplexes the FAR standards of the base zone apply, For a triplex on a corner, the site does not exceed the maximum FAR listed in Table 405-2. The maximum FAR for triplexes applies to all primary and accessory structures on the lot;

Base Zone	Maximum FAR
<u>R2.5</u>	<u>0.85 to 1</u>
<u>R5</u>	<u>0.65 to 1</u>
<u>R7</u>	<u>0.55 to 1</u>

- 3. Visitability. At least one dwelling unit on the site meets the requirements of 33.405.060, Visitability;
- 4. Historic resources. Sites with certain historic resources have additional allowances and limitations, see 33.405.070.

Commentary

33.405.060 Visitability

Aging in community and access to housing for people of all ages and abilities is an important policy objective in the 2035 Comprehensive Plan. Current Building Code requirements for "accessible" housing only apply to buildings with 5 or more dwelling units. There are no specific provisions in the zoning code that address accessibility issues for houses, duplexes, or triplexes (pedestrian standards in the multi dwelling zone do require an accessible route between a street and the building).

"Visitability" is a basic level of accessibility that removes barriers for those with temporary or permanent mobility impairments, parents with strollers, seniors and small children. The requirements do not stipulate that the entire house or unit be fully accessible, as there are significant costs associated to do so, and specific needed or desired features will vary depending on a particular user's needs. Visitability ensures that a house can be comfortably "visited" by someone regardless of his or her abilities.

33.405.060.B. Standards.

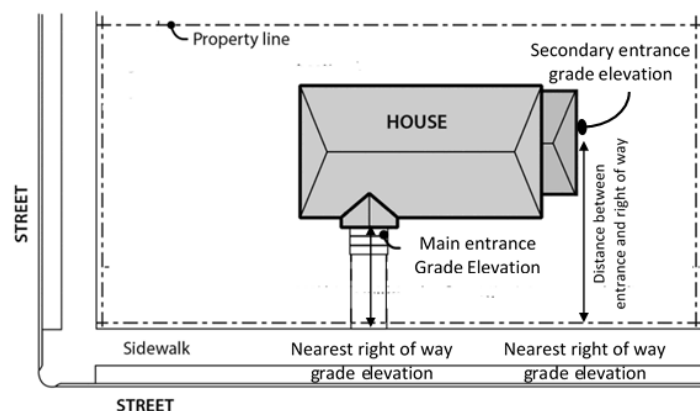
There are four basic elements to meeting visitability requirements:

- 1) A zero or one-step entry that can be readily retrofitted with a ramp to ensure access to the unit
- 2) Bathroom (sink and toilet) on the floor with the visitable entrance
- 3) Living area with space to entertain and socialize
- 4) Hallways and doorways that are at least 34 inches wide. This provide adequate width considering the width of a door when opened

33.405.060.C. Exemptions.

Of the four required elements (see commentary next page), the most challenging to achieve is the low step entry. Particular site conditions, slopes, and existing development may make it impractical to maintain a grade that allows of a low or zero step entry. Steeply sloped lots (>20%) are commonly exempted from additional zoning code standards based on their unique development challenges. Entries with inadequate distance to create a ramp with a 10% or less slope from an entrance to the street are also exempted. This exemption is measured for every entry (including side and back entries), not just the front door. Finally, because internal conversions of existing structures to add dwelling units is allowed, retrofitting existing structures to meet these requirements presents additional challenges where new construction has a greater ability to develop plans and modify site grades in order to meet the requirements.

To determine whether or not an entrance is exempt, the elevation of the finished floor at each entrance, the distance between the entrance and the nearest point of the right of way, and the elevation at the right of way at that point are needed, see example below:



Calculation
(grade at entrance minus grade at right of way)
divided by
(distance between entrance and right of way)
Equals percent slope

Example
(3'6" - 1'6") = 2'
÷
20 feet
= 0.1 or 10%

33.405.060 Visitability

A. Purpose. Visitability standards ensure that where site conditions permit, a baseline of accessible features is provided to accommodate people living in or visiting the residence regardless of age or ability. The standards:

- Promote a diverse supply of more physically accessible housing;
- Allow people of all ages and abilities to easily enter and visit the residence;
- Foster community interaction by reducing barriers that can lead to social isolation; and
- Enhance public safety for all residents and visitors.

B. Standards. Unless exempted by Subsection C, at least one dwelling unit on the site must meet the following:

1. Visitable entrance. At least one entrance with no more than one step into the living area of the dwelling unit must be at the average street grade measured at the property corners on the street lot line or it must be at a location that can be reached by an accessible route.
2. Visitable bathroom. One bathroom must be designed to accommodate a minimum 60-inch diameter circle with no obstructions. The bathroom must be on the same floor as the visitable entrance or be accessible via a ramp, elevator or lift;
3. Visitable living area. A minimum of 200 square feet of living area that can accommodate a 10-foot square must be provided on the same floor as the visitable entrance or be accessible via a ramp, elevator or lift; and
4. Visitable hallways and doors. All hallways and door openings between the visitable entrance, visitable living area and the visitable bathroom must be at least 34 inches wide.

C. Exemptions. The following are exempt from the standards of this section:

1. Lots that with an average slope of 20 percent or greater. See Chapter 33.930, Measurements, for how to measure average slope.
2. Structures where the average slope exceeds 10 percent measured between the finished floor at all entrances and the right of way nearest to each entrance.
3. Existing structures.

Commentary

33.405.070 Additional Regulations for Historic Resources

Historic resources help to define an area's character, they provide a link to our past and history, and provide visual examples of significant architectural lineage. To encourage adaptive reuse and extend the longevity of historic resources, limitations are in place to restrict use of the general overlay housing provisions of 33.405.050 if a Historic or Conservation landmark or contributing structure in a Historic or Conservation District is or was previously on the site but was demolished. In exchange, additional flexibility has been included to allow historic resource properties (including ranked Historic Resource Inventory properties) to convert or add units in a manner that does not degrade from the architectural or historical significance.

Additional flexibility is provided in terms of a wider range of housing unit arrangements: house plus two ADU's - each ADU can be either in the house or in a detached structure; duplex plus a detached ADU, or a triplex - not on a corner. Also, parking requirements are waived when these conversions occur to facilitate garage conversions and acknowledge the limitation of existing site layout and design. Required lot sizes are smaller. And finally, the FAR that typically applies to a primary structure plus a detached accessory structure can be combined and allocated across the site. For example, a small landmark house could add two ADU's in the yard without altering the house, provided the total FAR for all structures did not exceed the limit in Table 405-2.

Properties on the Historic Resources Inventory, conservation landmarks, and sites in conservation districts do not have the same level of resource protection that historic landmarks or districts have. Therefore clear and objective standards are included to limit the amount of alteration allowed to these structures when converting to add units. Deviation from these standards is allowed when the proposal is reviewed through historic resource review.

33.405.070 Additional Regulations for Historic Resources

- A. Purpose.** These regulations offer added flexibility to promote adaptive reuse through conversion of designated historic resources as well as buildings that are ranked on the City's Historic Resources Inventory. Limitations serve to maintain the historic character of buildings while also discouraging the replacement of historic resources.
- B. Limitations on sites that contain a designated historic resource.** A site that at any time after October 1, 2017 has or had a property listed as a Historic or Conservation Landmark, or a contributing structure in a Historic or Conservation District, and the resource is or was subject to either demolition review or 120-day delay may not use the provisions in 33.405.050 Accessory Dwelling Units, Duplexes and Triplexes.
- C. Conversions to add dwelling units to a historic resource property.** A house or duplex that is a Historic or Conservation Landmark, contributing structure in a Historic or Conservation District, or is listed on the City's Historic Resource Inventory as a Rank I, II, or III resource may add up to two accessory dwelling units (both can be either detached, attached or internal to the house), or be converted to a duplex, duplex with one detached accessory dwelling unit, or a triplex as follows:
1. Limitations on alterations. Unless approved through Historic Resource Review, the following major residential alterations and additions are not allowed:
 - a. Adding any new story, excluding raising a structure less than 4 feet or excavating to meet the required headroom in a basement to create a taller basement;
 - b. Increasing or replacing 50 percent or more of the exterior wall area on any floor. If the subflooring under an exterior wall is removed, it will be treated as if the wall was removed;
 - c. Adding total new floor area to the existing structure that exceeds 800 square feet; or
 - d. Adding an area exceeding 100 percent of the existing foundation footprint area of the structure.
 2. The site meets the requirements of 33.110.210, When Primary Structures are Allowed;
 3. The site does not exceed the maximum FAR listed in Table 405-2. The maximum applies to the combined floor area for all primary and accessory structures on the lot;
 4. If the proposal includes a triplex, the triplex must meet or have received an adjustment to the standards in the base zone that are applicable to a house;
 5. If any combination of housing types results in at least three units on the site, one dwelling unit must meet the requirements of 33.405.060, Visitability;
 6. Parking is not required for the site. If all parking is removed, the curb cut must be removed.

Commentary

33.405.080 Affordable Housing Bonus

The affordable housing bonus provides for one additional unit (up to a maximum of four units) with the requirement that all of the units are affordable to families making up to 80% of the median family income (MFI). Terms for affordability will depend on the size of the units (i.e. number of bedrooms) and whether they are to be rented or converted to condo units (the "a" overlay does not permit sites to be divided into lots smaller than allowed by the base zone for fee-simple ownership).

33.405.080.C housing types allowed. This section describes the different arrangements of housing types that are allowed.

33.405.080.C Maximum FAR. The maximum FAR for the site allows a small amount of additional FAR (the same allowed for corner triplexes - and consistent with area allowed for detached accessory structures). This FAR limit ensures units will be smaller and thus more affordable, and the structure(s) will remain compatible with other houses in the neighborhood.

33.405.080.D. Parking. The parking waiver is consistent with waivers granted for affordable units in larger multi-dwelling projects. Parking requirements hamper housing affordability in two key ways: there are costs associated with their construction (which can vary based on whether they are parked in structures, underground, or on parking pads) and they occupy area that can otherwise be used for living, outdoor area, recreation, or stormwater management.

33.405.080 Affordable Housing Bonus

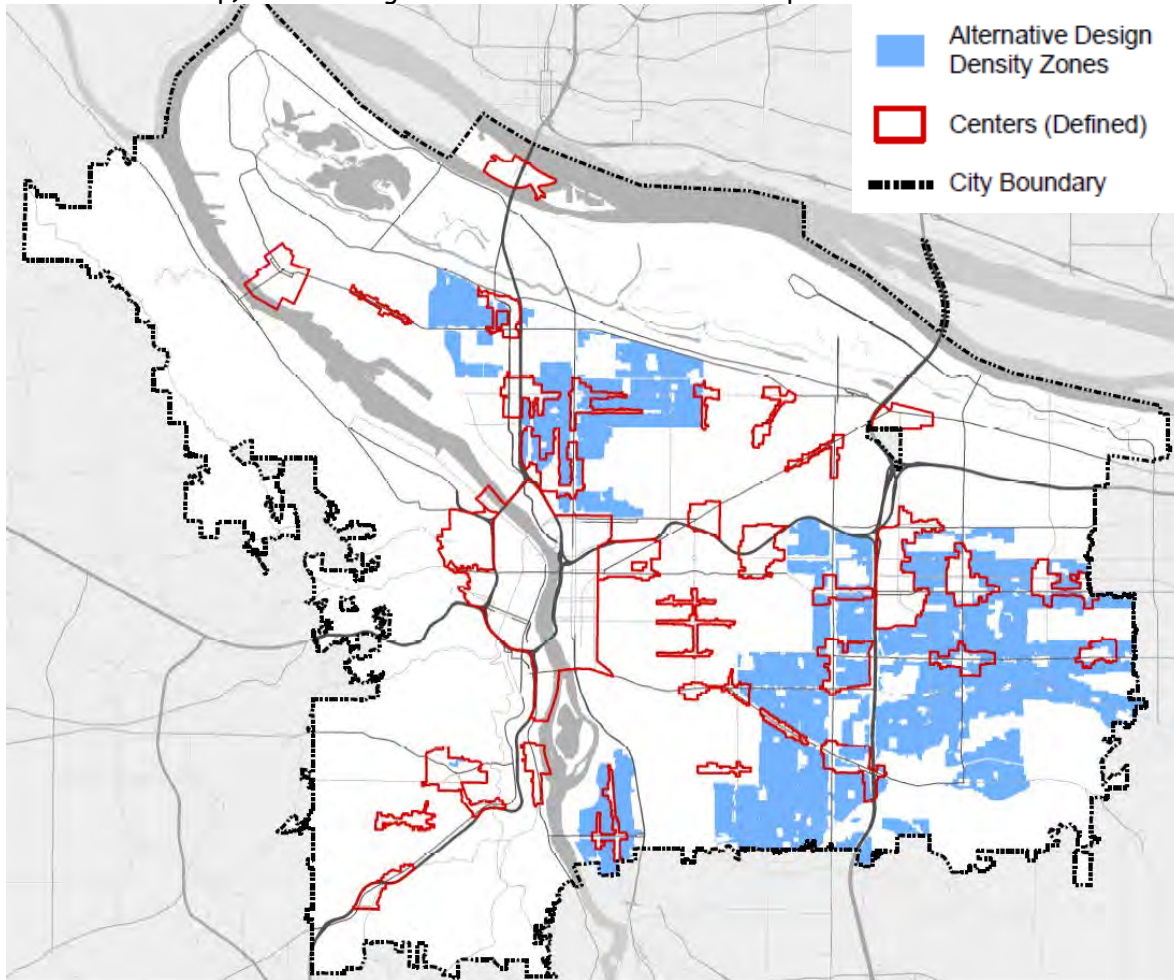
- A. Purpose.** The purpose of this bonus is to promote the production of affordable housing. The bonus dwelling unit helps spread land investment costs across more units, thereby lowering the average cost of each unit. The overall size of the allowed structures on site is compatible with a single house including detached accessory structures which maintains compatibility with the character of the single dwelling zone.
- B. Bonus dwelling unit.** One additional dwelling unit, up to four total, is allowed above the allowances provided in this chapter. To qualify for this bonus:
1. All of the dwelling units on the site are affordable to those earning no more than 80 percent of the median family income.
 2. The applicant must provide a letter from the Portland Housing Bureau certifying that the development meets their administrative requirements. The letter must be submitted before a building permit can be issued for the development, but is not required to apply for a land use review.
 3. The property owner must execute a covenant with the City that complies with the requirements of Section 33.700.060. The covenant must be provided prior to issuance of a building permit, and must ensure that the affordable dwelling units will remain affordable to households meeting the income restriction, and will meet the administrative requirements of the Portland Housing Bureau.
- C. Housing types allowed.** The site may have a house plus three accessory dwelling units, a duplex plus two accessory dwelling units, or a triplex plus one accessory dwelling unit. Accessory dwelling units may either be detached, attached or internal to the primary dwelling unit) Other housing types and configurations may be allowed with a Planned Development.
- D. Maximum FAR.** The maximum FAR allowed on the site is stated in Table 405-2. The maximum FAR applies to all primary and accessory structures on the lot.
- E. Parking.** No parking is required for the site.

Commentary

33.405 Alternative Density Design overlay zone

This chapter is being replaced by new text that begins on page 124.

The following map shows the location and extent of the present "a" overlay, and its relationship (or lack of a relationship) to the designated Centers in the 2035 Comprehensive Plan



The previous "a" overlay provisions for bonus density in the multi dwelling zones are being reconsidered with the Better Housing By Design Project. In the single dwelling zones, there were provisions for flag lots in R2.5 zone and attached houses on narrow lots in R5 that were for all intents and purposes the same as base zone allowances. Triplexes were allowed on any lot in R2.5 provided that the lot was at least 4,800 square feet.

Design review or meeting community design standards was previously required for all proposals using these provisions. Between 1995 and 2016 there were approximately 6,000 permits for alterations or new construction for the approximately 45,000 lots in the prior "a" overlay. Staff estimates that fewer than 250 properties (roughly 0.5 percent) used provisions related to the prior "a" overlay.

33.405 Alternative Design Density Overlay Zone

405

Sections:

General

~~33.405.010 Purpose~~

~~33.405.020 Short Name and Map Symbol~~

~~33.405.030 Applying the Alternative Design Density Overlay Zone~~

Development Standards

~~33.405.050 Bonus Density for Design Review~~

~~33.405.060 Attached Houses on Vacant Lots in the R5 Zone~~

~~33.405.070 Alternative Development Options in the R2 and R2.5 Zones~~

~~33.405.080 Nonconforming Multi-Dwelling Housing~~

~~33.405.090 Design Review and Community Design Standards~~

~~33.405.100 Review for Timeliness~~

General

33.405.010 Purpose

~~The purpose of the Alternative Design Density Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements.~~

33.405.020 Short Name and Map Symbol

~~The Alternative Design Density Overlay Zone is referred to as the ADD zone, and is shown on the Official Zoning Maps with the letter "a" map symbol.~~

33.405.030 Applying the Alternative Design Density Overlay Zone

~~The Alternative Design Density Overlay Zone may be established or removed as the result of an area planning study, reviewed through the legislative procedure. Establishment or removal of the Alternative Design Density Zone through a quasi-judicial procedure is prohibited. The ADD zone has no effect on projects in RH, RX, IR, C, E, or I zones. When property is rezoned to one of these zoning designations from a zone that is accompanied by the "a," the ADD zone will be deleted from the Official Zoning Map.~~

Development Standards

33.405.050 Bonus Density for Design Review

~~**A. Purpose.** This section is intended to encourage the provision of well designed housing that is attractive and compatible with an area's established character. Increased density through this bonus provision is allowed in areas zoned for multi dwelling development. These areas include those within the ADD zone that have a base zone of R1, R2, or R3.~~

~~**B. Where the bonus may apply.** The bonus density for design review is applicable in areas within the ADD zone that are zoned R3, R2, or R1. It is not, however, allowed on sites in design or historic resource zones.~~

Commentary

All provisions from the Alternative Design Density overlay zone are deleted.

~~C. **Bonus density.** Fifty percent more dwelling units than allowed by the base zone is granted for projects that voluntarily go through a Type III design review process. If a land division is required or requested, the design review process must be concurrent with the land division. Design review must be approved in order for the land division to be approved. The development will be judged against the Community Design Guidelines.~~

~~D. **Relationship to other density bonuses.** Development taking advantage of the provisions of this section is not eligible for density bonus allowed by other sections of the code, including Section 33.120.265, Amenity Bonuses.~~

33.405.060 Attached Houses on Vacant Lots in the R5 Zone.

~~A. **Purpose.** The increased density permitted by this section encourages infill development in areas that are generally well served by existing public services. The increase allows the area to absorb additional growth without creating market pressure that might lead to the early removal of existing sound housing. The increased density will lower the cost of housing while increasing opportunities for owner-occupied housing. Required design review of new development ensures that the new housing will make a positive contribution to the neighborhood's character.~~

~~B. **Attached houses.** Attached houses are allowed in the R5 zone if all of the following are met. Adjustments to this section are prohibited:~~

- ~~1. The proposed attached housing development will be on a lot or lot of record that was created at least five years ago;~~
- ~~2. There has not been a dwelling unit on the lot or lot of record for at least five years;~~
- ~~3. The density requirements of Chapter 33.611 must be met, and each attached house must be on a lot that meets the lot dimension standards of Chapter 33.611;~~
- ~~4. Attached houses must meet the following development standards:
 - ~~a. Height and front setback standards. Attached houses must meet the height and front setback standards of the R5 zone; and~~
 - ~~b. All other development standards. The attached house must meet all other development standards for attached housing projects in the R2.5 zone;~~~~
- ~~5. Design review required:
 - ~~a. Generally. Attached residential development must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.405.090, Design Review and Community Design Standards, below; and~~
 - ~~b. Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.~~~~

Commentary

All provisions from the Alternative Design Density overlay zone are deleted.

- c. ~~Land Division. If the proposal requires, or the applicant requests, a land division, the application for the land division must show how the Community Design Standards are met. If the Community Design Standards cannot be met or the applicant chooses not to meet the Community Design Standards, design review is required. When design review is required, the design review process must be concurrent with the land division. The Community Design Standards must be met or design review must be approved in order for the land division to be approved.~~
- d. ~~Changes to a design approved concurrently with a land division. If the design of the proposed development was reviewed concurrently with the land division through design review, changes to the design of the proposed development after final plat approval must be reviewed through design review. If the proposed development met the Community Design Standards concurrently with the land division, changes to the design of the proposal after final plat approval must continue to meet the Community Design Standards, or must be reviewed through design review. Concurrent land division review is not required to change the design of the proposed development after final plat approval.~~

33.405.070 Alternative Development Options in the R2 and R2.5 Zones

- A. Purpose.** ~~The provisions of this section offer opportunities for enhancing the variety of housing types and building forms that are found in areas zoned for attached or low density multi-dwelling residential development. Such areas generally include a mixture of single dwelling detached and small multi dwelling development. A variety of types of housing in areas receiving infill development will improve continuity with the character of the existing buildings.~~
- B. Triplex.** ~~Triplexes are allowed, if they meet all the following requirements:~~
 - 1. ~~The proposed development conforms with the maximum height, minimum setbacks, maximum building coverage, and required outdoor area requirements for attached housing projects in the R2.5 zone. The proposed development must meet all other development standards of the base zone, overlay zone, and plan district; and~~
 - 2. ~~The maximum density allowed under this provision is one dwelling unit for each 1,600 square feet of site area. However, no more than three dwelling units may be placed on a single lot.~~
- C. Flag lots averaging 2,500 square feet.** ~~Lots in the R2 and R2.5 zone may be developed as flag lots with an average area of 2,500 square feet when the proposed development meets all of the following requirements:~~
 - 1. ~~Both attached and detached dwellings are allowed;~~
 - 2. ~~The average area of the lots created must be at least 2,500 square feet. Each must be at least 1,600 square feet;~~
 - 3. ~~The pole portion of the flag lot must be part of the flag lot, must connect to a street, and must be at least 12 feet wide for its entire length;~~
 - 4. ~~Detached structures on a flag lot are required to have an eight foot setback from all lot lines. Attached structures on flag lots are required to have an eight foot setback along those lot lines that abut a lot that is not a part of the flag lot development; and~~

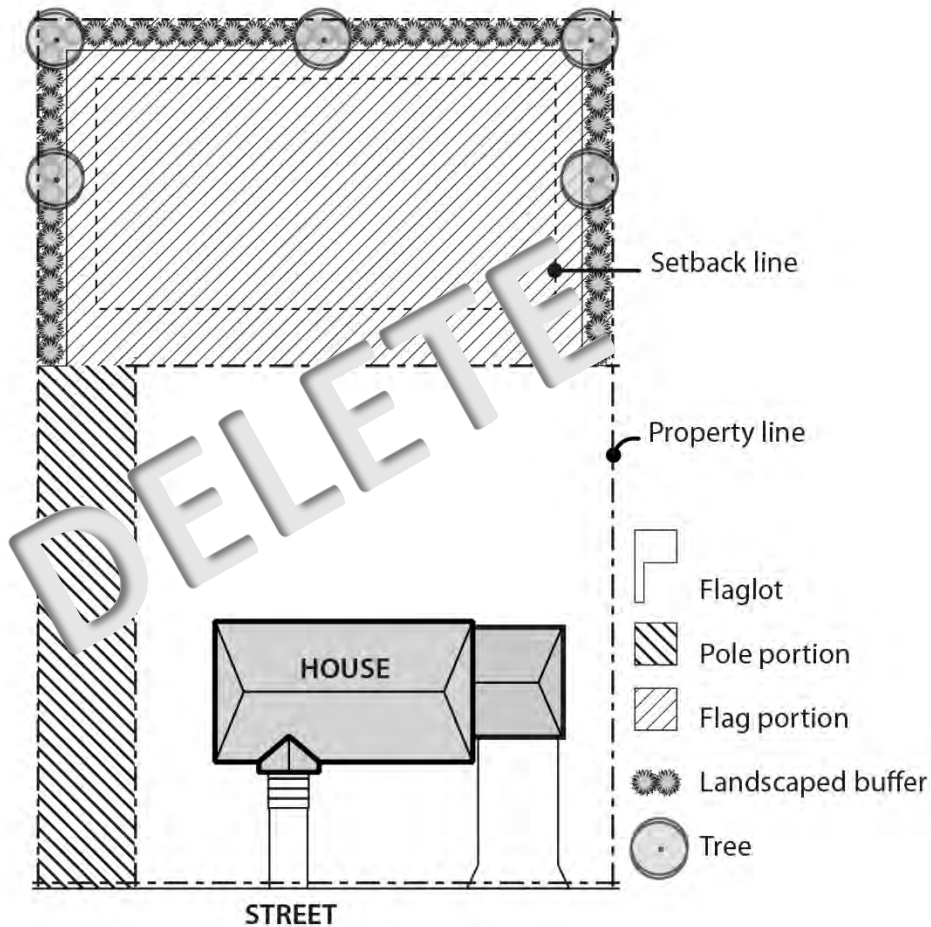
Commentary

All provisions from the Alternative Design Density overlay zone are deleted.

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

5. ~~Required setbacks must include a landscaped buffer area. The landscaped area must be at least 3 feet deep and be landscaped to at least the L3 standard. See Figure 405-1.~~

Figure 405-1
Flag Lot Description and Buffer



D. ~~Design review required.~~

1. ~~Generally. Proposals taking advantage of the provisions of this section must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.405.090, Design Review and Community Design Standards, below; and~~
2. ~~Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.~~

Commentary

All provisions from the Alternative Design Density overlay zone are deleted.

- 3.—~~Land Division. If the proposal requires, or the applicant requests, a land division, the application for the land division must show how the Community Design Standards are met. If the Community Design Standards cannot be met or the applicant chooses not to meet the Community Design Standards, design review is required. When design review is required, the design review process must be concurrent with the land division. The Community Design Standards must be met or design review must be approved in order for the land division to be approved.~~
- 4.—~~Changes to a design approved concurrently with a land division. If the design of the proposed development was reviewed concurrently with the land division through design review, changes to the design of the proposed development after final plat approval must be reviewed through design review. If the proposed development met the Community Design Standards concurrently with the land division, changes to the design of the proposal after final plat approval must continue to meet the Community Design Standards, or must be reviewed through design review. Concurrent land division review is not required to change the design of the proposed development after final plat approval.~~

33.405.080 Nonconforming Multi-Dwelling Housing

- A.— Purpose.** These provisions are intended to foster the continuation of housing that is both affordable and compatible with its surroundings.
- B.— Damage or destruction.** When a residential structure that contains nonconforming residential density is damaged or destroyed by fire or other causes beyond the control of the owner, the nonconforming residential density rights are maintained if the structure is rebuilt within 5 years. The structure may be rebuilt with the old number of units, and the development standards imposed by Section 33.258.060.B.2 Nonconforming Residential Densities, will not apply to the building's coverage, setbacks, length, number of parking spaces, location of parking, height, amount of landscaped area and amount and location of outdoor areas. If not rebuilt within 5 years, the lot is considered vacant and is subject to the base zone density and development standards.
- C.— Design review required.**
 - 1.— Generally. Proposals taking advantage of the provisions of this section must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.405.090, Design Review and Community Design Standards, below; and
 - 2.— Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.

33.405.090 Design Review and Community Design Standards

- A.— Purpose.** Design review is required for projects taking advantage of the provisions of the Alternative Design Density Overlay Zone. In some cases, the ADD zone permits densities and types of development that would otherwise not be allowed. Design review ensures that development is compatible with the positive qualities of the surrounding area.
- B.— Design review required.** Development taking advantage of the provisions of this chapter is subject to design review.

Commentary

All provisions from the Alternative Design Density overlay zone are deleted.

C. Community Design Standards. The Community Design Standards in Chapter 33.218 provide an alternative process to design review for some proposals. Where a proposal is eligible to use the Community Design Standards, the applicant may choose to go through the discretionary design review process set out in Chapter 33.825, Design Review, or to meet the objective Community Design Standards. If the proposal meets the Community Design Standards, no design review is required.

1. 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 Chapter 33.218, Community Design Standards. 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 Paragraph C.2, below, proposals that are within the maximum limits of Table 405-1 may use the Community Design Standards as an alternative to design review.

Table 405-1	
Maximum Limits for Use of the Community Design Standards	
Zones	Maximum Limit—New Dwelling Units or Floor Area
Single Dwelling Zones	5 dwelling units
R2 & R3 Zones	10 dwelling units
R1, RH, RX, C, & E Zones	20,000 sq. ft. of floor area
I Zones	40,000 sq. ft. of floor area
IR Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.
Zones	Maximum Limit—Exterior Alterations
All except IR	<ul style="list-style-type: none"> ▲ For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the facade. ▲ For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.
IR Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.

2. 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. In the Central City plan district (See Map 510-1);
 - b. For institutional uses in residential zones, unless specifically allowed by an approved Impact Mitigation Plan or Conditional Use Master Plan;
 - c. For alterations to sites where there is a nonconforming use;
 - d. For mixed-use or non-residential development in the RF through R1 zones; and
 - e. If the proposal uses Section 33.405.050, Bonus Density for design review.

33.405.100 Review for Timeliness

The ADD zone must be reviewed for possible changes in both map application and content at or before the first update of the Albina Community Plan.

Commentary

33.563 Northwest Hills Plan District

33.563.220 When Primary Structures Are Allowed in the Linnton Hillside Subarea

No changes were made to these regulations, just updated cross reference to renumbered Section in Chapter 33.110.

33.563.225 Duplexes and Attached Houses in the Linnton Hillside Subarea

No changes were made to these regulations, just updated cross reference to renumbered Section in Chapter 33.110.

33.563 Northwest Hills Plan District

563

33.563.220 When Primary Structures Are Allowed in the Linnton Hillside Subarea

The regulations of Section ~~33.110.212~~ 33.110.210 do not apply in the Linnton Hillside Subarea. In this subarea, primary structures are allowed in single-dwelling residential zones as specified in this section. Adjustments to the standards of this section are prohibited. Primary structures are prohibited on lot remnants that are not otherwise lots of record or are not combined with lots or lots of record. Primary structures are only allowed if one of the requirements in A. through E. are met:

A. - G. [No change]

33.563.225 Duplexes and Attached Houses in the Linnton Hillside Subarea.

In the Linnton Hillside subarea, duplexes and attached houses on corners as allowed by 33.110.270.E, ~~240.E~~ are prohibited.

Commentary

33.564 Pleasant Valley Plan District

33.564.060 When Primary Structures are Allowed

No changes were made to these regulations, just updated cross reference to renumbered Section in Chapter 33.110.

33.564.360 Planned Development

References to attached duplexes were deleted from the code because this residential structure type was deleted.

Triplexes were added because they had previously been categorized as a type of multi-dwelling structure, but multi dwelling structures are now defined as buildings with four or more units.

33.564 Pleasant Valley Plan District

564

33.564.060 When Primary Structures are Allowed

Primary structures are allowed as specified in ~~33.110.212~~ 33.110.210 using Table 33.610-2. The lot dimension standards in this chapter do not supersede the lot dimension standards of Table 33.610-2 for the purposes of implementing Section ~~33.110.212~~ 33.110.210.

33.564.360 Planned Development

The following uses and development are prohibited through a planned development:

- A. Attached houses;
- ~~B. Attached duplexes;~~
- B. Triplexes;
- C. Multi-dwelling structures; and
- D. Commercial uses.

Commentary

33.610 Lots in RF Through R5 Zones

33.610.200. Lot Dimension Regulations

D.2. Minimum lot width.

These criteria allow for reduced lot widths and narrow lots as part of a land division in certain circumstances.

- b. Changed the minimum width for detached houses to 26 feet for consistency with the Narrow Lot Standards in the base zone.
- c. There is no need to impose a condition of approval, this standard now applies to all narrow lots in the single dwelling zones, based on the amendments in 33.110.260
- d. Updated reference to additional garage standards section in 33.110

33.610 Lots in RF Through R5 Zones

610

33.610.200 Lot Dimension Regulations

Lots in the RF through R5 zones must meet the lot dimension regulations of this section.

A. - C. [No change]

D. Minimum lot width. Each lot must meet one of the following regulations. Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.

1. Each lot must meet the minimum lot width standard stated in Table 610-2; or
2. Minimum lot width may be reduced below the dimensions stated in Table 610-2, if all of the following are met:
 - a. On balance, the proposed lots will have dimensions that are consistent with the purpose of the Lot Dimension Regulations;
 - b. The minimum width for lots that will be developed with detached houses may not be reduced below ~~25~~ 26 feet;
 - c. If the lot abuts a public alley, then vehicle access must be from the alley. ~~This requirement will be imposed as a condition of approval of the land division;~~
 - d. Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.255.D ~~33.110.253.D~~ at the time of development;
 - e. Lots that will be developed with attached houses must be configured so that 60 percent of the area between the front lot line and the front building line can be landscaped at the time of development; and

Commentary

33.610.400 Flag Lots

F. Vehicle access.

Added alleys to the list of considerations for sharing and siting vehicle access.

- f. In areas where parking is not required by this Title, lots may be proposed that will not accommodate on-site vehicle access and parking. Such lots do not have to meet the requirements of subparagraphs 2.c and d. As a condition of approval of the land division, the property owner must execute a covenant with the city. The covenant must:
- (1) State that the owner will develop the property without parking, and that a driveway for access to on-site parking may not be created in the future, unless it is in conformance with regulations in effect at the time;
 - (2) Meet the requirements of Section 33.700.060, Covenants with the City; and
 - (3) Be attached to, and recorded with the deed for the new lot.

E. - G. [No change]

33.610.400 Flag Lots

The following regulations apply to flag lots in the RF through R5 zones:

A. - E. [No change]

- F. **Vehicle access.** Where it is practical, vehicle access must be shared between the flag lot and the lots between the flag portion of the lot and the street. Factors that may be considered include the location of existing garages, driveways, alleys and curb cuts, stormwater management needs, and tree preservation. Access easements may be used.

Commentary

33.611 Lots in the R2.5 Zone

The changes in this chapter more readily allow land division proposals in the R2.5 zone with narrow lots. Current regulations stipulate a minimum 36-foot lot width (the same as required in R5) even though the minimum lot size is significantly less than in the R5 zone. For example, a 1600 sf lot that is 36 feet wide would be 44 feet deep. Moreover, many R2.5 sites are in areas with typical 50-foot-wide by 100-foot-deep platting.

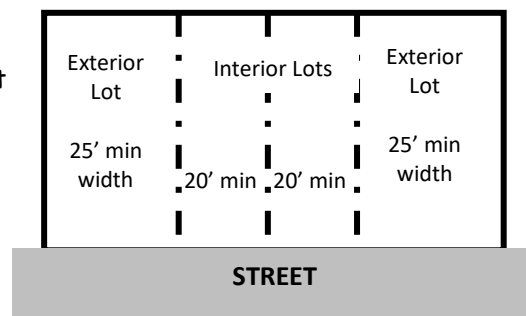
With the existing code, narrow lots are allowed when certain discretionary compatibility criteria are met. Alternatively, flag lots are allowed when either 1) a house is located that precludes a standard lot division, or 2) if the site is less than 50 feet wide. By applying clear and objective standards for flag lots, preferential direction is given for creating flag lots over creating narrow lots. The R2.5 zone was initially established as a row house zone. Subsequent changes have made it easier to propose detached houses, and as a compromise, established wider lot standards.

However, with the proposed changes to Narrow Lots that require attached houses on very narrow (i.e. 25-foot wide) lots, the R2.5 zone is in part returning to its original intent. Where detached structures are proposed, wider lots are required. And where row houses are proposed, lot width minimums are designed to facilitate that housing type.

Lots that do not meet these lot width standards may not be adjusted but may be requested through Planned Development Review (which incidentally was repeated both in the Section and Subsection C. This redundancy has been removed)

The new standards allow for the following lot configurations

1. 36-foot-wide and wider lots:
 - Attached or detached houses allowed, no additional provisions.
2. 25-foot-wide and wider lots:
 - A detached house will be allowed where an existing house is situated such that a standard 36 foot wide lot could not fit on the land division site.
 - A detached house will be allowed on an oddly configured parcel, like a narrow through lot, where the sides of the proposed lot do not abut other lots in the land division site and there is insufficient room for a 36 foot wide lot.
 - Attached houses are allowed where a pair of attached houses is proposed (semi-detached housing) or the lots will be end units in a row of units.
3. 20-foot-wide and wider lots:
 - Attached houses allowed in the middle of a set of rowhouses (this provides consistent house widths in the row, accounting for side yard setbacks along the end units) .



33.611 Lots in the R2.5 Zone

611

33.611.200 Lot Dimension Regulations

Lots in the R2.5 zone must meet the lot dimension regulations of this section. Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.

A. - B. [No change]

C. **Minimum lot width.** Each lot must meet one of the following regulations. ~~Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.~~

1. Each lot must be at least 36 feet wide; or
2. Minimum lot width may be reduced to 25 feet for a lot if the lot will be developed with a detached house and the following are met:
 - a. An existing dwelling unit or attached garage is located on the site so that it precludes a land division that meets the minimum lot width standard of Paragraph C.1. The dwelling unit and attached garage must have been on the site for at least five years;
or
 - b. The side lot line of a lot that is less than 36 feet wide will not abut the side lot line of any other lot within the land division site.
3. Minimum lot width may be reduced to 25 feet for a lot if the lot will be developed with an attached house that shares a common wall with at least one other attached house.
4. Minimum lot width may be reduced to 20 feet for a lot if the lot will be developed with an attached house that shares two common walls with two other attached houses.
2. ~~Minimum lot width may be reduced below 36 feet, if all of the following are met:~~
 - a. ~~On balance, the proposed lots will have dimensions that are consistent with the purpose of this section;~~
 - b. ~~The minimum width for lots that will be developed with detached houses may not be reduced below 25 feet;~~
 - c. ~~If the lot abuts a public alley, then vehicle access must be from the alley. This requirement will be imposed as a condition of approval of the land division;~~
 - d. ~~Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.253.D, at the time of development;~~
 - e. ~~Lots that will be developed with attached houses must be configured so that 60 percent of the area between the front lot line and the front building line can be landscaped at the time of development; and~~

Commentary

~~33.611.200.C.2. Minimum lot width~~

This section is replaced by new lot width standards. Requirements that were included for alley access, lot configuration, and covenants are no longer necessary since all narrow lots are now subject to the requirements in 33.110.260, Additional Development Standards for Narrow Lots

33.611.200. D. Minimum Lot Line.

These changes were made to allow the front lot line (typically 30 feet) to be reduced to match the reduced lot widths described above.

33.611.400 B.1. When a flag lot is allowed.

Correcting grammar

33.611.400.F Vehicle access.

Added alleys to the list of considerations for sharing and siting vehicle access.

~~f. In areas where parking is not required by this Title, lots may be proposed that will not accommodate onsite vehicle access and parking. Such lots do not have to meet the requirements of subparagraphs 2.c and d. As a condition of approval of the land division, the property owner must execute a covenant with the city. The covenant must:~~

- ~~(1) State that the owner will develop the property without parking, and that a driveway for access to on-site parking may not be created in the future, unless it is in conformance with regulations in effect at the time;~~
- ~~(2) Meet the requirements of Section 33.700.060, Covenants with the City; and~~
- ~~(3) Be attached to, and recorded with the deed for the new lot.~~

D. Minimum front lot line. Each lot must have a front lot line that is at least 30 feet long. Lots that are created under the provisions of Paragraph ~~C.2. through C.4. above~~, may reduce the front lot line to equal the width of the lot.

E. - F. [No change]

33.611.400 Flag Lots

The following regulations apply to flag lots in the R2.5 zones:

A. [No change]

B. When a flag lot is allowed. A flag lot is allowed only when ~~the following are met:~~

1. One of the following ~~is~~ are met:
 - a. An existing dwelling unit or attached garage on the site is located so that it precludes a land division that meets the minimum lot width standard of Paragraph 33.611.200.C.1. The dwelling unit and attached garage must have been on the site for at least five years; or
 - b. The site has a width of less than 50 feet if two lots are proposed and a width of less than 75 feet if three lots are proposed.
2. Up to three lots are proposed, only one of which is a flag lot; and
3. Minimum density requirements for the site will be met.

C. - E. [No change]

F. Vehicle access. Where it is practical, vehicle access must be shared between the flag lot and the lots between the flag portion of the lot and the street. Factors that may be considered include the location of existing garages, driveways, alleys, and curb cuts, stormwater management needs, and tree preservation. Access easements may be used.

Commentary

33.654 Rights-of-Way

These changes remove references to attached duplexes. This housing type was deleted from the Zoning Code.

33.654 Rights-of-Way

654

33.654.120 Design of Rights-of-Way

A. - F. [No change]

G. Shared court approval criteria and standards. The purpose of the shared court standards is to allow streets that accommodate pedestrians and vehicles within the same circulation area, while ensuring that all can use the area safely. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. Access from a shared court is limited to ensure low traffic volumes that can allow a safe mixing of pedestrians and vehicles. Shared courts are limited to zones intended for more intense development to facilitate efficient use of land while preserving the landscape-intensive character of lower-density zones. The following approval criteria and standards apply to shared courts:

1. [No change]

2. Standards for land divisions with shared courts. Land divisions that include a shared court must meet the following standards:

a. - b. [No change]

c. Lots with a front lot line on a shared court must be developed with attached houses, detached houses, or duplexes ~~or attached duplexes~~; and

d. [No change]

H. [No change]

Commentary

33.676 Lot Confirmation

This is a new chapter and set of rules to formalize the Lot Confirmation process. Confirming lots as individual pieces of property has been an evolving practice. What was once an informal verification of the legality of the lot's creation has become more formalized to include reviews by service bureaus for changes to utility access, deed research to confirm the validity of the lot's existence over time, and an examination of some development standards to ensure the separation of a site does not create non-conforming parking issues.

The County tax assessor now requires a letter from the City confirming the "legality" of a lot for development prior to creating new tax accounts for the property. This helps prevent potential buyers from purchasing a piece of property that is not "buildable". This process also ensures that any utility encroachments are removed or resolved before the ownership is separated, and subsequent resolution becomes a much more difficult civil matter.

The Lot Confirmation chapter establishes a formal process for verifying the legal status of lots, establishing new tax accounts, and creating clear rules and application requirements for these administrative reviews.

This chapter is modeled largely after 33.677 Property Line Adjustments

33.676.100 Prohibited Lot Confirmations

Properties that were not lawfully created through a deed recorded prior to July 26, 1979 or a properly recorded subdivision plat cannot be validated through a lot confirmation. Instead a land division would be required to validate such properties, subject to some additional State statutes. A Lot Confirmation cannot be used to validate unlawfully created lots.

33.676.200 Supporting documentation.

In some instances, the Zoning Code stipulates that a lot had to be under separate ownership from abutting lots or that the ownerships had not been combined at any time since their creation. In these cases, supporting documentation illustrating chain of ownership of the property and abutting properties may be necessary.

33.676 Lot Confirmation

676

Sections:

- 33.676.010 Purpose
- 33.676.050 When These Regulations Apply
- 33.676.100 Prohibited Lot Confirmations
- 33.676.150 Method of Review
- 33.676.200 Application Requirements
- 33.676.300 Standards
- 33.676.400 Finalizing the Lot Confirmation

33.676.010 Purpose

This chapter states the procedures and regulations for verifying underlying lot lines in order to reestablish the lot on the tax map, or to separate underlying lots into individual tax accounts. These regulations ensure that a lot confirmation does not:

- Create new lots;
- Result in sites that no longer meet the dimensional requirements and development standards of this Title;
- Alter the availability of existing services to a site; and
- Result in sites that no longer meet conditions of approval of a previous land use review.

33.676.050 When These Regulations Apply

The regulations of this chapter apply to all proposals to confirm an underlying lot, lot of record or combinations thereof.

33.676.100 Prohibited Lot Confirmations

A Lot Confirmation cannot be used to create a buildable lot from an unbuildable plot.

33.676.150 Method of Review

Lot Confirmations are reviewed through a non-discretionary, administrative procedure. The decision of the Director of BDS is final.

33.676.200 Application Requirements

The application for a Lot Confirmation must contain the following:

- A. Application Form.** Two copies of the completed application form bearing an accurate legal description, tax account numbers and location of the property. The completed form must also include the name, address, telephone number, and original signatures of the applicant and all property owners and the nature of the applicant's interest in the property.
- B. Supporting documentation.** Documentation that establishes when and how the lot was created. For some lot confirmation requests, ownership information for the lot and abutting lots is also required. This may include copies of recorded plats, historic deeds, or other documentation that provides evidence of the creation and chain of ownership of the property.

Commentary

33.676.300 Standards

A. Legal lot or lot of record. Each lot that is proposed for confirmation meets the definition of lot or lot of record.

B. Minimum lot dimension standards. A reference to overlay zone and plan district requirements is included to capture the additional requirements of Linnton (NW Hills), Glendoveer, Pleasant Valley, etc.

The standards for single dwelling zones also include that the lots must have street frontage. This is in part because measuring lot width in single dwelling zones is measured at the front setback line. There is no front setback when there is no street frontage, making it impossible to determine if the lot meets the 36 foot minimum width requirements.

C. Development Standards. This is included to clarify that separation of ownerships can't permit development on a site to become non-conforming, or if non-conforming that they do not increase the degree of non-conformity. This may include loss of required parking, reductions to setbacks, exceeding building coverage limits, etc.

D. Services. This standard includes the requirement to examine service bureau requirements to ensure the lot does or can be made to comply with service bureau requirements.

E. Conditions of previous land use reviews. To change the applicability of a condition of approval that is still relevant to a site, a new land use review would be required, adjustments are not allowed.

C. Site plan and supplemental survey.

- 1.** A site plan no larger than 18 inches by 24 inches in size is required for all applications. The site plan must be drawn to scale and show:
 - The location of existing lot or property lines;
 - The boundaries of the re-established lot, lot of record, or combinations thereof;
 - All development on the site including driveways and parking areas;
 - The location of utilities and services; and
 - The location and dimensions of existing curb cuts, sidewalks and streets abutting the site.
- 2.** If existing buildings on the site will remain after the lot confirmation, a supplemental survey signed and stamped by a registered land surveyor is also required. The survey must show the distances between the buildings on the site and the to be re-established property lines

33.676.300 Standards

A request for a Lot Confirmation will be approved if all of the following are met:

- A. Legal lot or lot of record.** Each lot or lot of record that will be confirmed meets the definition of lot or lot of record.
- B. Minimum lot dimension standards.** Each lot, lot of record or combinations thereof must meet the applicable lot dimension standard prior to any property line adjustment:
 - 1.** In OS, C and EX zones, each lot must have a front lot line that is at least 10 feet long. There are no other minimum lot dimension standards.
 - 2.** In single-dwelling zones, the lots must have street frontage and the standards of 33.110.210, When Primary Structures Are Allowed, must be met.
 - 3.** In multi-dwelling zones, the standards of Section 33.120.210, Development on Lots and Lots of Record, must be met.
 - 4.** In EG zones, Standard B stated in Table 614-1 of Section 33.614.100, must be met.
 - 5.** In I zones, Standard B stated in Table 615-1 of Section 33.615.100, must be met.
 - 6.** If the lots are in an overlay zone or plan district that regulates minimum lot dimensions, the minimum standards of the overlay zone or plan district must instead be met.
- C. Development standards.** If existing development is in conformance with the development standards of this Title, the development must remain in conformance after the Lot Confirmation. If existing development is not in conformance with a development standard of this title, the development may not go further out of conformance after the Lot Confirmation, unless an adjustment is approved.
- D. Services.** A Lot Confirmation will not eliminate the availability of services to any lot affected by the Lot Confirmation, and the properties will not move out of conformance with service bureau requirements for street access, water, sanitary sewage disposal, and stormwater management. All other utilities are the responsibility of the applicant.
- E. Conditions of previous land use reviews.** All conditions of previous land use reviews must be met.

Commentary

33.676.400 Finalizing the Lot Confirmation. Following the Lot Confirmation approval, the applicant must submit the decision to the County to obtain a new tax account. A timeline has been established to prevent approvals from getting "stale". That is where the approval sits without being acted upon, the development or Lot Confirmation rules change and the lot would not be confirmable under the new requirements.

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

33.676.400 Finalizing the Lot Confirmation

A Lot Confirmation approval must be processed by the appropriate county assessment and taxation office within 90 days of the City’s decision. The County is responsible for creating separate tax identification numbers for each confirmed lot.

Commentary

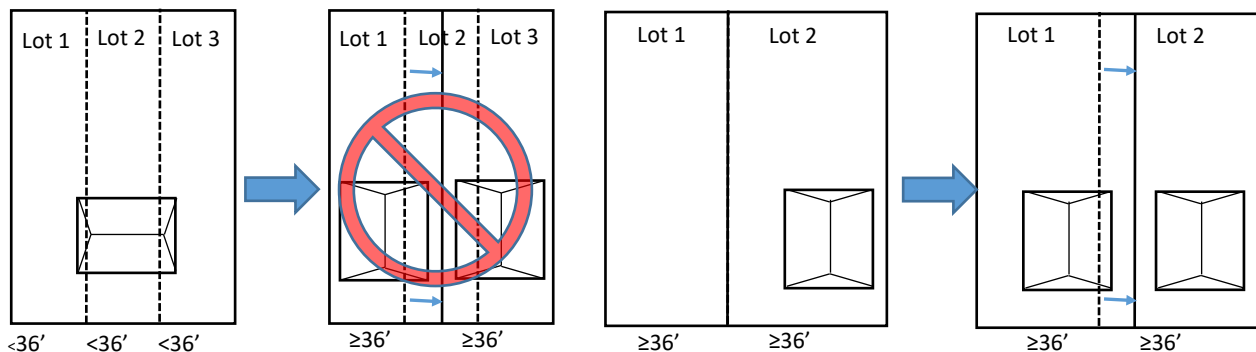
33.677 Property Line Adjustment

The Chapter was renumbered to accommodate the new Lot Confirmation chapter.

33.677.100 Prohibited Property Line Adjustments

A. Flag lots. Additional flexibility has been added to allow flag lots through a property line adjustment in the R2.5 zone provided certain qualifications are met, including the added standards in 33.677.300.C.

B. Unbuildable Lots. The current code allows lots to be confirmed even though they do not meet minimum width or area requirements, provided a concurrent property line adjustment is proposed that would satisfy these dimensional requirements. For example, in the R5 zone with 3 lots that are not vacant and each too narrow to be confirmed, a concurrent property line adjustment could previously be used to move one lot line, forming two lots that are wide enough to be buildable.



*Current property line adjustment allowance (R5 example):
Lot 1 is confirmed and the property line moved to create two conforming lots. This will no longer be allowed*

*Amended property line adjustment allowance (R5 example)
Lot 1, when confirmed already conforms to lot width standards. Moving the property line while maintaining more than 36 feet of lot width for both lots is allowed.*

The amendment prohibits Property Line Adjustments from being used to create buildable lots from lots (or lot remnants, etc) that are unbuildable since they do not meet the requirements for when primary structures are allowed (e.g. 33.110.210). A lot (lot of record, or adjusted lot) must meet the requirements for when a primary structure is allowed before a property line adjustment is allowed to be processed.

E. Alley Frontage. Additional emphasis is being added for lots that have alley frontage in terms of locating vehicle access. For example, narrow lots that abut an alley and otherwise are not required to have parking will be required to use the alley to access any parking that may be proposed. To prevent circumventing this requirement, property line adjustments will not be allowed to configure the lot to remove the alley frontage.

33.677~~33.667~~ Property Line Adjustment

677~~667~~

Sections:

- 33.~~677~~667.010 Purpose
- 33.~~677~~667.050 When these Regulations Apply
- 33.~~677~~667.100 Prohibited Property Line Adjustments
- 33.~~677~~667.150 Method of Review
- 33.~~677~~667.200 Application Requirements
- 33.~~677~~667.300 Standards
- 33.~~677~~667.400 Recording an Approval

33.677~~667~~.100 Prohibited Property Line Adjustments

The following are prohibited as part of a Property Line Adjustment:

- A.** A Property Line Adjustment that configures either property as a flag lot, unless:
 - 1. The ~~the~~ property was already a flag lot; or
 - 2. The properties are in the R2.5 zone and the following are met:
 - a. There is an existing house on the site;
 - b. Only one flag lot is proposed;
 - c. Both properties currently have frontage on a street;
- B.** A Property Line Adjustment that results in the creation of a buildable property from an unbuildable lot, lot of record, or lot remnant;
- C.** A Property Line Adjustment that results in the creation of street frontage for property that currently does not have frontage on a street; ~~and~~
- D.** A Property Line Adjustment that removes alley frontage from one or both properties; and
- E.** ~~D.~~ A Property Line Adjustment that creates a nonconforming use.

33.677~~667~~.300 Standards

The site of a Property Line Adjustment is the two properties affected by the relocation of the common property line. A request for a Property Line Adjustment will be approved if all of the following are met:

- A. Conformance with regulations.** Both pProperties will remain in conformance with regulations of this Title, including those in Chapters 33.605 through 33.615, except as follows:
 - 1. - 3. [No change]

Commentary

33.677.300.A.4 Conformance with Regulations

An exception for R5 corner lots enables substandard lots to be confirmed with a concurrent Property Line Adjustment to rotate the lot line on a corner. This currently allows a smaller lot size than the previous lot, provided the reconfigured lot is at least 36 feet wide and 1,600 square feet (the requirements in the R2.5 zone). However, this exception was deleted while a prohibition was added that prevents using a Property Line Adjustment to make buildable lots from unbuildable lots.

This is consistent with the Residential Infill Project direction to not allowing substandard (i.e. Historically Narrow) lots in the R5 zone to be developed.

Figure 667-1 was deleted since the accompanying regulation was also deleted.

33.677.300.B. Regular lot lines.

A minor correction was made to remove capitalization from the subsection header.

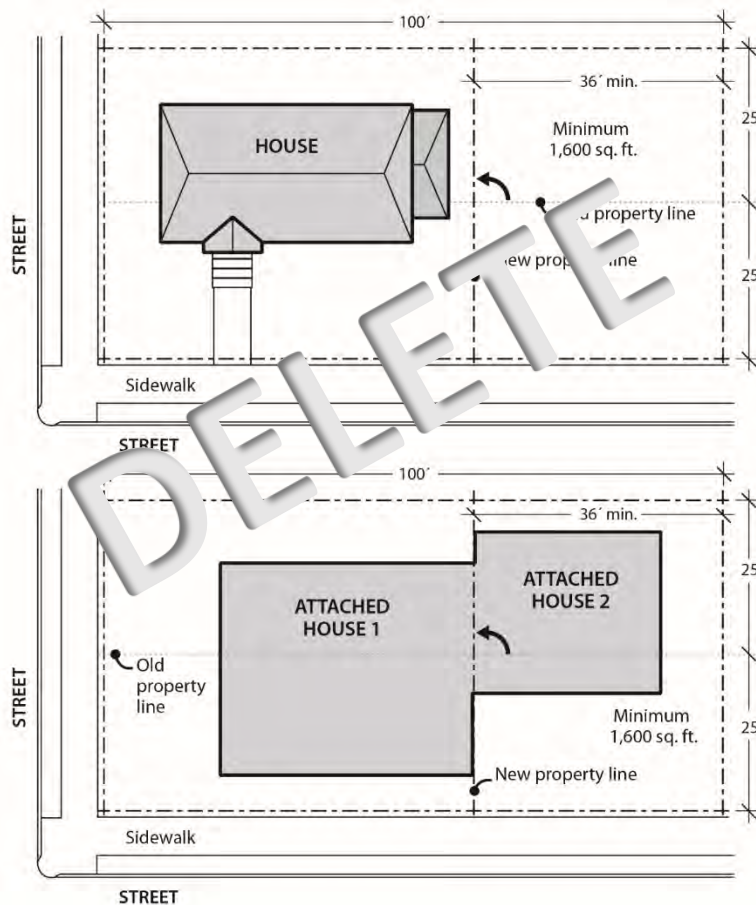
Language to be **added** is underlined>
Language to be **deleted** is shown in ~~strikethrough~~

4. ~~If at least one lot is already out of conformance with the minimum lot area standards and the site is in the R5 zone, the minimum lot area is 1600 square feet and the minimum width is 36 feet, if:~~
- a. ~~At least one lot is a corner lot;~~
 - b. ~~The adjusted property line must be perpendicular to the street lot line for its entire length; and~~
 - c. ~~New houses must meet the standards of 33.110.213. Existing houses are exempt from the standards of 33.110.213.~~

See Figure 667-1.

- B. Regular Lot Lines.** In the R10 through RH zones, the adjusted property line must be a straight line or up to 20 percent shorter or 20 percent longer than the existing lot line. Lines that are adjusted to follow an established zoning line or the boundary of the special flood hazard area or floodway are exempt from this requirement.

Figure 667-1
Property Line Adjustment on Corner Site in R5 Zone



Commentary

33.677.300.C Flag Lots in the R2.5 Zone.

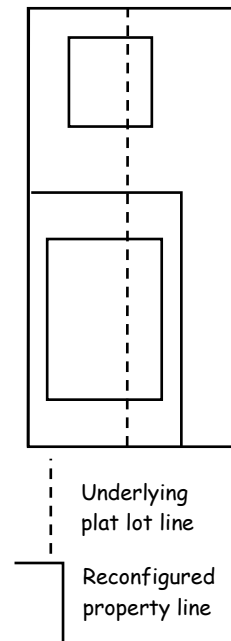
Part of the mapping effort is to strategically rezone certain areas with historically narrow lots from R5 to R2.5. Many sites are comprised of pairs of 25' x 100' lots. As those sites redevelop, they will either be developed with a house+ADU, pair of attached houses, duplex, duplex+ADU, or triplex on a corner. One alternative to redevelopment that would permit a homeowner to remain in place while taking advantage of the underlying lot and providing for a modest home available for separate purchase (i.e. "fee-simple ownership") is to allow a property line adjustment to reconfigure the parallel lots into a flag lot.

Presently, property line adjustments that configure lots into flag lots are prohibited. In general, flag lots are a less desirable urban form, as they put houses in the back yards of other houses, disrupting the pattern of yards in a block and adding driveways and impervious area. In some cases, lot configuration or existing development prevent standard side by side lots, making flag lots the only alternative for land divisions. When allowed, the houses are subject to standards for increased perimeter setbacks and landscape buffering standards.

This change would permit a property line adjustment to reconfigure already existing lots when there is an existing house on the site, the reconfigured lots are at least 1,600 s.f. and the flag lot doesn't exceed 3,000 s.f. This ensures that minimum lot area requirements apply, and the maximum lot area ensures that the standards for small flag lots apply and that the rear lot cannot have a duplex plus a detached ADU (if the lot is located inside the new 'a' overlay).

Additional flexibility was created to make this allowance more feasible, by reducing the pole width and setback from the existing house to the pole when vehicle access is not being provided to the rear lot. A 10' minimum width for utilities and pedestrian access are included, and the applicant will need to record a no-build easement across the pole to satisfy building code requirements (in addition to other building code requirements) for the 0 foot setback. These changes ultimately reduce the side yard distance required between the existing house and side lot line from 15 to 10 feet.

Additional development standards in the base zone (33.110.265) apply to flag lots that are smaller than 3,000 square feet to ensure that development on the flag lot is small and conforms with certain additional design requirements, and thus consistent with what could be built as a detached accessory dwelling unit.



- C. Flag Lots in the R2.5 Zone. In the R2.5 zone, a Property Line Adjustment may be used to configure a property as a flag lot when all the following are met:
1. Flag lot pole. The pole portion of the flag lot must meet the following standard. Adjustments are prohibited:
 - a. The pole must connect to a street;
 - b. Pole width:
 - (1) If the pole portion of the flag lot will provide vehicle access to the flag portion of the lot, the pole must be at least 12 feet wide for its entire length; or
 - (2) If the pole portion of the flag lot will not provide vehicle access to the flag portion of the lot, the pole must be at least 10 feet wide for its entire length. A covenant must be recorded with the deed specifying that no vehicle access is allowed along the pole.
 2. Setbacks. The lot in front of the flag lot may reduce its side building setback along the flag pole lot line to zero if the property owner of the flag lot records a no-build easement and maintenance easement that allows access for maintenance of the house. Projections over the property line are not allowed. All other setback requirements remain the same.
 3. Lot dimensions.
 - a. Lot area.
 - (1) Minimum lot area. Each reconfigured lot must be at least 1,600 square feet. Only the area of the flag portion is included when calculating the minimum lot area for the flag lot. The area of the pole portion of the lot is not included.
 - (2) Maximum flag lot area. The area of the flag lot must be less than 3,000 square feet. The total area of the flag lot, including the pole portion, is included when calculating the maximum lot area for the flag lot.
 - b. Front lot line. Flag lots are exempt from the minimum front lot line standard.
 - c. Lot width and depth. The minimum lot width and minimum lot depth required for the flag lot is 40 feet measured at the midpoints of the opposite lot lines of the flag portion of the lot. The minimum lot width for the lot in front of the flag lot is 36 feet.

C. - F. [Re letter to D. - G.]

Commentary

33.825 Design Review

References to Chapter 33.405, Alternative Density Design are being deleted. The overlay is being replaced by new provisions that no longer relate to Chapter 33.825 so this reference is no longer necessary.

These changes appear in the table near the end of Table 825-1.

33.825.025 B. Neighborhood Contact

The overlay is being replaced by new provisions that no longer relate to Chapter 33.825 so this reference is no longer necessary.

Table 825-1

No changes were made to the table on this page

33.825 Design Review

825

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.

- A. [No change]
- 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. - 3. [No change]

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 > \$444,750	Type III
		Value ≤ \$444,750	Type II
River District Design District	New floor area or Exterior alteration in CX or OS zone	>1,000 s.f. <u>and</u> value > \$444,750	Type III
		≤ 1,000 s.f. <u>or</u> value ≤ \$444,750	Type II
Gateway Design District	Development proposals	Value > \$2,223,650 included in a Gateway Master Plan Review	Type III
		Value ≤ \$2,223,650 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

Commentary

Table 825-1

References to Chapter 33.405, Alternative Density Design are being deleted. The overlay is being replaced by new provisions that no longer relate to Chapter 33.825 so this reference is no longer necessary.

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

Table 825-1 Procedure Type for Design Review Proposals			
Plan Districts	Proposal	Threshold	Procedure
Central Eastside	Development proposals	Value > \$2,223,650	Type III
Goose Hollow			
Lloyd District			
Macadam		Value ≤ \$2,223,650	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			
Central City Plan District, excluding Lower Albina	Development proposals	In design overlay zones and value > \$2,223,650	Type III
Northwest Plan District		In design overlay zones and value ≤ \$2,223,650	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 > \$2,223,650	Type III
		Not identified elsewhere in this table and value ≤ \$2,223,650	Type II

Commentary

Table 825-1

In the RF- R2.5 zones, for development on small or narrow lots that were created prior to July 26, 1979, there were additional development standards that applied. These standards were revised and are now embedded in 33.110.260 Additional Development Standards for Narrow Lots. Included in those changes was the ability to request deviations from the standards through an adjustment review as opposed to requesting a design review modification. Therefore, this reference in the Table is no longer necessary.

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

Base Zones			
All zones	<u>Signs</u>	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 <u>33.130.212</u>	Type III
C, E, I, RX 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 zone 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

Commentary

33.854 Planned Development Review

Prior changes to the zoning code were made as part of the Early Implementation Zoning Code Project (adopted December 21, 2016). The Planned Development chapters were moved from the 600 series of chapters into 33.270 Planned Development, and 33.854 Planned Development Review. These changes will become effective January 1, 2018 (concurrent with the new Comprehensive Plan) and are available online for viewing: www.portlandoregon.gov/bps/article/641579

The changes shown here update that adopted (but not yet in effect) code and reflect the proposal to allow accessory dwelling units (ADUs) as part of detached primary dwelling units on multi-dwelling development sites as well as incorporating additional review criteria related to cluster housing open space and circulation.

33.854.200.C. Review Procedures

The reference to attached duplexes is being deleted, as this residential structure type is being removed from the Zoning Code.

For Planned Developments, the changes reduce the review type from a Type III review to a Type IIx review for multi dwelling *development* proposals. (sites containing more than one primary dwelling unit on a single lot). Planned Developments that propose multi dwelling *structures* (buildings containing four or more units) would still be subject to a Type III review. This means that proposals for more than one detached house, duplex, or triplex would be subject to a Type IIx review (up to 10 lots, or up to 10 units where lots are not being proposed).

The other change reflects the provision to allow ADUs in conjunction with detached single dwelling structures on a single site. These ADUs would not be included in unit counts for determining the review type (consistent with the threshold for land divisions).

33.854 Planned Development Review

854

Review of Planned Development

33.854.200 Review Procedures

- A. Concurrent reviews.** When land use reviews in addition to Planned Development Review are requested or required, all of the reviews must be processed concurrently, except for Design Review for buildings within a Planned Development site when the Planned Development bonus is being utilized (See 33.130.212.E). In this case, Design Review may be processed after the Planned Development Review.
- B. Planned Development bonus.** Proposals that are using the commercial/mixed use zones Planned Development bonus (See 33.130.212.E) are processed through a Type III procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.
- C. All other Planned Development Reviews.**
1. Review in conjunction with a land division. When a Planned Development is requested in conjunction with a land division, the review will be processed as follows:
 - a. Type III review. Proposals in the RF through R2.5 zones that include ~~attached duplexes, multi-dwelling structures, or multi-dwelling development~~ attached duplexes, multi-dwelling structures, or multi-dwelling development are processed through a Type III procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.
 - b. Type IIx review. All other proposals are processed through the Type IIx procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.
 2. Review not in conjunction with a land division. When a Planned Development is not in conjunction with a land division, the review will be processed as follows:
 - a. Type III review. Planned Development Proposals that include any of the following elements are processed through a Type III procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact:
 - (1) ~~Attached duplexes, multi-dwelling structures, or multi-dwelling development~~ in the RF through R2.5 zones;
 - (2) Eleven or more units, not including accessory dwelling units;
 - (3) Four or more units, not including accessory dwelling units, where any building location, utility, or service is proposed within a Potential Landslide Hazard Area;
 - (4) Environmental review;
 - (5) Any portion of the site is in an Open Space zone.
 - b. Type IIx review. All other proposals not assigned to a Type III in Subparagraph C.2.a. are processed through a Type IIx procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.

Commentary

33.854.310 Approval Criteria for Planned Developments in All Zones

Corrected the reference for the applicable criteria for proposals seeking additional height or FAR in the CM2, CM3, CE and CX zones.

Changed the reference to refer to two new criteria (G. Pedestrian Access and H. Garbage and Recycling Areas)

33.854.310.A. Urban design and development framework.

Two minor changes: the first updates the name from "master plan area" to "planned development area" for clarity and to be more accurate. The second removes the extemporaneous "and" at the end of the list.

33.854.310.E. Site Design.

These changes add a title to the subsection, and also highlight the need to orient development to the adjacent streets, to prevent the design from "turning its back" to the street. Public realm is also clarified to include plazas and other gathering areas that are accessible from the street. Also, the extemporaneous "and" was removed from the end of this list.

33.854.310 Approval Criteria for Planned Developments in All Zones

Criteria A through ~~EF~~ apply to proposals for additional height or FAR in the CM2, CM3, CE, and CX zones that are taking advantage of 33.270.100.I. If the Planned Development is not proposing additional height or FAR as allowed by 33.270.100.I, then only criteria E through Hand F apply.

A. Urban design and development framework.

1. The proposed overall scheme and site plan provide a framework for development that meets applicable Community Design Guidelines and will result in development that complements the surrounding area;
2. Scale and massing of the development addresses the context of the area, including historic resources, and provides appropriate scale and massing transitions to the adjacent uses and development specifically at the edges of the Planned Development~~Master Plan~~ area;
3. Proposed plazas, parks, or open areas are well located to serve the site and public, and are designed to address safety and comfort of users; and
4. The site plan promotes active ground floor uses on key streets to serve the development and surrounding neighborhood;~~;~~ ~~and~~

B. Transportation system. [No change]

C. Stormwater Management. [No change]

D. Phasing Plan. [No change]

E. Site Design. Configure the site and development to visually integrate both the natural and built features of the site and the natural and built features of the surrounding area. Aspects to be considered include:

1. Orienting the site and development to the adjacent streets and public realm, while limiting less active uses of the site such as parking and storage areas along the public realm. Public realm includes plazas and gathering areas that are accessible from the street;
2. Preservation of natural features on the site, such as stands of trees, water features or topographical elements;
3. Inclusion of architectural features that complement positive characteristics of surrounding development, such as similar building scale and style, building materials, setbacks, and landscaping;
4. Mitigation of differences in appearance through means such as setbacks, screening, landscaping, and other design features;
5. Minimizing potential negative effects on surrounding residential uses; and
6. Preservation of any City-designated scenic resources;~~;~~ ~~and~~

Commentary

33.854.310.F Open Area

These changes add a title to the subsection, and differentiate criteria for providing “adequate open area” for proposals that include attached houses, duplexes, triplexes, or multi dwelling structures from proposals that include only detached primary units (houses).

For multi-dwelling developments with detached houses and accessory dwelling units, a “featured open area” is required. The intent is to have this area be a focal point for the development by orienting at least half the units around it.

33.854.310.G. Pedestrian Access

This is a new criterion that is added for planned developments to ensure pedestrian connections are provided between buildings and the street or parking area and call for a pleasant pedestrian experience to encourage walking through the site and places of respite.

33.854.310.H Garbage and Recycling Areas

When multi dwelling development or multi dwelling structures are proposed in zones where they are not allowed outright, garbage and recycling areas are not specifically addressed. This new criterion ensures that adequate area and attention is given to the functional needs for garbage and recycling collection.

- F. Open Area.** ~~Provide adequate open area on~~ On sites zoned RF through R2.5:
1. ~~Where~~ proposed development includes attached houses, duplexes, triplexes, attached duplexes, or multi-dwelling structures, or multi-dwelling development, adequate open area must be provided. Open area does not include vehicle areas.
 2. Where multi-dwelling development with detached single dwelling units is proposed, 50 percent of the total number of dwelling units, including accessory dwelling units, must be oriented around the open area. The total number of dwelling units includes accessory dwelling units
- G. Pedestrian access.** An accessible route is required that connects all buildings to adjacent streets, featured open spaces, and any parking areas and that provides a pleasant pedestrian experience through landscape treatment and site furnishings.
- H. Garbage and recycling areas.** Garbage and recycling collection areas must be adequate in size to accommodate the proposed development, designed to encourage recycling, and located to facilitate pick up service. Screening and buffering of garbage and recycling areas must be provided to maintain a clean and attractive development.

Commentary

33.900 List of Terms

The attached duplex structure type was deleted from the Zoning Code, so references and definitions associated with attached duplexes are being deleted.

No changes were made to other term names.

33.900 List of Terms

900

~~Attached Duplex See Residential Structure Types~~

Residential Structure Types

- Accessory Dwelling Unit
- ~~Attached Duplex~~
- Attached House
- Duplex
- Dwelling Unit
- Group Living Structure
- House
- Houseboat Moorage
- Manufactured Dwelling
 - Manufactured Home
 - Mobile Home
 - Residential Trailer
- Multi-Dwelling Development
- Multi-Dwelling Structure
- Single Room Occupancy Housing (SRO)
- Triplex

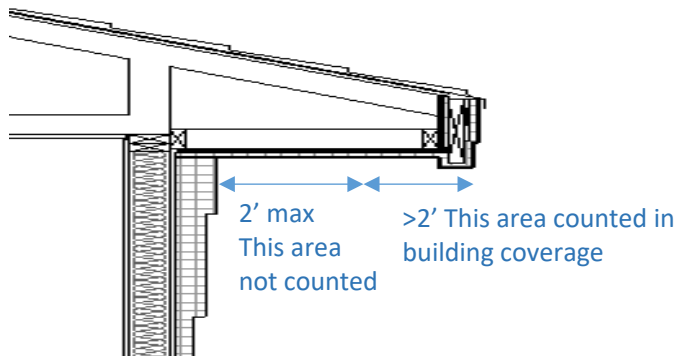
Commentary

33.910 Definitions

Only the terms that were added, deleted, or amended are included in this report. No changes were made to the other terms not included here.

“Attached Duplex” is a residential structure type that is currently allowed through a Planned Development in single-dwelling zones, and as an Alternative Development Option in multi-dwelling zones. This building type is challenging to construct in conformance with State Building Codes, has a complicated ownership structure, and is not a common structure type in the city. It was deleted from the code.

“Building Coverage” currently excludes eaves from coverage calculations. However very deep eaves can be created that are similarly sized as decks and balconies (that are counted as building coverage). The original intent of this exclusion was to not discourage wider eaves (up to a point). New projection allowances in the single dwelling zones permit eave projections up to 2 feet into setbacks. The same 2-foot dimension is used to limit the depth of eave toward building coverage.



Eaves are presently excluded from building coverage calculations, per 33.910 (definition of building coverage). This has been amended so that only the first 2 feet of eave depth is excluded from building coverage. Deeper eaves may still be constructed, but the extra depth will count toward building coverage limits. This is intended to address several cases where very large overhangs are cantilevered from a building and excluded from building coverage because they meet the dictionary definition of “eave”, per Merriam-Webster, an eave is defined as “the lower border of a roof that overhangs the wall

“Floor Area” is now being applied in single dwelling zones to establish floor area to site area ratio (FAR) limits. Minor revisions address smaller residential structure types. Additional clarification of what is counted has been added (stairwells, chases, etc), along with garages associated with houses, duplexes, and triplexes and structured parking (parking for 4 or more units). The phrase describing floor area as the building or structured parking “that is above ground” is being removed to clarify that if the floor or parking area was less than 4 feet below the adjacent grade (first bullet), than it is counted as floor area.

33.910 Definitions

910

33.910.010 through 33.910.020 [no change]

33.910.030 Definitions

The definition of words with specific meaning in the zoning code are as follows:

~~**Attached Duplex.** See Residential Structure Types.~~

Building Coverage. The area that is covered by buildings or other roofed structures. A roofed structure includes any structure more than 6 feet above grade at any point, and that provides an impervious cover over what is below. Building coverage also includes uncovered horizontal structures such as decks, stairways and entry bridges that are more than 6 feet above grade. Up to 2 feet of the depth of an eave is ~~Eaves are~~ not included in building coverage.

Floor Area. The total area of all floors ~~the portion of a building, that is above ground.~~ Floor area is measured for each floor from the exterior faces of a building or structure. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking ~~that is above ground level.~~ Floor area does not include the following:

- Areas where the elevation of the floor is 4 feet or more below the ~~lowest~~ elevation of an ~~the~~ adjacent graderight-of-way. See Figure 910-XX.1;
- Portions of attics where the finished ceiling height is less than 80 inches. See Figure 910-XX.2
- Roof area, including roof top parking;
- Roof top mechanical equipment; and
- Roofed porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than 42 inches in height, for 75 percent or more of their perimeter.

See also Net Building Area, Gross Building Area

Commentary

Floor Area (continued) To address exclusion of basement areas for smaller residential structures, this change reflects measuring the adjacent grade along the building foundation versus a reference grade at the right of way, which could be far away from the building.

Also, the Residential Infill Project direction is to exclude attic areas with a low ceiling height. These spaces are not counted as habitable area per the building code*, and with the low headroom, they do not substantially increase a building's height or bulk.

* 2014 Oregon Residential Specialty Code

305.1 Minimum height.

Habitable space, hallways, bath-rooms, toilet rooms, laundry rooms and portions of basements containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm).

Exceptions

2. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
4. Conversion of existing nonhabitable spaces, such as a basement or attic, to habitable space, shall provide a minimum 6 feet, 8 inch (2032 mm) ceiling height for flat ceilings or the portion required under Exception 2 above.

Figure 910-XX.1 Floor Area Below Grade

This new figure was added to help illustrate what is and what is not floor area for floors that are below adjacent grade (i.e. basements). Essentially the portion of the floor where the surrounding grade is four feet higher than the floor is not "floor area". Where the adjacent grade is less than 4 feet above the floor, that area is considered "floor area". In other words, portions of daylight basements may contribute to floor area, whereas a basement that is surrounded by at least 4 feet of ground would not count.

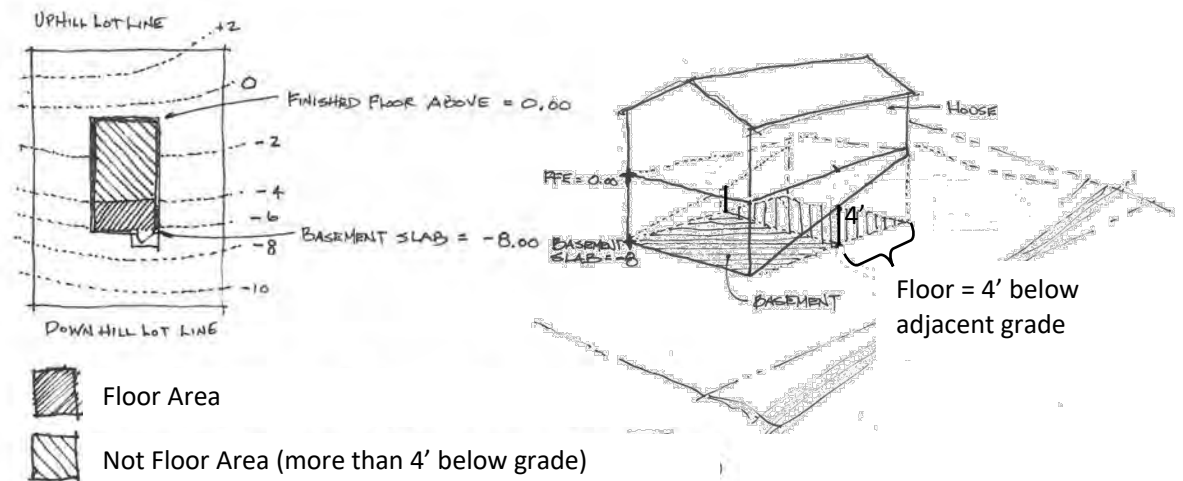
Figure 910-XX.2 Floor Area in Attics

This new figure similarly shows what is and what is not floor area in an attic space. Where the ceiling is higher than 6'8" tall, that portion of the room is counted.

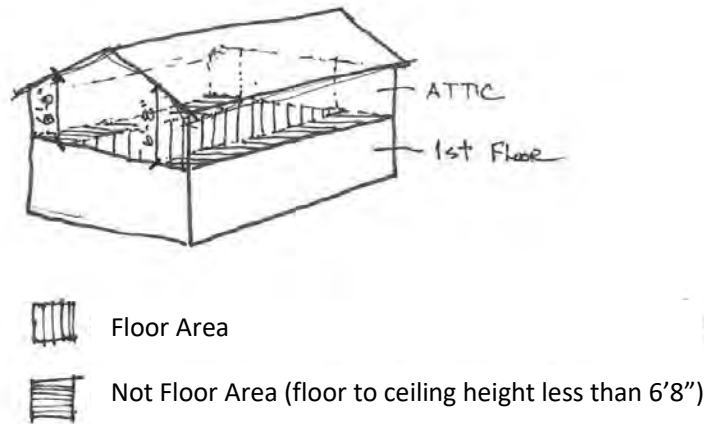
"Garage" was modified to include a triplex, which was previously considered a multi-dwelling structure and therefore subject to the parking requirements for "structured parking"

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

[INSERT] Figure 910-XX.1
Floor Area Below Grade



[INSERT] Figure 910-XX.2
Floor Area in Attics



Garage. A covered structure that is accessory to a use in a house, attached house, duplex, triplex, manufactured dwelling, or houseboat, and that:

- Is designed to provide shelter for vehicles;
- Is connected to a right-of-way by a driveway; and
- Has an opening that is at least 8-feet wide.

Carports are considered garages. Floor area adjacent to the space designed to provide shelter for vehicles, if not entirely separated from the garage area by floor-to-ceiling walls, is considered part of the garage. A garage may be attached to or detached from another structure. See also Structured Parking.

Commentary

"Grade" was changed and simplified as part of related changes to height. It no longer aligns with the building code definition so these references were removed. It was also changed to clarify that the grade elevation is determined with the final (altered) elevation (not the pre-development site elevation).

"New Narrow Lot" was deleted, as the code will no longer distinguish regulations based on when a narrow lot was created. Instead, one set of rules will apply, see 33.110.260, Additional Development Standards for Narrow Lots. A definition is not needed for "Narrow Lots" since they are described in the two sections where they are referred to (i.e. lots that are less than 36 feet wide).

Residential Structure Types

"Accessory Dwelling Unit" was changed to reflect that it may be created in conjunction with other Residential Structure Types like duplexes or detached units in Planned Development sites. Those specific references are included in the chapters where ADU's are authorized. The definition focuses on the subordinate nature of the ADU, rather than with what structure type it is being created.

"Attached Duplex" is being removed from the code

Grade. The final elevation of the ground. ~~The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building. This is the definition used in the Oregon Structural Specialty Code (the Uniform Building Code as amended by the State.)~~

Lot. A lot is a legally defined piece of land other than a tract that is the result of a land division. This definition includes the State definition of both lot, (result of subdividing), and parcel, (result of partitioning). See also, Ownership and Site.

- **Adjusted Lot.** A lot that has had one or more of its lot lines altered through an approved property line adjustment or through a deed, or other instrument relocating a property line, recorded with the appropriate county recorder prior to July 26, 1979. An adjusted lot may have equal or larger lot area than the original lot. An adjusted lot may have smaller lot area than the original lot, but must have a lot area that is more than 50% percent of the original lot area. Portions of an original lot that are 50% percent or less of the original lot area are defined as lot remnants. See Figures 910-17 and 910-18.
- ~~**New Narrow Lot.** A lot that was created by a land division submitted after June 30, 2002, and:
 - Is in the R10 through R5 zone and does not meet the minimum lot width standard of 33.610.200.D.1; or
 - Is in the R2.5 zone and does not meet the minimum lot width standard of 33.611.200.C.1.~~

Lot of Record. A lot of record is a plot of land:

- Which was not created through an approved subdivision or partition;
- Which was created and recorded before July 26, 1979; and
- For which the deed, or other instrument dividing the land, is recorded with the appropriate county recorder.

Lot Remnant. A portion of a lot that has a lot area of 50 percent or less of the original platted lot. See Figure 910-17 and 910-19.

Residential Structure Types

- **Accessory Dwelling Unit.** An additional second dwelling unit on a lot and subordinate to a primary dwelling unit. ~~created on a lot with a house, attached house, or manufactured home.~~ The additional second unit is ~~created auxiliary to, and is always smaller than the primary dwelling unit house, attached house, or manufactured home.~~ The accessory dwelling unit includes its own independent living facilities including provision for sleeping, cooking, and sanitation, and is designed for residential occupancy by one or more people, independent of the primary dwelling unit. Kitchen facilities for cooking in the unit are described in Section 29.30.160 of Title 29, Property and Maintenance Regulations. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.
- ~~**Attached Duplex.** A duplex, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the dwelling.~~

Commentary

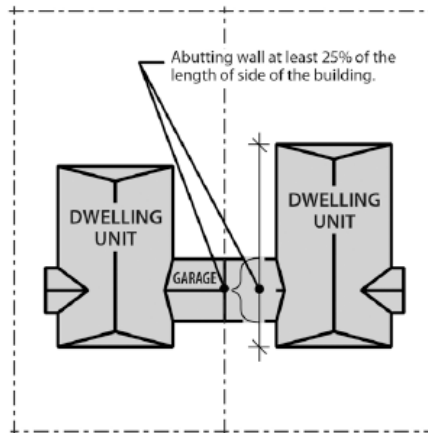
Multi-Dwelling Structure. The definition was changed to reflect that a triplex is no longer defined as a multi-dwelling structure type, but remains its own structure type, like “duplexes”. This is reflected in the changes to the parking standards and specifically relates to how provisions are applied to garages (associated with houses, duplexes, triplexes) versus structured parking (associated with buildings containing 4 or more units). This also makes these residential structure types mutually exclusive and removes overlap.

Triplex. Triplexes are not a new residential structure type, but they had previously been considered a subset of multi-dwelling structures. They were redefined as their own structure type, but will continue to be three dwelling units in one structure on a lot.

Structured Parking. The revisions to triplexes means that associated parking in a building is now considered a garage as opposed to structured parking.

- **Attached House.** A dwelling unit, **located on its own lot**, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings, including the walls of attached garages. An attached house does not share common floor/ceilings with other dwelling units. An attached house is also called a rowhouse or a common-wall house. See Figure 910-16.

**Figure 910-16 [no change]
Attached Houses**



- **Duplex.** [No change]
- **Dwelling Unit.** [No change]
- **Group Living Facility.** A ~~structure or structures~~ building or buildings that contain sleeping areas and at least one set of cooking and sanitary facilities that is used as a residence for Group Living uses.
- **House.** [No change]
- **Houseboat Moorage.** [No change]
- **Manufactured Dwelling.** [No change]
- **Multi-Dwelling Structure.** A ~~structure~~ building that contains ~~three~~ four or more dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate lots. Multi-dwelling includes structures commonly called garden apartments, apartments, and condominiums.
- **Single Room Occupancy Housing (SRO).** [No change]
- **Triplex.** A ~~multi-dwelling structure~~ building that contains three primary dwelling units on one lot. Each unit must share a common wall or common floor/ceiling with at least one other unit.

Structured Parking. A covered structure or portion of a covered structure that provides parking areas for motor vehicles. Parking on top of a structure—where there is gross building area below the parking, but nothing above it—is structured parking. The structure can be the primary structure for a Commercial Parking facility or be accessory to multi-dwelling residential, commercial, employment, industrial, institutional, or other structures. A structure that is accessory to a single-dwelling residential structure (including houses, attached houses, duplexes, triplexes, manufactured dwellings, or houseboats) is a garage and is not included as structured parking. See also Garage, Parking Area, and Underground Parking.

Commentary

33.930 Measurements

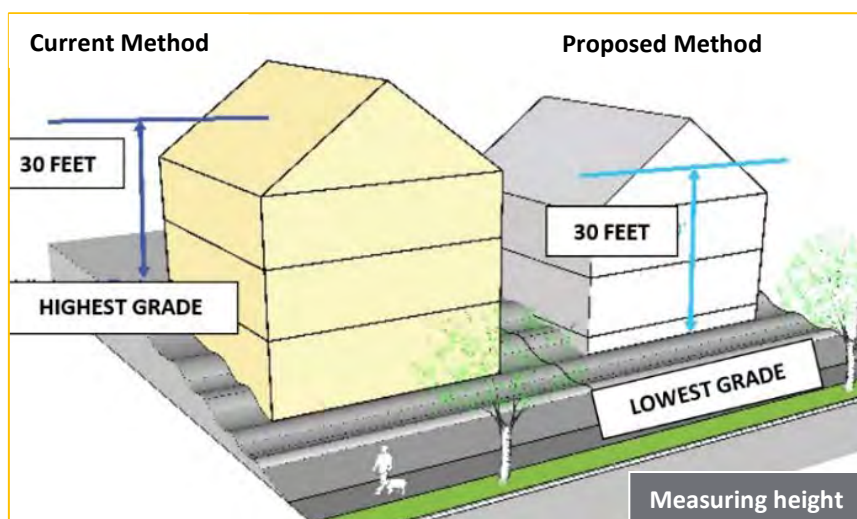
33.930.050 Measuring Height

These changes to how building height is measured are significant. They aim to close potential loopholes that have allowed taller than desired buildings. In the past, this has not been an issue as new development had not been maximizing development allowances on sites, however, with increased land costs, builders often seek to maximize the amount of development on the site to compensate for the increased development cost. Consequently, staff have observed greater and greater instances of proposals that “push the envelope” of what is allowed and certainly exceed what was originally intended such as exposed basements and full-floor dormers used to create in essence a 4 story house. These changes are intended to maintain allowances for 2½ story houses in the single dwelling zones.

The new height methodology follows a similar approach as the current method, by establishing a base point and a top reference point determined by the type of roof.

Heights are still measured with finished grades (not pre-development site condition grades - as these are both difficult to verify once construction has begun, can create challenging design scenarios, and for sites with pre-existing development, raises questions about what “pre-development” grades are).

The most significant change is switching from measuring from the *highest* point anywhere within a 5-foot distance from a building wall, to measuring from the *lowest* point along a perimeter line drawn 5 feet beyond the building wall. This ensures that the base point reference can't be artificially raised in one spot or along one side of a building to alter the measured height; the entire perimeter of the building would need to be raised. By using a perimeter line 5 feet from the building versus describing the entire area within 5 feet of the building, window wells and access stairs to basements can be excluded as the “lowest point” for calculating height provided these features do not extend beyond the 5-foot perimeter.



33.930 Measurements

930

Sections:

- 33.930.010 Purpose
- 33.930.020 Fractions
- 33.930.030 Measuring Distances
- 33.930.040 Measuring Distances on Maps
- 33.930.050 Measuring Height
- 33.930.055 Measuring the Area of Limited Uses
- 33.930.060 Determining Average Slope
- 33.930.070 Determining the Area of the Facade of a Building
- 33.930.080 Determining the Plane of a Building Wall
- 33.930.090 Determining the Garage Wall Area
- 33.930.100 Measuring Lot Widths ~~and Depths~~
- 33.930.103 Measuring Lot Depths
- 33.930.110 Measuring Areas with Squares of Specified Dimensions
- 33.930.120 Setback Averaging and Setback Matching
- 33.930.130 Measuring Tree Diameter
- 33.930.140 Measuring the Root Protection Zone

33.930.010 through 33.930.040 [no change]

33.930.050 Measuring Height

- A. Measuring building height.** ~~Height of buildings is generally measured as provided in the Oregon Structural Specialty Code (the Uniform Building Code as amended by the State.) The height of buildings is the vertical distance above the base reference point to the roof-type reference point. Methods for establishing the base reference point are described in Paragraphs A.1. Methods to establish the roof-type reference point are described in Paragraph A.2. or A.2., unless the site is in a commercial/mixed use zone, in which case the height of buildings is measured as described in Paragraph A.3. The base point method used to determine the roof-type reference point is the one method that yields the greater height of building. Methods to measure specific roof types are shown below and in Figure 930-5:~~

1. Base reference point.
 - a. Base point 1. Base point 1 is the elevation of the lowest grade 5 feet from the building when the lowest grade is not more than 10 feet below the highest grade as measured 5 feet from the building. To establish lowest and highest grade 5 feet from the building, draw a line exactly 5 feet from all sides of the building and identify the elevation at multiple locations along the line. If the property line is less than 5 feet from any side of the building, the line must follow the property line for the segment where the property line is less than 5 feet from the building. See Figure 930-6. ~~highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade. See Figure 930-6.~~

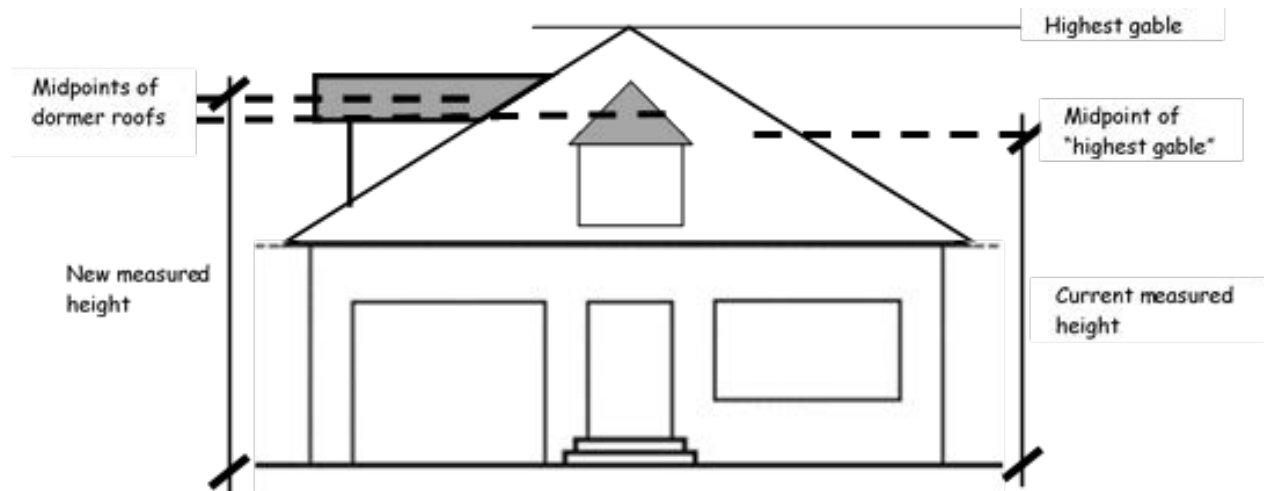
Commentary

Base point 2.

A slight revision was made to Base point 2. Previously if the difference between the lowest point and the highest point was 10 feet or more, then the base point elevation was established 10 feet above the lowest point. Since base point 1 is now tied to measuring from the lowest point, this could create an incentive to artificially raise a high point to gain 10 feet of additional height. Consequently, when the low point is 10 feet or greater below the high point, the new base point elevation will only be 8 feet above the lowest point, reducing the incentive to intentionally alter grades.

Roof Type Reference Point

The other significant change is the requirement to use the roof-type reference point that yields the highest measurement. Currently the average height of the highest gable is most commonly used to determine building height. However, if there is a smaller gable roof with an average height that is higher than the larger roof (by virtue of using averages) but that roof is not above the ridgeline of the larger roof, then the lower reference for the larger roof is used. Or if there is a shed roof dormer on a gable roof, but the shed roof doesn't project above the gable, then the midpoint of the gable is currently used. With this change, the reference point for each roof would be compared to see which yields the highest measurement.



Clarification is added for situations where multiple roof types are present on a single building

- b. Base point 2. Base point 2 is the elevation that is ~~108~~ feet higher than the lowest grade when the lowest gradesidewalk or ground surface described in Paragraph 1., above, is more than 10 feet below the highest~~above lowest~~ grade. See Figure 930-7.
- c. Base point 3. In the commercial/mixed use zones, when any portion of a building is within 20 feet of a street lot line the following base points apply. See Figure 930-25. For all other buildings, or if no sidewalk exists or is proposed within 25 feet of the building, height is measured using the base points described in Paragraphs A.1.a and A.1.b2:
 - (1) The base point from which the height of the building is measured is the highest elevation of the sidewalk area located adjacent to the site within 25 feet of the building if the highest elevation within the sidewalk area is not more than 10 feet above the lowest elevation within the area. See Figure 930-26.
 - (2) The base point from which the height of the building is measured is a point 10 feet above the lowest elevation of the sidewalk area located adjacent to the site within 25 feet of the building if the highest elevation within the sidewalk area is more than 10 feet higher than the lowest elevation within the area. See Figure 930-26.

2. Roof-type reference point. Methods to determine the roof-type reference point are described below and shown in Figure 930-5.

- a. Flat roof (pitch is 2 in 12 or less): Measure to the top of the parapet, or if there is no parapet, to the highest point of the roof.
- b. Mansard roof: Measure to the deck line.
- c. Gabled, hipped, or gambrel roof where roof pitch is 12 in 12 or less: Measure to the average height ~~of the highest gable~~.
- d. Gabled or hipped roofs with a pitch steeper than 12 in 12: Measure to the highest point.
- e. Gambrel roofs where both pitches are steeper than 12 in 12: Measure to the highest point.
- f. Other roof ~~types~~shapes such as domed, shed, vaulted, or pyramidal shapes: Measure to the highest point.
- g. Stepped or terraced building: Measure to the highest point of any segment of the building.

B. Measuring height of other structures. [no change]

Commentary

Figure 930-5

No changes to this figure

Figures 930-6 and 930-7

These figures are replaced with a new figure 930-6 to reflect changes to the height measurement method.

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

Figure 930-5
Measuring Height – Roof Types

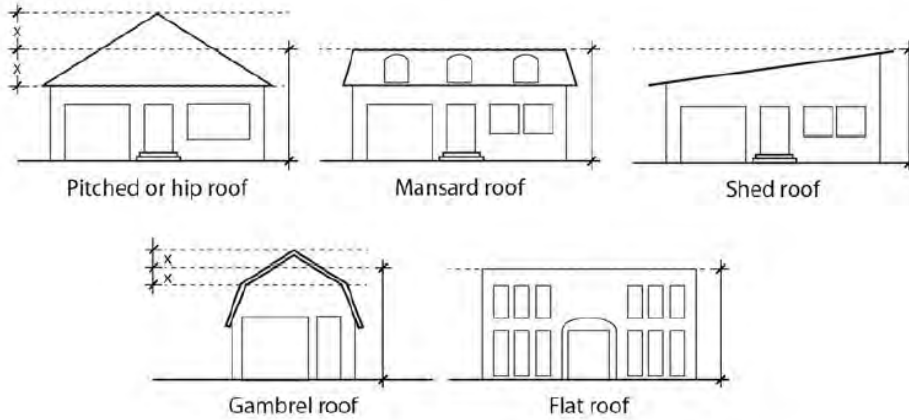


Figure 930-6
Measuring Height – Base Point 1

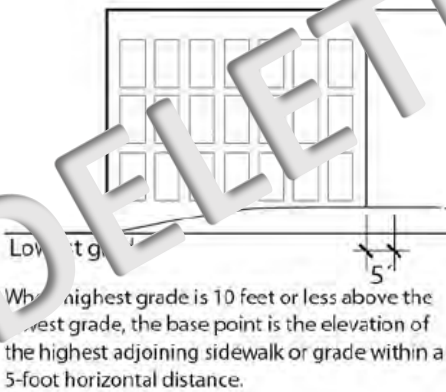
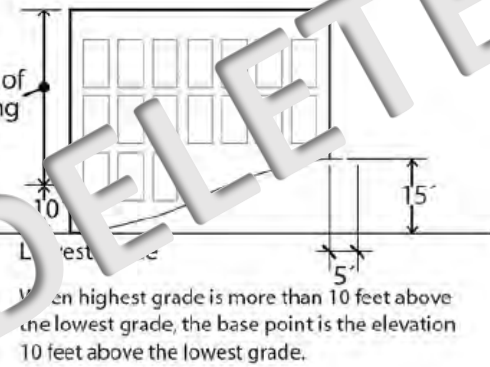
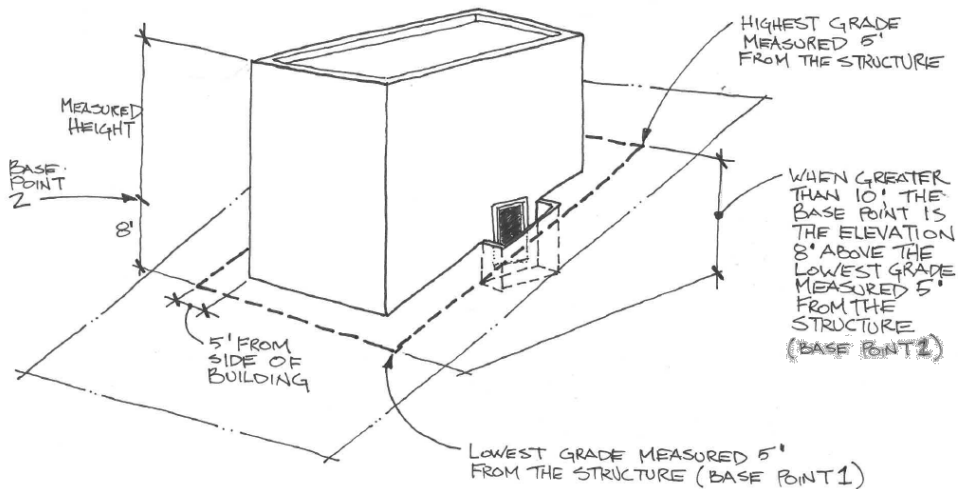


Figure 930-7
Measuring Height – Base Point 2



[INSERT] Figure 930-6
Measuring Height – Base Point 1 and Base Point 2



Commentary

33.930.060 Determining Average Slope

The numbering for Subsection A was deleted as there is no longer a subsection B.

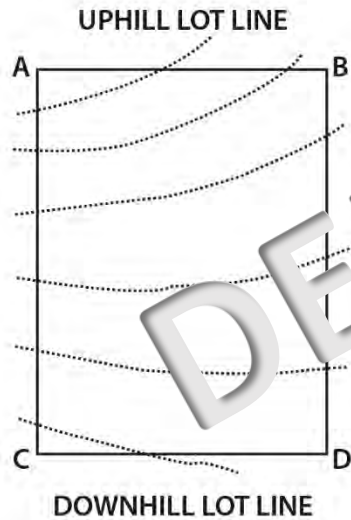
Figure 930-9 Calculating Average Slope

This figure was updated to show an irregular lot configuration, to clarify how measurements are made in these situations. The method was not changed.

33.930.060 Determining Average Slope

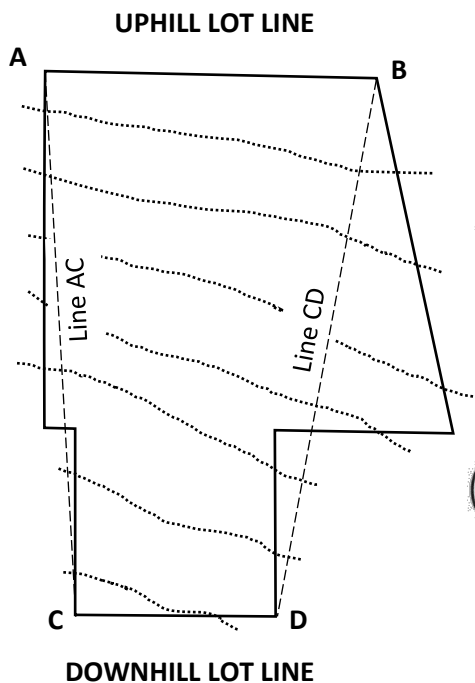
A. ~~Average slope used.~~ When calculating the slope of a lot an average slope is used based on the elevations at the corners of the lot. The average slope of a lot is calculated by subtracting the average elevation of the uphill lot line and the average elevation of the downhill lot line and dividing the sum by the average distance between the two lot lines. The average elevation of the uphill or downhill lot line is calculated by adding the elevations at the ends of the lot line and dividing by two. See Figure 930-9.

**[REPLACE FIGURE] Figure 930-9
 Calculating Average Slope**



$$\frac{\text{Average elevation of uphill lot line} - \text{Average elevation of downhill lot line}}{\text{Average distance between the uphill and downhill lot lines}}$$

$$\frac{\left(\frac{A+B}{2}\right) - \left(\frac{C+D}{2}\right)}{\left(\frac{\text{Length of line AC} + \text{Length of line BD}}{2}\right)}$$



$$\frac{\text{Average elevation of uphill lot line} - \text{Average elevation of downhill lot line}}{\text{Average distance between the uphill and downhill lot lines}}$$

$$\frac{\left(\frac{A+B}{2}\right) - \left(\frac{C+D}{2}\right)}{\left(\frac{\text{Length of line AC} + \text{Length of line BD}}{2}\right)}$$

Commentary

33.930.100 ~~Measuring Lot Widths and Depths~~

The Section title and Subsection B were changed to reflect that 33.930.103 addresses Lot Depths.

33.930.120 Setback Averaging and Setback Matching

This section was expanded to include instructions on how to calculate reduced front setbacks when setback matching is allowed (R7, R5, R2.5 zones). This new exception was added to permit houses to reduce the front setback to match the setback of a house on either side if the house is built to the smaller setback. This enables new development to reinforce the pattern of existing homes along the street where those setbacks are already less than 15 feet.

In R10, R20, and RF zones the established building line is less critical since the lots are larger and space between house is greater. In these cases, a gradual transition from one house to another is more reasonable. Therefore, in these zones the setback averaging provision (using the average of the front setbacks on both abutting lots) is applied.

Together, these provisions reinforce front setback patterns that are visually consistent with adjacent houses without compromising the ability to provide backyard space

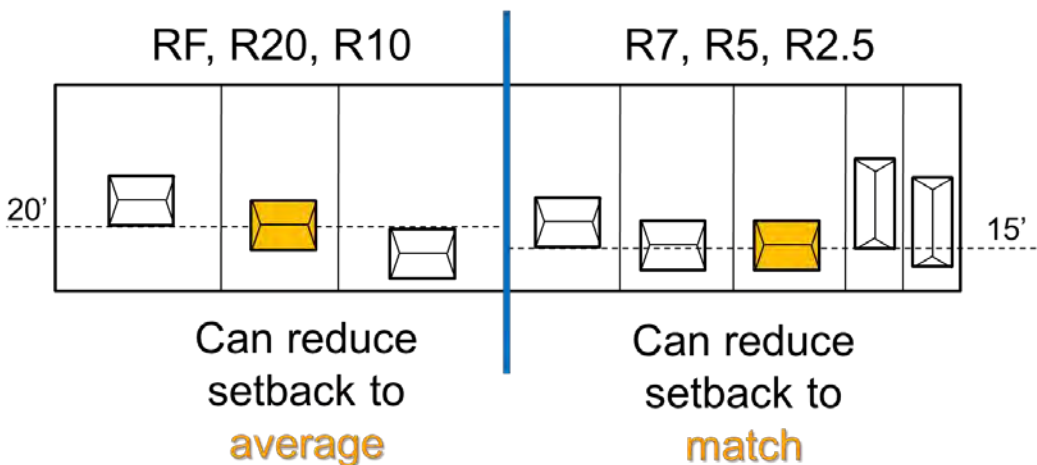


Figure 930-18 is being replaced to better clarify the distinction between setback averaging and setback matching.

33.930.100 Measuring Lot Widths ~~and Depths~~

- A. Single-Dwelling zones.** In the single-dwelling zones, lot width is measured by placing a rectangle along the minimum front building setback line. Where the setback line is curved, the rectangle is placed on the line between the intersection points of the setback line with the side lot lines. See Figure 930-20.

The rectangle must have a minimum width equal to the minimum lot width specified for the zone in Chapters 33.610 and 33.611. The rectangle must have a minimum depth of 40 feet, or extend to the rear property line, whichever is less. The rectangle must fit entirely within the lot. See Figure 930-20.

- B. All other zones.** In all other zones, lot widths ~~and depths~~ are measured from the midpoints of opposite lot lines. See Figure 930-15.

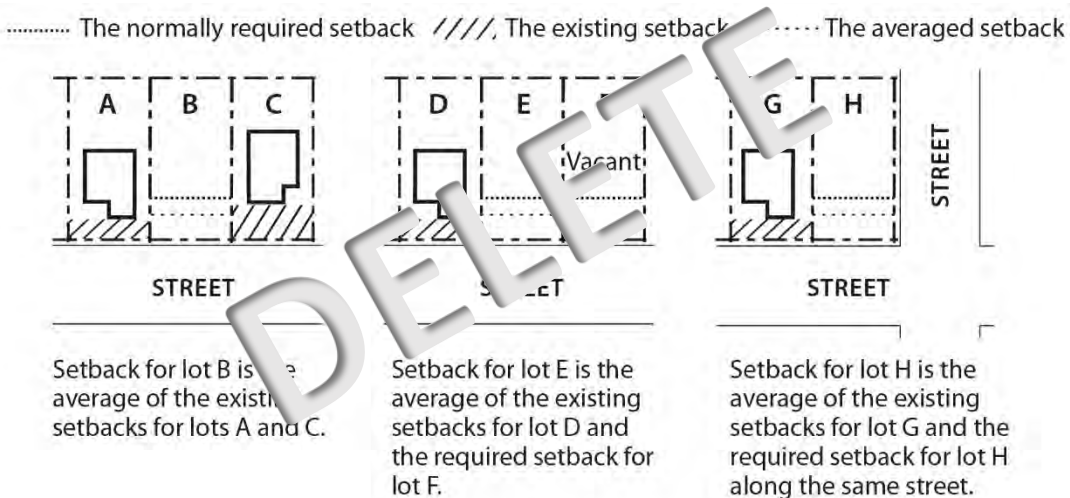
33.930.120 Setback Averaging and Setback Matching

Certain regulations allow for setbacks to be averaged or front setbacks to be reduced to match.

- A. Setback averaging.** ~~In these situations t~~The required setback may be reduced to the average of the existing setbacks of the lots that are on both sides of the site. See Figure 930-18. The following rules apply in calculating the average:

- 1.A. The setbacks used for the calculations must be for the same type of structure that is being averaged. For example, only garage entrance setbacks may be used to average a garage entrance setback, and only deck setbacks may be used to average a deck setback.
- 2.B. Only the setbacks on the lots that abut each side of the site and are on the same street may be used. Setbacks across the street or along a different street may not be used.
- 3.C. When one abutting lot is vacant or if the lot is a corner lot, then the average is of the setback of the nonvacant lot and the required setback for the zone.

**[REPLACE FIGURE] Figure 930-18
Setback Averaging**



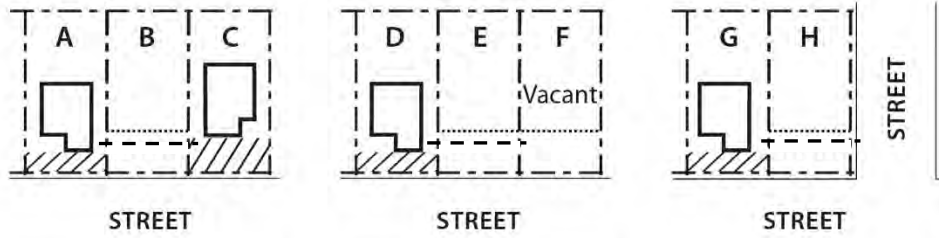
Commentary

33.930.120.B. Front Setback Matching.
See commentary on previous page.

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

Figure 930-18
Setback Averaging

..... The normally required setback // // // The existing setback - - - - The averaged setback



Setback for lot B is the average of the existing setbacks for lots A and C.

Setback for lot E is the average of the existing setbacks for lot D and the required setback for lot F.

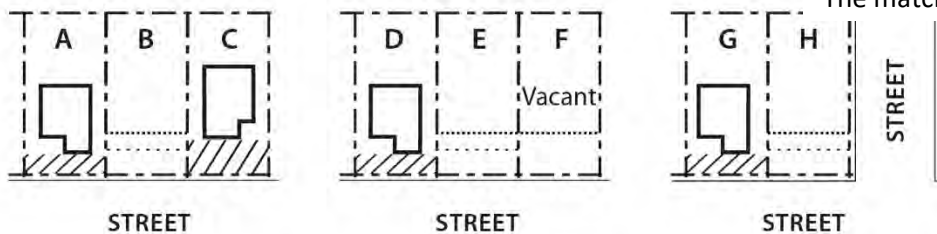
Setback for lot H is the average of the existing setbacks for lot G and the required setback for lot H along the same street.

B. Front setback matching. The required front setback may be reduced to match the existing setbacks of the lots that are on either side of the site. See Figure 930-XX. The following rules apply:

1. The setbacks used for the calculations must be for the same type of structure that is being averaged. For example, only a setback to a porch may be used to reduce the setback to a porch, and only living area inside a dwelling may be used to reduce the setback for living area inside a dwelling. Garage entrance setbacks cannot be reduced.
2. Only the setbacks on a lot that abuts the side of the site, are on the same street, and located in the same base zone may be used. Setbacks across the street or along a different street may not be used.

Figure 930-XX
Front Setback Matching

..... The normally required setback // // // The existing setback The averaged setback



Setback for lot B is the same as the reduced setback for Lot A

Setback for lot E is the same as the reduced setback for Lot D

Setback for lot H is the same as the reduced setback for Lot G

Appendix A

Guidance from the Comprehensive Plan

The goal of the Residential Infill Project is to adapt Portland’s single-dwelling zoning rules to meet the needs of current and future generations. Portland’s 2035 Comprehensive Plan helps further define the objectives of the Residential Infill Project, displayed in the accompanying diagram.

This appendix lists the relevant 2035 Comprehensive Plan Goals and Policies that support the objectives of the Residential Infill Project. Each objective also includes questions considered to assess and optimize project performance.

These objectives show the range of desired outcomes and highlight some inevitable trade-offs between them. Some objectives work together, such as ‘Provide diverse housing opportunities’ and ‘Support housing affordability’. Others may conflict with one another. The Residential Infill Project aims to identify potential impacts for each objective, and balance positive and negative impacts on the whole.



Fit Neighborhood Context

Would the proposed approach to development standards for infill houses better produce buildings that fit with the form – scale, massing, street frontage and transitions to adjacent houses – of blocks on which they are located?

The proposed approach aims to significantly limit the potential for new houses to overwhelm neighboring properties. While new residential construction may be larger or taller than nearby, older homes, the proposed rules will decrease the scale of new homes to a fraction of the size allowed today. The size limits offer greater certainty that the scale of new homes and additions will better complement their neighborhood context.

These new size limits are also flexible to allow for a variety of house styles and not impede investment in neighborhoods. In situations where most houses on a block are larger, current rules provide an adjustment land use review process that can allow house sizes greater than the prescribed limit on a case-by-case basis.

Proposed increases to front setbacks in R2.5 and R5 zones along with allowances to reduce setbacks to match neighboring houses will help site new houses to better conform with established neighborhood setback patterns.

Changes to how building height is measured will restrict grade manipulation to achieve taller buildings as well as limit the visual impact of excessively tall facades. Where lots slope up from a street, this new measurement method ensures that the two to two and a half story height relationship between the street and the house is maintained.

Detached houses on narrow lots will generally not be allowed. Instead, the proposed rules favor pairs of attached houses that are more consistent with the wider houses built on wider lots which are predominant in most neighborhoods.

The proposed allowances and incentives encourage home reinvestment by providing for modest additions without being limited by FAR and offering additional housing unit potential. Historic resources help establish an area's character, provide a link to our past and history and provide visual examples of Portland's significant architectural lineage. Sites with historic resources are afforded increased flexibility and additional incentives for adaptive reuse.

Supporting Policies:

Policy 2.9 Community analysis. Collect and evaluate data, including community- validated population data and information, to understand the needs, priorities, and trends and historical context affecting different communities in Portland.

Policy 3.2 Growth and stability. Direct the majority of growth and change to centers, corridors, and transit station areas, allowing the continuation of the scale and characteristics of Portland's residential neighborhoods.

Policy 3.9 Growth and development. Evaluate the potential impacts of planning and investment decisions, significant new infrastructure, and significant new development on the physical characteristics of neighborhoods and their residents, particularly under-served and under-represented communities, with particular attention to displacement and affordability impacts. Identify and implement strategies to mitigate the anticipated impacts.

Policy 3.42 Diverse residential areas. Provide a diversity of housing opportunities in the Inner Ring Districts' residential areas. Encourage approaches that preserve or are compatible with existing historic properties in these areas. Acknowledge that these areas are historic assets and should retain their established characteristics and development patterns, even as Inner Ring centers and corridors grow. Apply base zones in a manner that takes historic character and adopted design guidelines into account.

Policy 3.89 Inner Neighborhoods infill. Fill gaps in the urban fabric through infill development on vacant and underutilized sites and in the reuse of historic buildings on adopted inventories.

Policy 3.91 Inner Neighborhoods residential areas. Continue the patterns of small, connected blocks, regular lot patterns, and streets lined by planting strips and street trees in Inner Neighborhood residential areas.

Policy 3.96 Eastern Neighborhoods corridor landscaping. Encourage landscaped building setbacks along residential corridors on major streets.

Policy 3.98 Western Neighborhoods village character. Enhance the village character of the Western Neighborhoods' small commercial districts and increase opportunities for more people to live within walking distance of these neighborhood anchors.

Goal 4.A: Context-sensitive design and development New development is designed to respond to and enhance the distinctive physical, historic, and cultural qualities of its location, while accommodating growth and change.

Goal 4.B: Historic and cultural resources. Historic and cultural resources are identified, protected, and rehabilitated as integral parts of an urban environment that continues to evolve.

Policy 4.1 Pattern areas. Encourage building and site designs that respect the unique built natural, historic, and cultural characteristics of Portland's five pattern areas described in Chapter 3: Urban Form.

Policy 4.3 Site and context. Encourage development that responds to and enhances the positive qualities of site and context — the neighborhood, the block, the public realm, and natural features.

Policy 4.6 Street orientation. Promote building and site designs that enhance the pedestrian experience with windows, entrances, pathways, and other features that provide connections to the street environment.

Policy 4.8 Alleys. Encourage the continued use of alleys for parking access, while preserving pedestrian access. Expand the number of alley-facing accessory dwelling units.

Policy 4.15 Residential area continuity and adaptability. Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

Policy 4.16 Scale and patterns. Encourage design and development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow for a range of architectural styles and expression.

Policy 4.46 Historic and cultural resource protection. Within statutory requirements for owner consent, identify, protect, and encourage the use and rehabilitation of historic buildings, places, and districts that contribute to the distinctive character and history of Portland’s evolving urban environment.

Policy 4.48 Continuity with established patterns. Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources.

Policy 4.60 Rehabilitation and adaptive reuse. Encourage rehabilitation and adaptive reuse of buildings, especially those of historic or cultural significance, to conserve natural resources, reduce waste, and demonstrate stewardship of the built environment.

Policy 9.12 Growth strategy. Use street design and policy classifications to support Goals 3A-3G in Chapter 3: Urban Form. Consider the different design contexts and transportation functions in Town Centers, Neighborhood Centers, Neighborhood Corridors, Employment Areas, Freight Corridors, Civic Corridors, Transit Station Areas, and Greenways.

Provide Diverse Housing Opportunities

Would the proposed approach help to produce housing types that accommodate diverse needs and preferences of future and current residents?

Portland’s demographics are changing, yet, the city’s current housing supply is not necessarily well suited for to accommodate this change. The Portland’s average household size is decreasing, and the average age of the City’s total population is getting older. The current housing supply is lacks the insufficiently diversity needed to successfully respond to meet Portland’s changing housing needs.

Approximately 56 percent of Portland’s housing supply is made up of houses. Another 39 percent is multi-dwelling buildings. The middle housing types envisioned by this project (duplexes, triplexes and additional accessory dwelling units) are in short supply in Portland, accounting for roughly 5% of the housing stock. Increasing housing opportunities increases individual housing choice and thus positions the city to more effectively respond to these changes.

Limiting the size of new houses and encouraging smaller units in the form of duplexes, triplexes and ADUs will better respond to Portland’s shrinking average household size, while the predominant, larger unit housing stock in single-dwelling neighborhoods can continue to accommodate larger families.

Moreover, as additional units are built, requirements for some to be “visitable” will ensure that they are more age-friendly and better accommodate people with limited or impaired mobility. More types of housing in more neighborhoods give residents options to stay in their neighborhood as their housing needs change, and allows older adults to age amongst their familiar resources and social networks within their communities.

Supporting Policies:

Policy 3.4 All ages and abilities. Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.

Policy 3.32 Housing. Provide for a wide range of housing types in Town Centers, which are intended to generally be larger in scale than the surrounding residential areas. There should be sufficient zoning capacity within a half-mile walking distance of a Town Center to accommodate 7,000 households.

Policy 3.36 Housing. Provide for a wide range of housing types in Neighborhood Centers, which are intended to generally be larger in scale than the surrounding residential areas, but smaller than Town Centers. There should be sufficient zoning capacity within a half-mile walking distance of a Neighborhood Center to accommodate 3,500 households.

Policy 3.39 Growth. Expand the range of housing and employment opportunities in the Inner Ring Districts. Emphasize growth that replaces gaps in the historic urban fabric, such as redevelopment of surface parking lots and 20th century auto-oriented development.

Policy 3.42 Diverse residential areas. Provide a diversity of housing opportunities in the Inner Ring Districts’ residential areas. Encourage approaches that preserve or are compatible with existing historic properties in these areas. Acknowledge that these areas are historic assets and should retain their established characteristics and development patterns, even as Inner Ring centers and corridors grow. Apply base zones in a manner that takes historic character and adopted design guidelines into account.

Policy 4.5 Pedestrian-oriented design. Enhance the pedestrian experience throughout Portland through public and private development that creates accessible, safe, and attractive places for all those who walk and/or use wheelchairs or other mobility devices.

Policy 4.8 Alleys. Encourage the continued use of alleys for parking access, while preserving pedestrian access. Expand the number of alley-facing accessory dwelling units.

Policy 4.15 Residential area continuity and adaptability. Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

Policy 4.18 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 4.61 Compact housing. Promote the development of compact, space- and energy- efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

Goal 5.A: Housing diversity. Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.

Goal 5.C: Healthy connected city. Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation.

Policy 5.1 Housing supply. Maintain sufficient residential development capacity to accommodate Portland’s projected share of regional household growth.

Policy 5.4 Housing types. Encourage new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods. These housing types include but are not limited to single- dwelling units; multi-dwelling units; accessory dwelling units; small units; pre-fabricated homes such as manufactured, modular, and mobile homes; co-housing; and clustered housing/clustered services.

Policy 5.6 Middle housing. Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

Policy 5.8 Physically-accessible housing. Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

Policy 5.9 Accessible design for all. Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, through the use of Universal Design Principles.

Policy 5.11 Remove barriers. Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

Policy 5.19 Aging in place. Encourage a range of housing options and supportive environments to enable older adults to remain in their communities as their needs change.

Policy 5.21 Access to opportunities. Improve equitable access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities in areas with high concentrations of under-served and under- represented populations and an existing supply of affordable housing.

Policy 5.23 Higher-density housing. Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.

Policy 5.29 Permanently-affordable housing. Increase the supply of permanently- affordable housing, including both rental and homeownership opportunities.

Policy 5.31 Household prosperity. Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.

Policy 5.39 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 5.43 Variety in homeownership opportunities. Encourage a variety of ownership opportunities and choices by allowing and supporting including but not limited to condominiums, cooperatives, mutual housing associations, limited equity cooperatives, land trusts, and sweat equity.

Policy 5.53 Responding to social isolation. Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

Houses Should Be Adaptable Over Time

Would the approach yield additional housing that can be adapted over time to accommodate changing household needs, abilities and economic conditions and help older adults “age in place”? Would it provide flexibility within the building envelope for future additions?

Allowing more accessory dwelling units (ADUs) could benefit homeowners seeking to leverage their home’s equity and gain supplemental rental income, make space for other family members or friends, or create opportunity to downsize into an ADU while renting the primary house a larger household. Similarly, allowing opportunities for internal conversions within existing houses to create multiple units could add additional value and longevity to older, larger houses, while giving greater flexibility towards meeting changing household needs.

Some Portlanders have expressed concerns that restrictions on future additions could result in disinvestment and lead to more demolition of older houses. In response, the proposed rules include an allowance for a modest expansion of existing houses beyond the proposed limits on house scale, balancing concerns about house scale while adding flexibility for future additions and remodels.

Supporting Policies:

Policy 3.4 All ages and abilities. Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.

Policy 4.8 Alleys. Encourage the continued use of alleys for parking access, while preserving pedestrian access. Expand the number of alley-facing accessory dwelling units.

Policy 4.15 Residential area continuity and adaptability. Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

Policy 5.4 Housing types. Encourage new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods. These housing types include but are not limited to single- dwelling units; multi-dwelling units; accessory dwelling units; small units; pre-fabricated homes such as manufactured, modular, and mobile homes; co-housing; and clustered housing/clustered services.

Policy 5.7 Adaptable housing. Encourage adaption of existing housing and the development of new housing that can be adapted in the future to accommodate the changing variety of household types.

Policy 5.8 Physically-accessible housing. Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

Policy 5.9 Accessible design for all. Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, through the use of Universal Design Principles.

Policy 5.19 Aging in place. Encourage a range of housing options and supportive environments to enable older adults to remain in their communities as their needs change.

Policy 5.53 Responding to social isolation. Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

Maintain Privacy, Sunlight, Open Space and Natural Features

Would the approach result in development that responds to positive qualities of the natural setting and site conditions? Would it accommodate sustainable stormwater solutions and help better meet tree canopy goals? Would the approach preserve the comfort and privacy of living areas and provide adequate and usable yard area for gardening and enjoyment of the outdoors?

Tree canopy and stormwater retention can be improved through the proposed increases to front setbacks and decreases to house footprints. Proposed floor area limits and options for increasing yard area and reducing building coverage could result in two-story houses covering less yard area than is currently allowed.

On sites where additional units are allowed, required outdoor area will be double for duplexes and triple for triplexes to better ensure adequate yard area for additional households. This will also increase room for trees and stormwater infiltration. Additional flexibility for cottage cluster development will promote innovative site design and featured open spaces that provide more privacy, sunlight, open space and preservation of a site's natural features.

The proposed rules aim to balance privacy and solar access with retention of open space and natural features. However, retaining open space and trees on a lot can often require taller houses, while increasing shade and privacy is best achieved with single-story houses more spread out on a lot. The proposed rules for limiting house size through floor area ratio (FAR) offer builders more flexibility to either maximize outdoor area or tree retention with taller buildings that cover less of the lot, or maintain privacy and solar access with shorter buildings that cover more of the lot.

Supporting Policies:

Goal 4.C: Human and environmental health. Neighborhoods and development are efficiently designed and built to enhance human and environmental health: they protect safety and livability; support local access to healthy food; limit negative impacts on water, hydrology, and air quality; reduce carbon emissions; encourage active and sustainable design; protect wildlife; address urban heat islands; and integrate nature and the built environment.

Policy 4.3 Site and context. Encourage development that responds to and enhances the positive qualities of site and context — the neighborhood, the block, the public realm, and natural features.

Policy 4.11 Access to light and air. Provide for public access to light and air by managing and shaping the height and mass of buildings while accommodating urban-scale development.

Policy 4.12 Privacy and solar access. Encourage building and site designs that consider privacy and solar access for residents and neighbors while accommodating urban-scale development.

Policy 4.16 Scale and patterns. Encourage design and development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow for a range of architectural styles and expression.

Policy 4.73 Design with nature. Encourage design and site development practices that enhance, and avoid the degradation of, watershed health and ecosystem services and that incorporate trees and vegetation.

Policy 4.74 Flexible development options. Encourage flexibility in the division of land, the siting and design of buildings, and other improvements to reduce the impact of development on environmentally-sensitive areas and to retain healthy native and beneficial vegetation and trees.

Policy 5.51 Healthy and active living. Encourage housing that provides features supportive of healthy eating and active living such as useable open areas, recreation areas, community gardens, crime-preventive design, and community kitchens in multifamily housing.

Goal 7.C: Resilience. Portland’s built and natural environments function in complementary ways and are resilient in the face of climate change and natural hazards.

Goal 7.D: Environmental equity. All Portlanders have access to clean air and water, can experience nature in their daily lives, and benefit from development designed to lessen the impacts of natural hazards and environmental contamination.

Policy 7.2 Environmental equity. Prevent or reduce adverse environment-related disparities affecting under-served and under-represented communities through plans and investments. This includes addressing disparities relating to air and water quality, natural hazards, contamination, climate change, and access to nature.

Policy 7.5 Air quality. Improve, or support efforts to improve, air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders. Coordinate with the Oregon Department of Environmental Quality to incorporate up-to-date air quality information and best practices into planning and investment decisions.

Policy 7.6 Hydrology. Improve, or support efforts to improve, watershed hydrology, through plans and investments, to achieve more natural flow and enhance conveyance and storage capacity in rivers, streams, floodplains, wetlands, and aquifers. Minimize impacts from development and associated impervious surfaces, especially in areas with poorly-infiltrating soils and limited public stormwater discharge points, and encourage restoration of degraded hydrologic functions.

Policy 7.14 Natural hazards. Prevent development-related degradation of natural systems and associated increases in landslide, wildfire, flooding, and earthquake risks.

Policy 7.26 Improving environmental conditions through development. Encourage ecological site design, site enhancement, or other tools to improve ecological functions and ecosystem services in conjunction with new development and alterations to existing development.

Policy 7.54 Floodplain restoration. Enhance Johnson Creek floodplain functions to increase flood-storage capacity, improve water quality, and enhance fish and wildlife habitat.

Policy 7.56 Reduced natural hazards. Reduce the risks of landslides, streambank erosion and downstream flooding by protecting seeps, springs, trees, vegetation, and soils that absorb stormwater in the East Buttes.

Be Resource-Efficient

Would the approach encourage the development and preservation of compact, resource- and energy-efficient homes? Would it support the use of technologies, techniques and materials that result in less

environmental impact over the life cycle of the structure? Would it better utilize surplus capacity in existing public infrastructure?

The proposed rules support resource efficiency in four key ways. First, they limit the maximum allowed size of houses, resulting in less material consumption and construction waste. Second, they encourage retention and reuse of existing houses, thereby reducing waste going to landfills. Third, they allow for multiple smaller, less energy- and material-intensive dwelling units to be built in neighborhoods normally occupied by single houses, thereby efficiently accommodating more households. Fourth, the approach encourages attached houses, whose shared walls require less energy for heating and cooling than detached houses.

In areas where infrastructure is sufficient and surplus capacity exists, the proposed rules make better use of infrastructure by allowing additional dwelling units within the same size building allowed for new single-dwelling houses. In areas where surplus capacity does not exist, focusing public infrastructure and service investment in and around centers and corridors is a key strategy of the 2035 Comprehensive Plan. These planned investments will attain a greater benefit to more households and more efficiently deliver services where additional households are located.

Supporting Policies:

Goal 3.B: A climate and hazard resilient urban form Portland’s compact urban form, sustainable building development practices, green infrastructure, and active transportation system reduce carbon emissions, reduce natural hazard risks and impacts, and improve resilience to the effects of climate change.

Policy 3.5 Energy and resource efficiency. Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.

Policy 3.6 Land efficiency. Provide strategic investments and incentives to leverage infill, redevelopment, and promote intensification of scarce urban land while protecting environmental quality.

Goal 4.D: Urban resilience Buildings, streets, and open spaces are designed to ensure long-term resilience and to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.

Policy 4.17 Demolitions. Encourage alternatives to the demolition of sound housing, such as rehabilitation and adaptive reuse, especially affordable housing, and when new development would provide no additional housing opportunities beyond replacement.

Policy 4.18 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 4.19 Resource efficient and healthy residential design and development. Support resource efficient and healthy residential design and development. See other related policies later in this chapter and in Chapter 5: Housing.

Policy 4.60 Rehabilitation and adaptive reuse. Encourage rehabilitation and adaptive reuse of buildings, especially those of historic or cultural significance, to conserve natural resources, reduce waste, and demonstrate stewardship of the built environment.

Policy 4.61 Compact housing. Promote the development of compact, space- and energy- efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

Policy 4.69 Reduce carbon emissions. Encourage a development pattern that minimizes carbon emissions from building and transportation energy use.

Policy 5.30 Housing cost burden. Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.

Policy 5.50 High-performance housing. Encourage energy efficiency, green building practices, materials, and design to produce healthy, efficient, durable, and adaptable homes that are affordable or reasonably priced.

Policy 7.4 Climate change. Update and implement strategies to reduce carbon emissions and impacts, and increase resilience through plans and investments and public education.

Policy 9.22 Public transportation. Coordinate with public transit agencies to create conditions that make transit the preferred mode of travel for trips that are not made by walking or bicycling.

Support Housing Affordability

Would the standards help to reduce the cost of housing for homeowners and renters by increasing the availability of housing citywide that is affordable to a wide spectrum of household types and sizes? Would the approach promote equity and environmental justice by reducing disparities, minimizing burdens, affirmatively furthering fair housing, proactively fighting displacement and improving socio-economic opportunities for under-served and under-represented populations?

The proposed rules promote additional housing rental and purchase opportunities in areas that are highly desirable to many residents due to good access to services and amenities. Allowing additional, smaller housing units in these service- and amenity-rich areas could increase housing supply and choice citywide, thereby helping reduce long-term pressure from Portland’s current imbalance between supply and demand.

Provisions that allow for a bonus unit when all the units on the site are affordable to those who’s monthly earnings are up to 80% of the median family income (MFI) were evaluated. Staff found that the likely shortfall for this development prototype was on average about \$200,000, or \$50,000 per unit. This means that under current market conditions, private market developers are not likely to utilize this provision. However, for non-profit housing providers and community development corporations (CDCs) this helps close a widening funding gap between land values and providing affordable units outside of multi-family apartments.

Overall, the potential for increased supply of housing units of various sizes, types, locations, and level of affordability promotes more opportunities for Portlanders to relocate and age within communities that they or their families may have lived in for many years or generations.

Areas of the city where these additional units can be created are well-served by transit and close to support services, jobs, retailers and other amenities. While rents and house prices may be comparatively lower outside these well-served areas, savings would likely be offset by increased transportation costs to access needed goods and services in other areas¹. Locating more housing in amenity-rich areas can reduce income disparities by giving more people access to these goods and services while limiting cost burdens due to transportation.

City staff analyzed potential displacement impacts on vulnerable populations. This analysis informed the application of the overlay map proposals, reducing the potential of market pressures from disproportionately impacting susceptible, at-risk communities.

¹ The annual cost to own and drive a sedan in 2015 ranged from \$6,700 to \$10,600, according to AAA. That is the equivalent of \$550 to \$880 per month. <https://publicaffairsresources.aaa.biz/wp-content/uploads/2015/04/Your-Driving-Costs-2015-Brochure.pdf>

Supporting Policies:

Policy 2.3 Extend benefits. Ensure plans and investments promote environmental justice by extending the community benefits associated with environmental assets, land use, and public investments to communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision. Maximize economic, cultural, political, and environmental benefits through ongoing partnerships.

Policy 2.4 Eliminate burdens. Ensure plans and investments eliminate associated disproportionate burdens (e.g. adverse environmental, economic, or community impacts) for communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision.

2.4.a. Minimize or mitigate disproportionate burdens in cases where they cannot be eliminated.

2.4.b. Use plans and investments to address disproportionate burdens of previous decisions.

Policy 3.3 Equitable development. Guide development, growth, and public facility investment to reduce disparities; encourage equitable access to opportunities, mitigate the impacts of development on income disparity, displacement and housing affordability; and produce positive outcomes for all Portlanders.

Policy 3.9 Growth and development. Evaluate the potential impacts of planning and investment decisions, significant new infrastructure, and significant new development on the physical characteristics of neighborhoods and their residents, particularly under-served and under-represented communities, with particular attention to displacement and affordability impacts. Identify and implement strategies to mitigate the anticipated impacts.

Policy 4.17 Demolitions. Encourage alternatives to the demolition of sound housing, such as rehabilitation and adaptive reuse, especially affordable housing, and when new development would provide no additional housing opportunities beyond replacement.

Policy 4.18 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 4.61 Compact housing. Promote the development of compact, space- and energy- efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

Goal 5.A: Housing diversity. Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.

Goal 5.B: Equitable access to housing. Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.

Goal 5.D: Affordable housing. Portland has an adequate supply of affordable housing units to meet the needs of residents vulnerable to increasing housing costs.

Policy 5.1 Housing supply. Maintain sufficient residential development capacity to accommodate Portland's projected share of regional household growth.

Policy 5.3 Housing potential. Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

Policy 5.6 Middle housing. Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

Policy 5.10 Coordinate with fair housing programs. Foster inclusive communities, overcome disparities in access to community assets, and enhance housing choice for people in protected classes throughout the city by coordinating plans and investments to affirmatively further fair housing.

Policy 5.11 Remove barriers. Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

Policy 5.12 Impact analysis. Evaluate plans and investments, significant new infrastructure, and significant new development to identify potential disparate impacts on housing choice, access, and affordability for protected classes and low-income households. Identify and implement strategies to mitigate the anticipated impacts.

Policy 5.14 Preserve communities. Encourage plans and investments to protect and/or restore the socioeconomic diversity and cultural stability of established communities.

Policy 5.15 Gentrification/displacement risk. Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.

Policy 5.16 Involuntary displacement. When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently-affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.

Policy 5.20 Coordinate housing needs in high-poverty areas. Meet the housing needs of under-served and under-represented populations living in high-poverty areas by coordinating plans and investments with housing programs.

Policy 5.22 New development in opportunity areas. Locate new affordable housing in areas that have high/medium levels of opportunity in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities.

Policy 5.23 Higher-density housing. Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.

Policy 5.25 Housing preservation. Preserve and produce affordable housing to meet needs that are not met by the private market by coordinating plans and investments with housing providers and organizations.

Policy 5.26 Regulated affordable housing target. Strive to produce and fund at least 10,000 new regulated affordable housing units citywide by 2035 that will be affordable to households in the 0-80 percent MFI bracket.

Policy 5.29 Permanently-affordable housing. Increase the supply of permanently- affordable housing, including both rental and homeownership opportunities.

Policy 5.30 Housing cost burden. Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.

Policy 5.31 Household prosperity. Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.

Policy 5.36 Impact of regulations on affordability. Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

Policy 5.38 Workforce housing. Encourage private development of a robust supply of housing that is affordable to moderate-income households located near convenient multimodal transportation that provides access to education and training opportunities, the Central City, industrial districts, and other employment areas.

Policy 5.39 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 5.41 Affordable homeownership. Align plans and investments to support improving homeownership rates and locational choice for people of color and other groups who have been historically under-served and under-represented.

Policy 5.42 Homeownership retention. Support opportunities for homeownership retention for people of color and other groups who have been historically under-served and under-represented.

Be Economically Feasible

Would the approach allow for a reasonable return on investment for homeowners and developers, allowing the market to produce needed new housing to sufficiently accommodate the city's growing population? Would it catalyze desired development while minimizing undesired development and demolition of existing sound housing?

The proposal does not prescribe any specific architectural styles (modern, traditional, etc.) or mandate design uniformity, as such regulation can unnecessarily increase complexity and costs to projects.

An economic feasibility analysis on the draft recommendations in the Residential Infill Project Concept Report confirms that the proposed house size reductions and additional housing allowances would provide a reasonable return on investment and would not stifle the market from producing new housing units. This analysis found that existing single-dwelling zoned houses will maintain their value specifically *because of* these proposed recommendations. Longer term value increases for existing larger single-dwelling zoned houses might occur, as all new R2.5, R5 and R7 zoned houses will be subject to the newly proposed limits on scale.

The economic analysis also concludes that proposed rules for housing choice will advance the project goal of increasing the supply of different housing types. The economic feasibility analysis conducted for the alternative housing prototypes indicates that these housing types would be more attractive than large-lot, new single-dwelling construction. The analysis indicates that these housing types could be delivered to home owners at lower costs than the large single-dwelling prototype.

A commonly heard concern that emerged from 2016 public feedback on the Residential Infill Project Concept Report centered on the potential for increased house demolitions. While demolitions will continue to occur in response to ongoing market pressures or as the consequence of deferred maintenance – *regardless of whether proposed new zoning code rules are adopted* – the proposal includes additional allowances and incentives to encourage home reinvestment. The retention and adaptive reuse of historic resources could be increased by additional flexibility such as waiving parking requirements, increasing building area allowances, and wider arrangements of housing units that allowed otherwise. Placing specific limits that restrict redevelopment/removal of these properties reinforces the comprehensive plan policies related to protecting historic resources while simultaneously promoting housing diversity goals.

In addition, the economic feasibility analysis forecasts a general reduction in one-for-one redevelopment scenarios, resulting from the proposed limits on house size. However, the analysis also predicts that proposed housing opportunity allowances will result in an increase in housing production of duplex, triplex, and accessory dwelling units over the long term at a price point lower than is currently being delivered with new, larger house construction. Additionally, there are far more buyers seeking a lower-price entry housing type than the number of buyers that can afford the larger single-family houses that are currently being delivered in the market.

Supporting Policies:

Policy 3.39 Growth. Expand the range of housing and employment opportunities in the Inner Ring Districts. Emphasize growth that replaces gaps in the historic urban fabric, such as redevelopment of surface parking lots and 20th century auto-oriented development.

Policy 4.57 Economic viability. Provide options for financial and regulatory incentives to allow for the productive, reasonable, and adaptive reuse of historic resources.

Policy 5.3 Housing potential. Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

Policy 5.36 Impact of regulations on affordability. Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

Policy 9.60 Cost and price. Recognize the high public and private cost of parking by encouraging prices that reflect the cost of providing parking and balance demand and supply. Discourage employee and resident parking subsidies.

Provide Clear Rules for Development

Would the proposed standards be easy to use and understand and be consistently applied? Would the zoning rules be clearly reflective of the neighborhood character they would produce?

Clear and consistent rules are imperative to help expedite the preparation of architectural plans and reduce delays in permit reviews. The proposed rules make strategic changes to existing, already well-understood, clear and objective development requirements relating to building heights and setbacks. While the

introduction of a proposed floor area ratio (FAR) tool is a new standard for Portland’s single-dwelling zones, it has been used in Portland’s Zoning Code governing Central City and commercial zones for many years.

The proposed FAR approach is not unique to Portland, with several other U.S. cities already applying this tool (See Appendix B). Reasonable floor area allowances for additions to and conversions of existing homes, as well as incentives to encourage ADUs and detached garages, while providing a high degree of flexibility requires a more innovative approach in these zones than what is possible through tweaks to existing bulk tools (height, building coverage, and setbacks).

Zoning and development standards are only one of many ingredients that define neighborhood character. Street layout, topography, existing vegetation and the zoning mix (residential, commercial, open space, etc.) also have a strong influence in establishing neighborhood character. In addition, a neighborhood’s historical narrative, such as influences from major infrastructure or institutional investments or changing socio-economic compositions also define the distinct attributes inherent in different neighborhoods. Thus, the often-desired architectural variety and uniqueness of Portland neighborhoods was developed over time – not through fastidious zoning rules, but rather under broad historical and cultural trends that all followed uniform development requirements.

The message that “one size does not fit all” emerged during the public outreach for the Residential Infill Project Concept Report. It suggests that the proposed rules did not go far enough in recognizing the unique character attributes of Portland’s neighborhoods, blocks, or pattern areas. In recognition of the role that zoning and development standards do play, the proposed rules in the Concept Report were later revised to differentiate house size limits based on a combination of both lot size and zoning district, and not tied strictly to lot size – which could have resulted in a greater blending of zoning districts than would otherwise be desired.

The minimum front setback is proposed to be increased for both R2.5 and R5 zones, reestablishing the setback before it was reduced in 1991. The proposal includes provisions that allow the setback to be reduced to match homes on adjacent lots to recognize and reinforce existing setback development patterns.

Proposed height limits in the R2.5 zone are retained for attached house and/or rowhouse development, forms that are more consistent with this zone and serve as a transition between single-dwelling and higher-intensity zones.

Additional development standards are also proposed to improve how narrow lot houses transition these areas of change to better conform with the established pattern of existing development on wider lots.

Supporting Policies:

Goal 1.D.: Implementation tools

Portland’s Comprehensive Plan is executed through a variety of implementation tools, both regulatory and non-regulatory. Implementation tools comply with the Comprehensive Plan and are carried out in a coordinated and efficient manner. They protect the public’s current and future interests and balance the need for providing certainty for future development with the need for flexibility and the opportunity to promote innovation.

Policy 8.9 Internal coordination. Coordinate planning and provision of public facilities and services, including land acquisition, among City agencies, including internal service bureaus.

Policy 8.29 System development. Require private or public entities whose prospective development or redevelopment actions contribute to the need for public facility improvements, extensions, or construction to bear a proportional share of the costs.

Policy 9.58 Off-street parking. Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand. Strive to provide adequate but not excessive off-street parking where needed, consistent with the preceding practices.

Policy 10.3 Amending the Zoning Map.

10.3.c. When amending a base zone legislatively, the amendment may be to a corresponding zone or to a zone that does not correspond but is allowed. A legislative Zoning Map amendment may not be to a zone that is not allowed.

10.3.e. An amendment to apply or remove an overlay zone or plan district may be done legislatively or quasi-judicially, and must be based on a study or plan document that identifies a specific characteristic, situation, or problem that is not adequately addressed by the base zone or other regulations.

Policy 10.4 Amending the Zoning Code. Amendments to the zoning regulations must be done legislatively and should be clear, concise, and applicable to a broad range of development situations faced by a growing city. Amendments should:

10.4.a. Promote good planning:

1. Effectively and efficiently implement the Comprehensive Plan.
2. Address existing and potential land use problems.
3. Balance the benefits of regulations against the costs of implementation and compliance.
4. Maintain Portland's competitiveness with other jurisdictions as a location in which to live, invest, and do business.

10.4.b. Ensure good administration of land use regulations:

1. Keep regulations as simple as possible.
2. Use clear and objective standards wherever possible.
3. Maintain consistent procedures and limit their number.
4. Establish specific approval criteria for land use reviews.
5. Establish application requirements that are as reasonable as possible, and ensure they are directly tied to approval criteria.
6. Emphasize administrative procedures for land use reviews while ensuring appropriate community engagement in discretionary decisions.
7. Avoid overlapping reviews.

10.4.c. Strive to improve the code document:

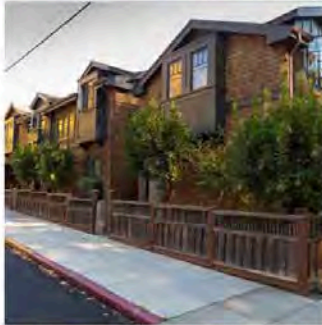
1. Use clear language.
2. Maintain a clear and logical organization.
3. Use a format and layout that enables use of the document by lay people as well as professionals.
4. Use tables and drawings to clarify and shorten the document.
5. Identify and act on regulatory improvement suggestions.

Floor Area Ratio (FAR) in Single Family Zoning

The following is a report on the use of floor area ratios (FARs) in single family zones, prepared by Dyett & Bhatia, Urban and Regional Planners, June 2016.



City of Portland Residential Infill Project



Use of Floor Area Ratios (FARs) in Single Family Zoning



Prepared by
DYETT & BHATIA
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June 2016

Table of Contents

1	Introduction	1
2	Defining Floor Area & Measuring FAR	4
	Defining Floor Area	4
	Establishing an “Adjusted” Floor Area for FAR Calculations	8
	Determining the Floor Area Ratio	8
3	Base FARs and FAR Bonuses	11
	Base FARs in Surveyed Cities	11
	FAR Bonuses	12
4	Special Situations	13
	Hillsides	13
	Large Lots	13
	Appendix: Sample Codes and Technical Handouts	15
	Atlanta	17
	Floor Area and FAR Defined	18
	Residential zoning district regulations	19
	Beverly Hills	37
	FAR and Related Standards for Central Area Single Family Development	38
	Definitions	51
	Boston	53
	FAR Definitions and Standards	54
	Summary Table of FAR Requirements	56
	Burbank	60
	Interim Development Control Ordinance	61
	Article 6. Residential Uses and Standards	71
	Chicago	97
	Chicago: Measuring FAR	98
	Chapter 17-2 Residential Districts	99
	Los Angeles	123
	Baseline Mansionization Ordinance Technical Summary and Clarifications	124
	Adopted Baseline Mansionization Ordinance	131
	A Comprehensive Guide to the New Hillside Regulations	150
	Baseline Hillside Ordinance	191
	Mill Valley	230
	FAR Calculations and Regulations for Single Family Homes	231
	Minneapolis	234
	SF FAR Definitions and FAR Controls	234
	New York City	240
	Zoning Data Tables: FAR Requirements	241
	Definitions: Floor Area and Floor Area Ratio	249
	Open Space and Floor Area Ratio Regulations in R1 through R5 Districts	259

I Introduction

As part of Dyett & Bhatia's work on Portland's Residential Infill Project, City staff requested a written report of research analyzing different cities' codification of square footage limits through floor area ratios (FARs) in single-family zoning districts. FARs have been used in Portland's downtown and in commercial and mixed-use zones in the City, and they may be an appropriate tool to control bulk and mass in the single-family neighborhoods. However, in SAC meetings, some questions have been raised about how they would be implemented and whether they might not be too complicated. City staff noted that FARs are well understood when they apply to box-shaped buildings on flat sites, but shifting to an FAR approach in the single dwelling zones raises some implementation concerns because of the wide variety of house forms and lot topography.

Of particular interest to the Bureau of Planning & Sustainability are the specific zoning code provisions and implementation approaches as they relate to describing the measurement of FAR in single dwelling house proposals. Topics that were called out as warranted specific attention included:

- Area within roof forms when or if they are counted (attics, under gables, dormers);
- Basements (especially daylight basements or basements on sloping lots);
- Garages (when or if they are counted, tuck-under garages vs. at grade vs. detached);
- Porches, balconies, and decks (how are they defined or distinguished from other floor area);
- Double height rooms (foyers, cathedral ceilings);
- Bay windows; and
- Stairwells.

Nine cities were selected for the FAR analysis, with a pre-condition being that they had set an FAR for single-family homes. We sought a range of planning climates, geographies and perspectives on regulations. We also wanted to include some cities that have recently fine-tuned their FAR regulations or are in the process of doing so. Key characteristics of the case study cities and their 2015 population follow:

- **Atlanta (pop. 464,000):** This southern city has a strong planning tradition in a community committed to preserving the City neighborhoods' identity by preserving the unique character of established neighborhoods and supporting revitalization efforts that will increase housing opportunities and neighborhood stability. The City also is committed to preserving single-family residential neighborhoods and ensuring infill development that preserves neighborhood character. Atlanta has a diverse population,

which is aging in place, supportive state planning, and strong environmental protection policies. Its approach to single family FAR controls is fairly traditional, cleanly drafted, and effective. Its controls are straight-forward and easily administered, with no discretionary review and a well-conceived set of exemptions – items excluded from FAR calculations.

- **Beverly Hills (pop. 35,000):** The City has dealt with mansionization at a different scale, in that the “target” house size is now 10,000 square feet for a family to feel they have “arrived” and can be recognized in Beverly Hills society. The City Council, being fairly conservative, has not wanted to reduce its FARs to control house size, but instead adopted standards for architectural modulation, setbacks, and upper-story setbacks to reduce visible mass. Basement space and light wells also have been big planning issues and are addressed in the zoning controls. Their regulations are instructive in showing how a community deals with bulk and mass at the high end of the price scale.
- **Boston (pop. 667,000):** Under the aegis of the Boston Redevelopment Authority, planning in Boston is very neighborhood oriented; the City deals with gentrification in its older single family neighborhoods with a “light touch”, and been fairly conservative in its zoning. Their FAR controls are another example of a clean, straightforward approach to controlling single family home size without discretionary review or design standards.
- **Burbank (pop. 105,000):** Home to the entertainment and high tech industries, Burbank was a fairly sleepy community until it began to face pushback from neighborhoods dealing with teardowns and large homes in established neighborhoods as “new money” moved in. An Interim Development Control Ordinance was adopted to reduce FARs and set some other limits on new houses while permanent zoning is being put in place. How this interim zoning was structured and what some of the changes in FAR controls are may provide some lessons for Portland.
- **Chicago (pop. 2.7 million):** Mayor Dailey initiated a comprehensive zoning reform program about 15 years ago, which included a complete overhaul of the residential regulations and resulted in adoption of FAR controls for single family homes. This ordinance represents “best practices” in doing zoning for a large and diverse city with a strong tradition of residential architecture and limited support for design review and discretionary development controls on new homes. It also represents a “light touch” that has been quite effective.
- **Los Angeles (pop. 3.9 million):** The City Council adopted a Base Mansionization Ordinance in 2008, which was followed by a Base Hillside Ordinance shortly thereafter. Technical guidance materials also were prepared that may be instructive for Portland’s coding efforts. These ordinances were effective in dealing with bulk and mass through FAR controls and other standards, but loopholes and some generous exceptions prompted the City Council to initiate a set of amendments to the FAR controls that are now under public review.
- **Mill Valley (pop. 14,400):** A smaller Bay Area community with limited land, beautiful hillsides, and a tradition of craftsmen architecture. Their zoning has long regulated single family houses with FARs and recent Code amendments initiated because of community concerns about big houses in the hills may offer some insights, particularly in dealing

with defining “covered” floor area, basements and garages, cathedral ceilings, and grading.

- **Minneapolis (pop. 411,000):** A city with a history of strong neighborhood planning and innovative zoning; older single family housing stock, and a well-developed process for design review. Minneapolis also has a long tradition of small area planning, stemming from the work in the 1960s on interconnected urban villages. The planning initiatives in recent years have focused on infill and transit-oriented development, urban gardens, live work/shared space, urban design, and zoning. The FAR controls for single-family homes are clean and straight-forward, involving minimal discretion. They are effective in doing the job they were designed to do.
- **New York City (pop. 8.6 million):** The Mayor’s recently adopted affordable housing program included an extensive set of far-reaching Code amendments (1,000+ pages), including minor adjustment to FAR controls for single-family homes. New York City is known for its fine-grained zoning that deals with social issues as well as economic and environmental considerations. How the new zoning has responded to the pressures in the diverse neighborhoods facing gentrification seemed worthy of study.

Our findings are presented in three sections:

- Defining floor are and measuring FAR
- Base FARs and FAR Bonuses
- Special situations (hillsides and large lots)

The appendix to this report includes relevant code language from the zoning regulations adopted for each on these cities. In a couple of instances, we also found summary materials and guidelines, but in most of the cities surveyed, such guidance was not readily available. We also interviewed planning staff in some of the cities to explore how the regulations have worked and refinements under consideration. Their observations helped us draft our findings and suggestions for Portland to consider as it moves forward with this project.

2 Defining Floor Area & Measuring FAR

DEFINING FLOOR AREA

Based on our review of zoning codes in the selected jurisdictions, the “best practice” is to have an inclusive definition of floor area based on total visible building mass. Do not use the definition to make policy about what to include or exclude in calculating the floor area ratio (FAR), as these clarifications then are buried in the ordinance. Having a separate set of rules for measurement, as Portland does, is preferable. The simplest definition is just to say:

Floor Area. The total horizontal enclosed area of all the floors below the roof and within the outer surface of the walls of a building or other enclosed structure.

Chicago among others is more inclusive in defining floor area and specifically lists what is included, as follows:

- Floor area of any floor located below *grade* or partially below *grade* when more than one-half the floor-to-ceiling height of the below-*grade* (or partially-below-*grade*) floor is above *grade* level, provided that below-*grade* or partially below-*grade* floors with a clear height of less than 6 feet 9 inches are not counted as floor area;
- Elevator shafts and stairwells on each floor;
- Floor area used for mechanical equipment, except equipment located on the roof and mechanical equipment within the building that occupies a commonly owned contiguous area of 5,000 square feet or more;
- Those portions of an *attic* having clear height (head-room) of 6 feet 9 inches or more;
- Mezzanines;
- Enclosed porches;
- Floor area devoted to *non-accessory parking*;
- Parking provided in excess of the maximum *accessory parking* limits, provided that each such parking space will be counted as 350 square feet of floor area; and
- Floor area within a *principal building* that is occupied by *accessory uses*.

Delving more deeply into the codes in each of the jurisdictions reveals some specific differences in approach, such as how to deal with attic space, basements, covered porches, and high ceilings. Some of these are highlighted below with our recommendations; details are in the appendix.

Area within roof forms when or if they are counted

Most jurisdictions include floor area in attics, under peak roofs, whether or not it is habitable, meaning does the attic have the minimum floor to ceiling clearance set by the Uniform Building Code (UBC) for a habitable room. The Senior Planner in Los Angeles pointed out that dormers are easily added, and they do not want to track whether this would put a house over an FAR limit. So they ignore ceiling height.

- Chicago sets a minimum height of 6 feet 9 inches to be counted, but no minimum area. This is less than the current UBC standard of 7 feet, down from a previous 7.5 foot standard.
- Mill Valley is more specific: if attic space has 7 foot headroom with minimum horizontal dimensions of 6 feet by 8 feet, then it is counted toward FAR.
- Minneapolis refers to headroom clearance as set by the building code in determining whether to count attic space, but does not include a specific number in the zoning regulations.
- New York City is more nuanced, counting some attics with only 5 feet of headroom (in R2A and R2X zoning districts, among others) and others with 8 feet of headroom (R1 and R2 zoning districts).

Mill Valley's approach might be worth a closer look, as it recognizes the value of attic space and sets out specific parameters on when to count it; they have gone a bit further than Chicago.

Basements

Most jurisdictions exclude basements from FAR calculations based on a Building Code definition or something similar. Usually this translates to a rule that the basement has to be below a finished first floor that is no more than 2.5 or 3 feet above grade for at least 50 percent of its perimeter (or for the whole perimeter, as in Beverly Hills, Burbank and Mill Valley, among others).

- Burbank and New York City includes basement space within the definition of floor area because it is used. However, in hillsides, you get the "walk-in" basement problem, and are really giving away space that contributes to overall building mass.
- New York City has a separate definition for cellar space and allows that space to be excluded unless it's used for dwelling purposes.
- The Burbank Assistant Director cautioned against using the term "habitable space" for basements as it invites arguments about whether a below grade interior space, such as an unfinished room below a garage slab, should be excluded or included.
- The Mill Valley Senior Planner said that when they had the basement exclusion and only required a portion of the perimeter to be completely underground, "it was a real nightmare". Since changing the rule, Mill Valley is much happier with the results as building bulk in the hillsides has been reduced.
- Mill Valley also allows "raw space" as found under a garage or carport in a hillside home to be converted to habitable space with the following rule: "*During the improvement of an*

existing single-family dwelling, any enclosed but undeveloped volumes may be converted to habitable space and shall not be restricted to the maximum adjusted floor area as determined by Section 20.16.040(A)(2); provided that the conversion of the existing space does not change the existing height, bulk, mass or footprint of the structure and only if minimal excavation or modification of the existing grade is required.”

- Los Angeles specifically addresses the issue of daylight access to basements and allows the basement exclusion from floor area even with 2 light wells, provided they are not visible from a public right-of-way, they do not project more than 3 feet from the exterior walls of the basement, and they are not wider than 6 feet. This is similar to rules adopted in upper-income communities on the San Francisco Peninsula where tight FAR controls may the option of a family room that is below grade a viable alternative.
- Los Angeles also excludes basement space only if the upper surface of the floor or roof above does not exceed 2 feet in height above natural or finished grade, whichever is lower.

Burbank’s approach – count everything, but deal with garage space separately – may make sense as a starting point because such space does contribute to overall mass, even is partially below-grade.

Garages

Most jurisdictions exclude garage space for required parking; some do this with a general rule, while others state a specific amount of floor area that is excluded (300 square feet in New York City, 400 square feet in Beverly Hills, Burbank and Los Angeles, and 500 square feet in Mill Valley and in New York City if two spaces are provided).

- Boston exempts all garage space, whether at grade or underground.
- Chicago counts garage space if it’s for parking more than the minimum number of required spaces. This was intended in part to be a disincentive for the three-and four-car garages being built.
- Minneapolis counts garage space if attached to single family and two-family homes.
- Beverly Hills has the most developed concepts for garage entrance locations (see Section 10-3-114) and, notably, does not allow sloped garage entries to tuck-under or partially below-grade or subterranean garages in the front yard setback area. The idea being to move the entry to a below-grade garage back into the lot. Limits on garage width also are set (40 percent of the lot width or 24 feet, whichever is less).

On balance, we think some for of exemption for garage space may make sense, with additional attention to underground and tuck-under garages. Burbank is currently considering not only a garage proscenium width, but also restrictions on apron width and curbcuts for drives, along with a rule that a garage door for a third space be offset at least two feet from the front of a two-garage garage entrance.

Porches, balconies, and decks

If porches, balconies, and decks are generally open, they are typically excluded, but if they are enclosed on two or three sides, then the floor area is counted in a FAR calculation.

- Burbank counts all covered porches as floor area.
- Chicago counts enclosed porches.
- Los Angeles exempts porches and breezeways with an open lattice roof, and gives a partial exemption (250 square feet) for porches, patios and breezeways with a solid roof if they are open on two sides.
- New York City excludes floor space in open or roofed porches and breezeways provided not more than 50 percent of the space is enclosed.

Of the cities surveyed, Los Angeles may be the best model, with its partial exemption.

Double height rooms

The issue of cathedral ceilings for family rooms and foyers has been approached in several ways:

- **Allow an Unlimited Exemption.** Beverly Hills does not limit interior space with high floor to ceiling heights.
- **Allow a Limited Exemption.** Los Angeles has allowed an exemption for only a certain amount of space (100 square feet) to have floor-to-ceiling heights over 14 feet.
- **Requiring Double-Counting.** Burbank requires interior space greater than 12 feet to count as a second story, meaning the floor area is double-counted. Los Angeles is considering a similar rule in its amendments to the Base Mansionization Ordinance, but they would set an allowable ceiling height of 14 feet.
- **Assign a 50% Premium to Foyer or Cathedral Ceiling Space.** Mill Valley uses this option, meaning the floor area in rooms where the interior space exceeds 14 feet is multiplied by 1.5. Mill Valley also has some specific rules for top floor space related to roof pitch.

Mill Valley offers a good model, with its 50 percent premium, but if there is SAC support, you could require double-counting as this is more-effective in controlling overall building bulk.

Bay windows

In general, floor area created by a bay window only is counted if it is a floor-to-ceiling bay, but not if it is a traditional bay window with a shelf or bench for seating. The best way to do this is to set a minimum vertical distance for the bay window to be above the floor, such as 30 inches. However, many of the zoning ordinances reviewed did not address this topic explicitly.

Stairwells

Stairwells usually are counted once, not twice, but some jurisdictions do count this space at each level.

ESTABLISHING AN “ADJUSTED” FLOOR AREA FOR FAR CALCULATIONS

Several jurisdictions establish specific rules for determining floor area as the basis for determining compliance with FAR standards. This is done by stating, first, that the floor area of a building is the sum of the gross horizontal areas of all floors of a home and other enclosed structures, measured from the outside perimeter of the exterior walls and/or the centerline of interior walls, and then listing what is included and excluded in these calculations.

Interestingly, Mill Valley allows exclusion for enclosed but undeveloped volumes, which could be utilized in the future as floor area if they have minimum horizontal dimensions of 8 feet by 10 feet and 7 foot headroom. The Burbank Assistant Planning Director cautions against this approach, preferring to count all interior floor area, whether or not it is habitable and be a bit more generous with the FAR (Mill Valley sets a 0.35 base FAR, while Burbank’s is 0.40, which can go up to 0.45 if certain features are included in the home design (e.g. wider side yards, upper-story setbacks, so the second floor is smaller than the ground floor).

DETERMINING THE FLOOR AREA RATIO

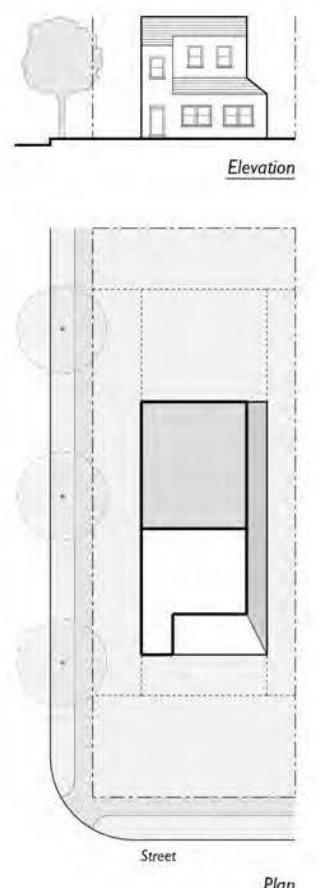
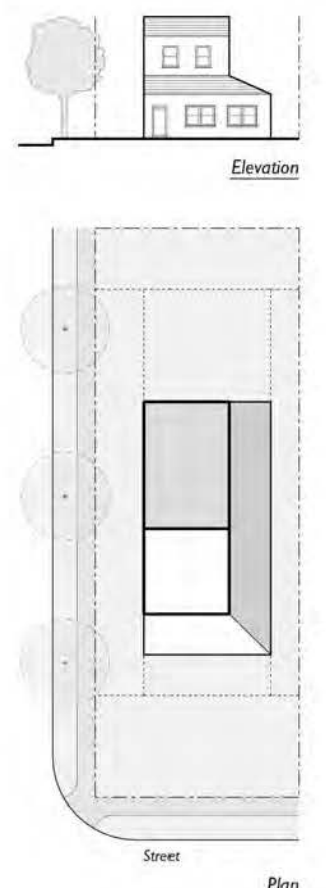
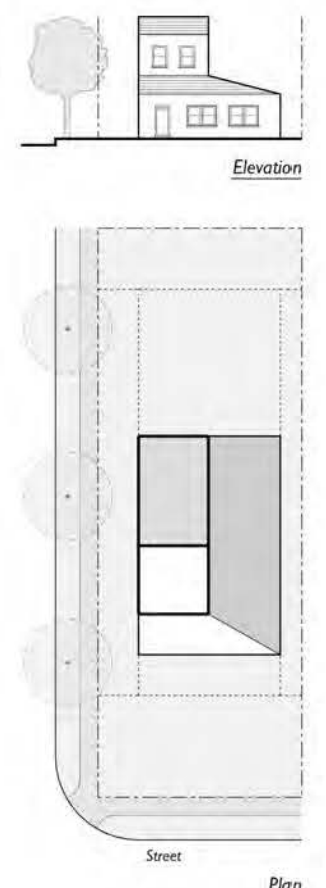
The floor area ratio (FAR) is the ratio of the floor area, excluding areas specifically noted, of all principal and accessory buildings on a site to the site area. To calculate the FAR, floor area is divided by site area, and typically expressed as a decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0.

The diagram on the following page shows how Burbank illustrates different FARs in combination with standards intended to reduce visible bulk.

VERIFICATION OF EXISTING CONDITIONS

Los Angeles has a counter handout on procedures they follow for verification of existing residential floor area, including when “as-built” plans are required (any project involving more than 1,000 square feet of construction or demolition of more than 50 percent of perimeter walls).

Comparison of FAR on a Typical Burbank Lot (50' x 150')

 <p style="text-align: center;"><i>Elevation</i></p> <p style="text-align: center;"><i>Plan</i></p>	 <p style="text-align: center;"><i>Elevation</i></p> <p style="text-align: center;"><i>Plan</i></p>	 <p style="text-align: center;"><i>Elevation</i></p> <p style="text-align: center;"><i>Plan</i></p>
<p>FAR = 0.45</p>	<p>FAR = 0.40</p>	<p>FAR = 0.35</p>
<p>Total Floor Area = 3,375 sf</p>	<p>Total Floor Area = 3,000 sf</p>	<p>Total Floor Area = 2,625 sf</p>
<p>2nd Story Floor Area = 75% of 1st Story Floor Area</p>	<p>2nd Story Floor Area = 56% of 1st Story Floor Area</p>	<p>2nd Story Floor Area = 56% of 1st Story Floor Area</p>
<p>Conforms to section 10-1-803 of the current Zoning Code with the eight feature listed to achieve a 0.45 FAR.</p>	<p>Reduces 2nd story floor plate by 375 square feet.</p>	<p>Further reduces the 1st and 2nd story floor plate to yield an FAR of 0.35.</p>

3 Base FARs and FAR Bonuses

BASE FARs IN SURVEYED CITIES

The table below summarizes the base FAR in the cities studied, with notes on the right-hand column about typical lots size and some other notable provisions. These FARs are substantially less than the typical FARs calculated for the SAC discussions by DECA.

<i>City</i>	<i>Base FAR in Single Family Zones</i>	<i>Comments</i>
Atlanta	R-4A: 0.50 R-4B: 0.75	R-4A zone has 7,500 sq. ft. lots R-4B zone has 2,800 sq. ft. lots
Beverly Hills	Central Area: 1,500 sq. ft. plus 0.40	Additional floor area allowed with a Central Area Permit
Boston	R-5: 0.50 S-3: 0.30	R-5 zone has 5,000 sq. ft. lots S-3 zone has 9,000 sq. ft. lots
Burbank	R-1: 0.40	Typical lot: 7,500 sq. ft. Bonus of 0.05 for lots over 10,000 sq. ft. for certain features
Los Angeles	R-1: 0.50 R-S: 0.45	R-1 zone has 5,000 sq. ft. lots R-S zones has 7,500 sq. ft. lots
Mill Valley	RS: 0.35 if under 8,000 sq.ft.	If lot is 8-12,000 sq.ft.: house size is 2,000 sq. ft. plus 0.10; over 12,000 sq.ft. 3,000 sq.ft. plus 0.5 up to maximum of 7,000 sq.ft. gross floor area. One-time allowance of 100 sq. ft. for existing homes.
Minneapolis	R-1: 0.5	May be increased to match FARs of 50% of the homes within 100 feet of the lot; one time allowance of 500 sq. ft. for existing homes
New York City	R1: 0.50	Minimum lot area: 5,700 to 9,500 sq. ft.

Interestingly, in Atlanta, the R-4B zoning district is intended specifically as an alternative single-family zone for affordable housing that is centrally located and accessible to public transit, jobs and social services. Areas with this zoning were formally zoned for multi-family residential uses and the City’s objective is to transit these areas to single-family development pattern meeting the affordability goals specified.

FAR BONUSES

Nonresidential FAR bonuses are often granted for affordable housing, community benefits, dedication of right-of-way or other off-site improvements, urban gardens and green roofs, but for single family home, there are fewer bonuses that make sense. Bonuses that have been offered in the cities studied include:

- **Single story homes.** Los Angeles gives a 20 percent floor area bonus for home that stay within an 18-foot height “envelope”. As an alternative, in Studio City, Los Angeles gives an FAR bonus if the maximum height is reduced by 20 percent under a “menu” approach to FAR options.
- **Reduced second story size and setbacks.** Burbank allows up 0.05 additional FAR with a second story setback 10 feet at the front elevation for 75 percent of the width and 5 feet on at least one side elevation. The second story floor area cannot exceed 75 percent of the floor area of the first floor.
- **Front façade setbacks.** Los Angeles allows a 20 percent floor area bonus for an upper-story front setback that is at least 20 percent of the building depth.
- **Increased side yards.** Los Angeles allows a 20 percent floor area bonus when the combined width of the side yards is 25 percent of the lot width, provided no single yard is less than 10 percent of the lot width.
- **Minimal grading.** Los Angeles offer a 20 percent floor area bonus if the grading does not exceed 10 percent of the lot area, expressed in cubic yards, or 1,0000 cubic yards, whichever is less. By contrast, Mill Valley just sets a 300 cubic yard standard.
- **Green building.** Los Angeles offers a 20 percent floor area bonus (30 percent if the lot is less than 5,000 square feet), for a home that substantially complies with the “certified” level or higher, as set by the U.S. Green Building Council LEED program. The City Council has proposed eliminating this bonus, as they would prefer to see green building requirements established for all homes.
- **General Articulation Option.** For Studio City, Los Angeles offers a floor area bonus if all sides of a building façade are relieved by one or more variations that, in total, are no less than 20 percent of the façade and have a minimum average depth of 9 inches. These may include façade details, such as recessed windows, insets, pop-outs, or window trim. For existing homes and additions, only new exterior walls and existing walls that are altered are required to have the articulation. The precise FAR bonus is determined by a “menu” approach, with different FAR bonus increments for specific zoning districts.

The Burbank FAR bonus for larger lots is being reconsidered by the City Council because of concerns about house size.

4 Special Situations

HILLSIDES

Hillsides present a special situation for FAR controls because of bulk and mass is more visible. Larger homes on upslope lots also can loom over downslope lots and intrude into a neighbor's privacy. Increasing side setbacks and decreasing front setbacks also can help, as can height limits that distinguish an upslope from a downslope condition. The easiest way to regulate bulk though may be to establish a rule for reduced FAR as a function of slope.

- In Los Angeles, for example, the maximum FAR in the RS zoning district (0.45) drop to 0.4 in the 15-30 percent slope band, 0.35 in the 30-45 percent slope band, 0.30 in the 45-60 percent slope band, and 0.25 percent for lots with a slope band of 60+ percent.
- Burbank is considering a similar rule in its Neighborhood Compatibility Project.

LARGE LOTS

Two jurisdictions have “bent line” rules to address FAR on larger lots. The concept is straightforward: the amount of floor area that can be added on larger lots is proportionally less than on a standard-size lot. This rule also does not reward lot mergers, the purchase of an adjacent lot with a “teardown”, for example, with twice the floor area of the standard lot.

In Burbank, the bent line rule is presented in a table format:

Maximum Residential Floor Area Based on Lot Size and Allowable Floor Area Ratio (FAR)		
<i>Lot Size (Sq. Ft.)</i>	<i>Maximum FAR</i>	<i>Maximum Residential Floor Area (Sq. Ft.)</i>
7,500 or less	0.4	3,000
7,501 – 15,000	0.4 for lot area up to 7,500; 0.3 for lot area over 7,500	3,000 to 4,350
Over 15,000	0.4 for lot area up to 7,500; 0.3 for lot area over 7,500 but less than 15,000; and 0.2 for lot area over 15,000	Over 4,350, as determined by the applicable maximum FARs

In Mill Valley, the maximum floor area is determined as follows:

- Lots with less than 8,000 square feet of effective lot area: 35% of the effective lot area.
- Lots with 8,000 to 20,000 square feet of effective lot area: 10% of the effective lot area plus 2,000 square feet.
- Lots with more than 20,000 square feet of effective lot area: five percent of the effective lot area plus 3,000 square feet, to a maximum of 7,000 square feet.

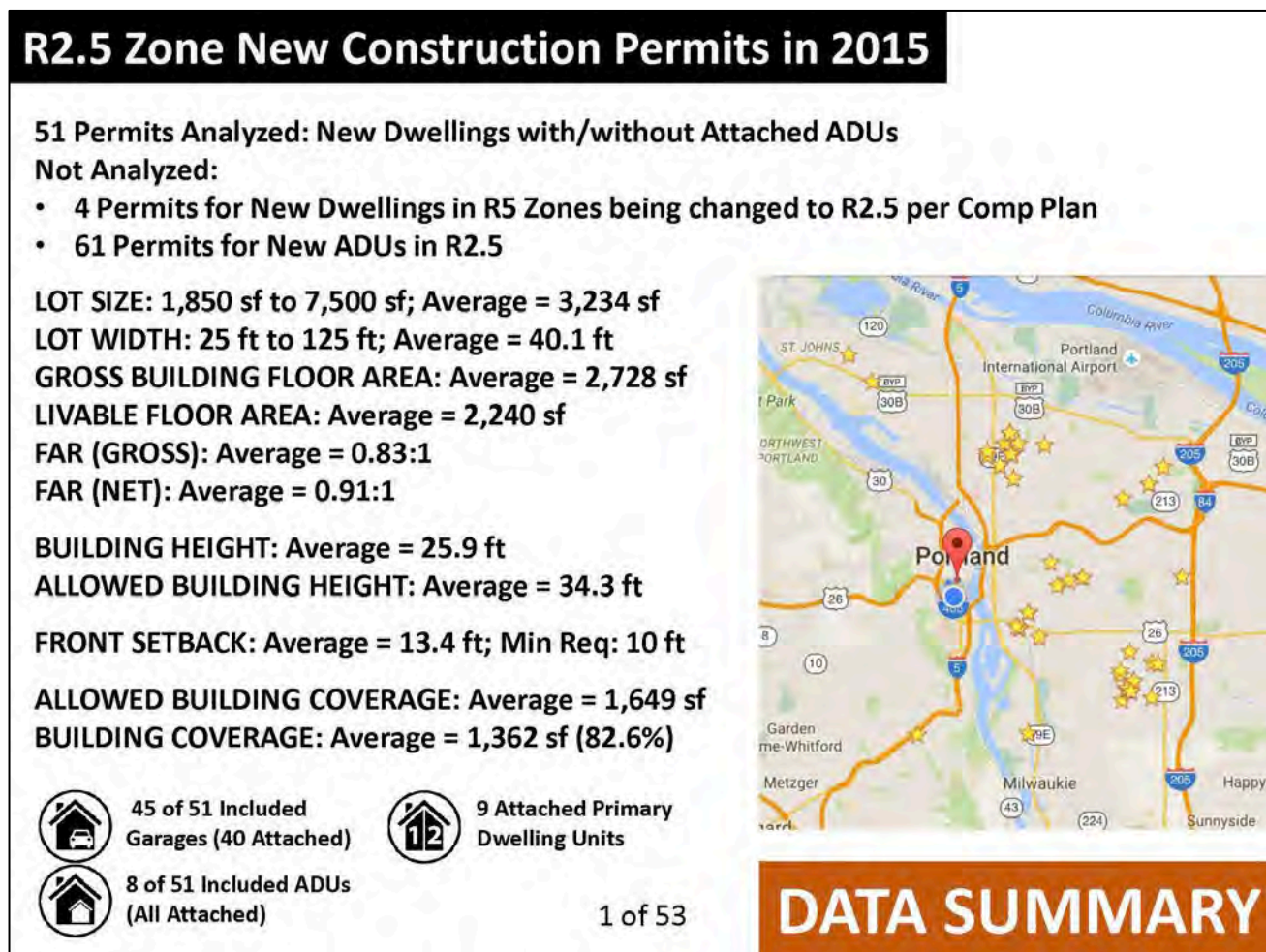
Appendix C

2015 New Construction Data, R2.5 Zone

City staff analyzed City of Portland data for all new one and two family residential construction permitted in the R2.5 zone in 2015. Omitted from this analysis was data for construction on lots that had been proposed in the 2035 Comprehensive Plan for new zoning designation from R5 to R2.5 (four permits) and all permits that applied only to the construction of an accessory dwelling unit (ADU) in the R2.5 zone (sixty-one permits).

Data was obtained from Plan Review Sheets developed for each permit by the Bureau of Development Services (BDS) and the Portland Zoning Code. Floor area information was obtained using Multnomah County Assessor data available at portlandmaps.com. As calculating or documenting floor area ratio (FAR) is not currently required by Zoning Code in Portland's residential zones (single- or multi-dwelling), FAR was estimated by dividing the combined segment type square footage for all floors including basements, attics and attached garages (defined in the analysis as "livable floor area") by the lot size. "Gross building floor area," which includes the livable floor area and square footage for all other segment types, such as detached garages, concrete, covered porches and covered patios. City staff compared segment type information with architectural plans submitted by permit applicants to identify any significant inconsistencies.

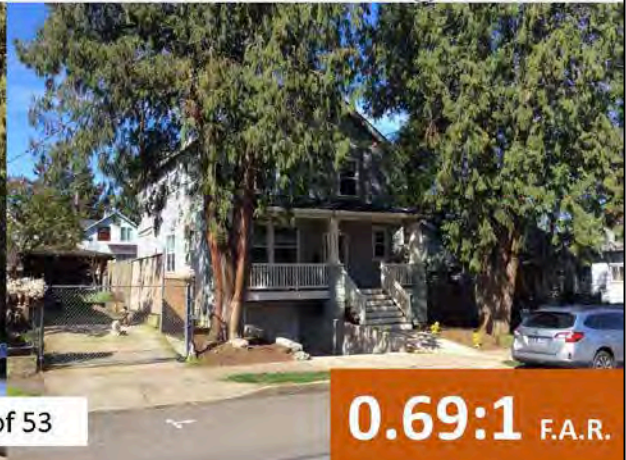
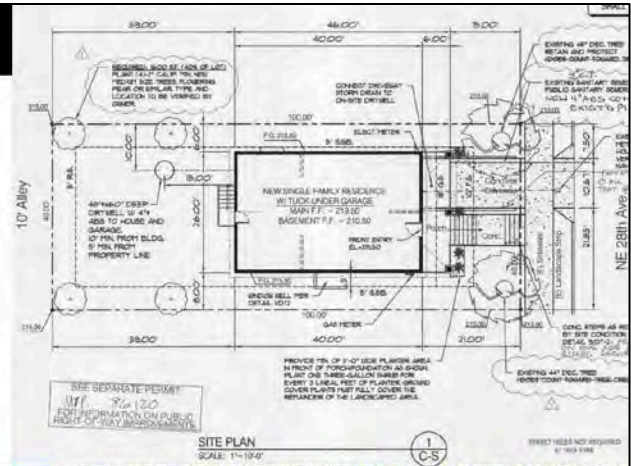
All photos were taken by City staff.



5217 NE 28th Ave. Concordia

R2.5ah (Standard Lot)

Lot Size/Width	4,000 sf / 40 ft
Gross Floor Area	2,761 sf
Height	28 ft
Front/Rear Setback	11.5 ft / 35 ft
Side Setbacks	8 ft / 6 ft
Lot Coverage (Max)	1,204 sf (1,875 sf)
Front Facade	687 sf



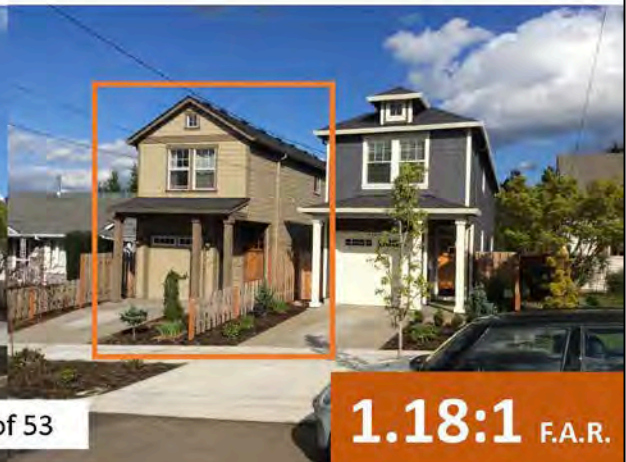
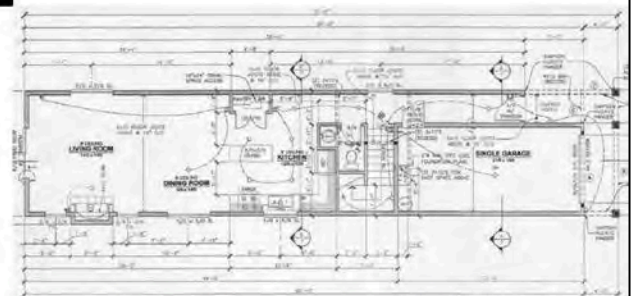
2 of 53

0.69:1 F.A.R.

4214 NE 81st Ave. Beaumont-Wilshire

R2.5h

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	2,942 sf
Height	22 ft
Front/Rear Setback	15 ft / 15 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,095 sf (1,250 sf)
Front Facade	347 sf



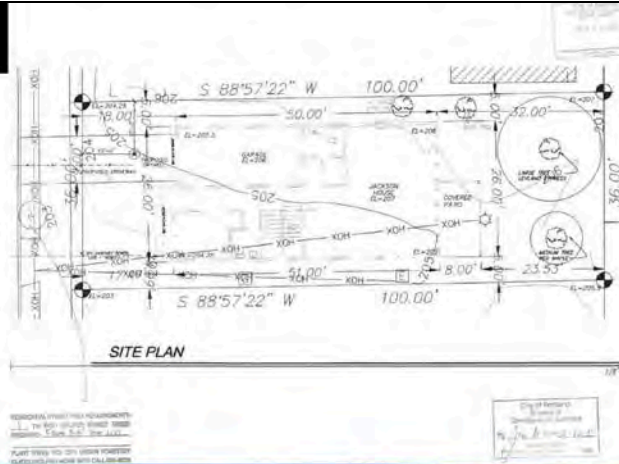
3 of 53

1.18:1 F.A.R.

4626 N Rodney Ave. King

R2.5a

Lot Size/Width	3,600 sf / 36 ft
Gross Floor Area	4,632 sf
Height	21 ft
Front/Rear Setback	15.5 ft / 23.5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,696 sf (1,725 sf)
Front Facade	667 sf



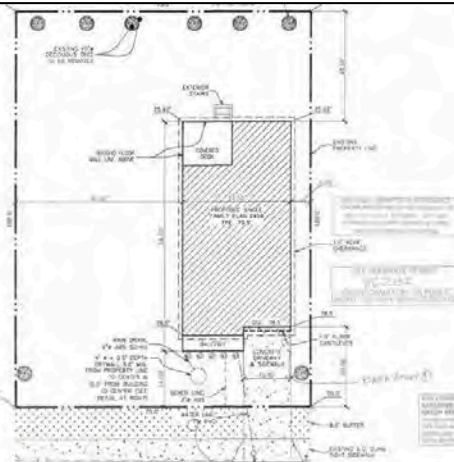
4 of 53

1.29:1 F.A.R.

8226 SE 19th Ave. Sellwood-Moreland

R2.5ad

Lot Size/Width	3,250 sf / 37.5
Gross Floor Area	2,727 sf
Height (Max)	29 ft (30 ft)
Front/Rear Setback	14 ft / 28 ft
Side Setbacks	42.5 ft / 5 ft
Lot Coverage (Max)	1,535 sf (2,625 sf)
Front Facade	760 sf

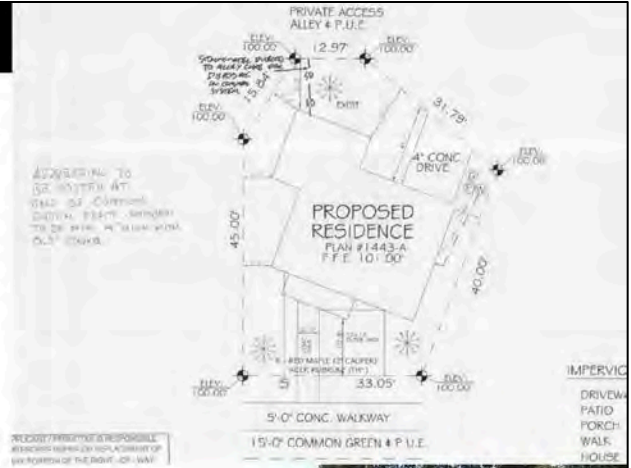


5 of 53

0.84:1 F.A.R.

9114 N Macrum Ave. St. John's

R2.5	
Lot Size/Width	2,141 sf / 33 ft
Gross Floor Area	2,013 sf
Height	21 ft
Front/Rear Setback	10 ft / 10.5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	811 sf (1,070.5 sf)
Front Facade	760 sf

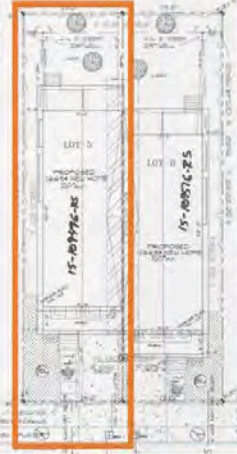


6 of 53

0.94:1 F.A.R.

3625 NE 14th Ave. Sabin

R2.5	
Lot Size/Width	2,475 sf / 25 ft
Gross Floor Area	3,113 sf
Height	26 ft
Front/Rear Setback	18 ft / 18 ft
Side Setbacks	5 ft / 0 ft
Lot Coverage (Max)	1,006 sf (1,238 sf)
Front Facade	707 sf



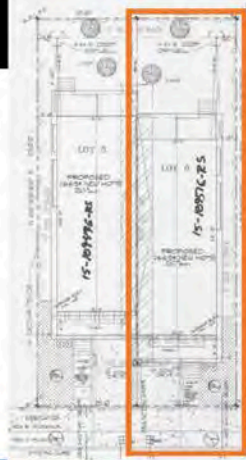
7 of 53

1.26:1 F.A.R.

3631 NE 14th Ave. Sabin

R2.5

Lot Size/Width	2,475 sf / 25 ft
Gross Floor Area	3,097 sf
Height	26 ft
Front/Rear Setback	12 ft / 24.5 ft
Side Setbacks	0 ft / 5 ft
Lot Coverage (Max)	1,006 sf (1,238 sf)
Front Facade	767 sf



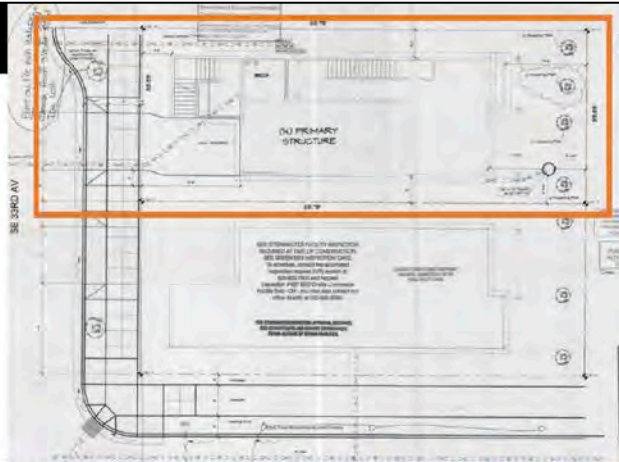
8 of 53

1.25:1 F.A.R.

1356 SE 33rd Ave. Sunnyside

R2.5

Lot Size/Width	2,791 sf / 33.33 ft
Gross Floor Area	3,257 sf
Height	34.5 ft
Front/Rear Setback	10 ft / 15 ft
Side Setbacks	5.3 ft / 5 ft
Lot Coverage (Max)	1,320 sf (1,395 sf)
Front Facade	1,067 sf



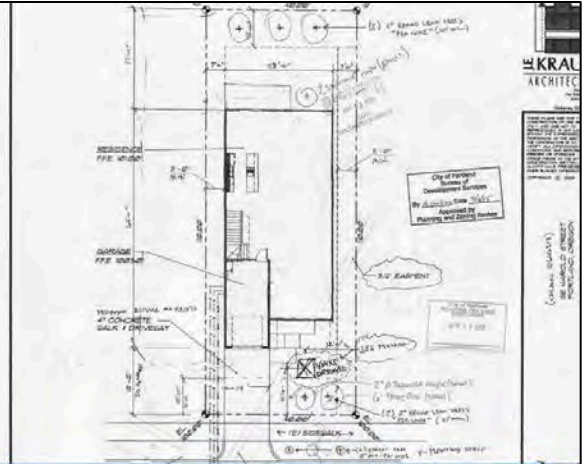
9 of 53

1.17:1 F.A.R.

6115 SE Harold St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	4,400 sf / 40 ft
Gross Floor Area	3,172 sf
Height	27.5 ft
Front/Rear Setback	18 ft / 27 ft
Side Setbacks	5 ft / 6 ft
Lot Coverage (Max)	1,708 sf (2,025 sf)
Front Facade	NA



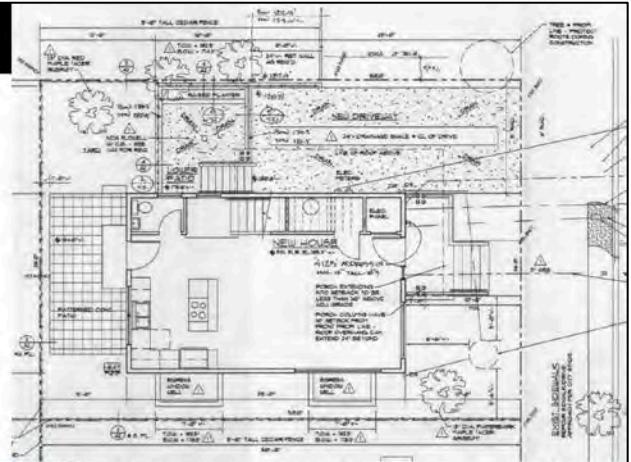
10 of 53

0.72:1 F.A.R.

4125 NE 7th Ave. A/B King

R2.5a

Lot Size/Width	1,850 sf / 36 ft
Gross Floor Area	1,762 sf
Height	27 ft
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	5 ft / 8 ft
Lot Coverage (Max)	558 sf (900 sf)
Front Facade	650 sf



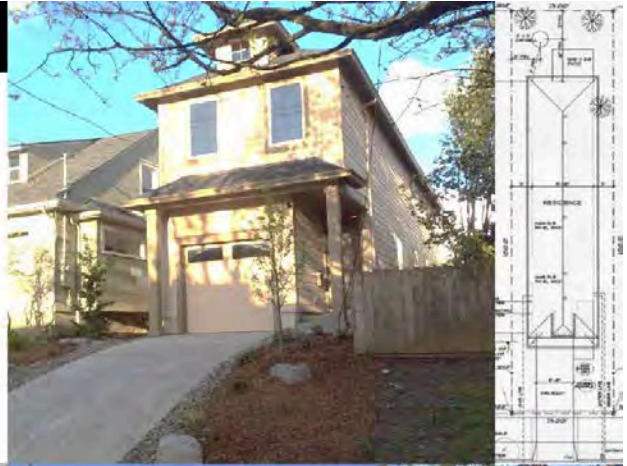
11 of 53

0.95:1 F.A.R.

3722 SE 26th Ave. Creston-Kenilworth

R2.5

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	2,283 sf
Height	22 ft
Front/Rear Setback	16 ft / 15 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,206 sf (1,250 sf)
Front Facade	387 sf



12 of 53

0.91:1 F.A.R.

2080 SE Ivon St. Hosford-Abernethy

R2.5

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,916 sf
Height	32.5 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	15 ft / 65 ft
Lot Coverage (Max)	1,046 sf (2,250 sf)
Front Facade	1,487 sf



13 of 53

1.17:1 F.A.R.

6565 SE 76th Ave. Brentwood-Darlington

R2.5a

Lot Size/Width	2,534 sf / 25 ft
Gross Floor Area	1,875 sf
Height	23.3 ft
Front/Rear Setback	14 ft / 19 ft
Side Setbacks	5 ft / 6 ft
Lot Coverage (Max)	1,035 sf (1,267 sf)
Front Facade	257 sf



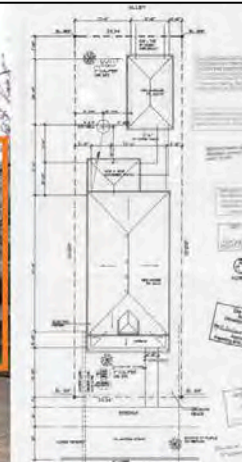
14 of 53

0.74:1 F.A.R.

5032 N Vanderbilt St. Portsmouth

R2.5

Lot Size/Width	3,666 sf / 33.34 ft
Gross Floor Area	2,477 sf
Height	23.5 ft
Front/Rear Setback	15 ft / 7 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,477 sf (1,750 sf)
Front Facade	887 sf



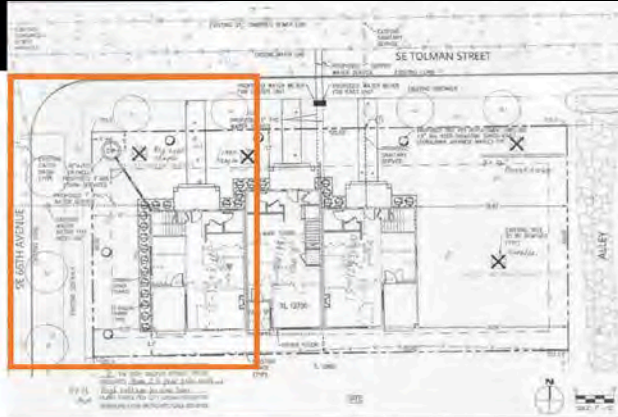
15 of 53

0.68:1 F.A.R.

6624 SE Tolman St. Mt. Scott-Arleta

R2.5a

Gross Lot Size/Width	7,500 sf / 125 ft
Gross Floor Area	1,635 sf
Height	27 ft
Front/Rear Setback	14 ft / 6.5 ft
Side Setbacks	39 ft / 0 ft
Lot Coverage (Max)	2,622 sf (2,625 sf)
Front Facade	2,053 sf



16 of 53

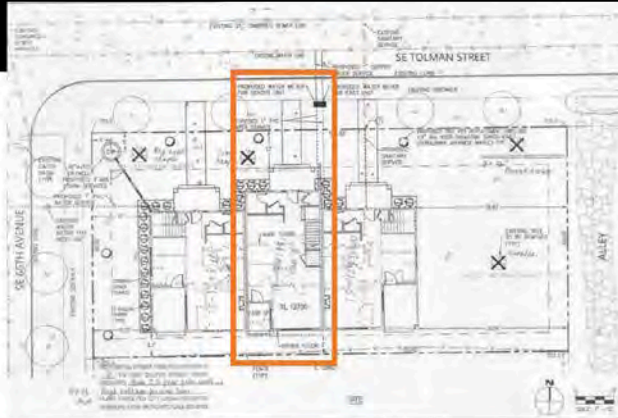
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Note: Lot size, coverage, facade and FAR calculations apply to entire site.

6616 SE Tolman St. Mt. Scott-Arleta

R2.5a

Gross Lot Size/Width	7,500 sf / 125 ft
Gross Floor Area	1,547 sf
Height	27 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	0 ft / 0 ft
Lot Coverage (Max)	2,622 sf (2,625 sf)
Front Facade	2,053 sf



17 of 53

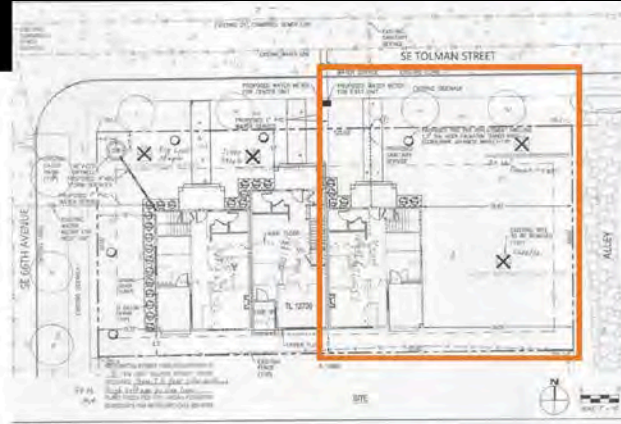
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Note: Lot size, coverage, facade and FAR calculations apply to entire site.

6606 SE Tolman St. Mt. Scott-Arleta

R2.5a

Gross Lot Size/Width	7,500 sf / 125 ft
Gross Floor Area	1,635 sf
Height	27 ft
Front/Rear Setback	14 ft / 6.5 ft
Side Setbacks	0 ft / 15 ft
Lot Coverage (Max)	2,622 sf (2,625 sf)
Front Facade	2,053 sf



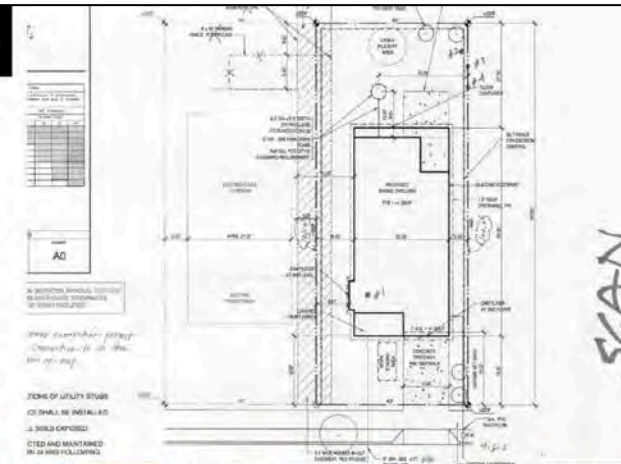
Note: Lot size, coverage, facade and FAR calculations apply to entire site.

0.64:1 F.A.R.

4924 SE 76th Ave. Foster-Powell

R2.5a

Lot Size/Width	4,000 sf / 40 ft
Gross Floor Area	2,581 sf
Height	26.3 ft
Front/Rear Setback	18 ft / 27 ft
Side Setbacks	8.7 ft / 5 ft
Lot Coverage (Max)	1,363 sf (1,875 sf)
Front Facade	607 sf

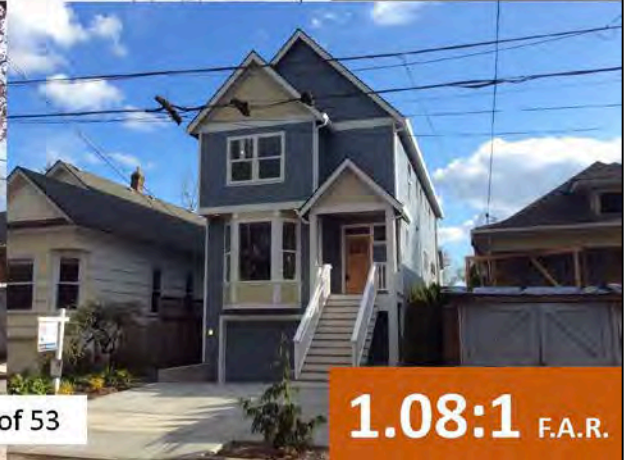
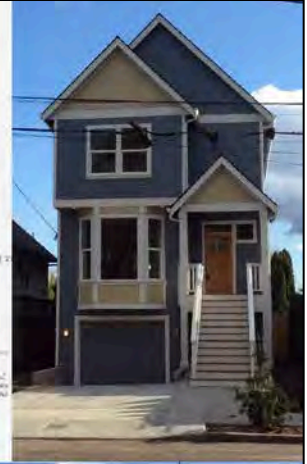
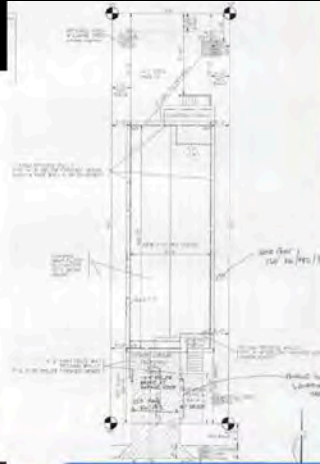


0.66:1 F.A.R.

3722 SE Taylor St. Sunnyside

R2.5

Lot Size/Width	3,465 sf / 31.5 ft
Gross Floor Area	3,752 sf
Height	31.5 ft
Front/Rear Setback	20 ft / 21 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,360 sf (1,674 sf)
Front Facade	787 sf



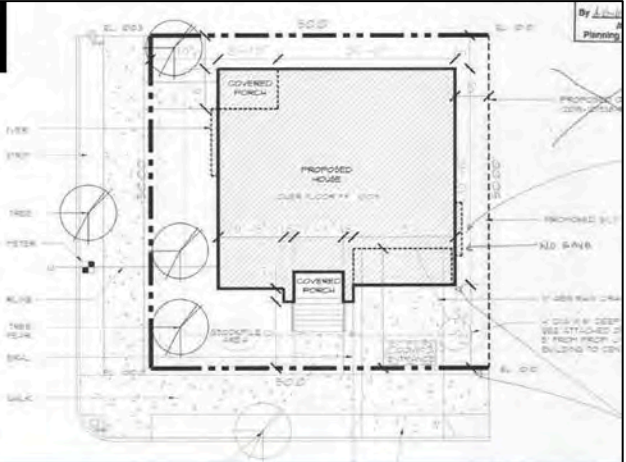
20 of 53

1.08:1 F.A.R.

5232 NE 9th Ave. A/B King

R2.5ah

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	3,443 sf
Height	32 ft
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	9 ft / 5 ft
Lot Coverage (Max)	1,194 sf (1,250 sf)
Front Facade	1,780 sf



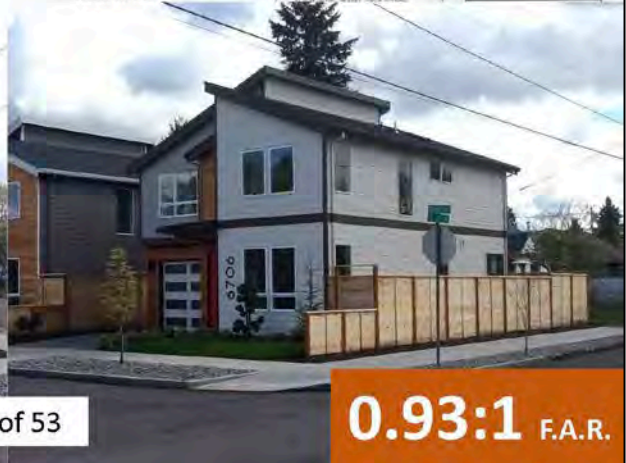
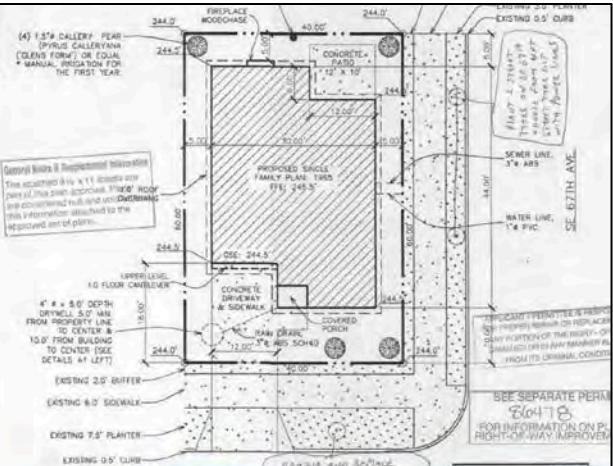
21 of 53

1.38:1 F.A.R.

6706 SE Ramona St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	2,400 sf / 40 ft
Gross Floor Area	2,239 sf
Height	27.5 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,169 sf (1,200 sf)
Front Facade	824 sf



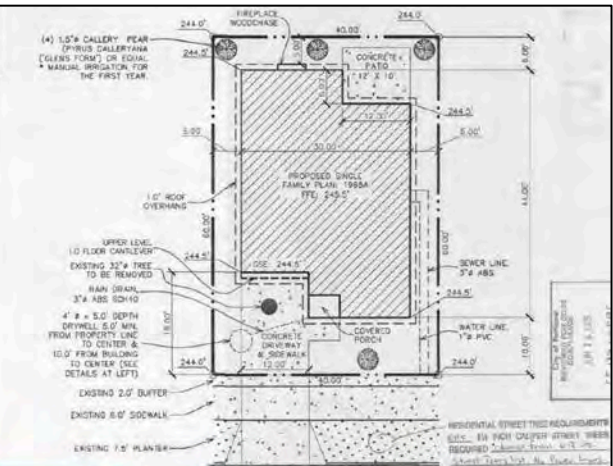
22 of 53

0.93:1 F.A.R.

6712 SE Ramona St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	2,400 sf / 40 ft
Gross Floor Area	2,310 sf
Height	27.5 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,169 sf (1,200 sf)
Front Facade	824 sf



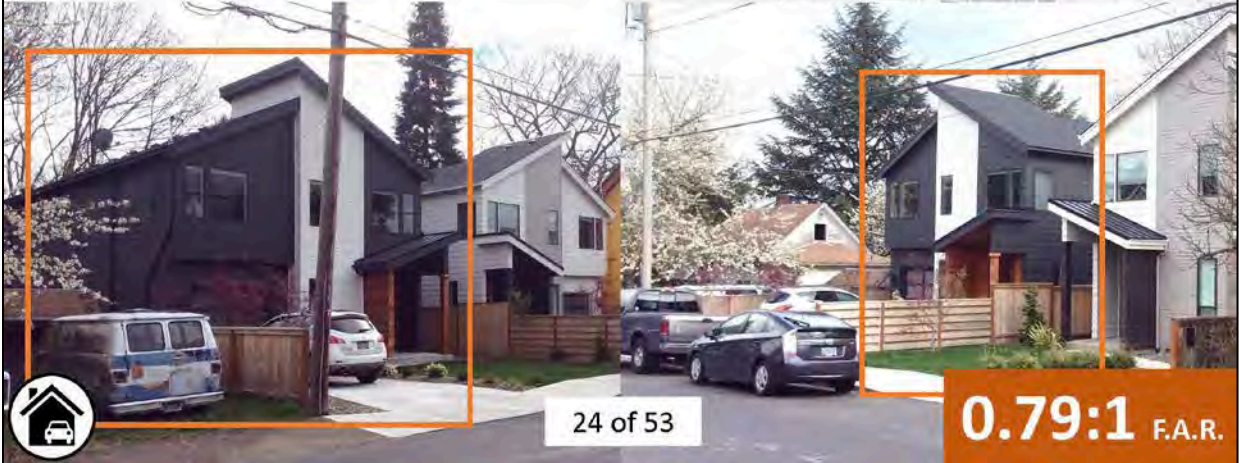
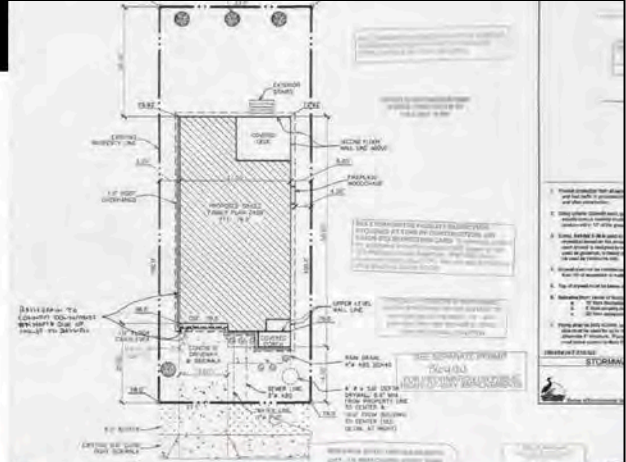
23 of 53

0.96:1 F.A.R.

8218 SE 19th Ave. Sellwood-Moreland

R2.5ad

Lot Size/Width	3,750 sf / 37.5 ft
Gross Floor Area	2,980 sf
Height	29 ft
Front/Rear Setback	14 ft / 28 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,505 sf (1,781 sf)
Front Facade	760 sf



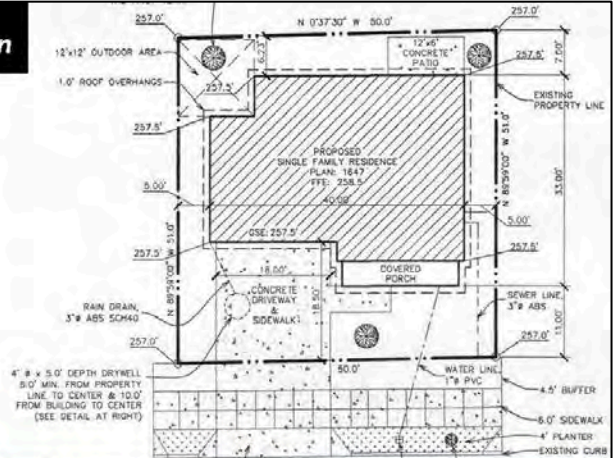
24 of 53

0.79:1 F.A.R.

6525 SE 62nd Ave. Brentwood-Darlington

R2.5a

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,116 sf
Height	21.5 ft
Front/Rear Setback	11 ft / 6.3 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,056 sf (1,275 sf)
Front Facade	763 sf



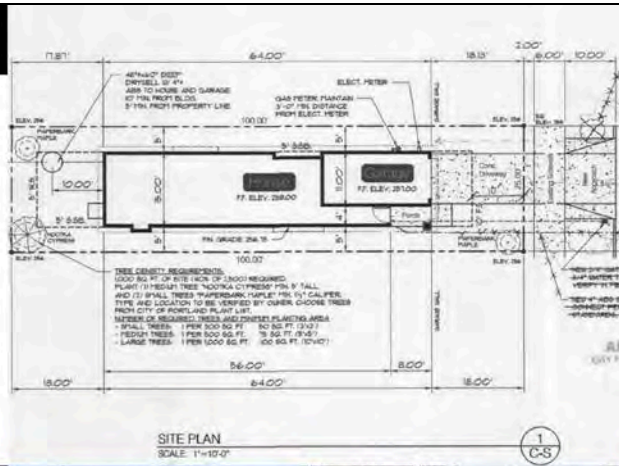
25 of 53

0.85:1 F.A.R.

3403 NE 74th Ave. Roseway

R2.5h

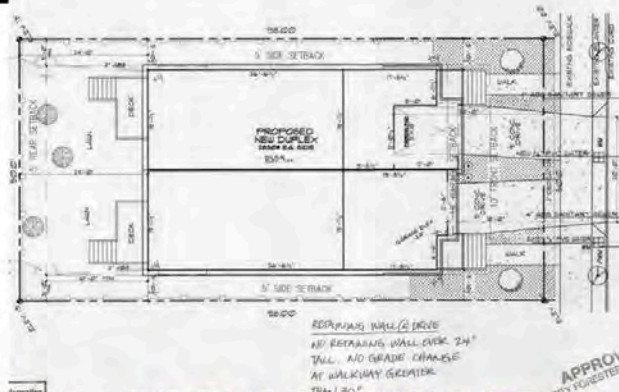
Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,922 sf
Height	21.8 ft
Front/Rear Setback	10 ft / 17.9 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	972 sf (1,250 sf)
Front Facade	NA



5241/5247 NE 15th Ave. Vernon

R2.5ah

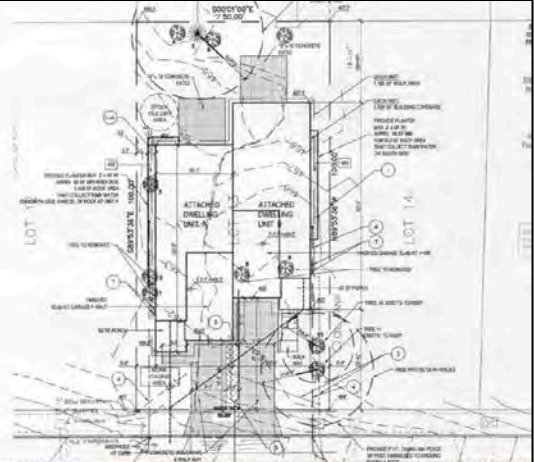
Lot Size/Width	5,000 sf / 50 ft
Gross Floor Area	6,440 sf
Height	31 ft
Front/Rear Setback	15 ft / 24 ft
Side Setbacks	10.9 ft / 10.9 ft
Lot Coverage (Max)	2,249 sf (2,250 sf)
Front Facade	1,293 sf



8558/8566 SW 20th Ave. Markham

R2.5

Lot Size/Width	5,000 sf / 50 ft
Gross Floor Area	3,988 sf
Height	25.5 ft
Front/Rear Setback	15 ft / 21 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	2,054 sf (2,250 sf)
Front Facade	903 sf



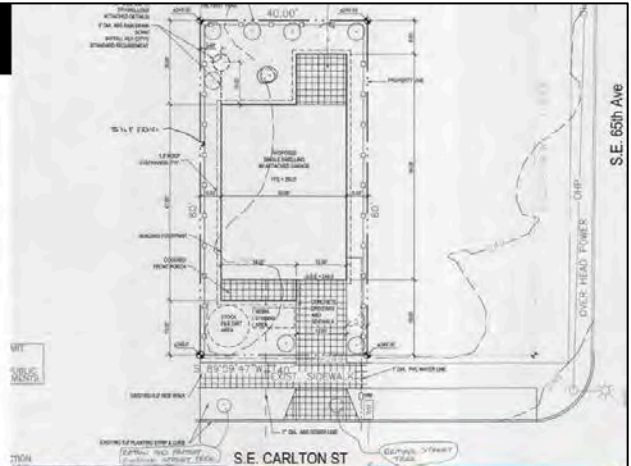
28 of 53

0.80:1 F.A.R.

6423 SE Carlton St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	3,200 sf / 40 ft
Gross Floor Area	2,623 sf
Height	22.1 ft
Front/Rear Setback	13 ft / 7 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,494 sf (1,575 sf)
Front Facade	600 sf



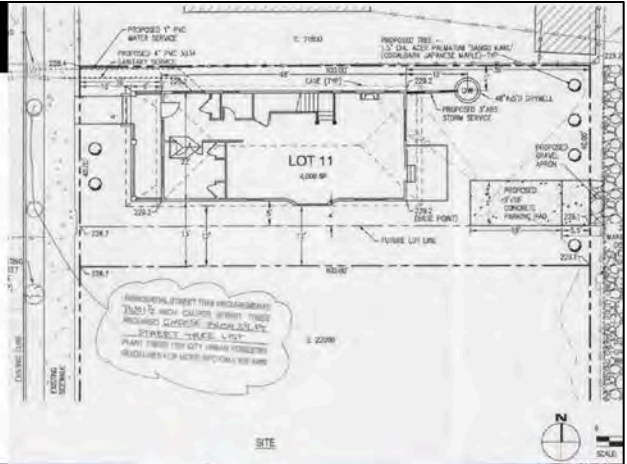
29 of 53

0.82:1 F.A.R.

4400 SE 65th Ave. Foster-Powell

R2.5a

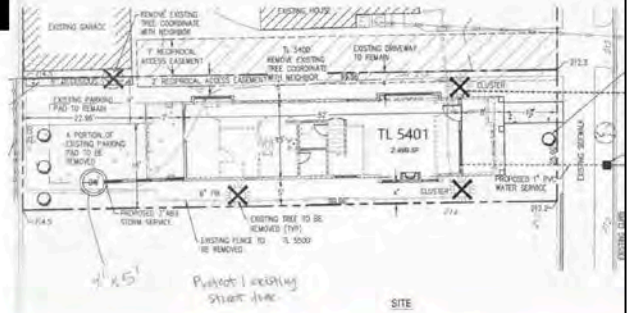
Lot Size/Width	4,000 sf / 40 ft
Gross Floor Area	2,625 sf
Height (Max)	25.3 ft (26 ft)
Front/Rear Setback	16 ft / 36 ft
Side Setbacks	5 ft / 13 ft
Lot Coverage (Max)	1,110 sf (1,575 sf)
Front Facade	823 sf



4835 NE Rodney Ave. Humboldt

R2.5a

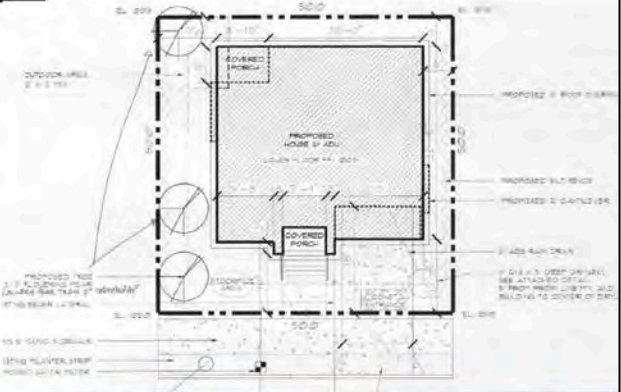
Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,959 sf
Height	22.5
Front/Rear Setback	18 ft / 30 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	990 sf (1,250 sf)
Front Facade	597 sf



2068 SE Ivon St. A/B Hosford-Abernethy

R2.5

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	3,443 sf
Height	31.9 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	9 ft / 5 ft
Lot Coverage (Max)	1,187 sf (2,250 sf)
Front Facade	1,767 sf



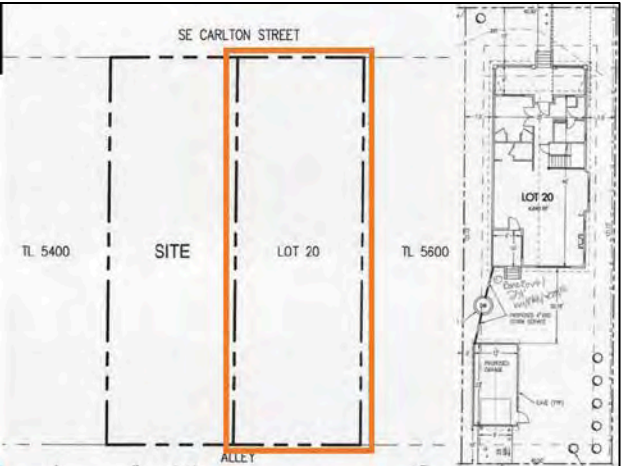
32 of 53

1.38:1 F.A.R.

6336 SE Carlton St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	4,800 sf / 40 ft
Gross Floor Area	2,779 sf
Height	31 ft
Front/Rear Setback	15 ft / 20 ft
Side Setbacks	7.5 ft / 7.5 ft
Lot Coverage (Max)	1,614 sf (2,175 sf)
Front Facade	NA



33 of 53

0.58:1 F.A.R.

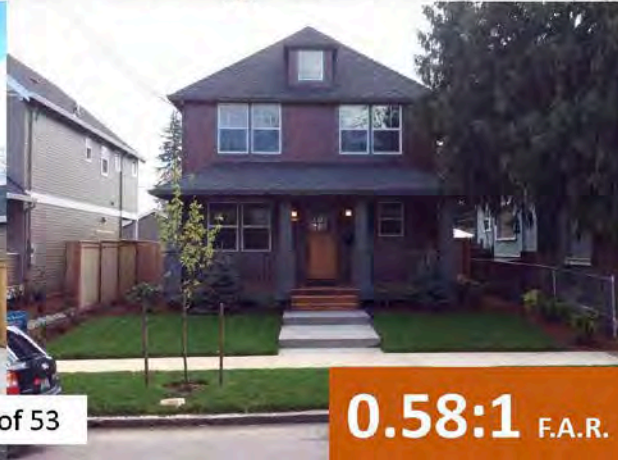
6316 SE Carlton St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	4,800 sf / 40 ft
Gross Floor Area	2,779 sf
Height	31 ft
Front/Rear Setback	15 ft / 10 ft
Side Setbacks	7.5 ft / 7.5 ft
Lot Coverage (Max)	1,614 sf (2,175 sf)
Front Facade	NA



34 of 53

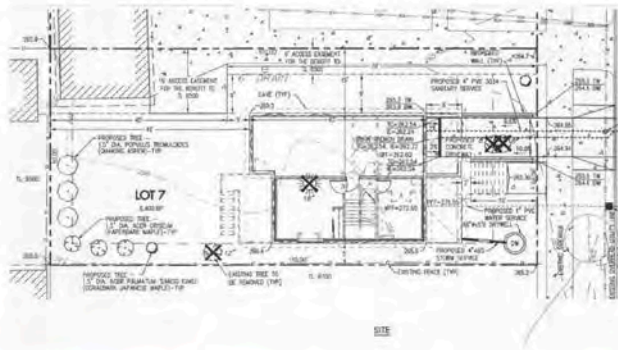


0.58:1 F.A.R.

2725 NE 62nd Ave. Rose City Park

R2.5h

Lot Size/Width	5,500 sf / 50 ft
Gross Floor Area	4,401 sf
Height	32 ft
Front/Rear Setback	15 ft / 45 ft
Side Setbacks	5 ft / 15 ft
Lot Coverage (Max)	1,459 sf (2,325 sf)
Front Facade	1,206 sf



35 of 53



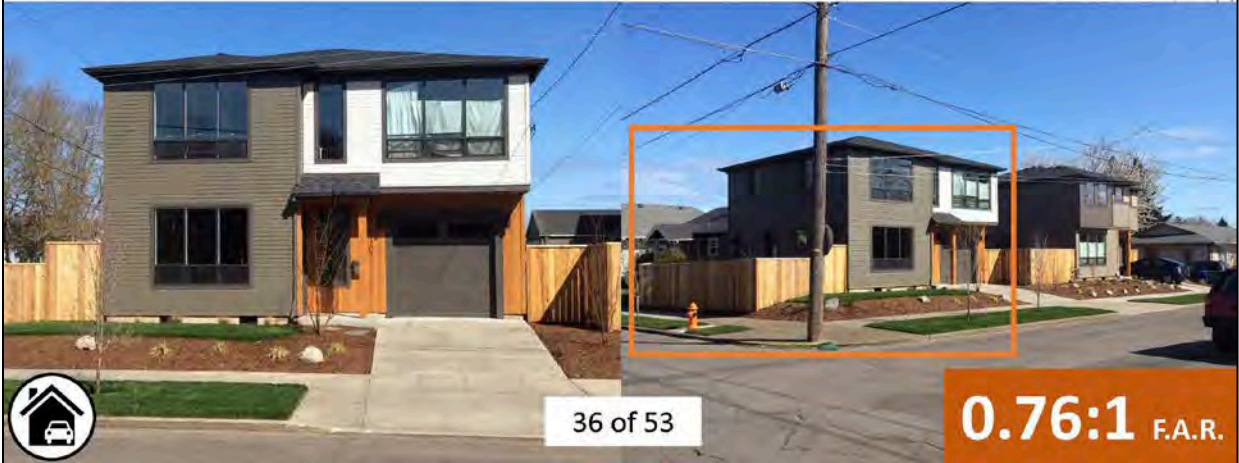
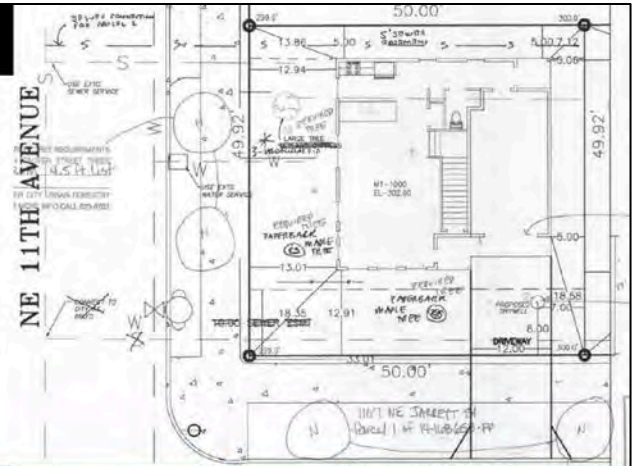
0.80:1 F.A.R.



1107 NE Jarrett St. *Vernon*

R2.5ah

Lot Size/Width	2,496 sf / 50 ft
Gross Floor Area	1,898 sf
Height	22 ft
Front/Rear Setback	13 ft / 5 ft
Side Setbacks	5 ft / 12.9 ft
Lot Coverage (Max)	1,150 sf (1,248 sf)
Front Facade	940 sf



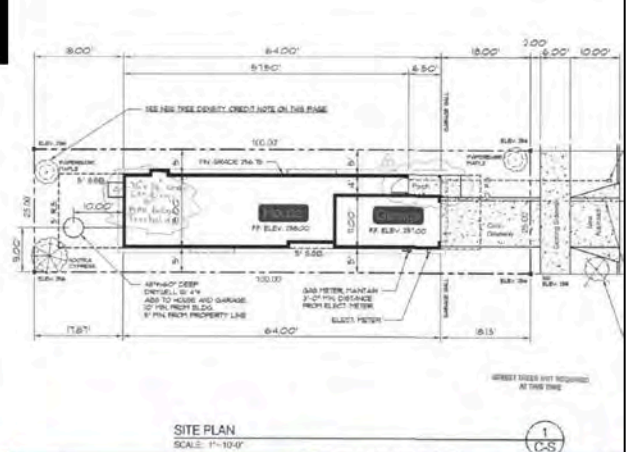
36 of 53

0.76:1 F.A.R.

3393 NE 74th Ave. *Roseway*

R2.5h

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,926 sf
Height	21.7 ft
Front/Rear Setback	18 ft / 18 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	974 sf (1,250 sf)
Front Facade	340 sf



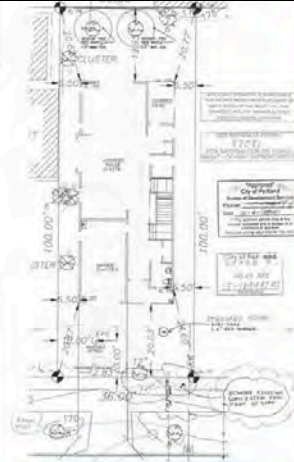
37 of 53

0.77:1 F.A.R.

4231 SE Yamhill St. Sunnyside

R2.5

Lot Size/Width	3,600 sf / 36 ft
Gross Floor Area	2,882 sf
Height	21.5 ft
Front/Rear Setback	20 ft / 20 ft
Side Setbacks	5.5 ft / 5.5 ft
Lot Coverage (Max)	1,500 sf (1,725 sf)
Front Facade	760 sf



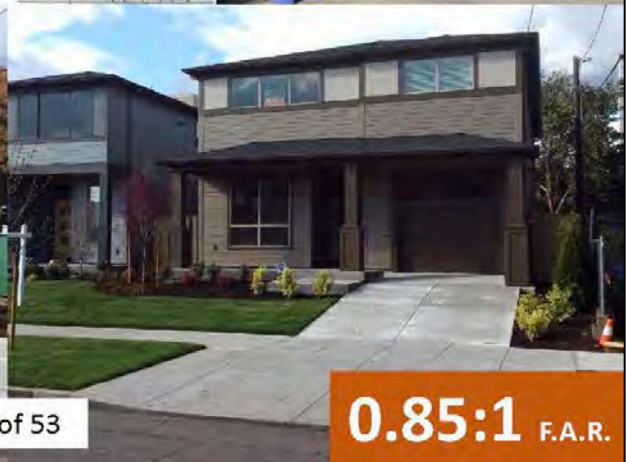
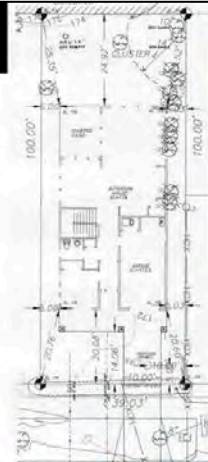
38 of 53

0.80:1 F.A.R.

4235 SE Yamhill St. Sunnyside

R2.5

Lot Size/Width	3,300 sf / 39 ft
Gross Floor Area	3,903 sf
Height	22 ft
Front/Rear Setback	14.1 ft / 24.9 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,769 sf (1,838 sf)
Front Facade	760 sf



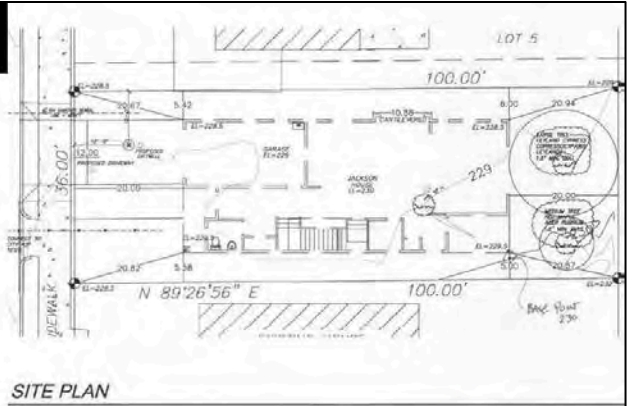
39 of 53

0.85:1 F.A.R.

4816 NE 12th Ave. King

R2.5ah

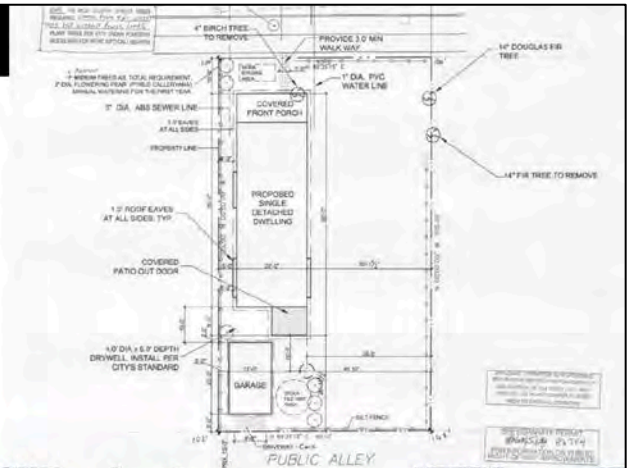
Lot Size/Width	3,600 sf / 36 ft
Gross Floor Area	2,882 sf
Height	21.8 ft
Front/Rear Setback	20 ft / 20 ft
Side Setbacks	5.4 ft / 5.6 ft
Lot Coverage (Max)	1,500 sf (1,725 sf)
Front Facade	750 sf



6108 SE Steele St. Mt. Scott-Arleta

R2.5a

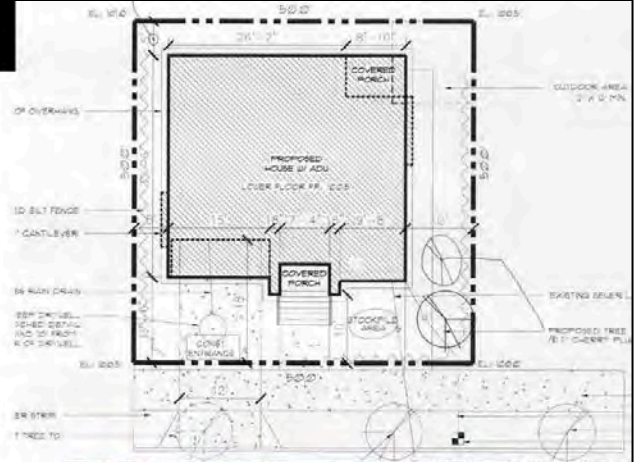
Lot Size/Width	3,155 sf / 30 ft
Gross Floor Area	2,593 sf
Height	22.5 ft
Front/Rear Setback	10 ft / 27 ft
Side Setbacks	35.1 ft / 5 ft
Lot Coverage (Max)	1,534 sf (2,445 sf)
Front Facade	707 sf



1414 SE Franklin St. A/B Brooklyn

R2.5

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	3,264 sf
Height	32 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,187 sf (1,250 sf)
Front Facade	1,780 sf



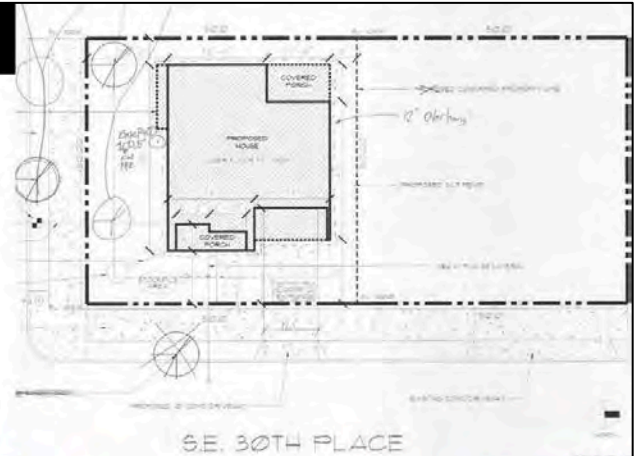
42 of 53

1.31:1 F.A.R.

235 SE 30th Pl. Kerns

R2.5

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,868 sf
Height	33 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	15 ft / 5 ft
Lot Coverage (Max)	1,046 sf (1,250 sf)
Front Facade	1,393 sf



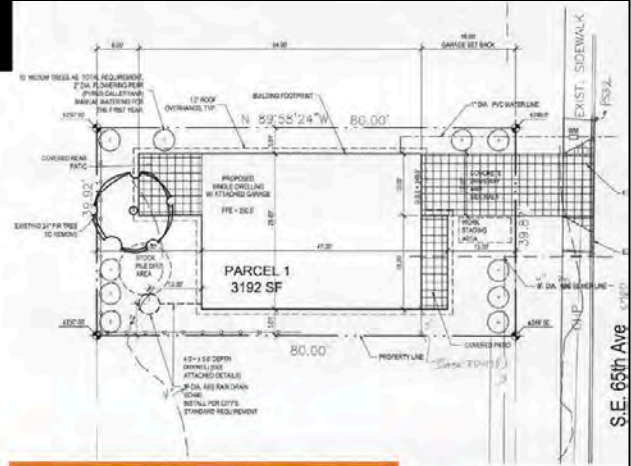
43 of 53

1.15:1 F.A.R.

6161 SE 65th Ave. Mt. Scott-Arleta

R2.5a

Lot Size/Width	3,192 sf / 40 ft
Gross Floor Area	2,603 sf
Height	22.1 ft
Front/Rear Setback	13 ft / 20 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,194 sf (1,572 sf)
Front Facade	733 sf



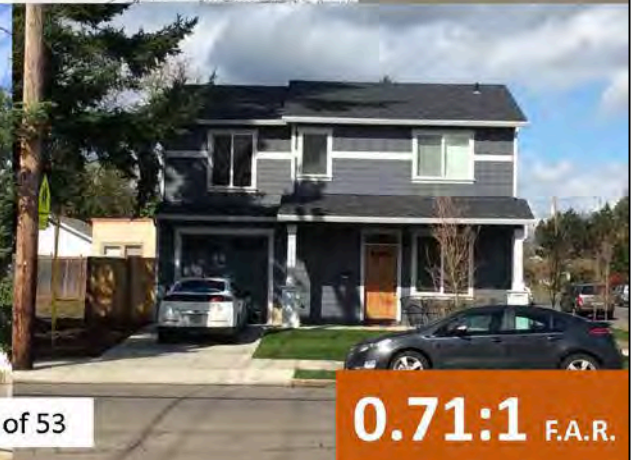
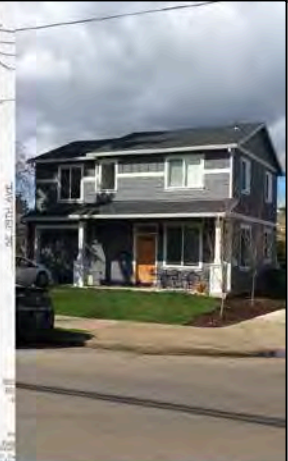
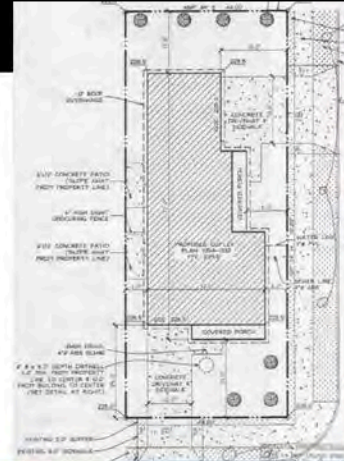
44 of 53

0.82:1 F.A.R.

7879 SE Raymond St. Foster-Powell

R2.5a

Lot Size/Width	4,840 sf / 44 ft
Gross Floor Area	3,455 sf
Height	21.7 ft
Front/Rear Setback	21 ft / 17 ft
Side Setbacks	6 ft / 6 ft
Lot Coverage (Max)	1,894 sf (2,190 sf)
Front Facade	650 sf



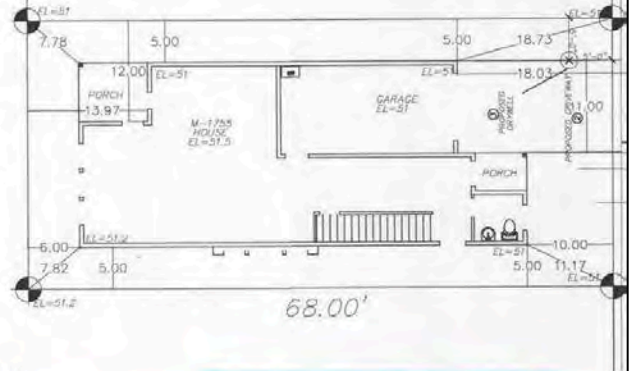
45 of 53

0.71:1 F.A.R.

3361 SE 16th Ave. Brooklyn

R2.5

Lot Size/Width	2,176 sf / 32 ft
Gross Floor Area	2,174 sf
Height (Max)	21.6 ft (33 ft)
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,068 sf (1,088 sf)
Front Facade	587 sf



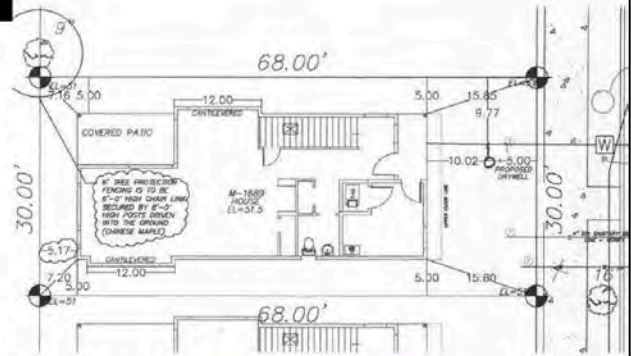
46 of 53

1.00:1 F.A.R.

3357 SE 16th Ave. Brooklyn

R2.5

Lot Size/Width	2,040 sf / 30 ft
Gross Floor Area	1,923 sf
Height (Max)	21 ft (30 ft)
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,024 sf (1,024 sf)
Front Facade	630 sf



SITE PLAN



47 of 53

0.94:1 F.A.R.

6445 SE Carlton St. Mt. Scott-Arleta

R2.5a

Lot Size/Width	3,200 sf / 40 ft
Gross Floor Area	2,623 sf
Height	25 ft
Front/Rear Setback	13 ft / 8 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,494 sf (1,575 sf)
Front Facade	NA



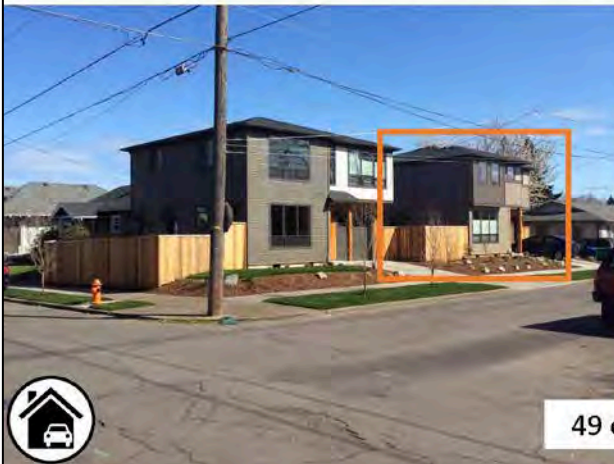
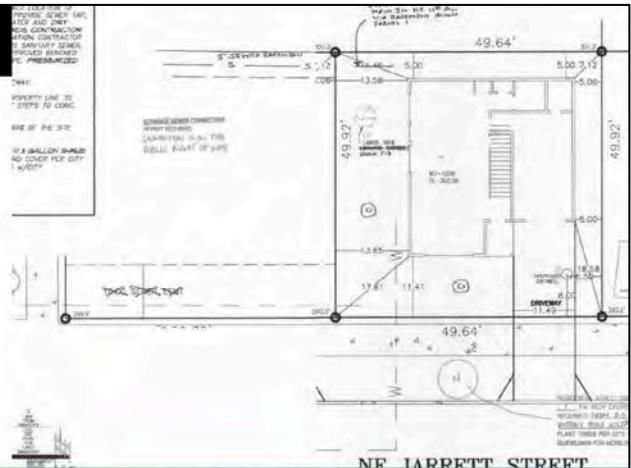
48 of 53

0.82:1 F.A.R.

1115 NE Jarrett St. Vernon

R2.5ah

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	1,934 sf
Height	22.5 ft
Front/Rear Setback	11.5 ft / 5 ft
Side Setbacks	13.5 ft / 5 ft
Lot Coverage (Max)	931 sf (1,250 sf)
Front Facade	880 sf



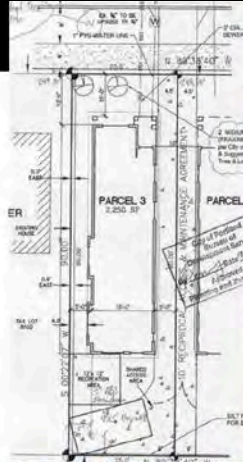
49 of 53

0.77:1 F.A.R.

9020 SE Yamhill St. *Montavilla*

R2.5a

Lot Size/Width	2,250 sf / 25 ft
Gross Floor Area	1,687 sf
Height (Max)	20.8 ft (22.5 ft)
Front/Rear Setback	10 ft / 24 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	860 sf (1,125 sf)
Front Facade	600 sf



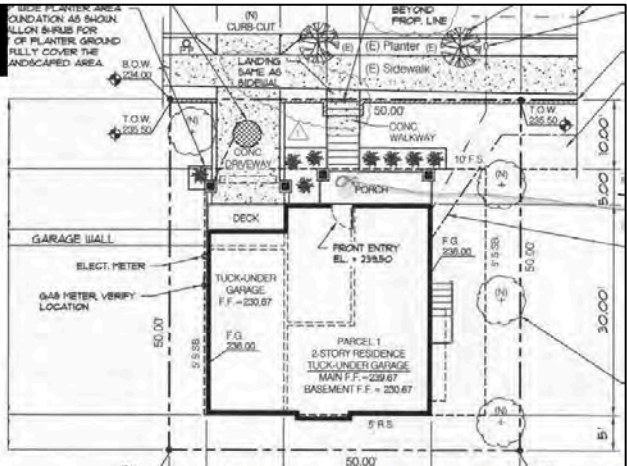
50 of 53

0.75:1 F.A.R.

1260 NE Wygant St. *King*

R2.5ah

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,487 sf
Height	29 ft
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	10 ft / 5 ft
Lot Coverage (Max)	1,114 sf (1,250 sf)
Front Facade	1,067 sf



51 of 53

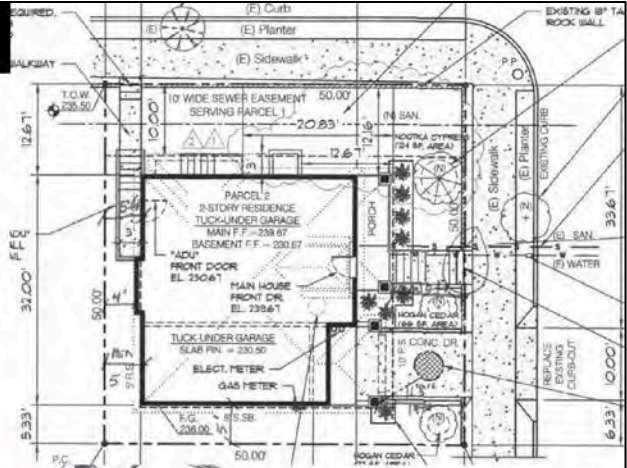
0.99:1 F.A.R.



4729 NE 13th Ave. A/B King

R2.5ah

Lot Size/Width	2,504 sf / 50 ft
Gross Floor Area	2,406 sf
Height	28.6 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 12 ft
Lot Coverage (Max)	1,114 sf (1,252 sf)
Front Facade	1,073 sf



R2.5 Zone New Construction Permits in 2015

Pg	Address	Type	FAR	Hgt	Lot SF	Lot W	Lot SF	Fr S b	Parking	Pg	Address	Type	FAR	Hgt	Lot SF	Lot W	Lot SF	Fr S b	Parking
2	5217 NE 28th Av	Detached	0.69	28.0	4000	40.0	4000	11.5	Tuck Under	27	5241/5247 NE 15th Av	Attached	1.29	31.0	5000	50.0	5000	15.0	Main Floor
3	4214 NE 81st Av	Detached	1.18	22.0	2500	25.0	2500	15.0	Main Floor	28	8558/8566 SW 20th Av	Attached	0.80	25.5	5000	50.0	5000	15.0	Main Floor
4	4626 NE Rodney Av	Detached	1.29	21.0	3600	36.0	3600	15.5	Main Floor	29	6423 SE Carlton Av	Detached	0.82	22.1	3200	40.0	3200	13.0	Main Floor
5	8226 SE 19th Av	Detached	0.84	29.0	3250	37.5	3250	14.0	Main Floor	30	4400 SE 65th Av	Detached	0.66	25.3	4000	40.0	4000	16.0	Detached
6	9414 N Macrum Av	Detached	0.94	21.0	2141	33.0	2141	10.0	Main Floor	31	4835 NE Rodney Av	Detached	0.78	22.5	2500	25.0	2500	18.0	Parking Pad
7	3625 NE 14th Av	Attached	1.26	26.0	2475	25.0	2475	18.0	Tuck Under	32	2068 SE Ivon St A/B	Detached	1.38	31.9	2500	50.0	2500	10.0	Main Floor
8	3631 NE 14th Av	Attached	1.25	26.0	2475	25.0	2475	12.0	Tuck Under	33	6336 SE Carlton St	Detached	0.58	31.0	4800	40.0	4800	15.0	Detached
9	1356 SE 33rd Av	Detached	1.17	34.5	2791	33.3	2791	10.0	Main Floor	34	6316 SE Carlton St	Detached	0.58	32.0	4800	40.0	4800	15.0	Tuck Under
10	6115 SE Harold St	Detached	0.72	27.5	4400	40.0	4400	18.0	Main Floor	35	2725 NE 62nd Av	Detached	0.80	32.0	5500	50.0	5500	15.0	Main Floor
11	4125 NE 7th Av A/B	Detached	0.95	27.0	1850	36.0	1850	10.0	Parking Pad	36	1107 NE Jarrett St	Detached	0.76	22.0	2496	50.0	2496	13.0	Detached
12	3722 SE 26th Av	Detached	0.91	22.0	2500	25.0	2500	16.0	Main Floor	37	3393 NE 74th St	Detached	0.77	21.7	2500	25.0	2500	18.0	Main Floor
13	2080 SE Ivon St	Detached	1.17	32.5	2500	50.0	2500	10.0	Main Floor	38	4231 SE Yamhill St	Detached	0.80	21.5	3600	36.0	3600	20.0	Main Floor
14	6565 SE 76th Av	Detached	0.74	23.3	2534	25.0	2534	14.0	Main Floor	39	4235 SE Yamhill St	Detached	0.85	22.0	3903	39.0	3903	14.1	Main Floor
15	5032 N Vanderbilt St	Detached	0.68	23.5	3666	33.3	3666	15.0	Detached	40	4816 NE 12th Av	Detached	0.80	21.8	3600	36.0	3600	20.0	Main Floor
16	6624 SE Tolman St	Attached		27.0				14.0	Parking Pad	41	6108 SE Steele St	Detached	0.82	22.5	3155	30.0	3155	10.0	Detached
17	6616 SE Tolman St	Attached		27.0				10.0	Parking Pad	42	1414 SE Franklin St A/B	Detached	1.31	32.0	2500	50.0	2500	10.0	Main Floor
18	6606 SE Tolman St	Attached		27.0				14.0	Parking Pad	43	235 SE 30th Pl	Detached	1.15	33.0	2500	50.0	2500	10.0	Main Floor
	SE Tolman St		0.64		7500	125.0	7500			44	6161 SE 65th Av	Detached	0.82	22.1	3192	40.0	3192	13.0	Main Floor
19	4924 SE 76th Av	Detached	0.65	26.3	4000	40.0	4000	18.0	Main Floor	45	7879 SE Raymond St	Detached	0.71	21.7	4840	44.0	4840	21.0	Main Floor
20	3722 SE Taylor St	Detached	1.08	31.5	3465	31.5	3465	20.0	Main Floor	46	3361 SE 16th Av	Detached	1.00	21.6	2176	32.0	2176	10.0	Main Floor
21	5232 NE 9th Av A/B	Detached	1.38	32.0	2500	50.0	2500	10.0	Main Floor	47	3357 SE 16th Av	Detached	0.94	21.1	2040	30.0	2040	10.0	None
22	6706 SE Ramona St	Detached	0.93	27.5	2400	40.0	2400	10.0	Main Floor	48	6445 SE Carlton St	Detached	0.82	25.0	3200	40.0	3200	13.0	Main Floor
23	6712 SE Ramona St	Detached	0.96	27.5	2400	40.0	2400	10.0	Main Floor	49	1115 NE Jarrett St	Detached	0.77	22.5	2500	50.0	2500	11.5	Main Floor
24	8218 SE 19th Av	Detached	0.79	29.0	3750	37.5	3750	14.0	Main Floor	50	9020 SE Yamhill St	Detached	0.75	20.8	2250	25.0	2250	10.0	Parking Pad
25	6525 SE 62nd Av	Detached	0.85	21.5	2500	50.0	2500	11.0	Main Floor	51	1260 NE Wygant St	Detached	0.99	29.0	2500	50.0	2500	10.0	Tuck Under
26	3403 NE 74th Av	Detached	0.77	21.8	2500	25.0	2500	10.0	Tuck Under	52	4729 NE 13th Av A/B	Detached	0.96	28.6	2504	50.0	2504	10.0	Tuck Under

Appendix D

“Visitability” Best Practices

To inform how best to develop new code that advances universal design principles and provide better housing opportunity for people of all ages and abilities, City staff consulted with Residential Infill Project Stakeholder Advisory Committee member Alan DeLaTorre, Ph.D, Research Associate with the Institute of Aging at Portland State University (PSU). City staff sought a broader base of knowledge beyond Alan’s contributions and information gained from prior Phase I outreach to the Portland Commission on Disability and at the 2016 Age-Friendly Housing workshop.

Alan recommended collaborating on a strategy for advancing “visitability,” an increasingly-used term used to describe a base level of housing accessibility. There are three main principles of visitability – at least one zero-step entrance, wide doorways and hallways for clear passage, and at least one bathroom on the main floor of a house that can be used, without accommodation from others, by a person in a wheelchair or using another type of mobility device. The collaborative effort aimed to identify how best to create incentives or requirements for some or all of these features.

The team assembled a two-part focus group to inform its analysis. One focus group represented consumers and users, the other group consisted of designers and builders. Notes taken during these discussions are included in this Appendix. Focus group participants are shown below.

Visibility Focus Group Facilitator: Alan DeLaTorre, Ph.D. – Portland State University, Institute on Aging

Visitability Focus Group #1

Robert Freeman – Robert Freeman Architecture
Brenda Jose – Portland Commission on Disability, Unlimited Choices
Thalia Martinez-Parker – REACH Community Development, Inc.
Julia Metz – Portland Community Reinvestment Initiative, Inc.
Michael Mitchoff – Portland Houseworks
Garlynn Woodsong – Woodsong Property Renovation Partners, LLC

Visitability Focus Group #2

Nikole Cheron – City of Portland, Office of Equity and Human Rights
Larry Cross – Portland Commission on Disability
Marie Cushman – Portland resident
Susan Cushman – United Cerebral Palsy of Oregon and SW Washington
Myra Sicilia – Portland Commission on Disability, Sakura Counseling
Joe Wykowski – Community Vision

Alan also collaborated with a team of undergraduate students from his age-friendly design class, who assisted in the focus groups and developed a nationwide inventory of visitability best practices.

Visitability Research

Alan DeLaTorre, Ph.D. – Portland State University, Institute on Aging
Alex Freeman – Portland State University
Matthew Wadleigh – Portland State University

Visitability Best Practicesⁱ

September, 2017

By Alan DeLaTorre, PhD. – Portland State University, Institute on Aging
Alex Freeman and Matthew Wadleigh, Portland State University



Visitability...refers to single-family or owner-occupied housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. – Visitability.org

Introduction

The City of Portland's growth is projected to include nearly 123,000 new households by 2035 and approximately 240,000 of those households are expected to be housed in the City's single-dwelling zones.ⁱⁱ According to Metro's population projections, from 2010-2035, the greater Portland region is expected to grow by 27.5%; however, the population aged 65+ is expected to grow by 98.1%, which is markedly higher than all other age cohorts.ⁱⁱⁱ

To accommodate increases to both the overall number and proportion of older adults, it is critically important that the City of Portland increases the supply of housing that allows older adults – as well as people with disability, parents with strollers, cyclists, etc. – housing that meets their day-to-day needs, as well as the long-term opportunity to age in their home and community.

Visitability

"Visitability" is a growing national trend in home design. Some variations exist in the ways in which visitability is described such as VisitAble Housing Canada which details "enhanced Visitability" that goes beyond basic features and addresses accessible bathrooms and kitchens, parking, adaptability, etc.^{iv} Visitability.org provides the most commonly used definition:^v

Single-family or owner-occupied housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. A house is visitable when it meets these three basic requirements:

1. One zero-step entrance.
2. Doors with 32 inches of clear passage space.
3. One bathroom on the main floor you can get into in a wheelchair.

Note: in addition to "visitability" terms such as "accessibility," "usability," "age-friendly housing," "universal design," and other terms are used to describe housing that meets the needs of a person with a disability, mobility impairment, or other functional need. For the purpose of this report, we focus on visitability and closely related items.

Method

As part of this Capstone project, two students working under the direction of the course instructor reviewed existing literature pertaining to visitability and efforts in the United States and Canada that incorporated visitable features and approaches into local policies and programs. To begin, a document from the IDeA Center at the University of Buffalo and AARP's Public Policy Institute that detailed 59 U.S. local visitability initiatives and policies was reviewed.^{vi} To supplement those initiatives and policies an Internet search was conducted to identify additional efforts that were underway before determining 10 initiatives that were considered best practices – considerations were made for a range of regulatory, incentive-based, and voluntary programs, as well as policies that were incorporated into local zoning and/or building code and those that were implementable.

Best practices

The review of the literature and existing efforts in the U.S. led to identifying six municipalities that addressed visitability through regulatory approaches, including (note: [Details, including links to policy documents can be found in a developed spreadsheet^{vii}](#)):

- Austin, TX
- Bolingbrook, IL
- Dublin City, CA
- Pima County, AZ
- Pine Lake, GA
- San Antonio, TX

In addition to those municipalities, four local governments were identified with incentive-based and voluntary approaches, including (note: [details of those programs can be found here](#)):

- Escabana, MI
- Irvine, CA
- Monroeville, PA
- Montgomery County, MA

ⁱ This document was prepared for the Bureau of Planning and Sustainability, by Portland State University faculty (Dr. Alan DeLaTorre, Institute on Aging, College of Urban and Public Affairs) and students (Alex Freeman & Matthew Wadleigh) from the University Studies Capstone course titled *Creating Age-friendly Communities*.

ⁱⁱ City of Portland (2017). *Residential Infill Project*. Retrieved from: <https://www.portlandoregon.gov/bps/67728>. The Residential Infill Project in Portland has sought to address myriad concerns related to Portland's changing demographics and housing stock, including size of housing, demolitions, affordability, housing choice, and meeting the needs of the future populations.

ⁱⁱⁱ Lycan, R. (2016). Population Forecasts for the Portland Metro Region: Disparities between Metro's MetroScope Model and the Demographers' Forecasts. Retrieved from:

https://www.pdx.edu/ioa/sites/www.pdx.edu.ioa/files/MetroScope_Demographers_2.pptx

^{iv} VisitAble Housing Canada (n.d.). VisitAble Housing Canada – Winnipeg Task Force. Retrieved from:

<http://visitablehousingcanada.com/wp-content/uploads/2016/03/Winnipeg-TF-Accessibility-Continuum-Chart.pdf>.

^v Visitability.org (2017). Visitability – what is it? Retrieved from: <http://www.visitability.org/>.

^{vi} IDeA Center & AARP Public Policy Institute (2014). Local Visitability Initiative & Policies. Retrieved from:

<http://idea.ap.buffalo.edu/visitability/reports/existingcitylaws.htm>.

^{vii} Visitability spreadsheet developed by PSU students/faculty as part of the course *Creating Age-friendly Communities*:

<https://docs.google.com/spreadsheets/d/1HnPLvD6vVxuRA256nit7KsytvWAN9Y2P4JPqLQQ9tHI/edit#gid=858828875>

Residential Infill Project — Visitability Focus Groups

Thursday, May 25, 2017 - Portland State University, Room 410

Facilitated by Alan DeLaTorre, Ph.D. - Portland State University, Institute on Aging

“Visitability” refers to housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. A house is visitable when it meets these three basic requirements: (1) has at least one zero-step entrance; (2) has doors with at least 32 inches of clear passage space; and (3) has at least one bathroom on the main floor that can be used, without accommodation from others, by a person in a wheelchair or other mobility device.

Focus Group #1 (11:00 am to Noon) - Questions for Designers/Builders:

- 1. How common is it for new construction to have visitable features, as defined above? What about remodels and renovations?** Is there a market trend towards more visitability and/or accessibility for all users and abilities ('universal design')?
- 2. In addition to the three visitability features mentioned above, what other visitability features do you feel lead to more accessible, age-friendly housing?** For example, features such as door and cabinet hardware, electrical switches and plugs, kitchen and bath design, paths and routes, raised/accessible garden areas, etc.
- 3. What are the barriers to including more visitability and accessible features in new and remodeled houses?** For example: cost, consumer preference, floorplan constraints, difficulties in providing zero-step entrances etc.
- 4. What construction approaches or floorplan designs facilitate easier adaptability in response to a change in one's ability or function?** For example: having ground floor bedroom/bathroom, placement of plumbing for laundry facilities, minimum size of bathroom to adapt for later accessibility, blocking/backing for future grab bars, etc.
- 5. What visitability and adaptability features would be most effective if mandated or incentivized in the zoning and/or building code?** Which features are best mandated vs. incentivized?
- 6. With respect to visitability, how important is a reserved space for parking or passenger loading (on-street, off-street, covered, etc.)?** What standards should be required or incentivized to create usable, off-street parking for people with mobility challenges?
- 7. How important are outdoor spaces for improving visitability?** What features should be considered? (hard surface, covered or protected from weather, vegetation, etc.)
- 8. Would visitability standards need to be modified for steeply sloping sites?** If sloped lots limit the ability to reasonably provide zero-step entrances, what advice do you have for zoning agencies seeking to maximize visitability on steeply sloping sites? Are there other site constraints that impede providing a visitable unit?

Focus Group #2 (12:30 pm to 1:30 pm) - Questions for Consumers/Users:

1. **Please discuss the relevance of these three visitability features with respect to your own day-to-day experiences.** Can these three features be prioritized?
2. **In addition to the three visitability features mentioned above, what other visitability features do you feel should be included in the zoning and/or building code?** For example, features such as door and cabinet hardware, electrical switches and plugs, kitchen and bath design, paths and routes, raised/accessible garden areas, etc.
3. **What construction approaches or floorplan designs facilitate easier adaptability in response to a change in one's ability or function?** For example: having ground floor bedroom/bathroom, placement of plumbing for laundry facilities, minimum size of bathroom to adapt for later accessibility, blocking/backing for future grab bars, etc.
4. **With respect to visitability, how important is a reserved space for parking or passenger loading (on-street, off-street, covered, etc.)?** What standards should be required or incentivized to create usable, off-street parking for people with mobility challenges?
5. **How important are outdoor spaces for improving visitability?** What features should be considered? (hard surface, covered or protected from weather, vegetation, etc.)
6. **What visitability and adaptability features would be most effective if mandated or incentivized in the zoning and/or building code?** Which features are best mandated vs. incentivized?
7. **Would visitability standards need to be modified for steeply sloping sites?** If sloped lots limit the ability to reasonably provide zero-step entrances, what advice do you have for zoning agencies seeking to maximize visitability on steeply sloping sites? Have you experienced other site constraints that impede providing a visitable unit?

Residential Infill Project—Visitability Focus Groups

Focus Group #1: Consumer/User Group (11:00 – noon)

Focus Group #2: Designer/Builder Group (12:30-1:30 pm)

Thursday, May 25, 2017 – Portland State University, Room 410

Facilitated by Alan DeLaTorre, PSU Institute on Aging

City of Portland, Bureau of Planning & Sustainability: Julia Gisler and Todd Borkowitz

Why these focus groups?

- City Council directed staff to explore requirements and bonus for age-friendly housing as we develop zoning standards for new development in single-dwelling zones as part of the Residential Infill Project. We are focusing on what we have control over – the Zoning Code but we can also facilitate discussions with other bureau – like BDS who have jurisdiction over Building Code implements and the Housing Bureau who administers housing programs.
- We can approach zoning regulations two ways 1) mandatory requirements. Example: in triplex require at least one unit to have a zero-step entrance and 2) Incentives- not a requirement but builder gets a bonus in units, extra height, etc.
- We need to keep in mind that zoning regulations can add cost and complexity to housing.
- We will be looking at trade-offs in design: 1) Tuck under garages reduce impact of the garage on front of house and many think they look better but elevates the finished floor and makes access more challenging. 2) Desire to separate living space from public realm for privacy and safety often results in finished floor above grade level. 3) paving increases ease of access but reduces pervious surface for vegetation and stormwater infiltration. 4) on-site parking disrupts the sidewalk, takes away an on-street parking space and creates more vehicle/pedestrian conflict points.

Working Definition of Visitability: Refers to housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. A house is visitable when it meets the following three basic requirements (visitability.org).

- At least one zero-step entrance
- Doors with 32 inches of clear passage space
- One bathroom on the main floor you can get into in a wheelchair.

Focus Group #1: Consumers/Users

Myra Sicilia (Counselor & Portland Commission on Disability), Marie Cushman (resident), Susan Cushman (United Cerebral Palsy), Larry Cross (Portland Commission on Disability), Nikole Cheron (City of Portland, OEHR), Joe Wykowski (Community Vision)

How important are visitability features with respect to your day-to-day experiences?

Entrances:

- These three features are very important and used every day if I want to get around. Of course, the zero step (with appropriate clearance) is the first criteria to getting into the home.
- It is stigmatizing to not be able to get into other's houses for visiting.

- I carry a portable ramp in my car but it has limited use. Portable ramps can be unsafe. They should never be used for access of more than 5 steps – 2 steps maximum is the most comfortable.

Doors/Hallways:

- 36" is really more comfortable and becoming more necessary as wider wheelchairs are being built to accommodate our increasing obese population.
- Pocket doors offer great opportunities. They are easy to open/close and take up less space.

Bathrooms:

- Provide reasonable space in bathrooms to accommodate personal assistants.
- Should have at least a 5-foot turning radius of a t-shaped floor design.
- Wheel chair baths with no threshold are preferred ("open" bathroom floor plan with "roll-in" showers and no-slip surfaces); minimal/no additional cost of roll-in showers; hold up much better than conventional shower/tubs.
- Two grab bars at either side of toilet are preferred.
- Cabinets beneath sink limit usability of both sink and cabinets; cabinets in bathrooms are still important.
- Single water mixers on shower are easier to control than one each for hot and cold water.
- Opinions on grab bars varied; some see blocking as a waste and that grab bars should always just be designed in to a bathroom; others saw horizontal (i.e. at 30 inches high) and vertical blocking at key locations to allow future adaptability as important. Grab bars come in a variety of designs and aid more than just people with disabilities. Don't mandate grab bars but at least allow for their ready installation later.
- Low toilets are bad; no preferences indicated for toilet bowl length.
- Towel racks could double as grab bars and should also have a strong backing.
- ADA guidelines for baths should be considered minimum for any visitable residential bathroom; NKBA offers a guidebook with great kitchen/bath guidelines.
- At least an accessible ½ bath (sink/toilet) on the ground floor.

Other considerations:

- Lower door handles might be useful [some disagreed].
- Integrate visitability features into design; they should not look like add-ons.
- All wheelchairs (like electric assist) are not meant to be lifted by others; design accordingly; also, others may not understand a person in a wheelchair's personal needs, so it's best to plan spaces for the independent wheelchair user without the assumption that they will be assisted by others.
- Open floor plans are popular and offer the most adaptability/flexibility over time; rooms separated by doors may be a matter of preference but door functionality will determine whether rooms will work; there is no benefit to a bedroom that is too small to be functional for a person with a disability.

- Public areas (kitchens, living rooms, etc.) should be located at the main ‘public’ entry to a house; private areas (bedrooms, etc.) should be away from it.
- Cabinet doors are often a hassle; best to have door-free cabinets.

Comments on visitability features in other areas:

Kitchens:

- Probably the main space for socialization with visitors.
- Range tops that pull out are good.
- “Reachable” cabinets are functional cabinets.
- 30-inch high countertops are ideal and most practical; “bar seating” is way too high.
- Open kitchen design is critical; avoid long aisle, dead-end kitchens.
- Side access to appliances is extremely difficult for many people with disabilities to use; head-on access is highly preferred.
- Back burners are difficult to reach. A row of burners is preferred to front/back burners.
- Appliances, drawers and cabinets should be easy to open.
- Microwaves are important for many people with disabilities and should be at a usable height. Never placed above the stove top.

Laundry rooms:

- Should be on the main floor.
- Washer/dryer should be side-by-side.

Yards:

- Because Portland has only 3-4 months of sunny weather each year; focus should be on visitable areas inside a house.
- Focus on creating a quality and usable route to/from the housing unit.
- Consider making the back entrance as the primary entrance if visitability to it is more practical.
- Use combinations of ramps and railings; even in flat areas, railings offer balance for people who have various challenges with walking; always include a railing for even one or two steps.
- Avoid wood ramps as they’re always slippery. Consider hard surfaces.
- Drainage of all surfaces is often overlooked. Use porous surfaces (like permeable concrete) to avoid water buildup.
- Accessible garden space can provide many benefits for people with disabilities.
- Gravel is terrible, even in parking strips; grass is generally easier for people with disabilities to maneuver.
- Small steps are often used for design purposes where a sloping path could be used and would be accessible.
- Designs should allow ramps to be built later when needed in the future.
- Steep slopes are difficult and terrifying; ramps are not too stigmatizing and can be well designed into the landscape; ensure that slopes have flat landing surfaces.

Parking areas:

- Dedicated parking is not a big concern. The bigger concern is how to people in wheelchairs get in and out of cars picking them up and dropping them off.
- Avoid gravel in passenger loading areas; grass is okay, pavers are preferred. Allow surface to drain!

What visitability features are best mandated versus made as incentives?

Mandates:

- Would expand products/materials markets, making them more affordable.
- Zero step entrances are priority- mandate some percentage of units.
- One- or zero-step entries, or at least the ability to easily install a safe ramp.
- "Basic" visitability, even for skinny houses.
- Minimum: 36-inch doors and corridors, and ½ bath on first floor.

Incentives:

- Additional FAR for housing units that are fully accessible on at least one level.
- Incentivize plexes (bottom level units visitable with other units above that allow opportunity for non-mobility impaired personal assistants to have their own personal space).

Resources:

- Model examples: Ed Roberts Center (Berkeley, CA) and Axis Living (Chicago, IL)
- The City of Atlanta codified visitability into its zoning code.
- LEED-like rating system for visitability would be helpful.

Key Takeaways from Focus Group #1 (BPS Staff):

1. Location of a house (near services, transit, etc.) is often a higher need than accessibility as people with disabilities eventually find solutions to best access a house.
2. There are very few accessible apartments. Accessible houses are continually being lost to new development
3. Mandating zero-step entries on first floors would have significant benefits for advancing visitability. (priority of the group)
4. A 36-inch wide entry standard is a "non-noticeable" requirement (appearance and cost) that offer significant benefit. (priority of group)
5. Open floor plan is the best.

(Continued)

6. Dedicated parking is not a significant priority. Barrier-free access on well-drained, stable surfaces is a bigger priority.
7. Integrating visitability design features will help make them more acceptable and common.
8. Design for all ages and abilities; not just people with disabilities. Messaging should identify that everyone will likely be limited by a disability at some point on their lives.
9. Design for independent living and visiting, but also keep in mind that many people with disabilities often rely on personal assistants whose work needs should also be considered.

Focus Group #2: Designer/Builder

Thalia Martinez-Parker (Reach Community Development), Brenda Jose (Unlimited Choices, Portland Commission on Disabilities), Garlynn Woodsong (Woodsong Partners), Michael Mitchoff (Portland Houseworks), Robert Freeman (architect), Julia Metz (Portland Community Reinvestment Initiative)

How common in remodels/renovations are visitability features?

- Visitability features are not “on the radar” of most contractors.
- When visitability features are included, they are usually “a product of need” (i.e. ramps, add-on grab bars, etc.) and done cheaply and expeditiously.
- Steps have positive meaning in our culture- slab on grade is less preferred and is considered cheap construction. Threshold keeps the rain out.
- There is not much difference in costs of construction materials.

What is the market demand for visitability features?

- There is demand for visitability/accessibility features in affordable housing projects.
- One estimate: In 50 percent of jobs, the clients themselves introduce issues of accessibility.
- There is interest in visitability features in single-family homes; a legal requirement in multifamily units.

Comments on visitability features:

Entrances:

- Steps are dominant in nearly all new construction.
- Stepped entrances provide a means to keep water out of a house.
- Development without steps often requires significant site grading, which can add cost.
- Slab-on-grade construction offers accessibility and lower cost, but is usually not preferred by buyers.

Doorways/Hallways:

- Open floor plans are preferred in nearly all housing units.

- Pocket doors are sometimes hard for users to operate and are not desirable in high-use areas; carpentry skills are often needed to install correctly, increasing their costs; most are poorly designed (they often come in two grades – the lower grades often lack important “smart” handles); many are too narrow (often 24 inches wide) for many people with disabilities to use.

Bathrooms:

- Roll-in showers are common; trench drains have become increasingly more affordable and are easy to maintain.

Other considerations:

- Cabinet hardware and maneuverability features are “low-hanging fruit” that can often be done for little/no additional cost.
- Carpets are problematic for visitability; glued-on carpet is a solution; low pile, no-pad carpet is important for visitability, especially on stairs.
- Cover all outdoor spaces to protect users from weather.
- Design for people with Alzheimer’s and Dementia by:
 - Illuminating surfaces;
 - Using large address numbers;
 - Covering deck areas;
 - Including seating at front doors;
 - Assuring in-unit communication through open floor plans and/or communication devices;
 - Installing remote access on doors;
 - Maximizing safety through street orientation;
 - Influencing decision making (reducing decision making and providing “wayfinding clues” is a common best practice when designing for people with Alzheimer’s); and
 - Install windows or eyeholes in doors to maximize security.

Comments on visitability features in other areas:

Yards:

- Low- or flat-sloped walks are preferable.
- While impermeable paving materials are often preferred for people with disabilities, this preference should be balanced with the ecological benefits (i.e. stormwater permeability) of porous surfaces. Pervious concrete may offer an effective balance.
- Access to attractive outdoor areas, especially for gardening, is often very important for people with disabilities.
- May be needed to accommodate ramps, especially if switchbacks are required; porch lifts could minimize these spatial needs (they can now plug into a 110 outlet and be leased).

Parking areas:

- On-site spaces are needed.
- Transit investments should be prioritized over parking requirements.

- Modify parking requirements to allow for zero-step entries.

What are primary barriers to designing for visitability?

- Code requirements for accessible units (1 for every 4 units) limits overall housing that might otherwise be built; solution: residential elevators.
 - Cost around \$40,000 installed in a 3- to 4-story building (additional \$2,000 per floor) – including \$30,000 to purchase and \$10,000 to install (by comparison, commercial elevators are about \$135,000 to purchase/install and about \$200/month to maintain).
 - Create an incentive that provides a net benefit by covering the cost of elevator purchase/installation.
- Availability of land is a barrier to visitability in new construction. Most remaining lots are narrow/skinny, which are difficult to make visitable.
 - Visitability incentives (i.e. extra units, etc.) could rectify this.
 - While lots in East Portland are often larger, they often have poor transportation access.
- On-site stormwater mitigation requirements (drywell) limit available space for visitability features.
 - Create incentive to have stormwater requirement waived if house is lowered to allow for visitability, if mitigating through a rain garden, or if using stormwater in a graywater system.
 - Allow water to discharge into sewer if at least 1 unit has 1 or less steps to access.

How can housing be adaptable to provide visitability later?

- Promote open floor plans.
- Block out for elevators.
 - Requires a 6-foot by 8-foot shaft, 12-inch vertical space at bottom and 18-inch clear at the top (for mechanical equipment).
 - Create building code exceptions for 5 or fewer units (buildings with over 2 units now must meet commercial elevator code).

What visitability features are best mandated versus made as incentives?

Mandates:

- Zero- or no-step entrance (not all agreed, one person indicating that steps are actually healthy for anyone who does not have a mobility impairment; another indicated the prevalence of steeply sloping lots in Portland); could be either front or back door.
- Any mandate could “kill a project” and reduce the amount of housing units that would otherwise get built.
- Steep slopes make mandates problematic.

Incentives:

- Consider incentivizing different levels of visitability.
- Bonuses should be offered as a package (FAR, height, AND setback).

- Creative solutions to meeting on-site stormwater requirements, while presumably a challenge to codify, could provide key space available on-site to meet visitability needs.

Key Takeaways from Focus Group #2 (BPS Staff):

1. The increasing affordability and practicality of residential elevators present an interesting opportunity to achieve some visitability goals.
2. Modifying on-site parking requirements could minimize barriers to visitability.
3. Mandates for “low hanging fruit” like “visitability-friendly” door handles, cabinet hardware and rails could provide some not-overly prescriptive mandates for little/no additional cost.
4. Zero- or 1-step entries, while possibly the most impactful feature, could also be the most challenging to achieve given costs and market preferences. Changing this paradigm may require strong and meaningful incentives and viable development options for steep sloping lots.

Identification of U.S. States with Standards for Visitability

The following U.S. states have standards that aim to achieve some levels of visitability: California, Maryland, Oregon, Pennsylvania and Texas.

Inventory of Local Regulatory Mandates for Visitability

Austin, TX *Date of Adoption: 2014*

Weblink to Policy Description: www.austintexas.gov/edims/document.cfm?id=205386 / www.austintexas.gov/sites/default/files/files/Planning/Residential/Visitability_Presentation.pdf / www.austintexas.gov/edims/document.cfm?id=202500

Key Features to Implementation: "A dwelling must be accessible by at least one no-step entrance with a beveled threshold of 1/2 inch or less and a door with a clear width of at least 32 inches. The entrance may be located at the front, rear, or side, or in the garage or carport, of the dwelling". Ramps leading to entrance must not exceed 1:50 grade slope.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Only direct mention of parking/garages in the policy document is R320.7, which requires an approved entrance to have a no more than 1:50 sloped ramp from a garage, driveway, public street, or sidewalk to reach the no-step entrance.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Bathrooms: Minimum 30 inches clear opening, lateral 2x6 blocking installed flush with studs in bathroom walls 34 inches from and parallel to the floor except behind the lavatory. Route to bathroom must remain 32 inches wide from entrance to bathroom entrance. Electrical Switches/controls no higher than 48 inches from floor, outlets no higher than 15 inches except outlets designed into the floor.

Exemptions or exceptions: Does not apply to remodels or additions; waiver of exterior visitable route provision for: 1) lots with 10 percent or greater slope prior to development; or 2) properties for which compliance cannot be achieved without the use of switchbacks.

Bolingbrook, IL *Date of Adoption: 2003*

Weblink to Policy Description: www.bolingbrook.com/vertical/sites/%7B55EB27CA-CA9F-40A5-A0EF-1E4EEF52F39E%7D/uploads/MunicipalCodeChpt25.pdf

Key Features to Implementation: Zero step entrance, ramps to not exceed 1:12. "All exterior and interior doors shall not be less than 3 feet in width and 6 feet, 8 inches in height, and shall provide a minimum clear opening of 32 inches. All required exit doors shall be side hinged. The minimum width of a hallway or exit access shall not be less than 42 inches."

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): "This step free entrance shall be approached by a slope no greater than 1 in 12 (less steep is desirable). This entrance can be approached by a sidewalk, a driveway, a garage floor, or other useable route. The step free entrance may be located at any entrance to the home. If the step free entrance is located in the garage, a door bell button shall be located outside the overhead garage door. In a case where a lot is so steep that it cannot be graded to a maximum slope of 1:12, the driveway may have to exceed a 1:12 slope. In this case, upon approval by the Building Commissioner, the builder may construct a 1:12 (or less) route leading from the driveway to the

no-step entrance. If the grade of a lot is so steep that providing a step free entrance would be unfeasible or dangerous, the Building Commissioner may waive this requirement."

Internal Design Highlights (site, yard, paths, patios, parking, etc.): One zero-step entrance into the home. One bathroom on the same level as the zero-step entrance. Bathroom wall reinforced for grab bars. Minimum 42-inch wide hallways and 36-inch passageways. Electrical wall outlets/ receptacles shall be 15 inches above the finished floor. Wall switches controlling light fixtures and fans shall be a maximum 48 inches above the finished floor. All exterior and interior doors shall be 32 inches in width.

Exemptions or exceptions: Multiple exceptions per item in code. No direct mention to specific garage code.

Dublin City, CA *Date of Adoption: 2007*

Weblink to Policy Description: www.codepublishing.com/CA/Dublin/Dublin07/Dublin0790.html

Key Features to Implementation: The accessible primary entrance that is consistent with the requirements of CBC Chapter 11A. The floor or landing at and on the exterior and interior side of the accessible entrance door that is either of the following: consistent with the requirements of CBC Chapter 11A; or the width of the level area on the side to which the accessible entrance door swings shall extend 24 inches past the strike edge of the door.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): At least one doorbell is provided for accessible entry door. An exterior accessible route must not be less than 40 inches wide and not have a slope greater than 1:20. Exterior accessible door that has a 34-inch net clear opening. If on the primary entry level, miscellaneous areas or facilities (such as a patio or yard, laundry room, or storage area) for the dwelling must have an accessible route to and from the accessible entrance, either through the dwelling unit or around the dwelling unit.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): At least one accessible route through the hallway consistent with the requirements of CBC chapter 11A from the entrance of the dwelling unit to the primary entry level restroom/bathroom, a common use room, and the kitchen if located on the primary level. No sunken or raised area in the bathroom. Handrails may be installed along the accessible route. This route must have a minimum width of 42 inches. Restroom/ bathroom must have grab bar reinforcement for the shower or tub. Clear space in the restroom/ bathroom outside the swing of the door or a 48-inch circle. Sink controls not requiring tight grasping, pinching or twisting of the wrist are required in the bathroom and kitchen.

Exemptions or exceptions: A 34-inch clear doorway width may be requested from a hallway with a 39-inch width, and a 36-inch clear doorway width may be requested from a hallway with a 36-inch width.

Pima County, AZ *Date of Adoption: 2003*

Weblink to Policy Description: www.accessiblesociety.org/topics/housing/pimacoruling.html / <http://idea.ap.buffalo.edu/visability/reports/existingcitylaws.htm>

Key Features to Implementation: Zero step entrance; lever door handles.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): No explicit mention of external features.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Reinforced walls in bathrooms for grab bars, switches no higher than 48 inches. Hallways must be at least 36 inches wide throughout main floor. Electrical outlets and light switches that are reachable by someone in a wheelchair.

Pine Lake, GA Date of Adoption: 2007

Weblink to Policy Description:

www.municode.com/library/ga/pine_lake/codes/code_of_ordinances?nodeId=PTIICOR_CH54PLDE_ARTIIR E_S54-33VICO / www.pinelakega.com/wp-content/uploads/2012/08/City-of-Pine-Lake-Zoning-Ordinance.pdf

Key Features to Implementation: Zero step entry. This zero-step entrance can be at any entrance to the home with the slope approaching this entrance no greater than 1:12. Threshold on the entrance no more than a 1/2 in height. 32-inch minimum clearing for interior doors and 30-inch minimum width of hallways. All required exit doors shall be side hinged. Hallways shall not be less than 42 inches in width and all passageways, other than doorways to be no less than 36 inches in width.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Step-free entrance shall be approached by a slope no greater than 1:12 (less steep is desirable). In a case where a lot is so steep that it cannot be graded to a maximum slope of 1:12, the driveway may have to exceed a 1:12 slope. In this case, upon approval by the Building Commissioner, the builder may construct a 1:12 (or less) route leading from the driveway to the no-step entrance.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Grab bars required in restrooms/ bathrooms made of wood blocking within wall framing. This reinforced wall must be located between 33 inches and 36 inches above the finished floor and must be in all walls adjacent to a toilet, shower stall or bathtub. At least one bathroom/restroom containing at least one toilet and one sink on the dwelling floor.

Exemptions or exceptions: Multiple exceptions laid out per item in code.

San Antonio, TX Date of Adoption: 2002

Weblink to Policy Description: www.sanantonio.gov/Portals/0/Files/DAO/UD-Ordinance95641.pdf

Key Features to Implementation: Flat entrance with a beveled threshold of 1/2 inch or less, all interior doors no less than 32 inches wide except doors leading to closet of less than 15 square feet. Each hallway at least 36 inches wide and level, with ramped or beveled changes at each door threshold.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): At least one entrance shall have a 36-inch no step door and be on an accessible route. An accessible route is a continuous, unobstructed path at least 36 inches wide connecting all interior and exterior elements and spaces of a house and site, including corridors, parking, curb ramps, crosswalks and sidewalks. No explicit mention of parking or garages in code.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Bathrooms to have studs in wall around toilet to facilitate future grab bar installation. Bathtub/Shower to either have studs for grab bars or room for pre-approved ADA compliant alteration. All doorknobs to be lever handles. Light switches, electrical panels, and thermostat to be no less than 48 inches from the floor. All electrical plug or receptacles at least 15 inches from floor.

Inventory of Local Incentives for Visitability

Escanaba, MI *Date of Adoption:* 2002

Weblink to Policy Description: www.escanaba.org/images/11/file/visabord.pdf

Key Features to Implementation: Must comply with State of Michigan code standard for accessible route, doorway must be 36 inches wide minimum.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Sidewalks and ramps that are part of the visitable route shall have a maximum slope and length as follows: Sidewalks: 1/20 N/L, Type 1 Ramp. 1/8 5-foot (max 7.5-inch rise), Type 2 Ramp. 1/10 12-foot (max. 14.5-inch rise), Type 3 Ramp. 1/12 30-foot (Between Landings), Width: The route shall have a minimum clear width of 36 inches. Landings: Landings in a visitable route shall be not less than 36 inches by 36 inches clear or shall meet the Michigan Accessibility Code whichever is greater. Surfaces: Surfaces shall be non-slip. Drainage: Cross-slope shall be no greater than 1/50. Only direct mention comes from section 6.39(2), "The entrance may be at the front, side, or back of a dwelling if it is served by an accessible route such as a garage or sidewalk."

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Wide doorways and a half bath on the first floor, the code addresses hallways, bathroom design and the height of wall switches and receptacles.

Irvine, CA *Date of Adoption:* 1999

Weblink to Policy Description: [www.cityofirvine.org/community-development/accessibility-universal-design#Design Features](http://www.cityofirvine.org/community-development/accessibility-universal-design#Design%20Features)

Key Features to Implementation: N/A

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Accessible path of travel to dwelling, Maximum ½-inch vertical change in level at thresholds, 32-inch wide interior doors, Lever door hardware, doorbell no higher than 48 inches. "No specific mention to parking or Garage requirements."

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Visual fire alarms and visual doorbells Switches, outlets and thermostats at 15 inches to 48 inches above the floor Rocker light switches Closet rods and shelves adjustable from 3 feet to 5 feet-6 inches high Residential elevator or lift; Bathrooms: Grab bar backing in walls, Grab bars, 5-foot diameter turning circle, 36 inches by 36 inches or 30 inches by 48 inches of clear space, Lavatory with lever faucet controls, Open-front lavatory with knee space and protection panel, Contrasting color edge border at countertops, Anti-scald devices on all plumbing fixtures, 17 inches to 19 inches high water closet seat, Roll-in shower in lieu of standard tub or shower, Shower stall with 4-inch lip in lieu of standard tub, Hand-held adjustable shower head. Kitchen: 30 inches by 48 inches clear space at appliances or 60-inch diameter clear space for U-shaped kitchen, Removable base cabinets at sink, Countertop height repositioning to 28 inches high, Lever controls at kitchen sink faucet, Base cabinets with pull-out shelves, Base cabinets with Lazy Susans, Contrasting color edge border at countertops, Microwave oven at countertop height Under cabinet task lighting.

Monroeville, PA *Date of Adoption: 2006*

Weblink to Policy Description: www.monroeville.pa.us/ordinances/ORD2419.pdf

Key Features to Implementation: No step entry, and having a threshold no greater than three fourths inch. In addition, a place where pedestrians may enter from a public right of way. This includes sidewalks, driveway, streets, alleys and paths. No-step entrances must have a clear open width of at least 32 inches.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): The no step entry could be through an entrance through the visitable level of the dwelling through an integral garage.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Interior paths on visitable level must have a clear open width of at least 32 inches and be equipped with lever opening hardware. Interior hallways must be 36 inches in width throughout the length. One powder room or one full bathroom is required on the visitable level. Bathroom must be a minimum of 30 inches by 48 inches of clear floor space. Plumbing fixtures and entry doors must be equipped with lever style hardware. All powder rooms and full bathrooms throughout the house shall have a reinforcement of at least two inches by eight inches of blocking in the wall to allow for installation of grab bars. The reinforcement must be capable to resist pulling and benign forces of at least 250 pounds.

Exemptions or exceptions: Lights switches can't be higher than 48 inches above the floor.

Montgomery County, MA *Date of Adoption: 2009*

Weblink to Policy Description: www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/DFLM/DFLMGuidelinesVoluntaryCertificationProgram09.pdf

Key Features to Implementation: No step entry at front door, back door or side door. Walking surfaces must have a slope no steeper than 1:20. Floor or ground surfaces shall be stable and slip resistant. Building entrance must have width of 32 inches when the door is open 90 degrees.

External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.): Accessible routes shall consist of one or more of the following components: Walking surfaces with a slope not steeper than 1:20. Doorways, ramps, curb ramps, elevators, and wheelchair (platform) lifts. Floor or ground surfaces shall be stable, firm, and slip resistant.

Internal Design Highlights (site, yard, paths, patios, parking, etc.): Hallways must be 36 inches in width. The powder room/bathroom shall be large enough to accommodate a clear space of 2 foot-6 inches by 4 feet-zero inches.

Exemptions or exceptions: New homes and renovated homes can apply for the permit, can either be level 1 which focuses on visitability or level 2 which includes livability.

Appendix E

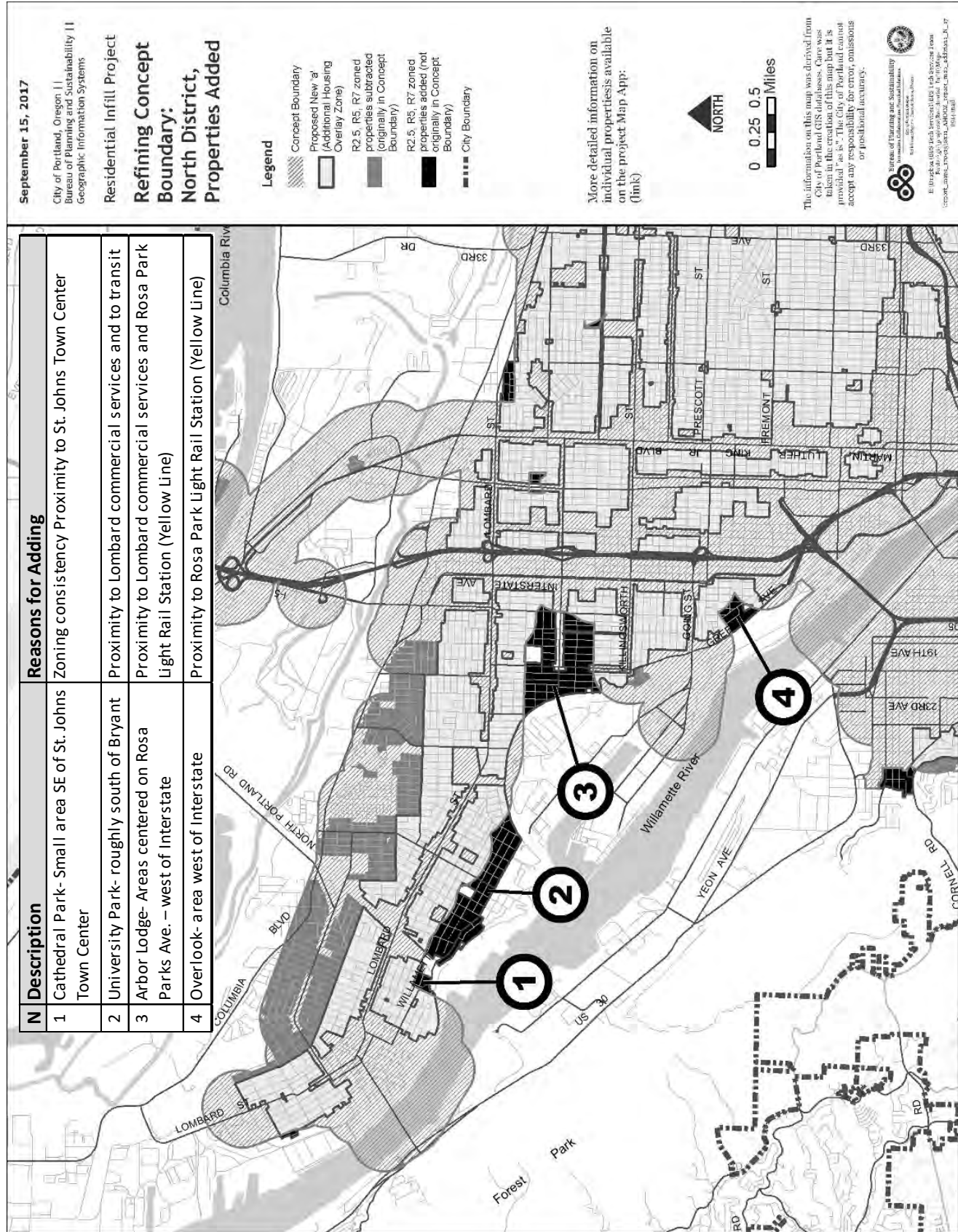
Map Refinements by District

The following includes additional information about City project staff decisions to add or subtract areas from the Concept Boundary. Two detailed maps are included for each Portland district (North, Northeast, Southeast, East and West); one for areas added to the 'a' overlay zone that are not in the Concept Boundary, and one for areas that are in the Concept Boundary but are not proposed for inclusion in the 'a' overlay zone.

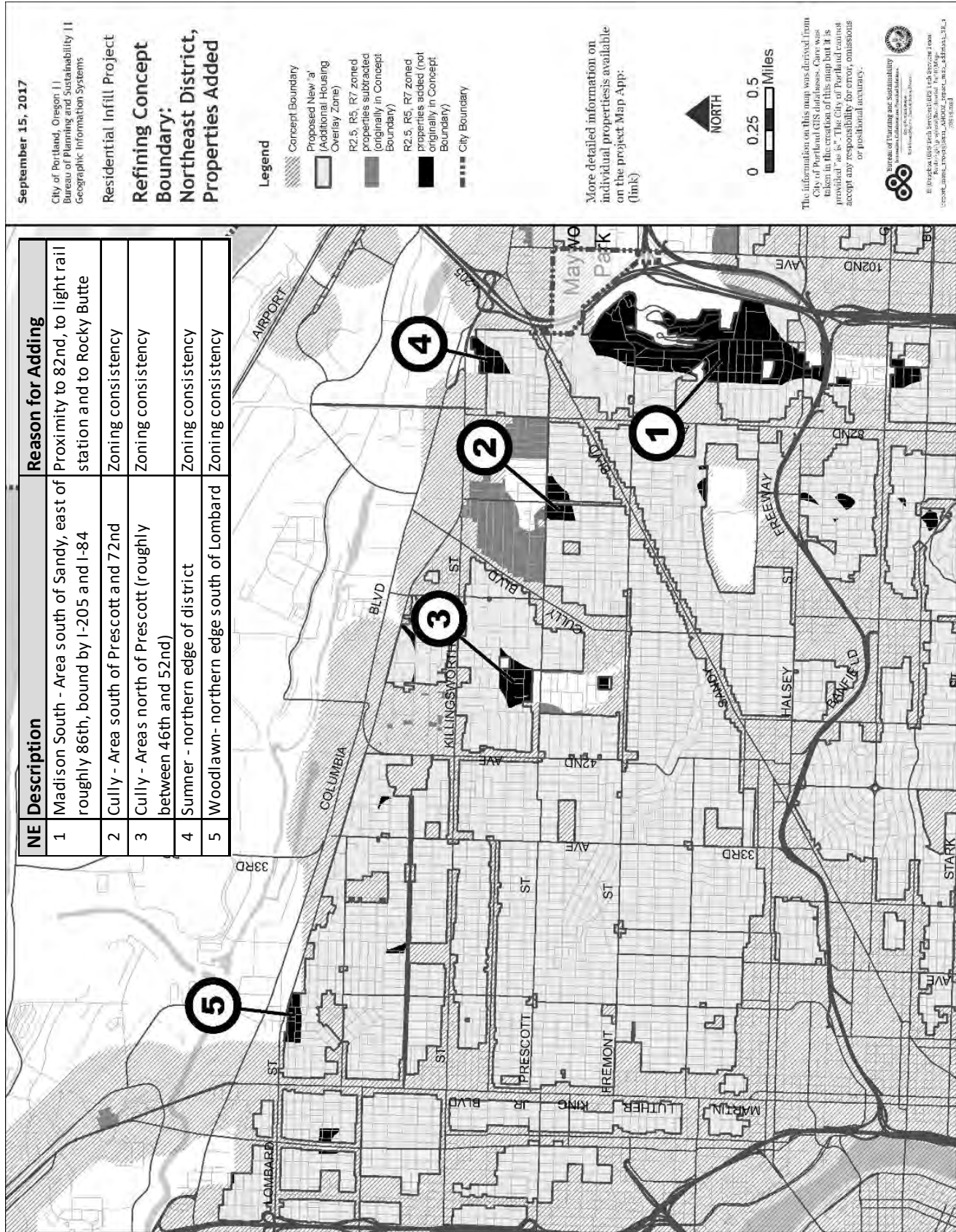
Areas Added by District (pages 2 thru 6)

	#	Description
North	1	Cathedral Park – small area southeast of St Johns Town Center
	2	University Park – roughly south of Bryant
	3	Arbor Lodge – areas centered on Rosa Parks – west of Interstate
	4	Overlook – area west of Interstate
Northeast	1	Madison South – area south of Sandy, east of roughly 86 th , bound by I-205 and I-84
	2	Cully – area south of Prescott and 72 nd)
	3	Cully – areas north of Prescott (roughly between 46 th and 52 nd)
	4	Sumner – northern edge of district
	5	Woodlawn – northern edge south of Lombard
Southeast	1	Brooklyn – area between north of Holgate, between Milwaukie and Grand
	2	Montavilla – Glisan to Couch between 82 nd and 90 th
	3	Mt Tabor/Montavilla – small area east of Mt Tabor
	4	Mt Scott-Arleta – areas north and south of Woodstock (roughly between 58 th and 75 nd)
	5	Brentwood-Darlington – area south of Duke; north of Harney (roughly between 69 th and 77 th)
	6	Brentwood-Darlington – area south of Duke; north of Nehalem (roughly between 52 nd and 62 nd)
	M	Three miscellaneous small areas in northeast corner of the district
East	1	Parkrose – area south of Shaver between 109 nd and 115 th
	2	Parkrose Heights – area south of Sacramento between 111 th and 122 nd
	3	Hazelwood – miscellaneous small areas west and south of Glendoveer Golf Course
	4	Mill Park – linear area between Stark and Division (roughly from 112 nd and 130 nd)
West	1	Hayhurst – area north of Vermont and Gabriel Park
	2	Ashcreek/Multnomah – linear areas along Marigold and Dolph Ct; bisected by Capitol Hwy
	3	South Burlingame – north of Taylors Ferry/Freeman and west of 3 rd
	4	NWDA/Hillside – NW Upshire/Quimby/30 th

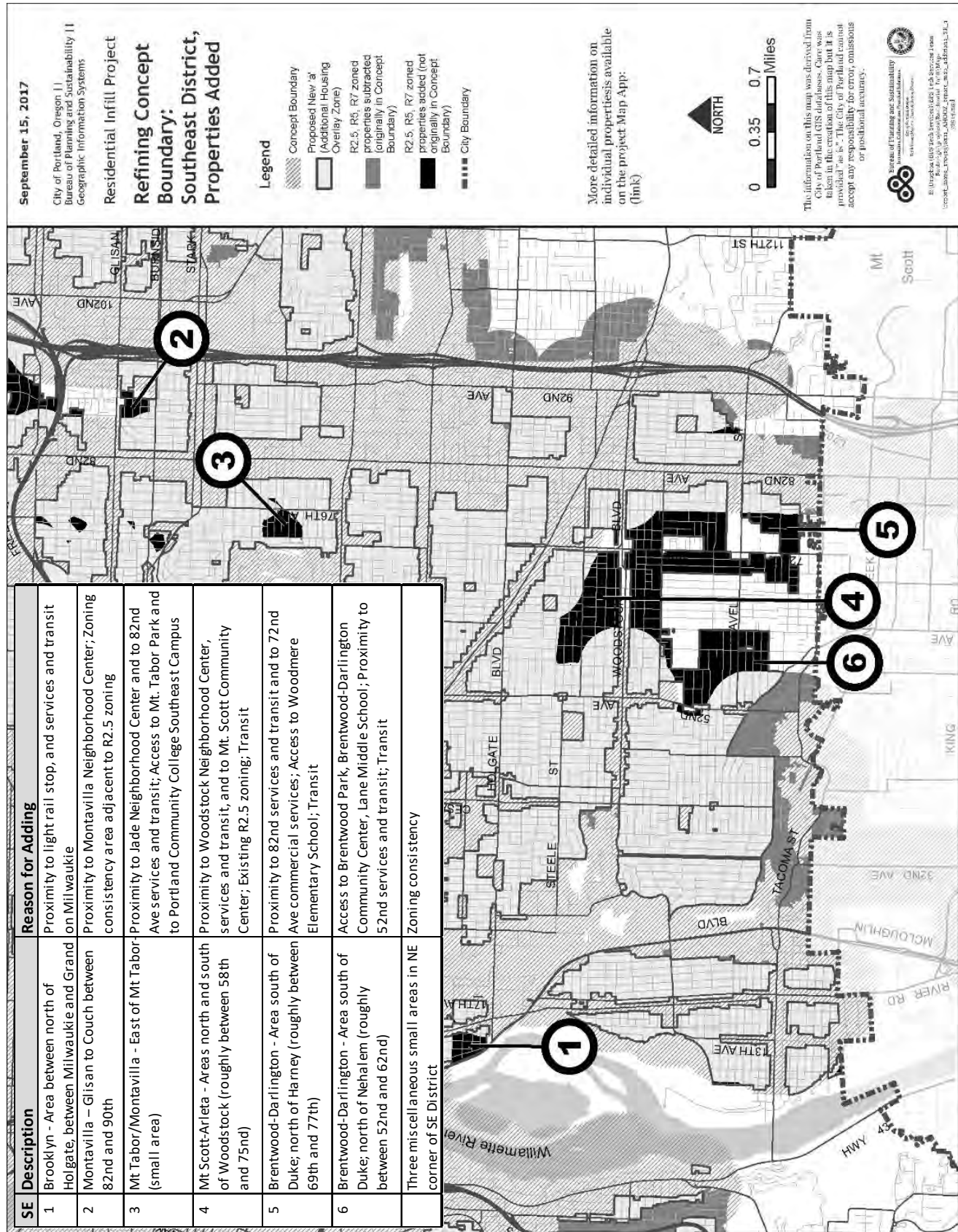
Areas Added – North District



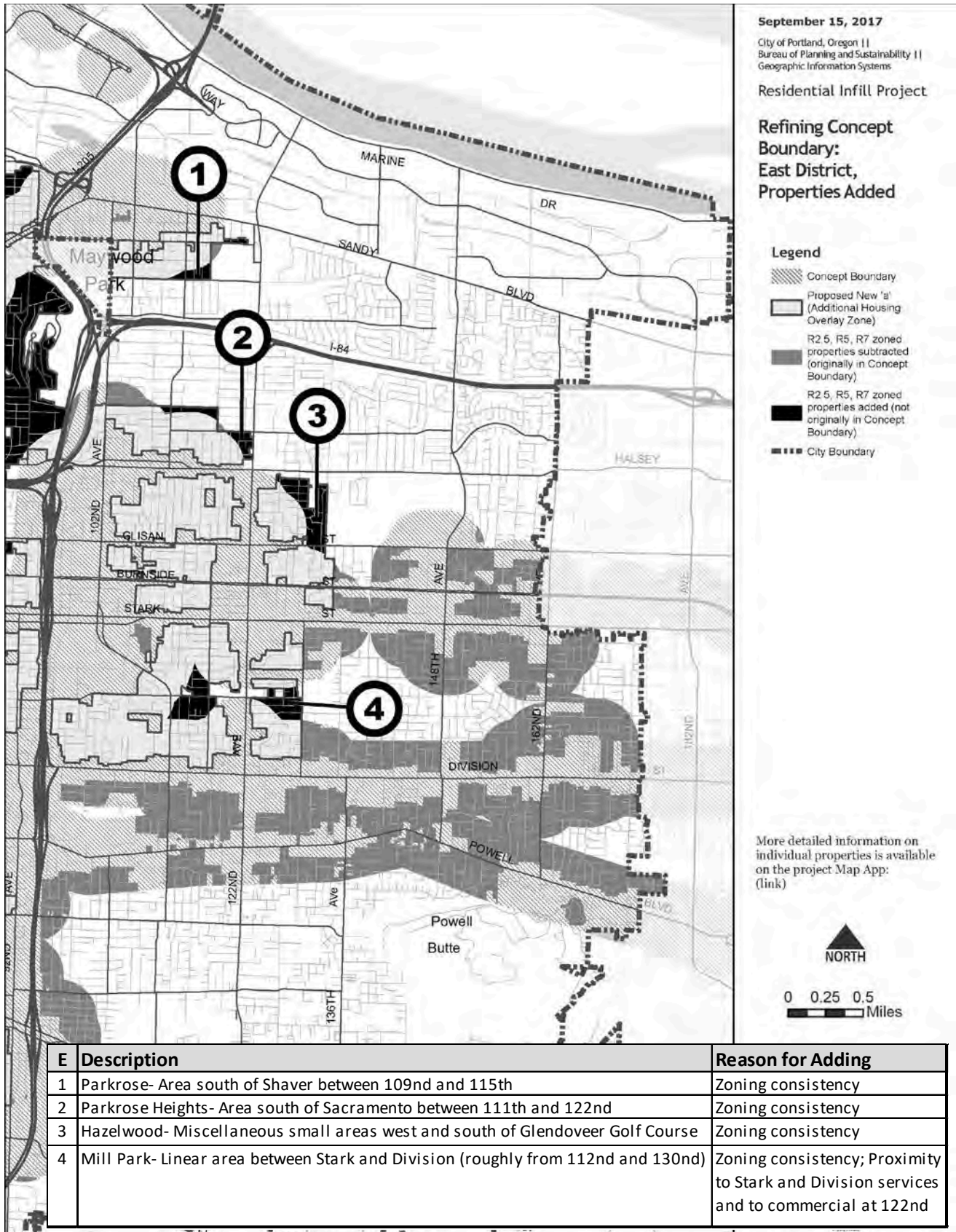
Areas Added – Northeast District



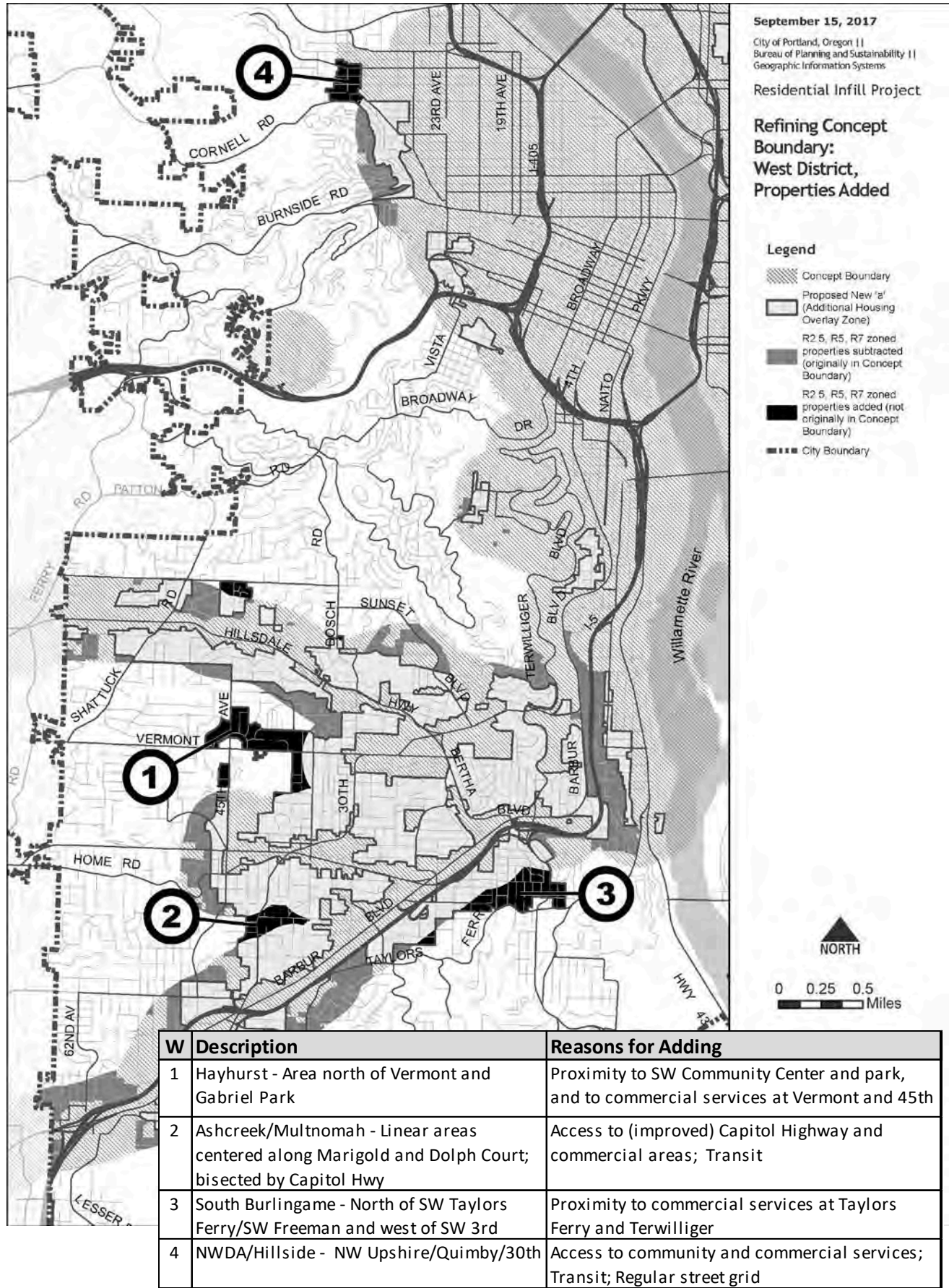
Areas Added – Southeast District



Areas Added – East District



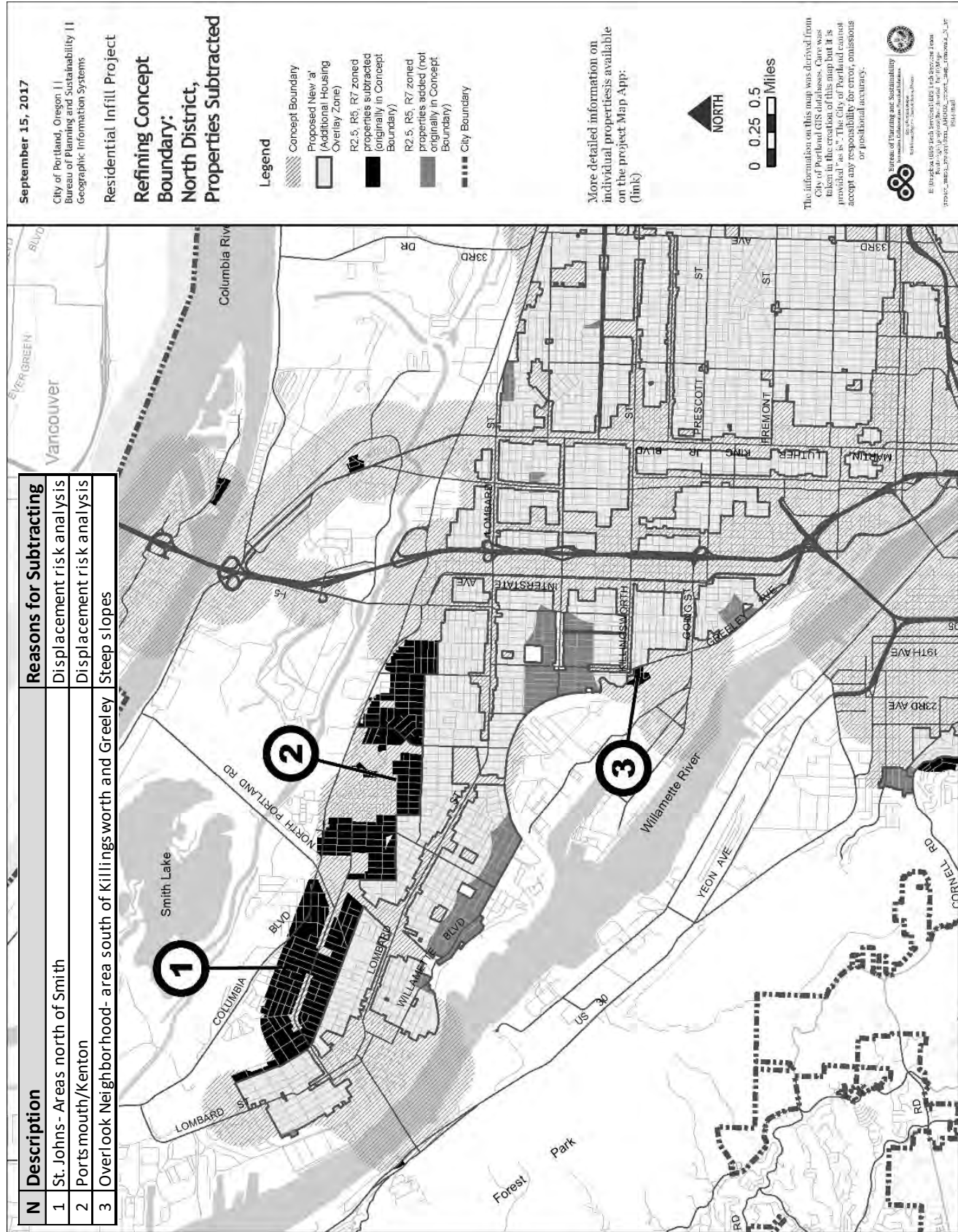
Areas Added – West District



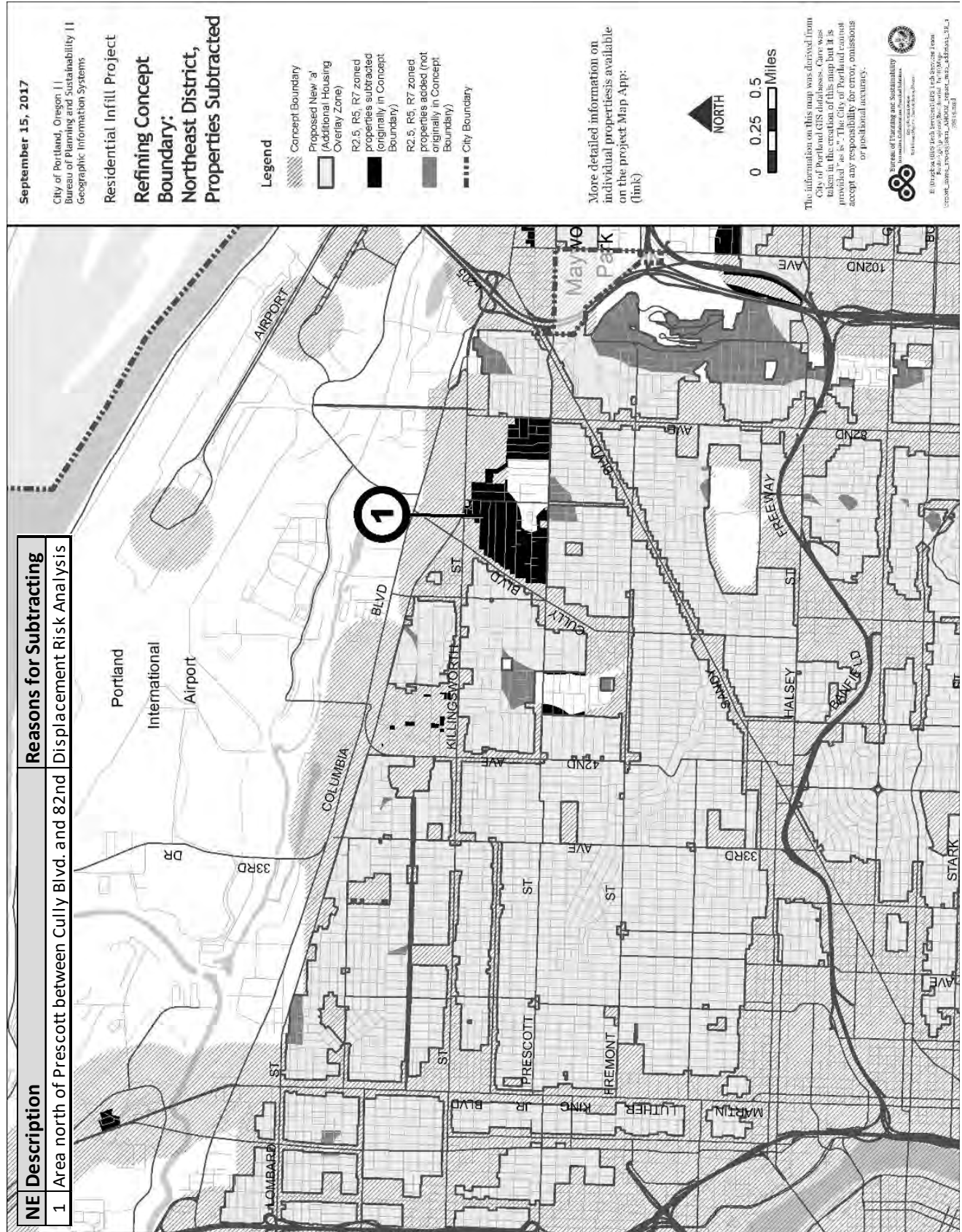
Areas Subtracted by District (pages 8 thru 13)

	#	Description
North	1	St Johns – areas north of Smith
	2	Portsmouth/Kenton
	3	Overlook Neighborhood – area south of Killingsworth and Greeley
NE	1	Area north of Prescott between Cully and 82 nd
SE	1	Ardenwald-Johnson Creek/Eastmoreland – area south of Johnson Creek Blvd to Roswell (between 36 th and 39 th)
	2	Brentwood-Darlington – area south of Crystal Springs Blvd and south of Flavel and west of 45 th
East	1	Hazelwood – area south of Stark (roughly between 106 th and 111 th)
	2	Parkrose Heights – area above Sacramento from 102 nd to 108 th
	3	Mill Park, Hazelwood, Centennial – area roughly east of 130 th from Glisan to Division
	4	Powellhurst-Gilbert, Centennial – R2.5, R5 and R7 zones south of Division
	5	Lents – southwest corner of the district and along Johnson Creek
West	1	Ashcreek – north of I-5 (61 st)
	2	Crestwood – north of I-5 (48 th)
	3	Multnomah – linear area running north-south; west of 45 th ; centered on Multnomah
	4	Hayhurst – south of Beaverton-Hillsdale Hwy
	5	Bridlemile – north of Beaverton-Hillsdale Hwy
	6	Hillsdale – north of Hillsdale Town Center
	7	South Portland – Macadam area between I-5 and Virginia
	8	Far Southwest/West Portland Park/Markham – south of Barbur/I-5
	9	Hillside/Arlington Heights – west of Albermarle and south of Burnside

Areas Subtracted – North District



Areas Subtracted – Northeast District

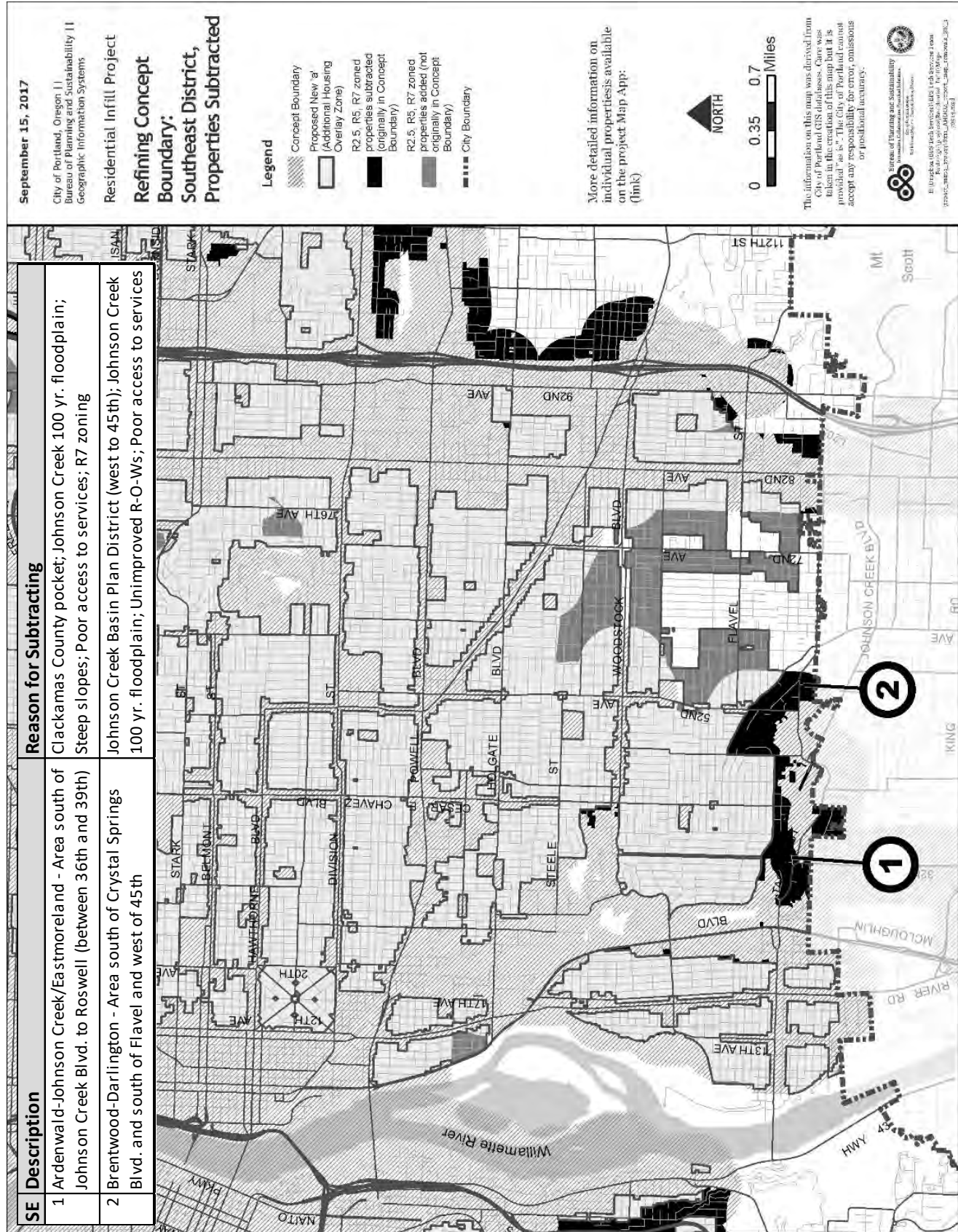


The information on this map was derived from City of Portland GIS databases. Care was taken in the creation of this map but it is provided "as is". The City of Portland cannot accept any responsibility for error, omissions or positional inaccuracy.

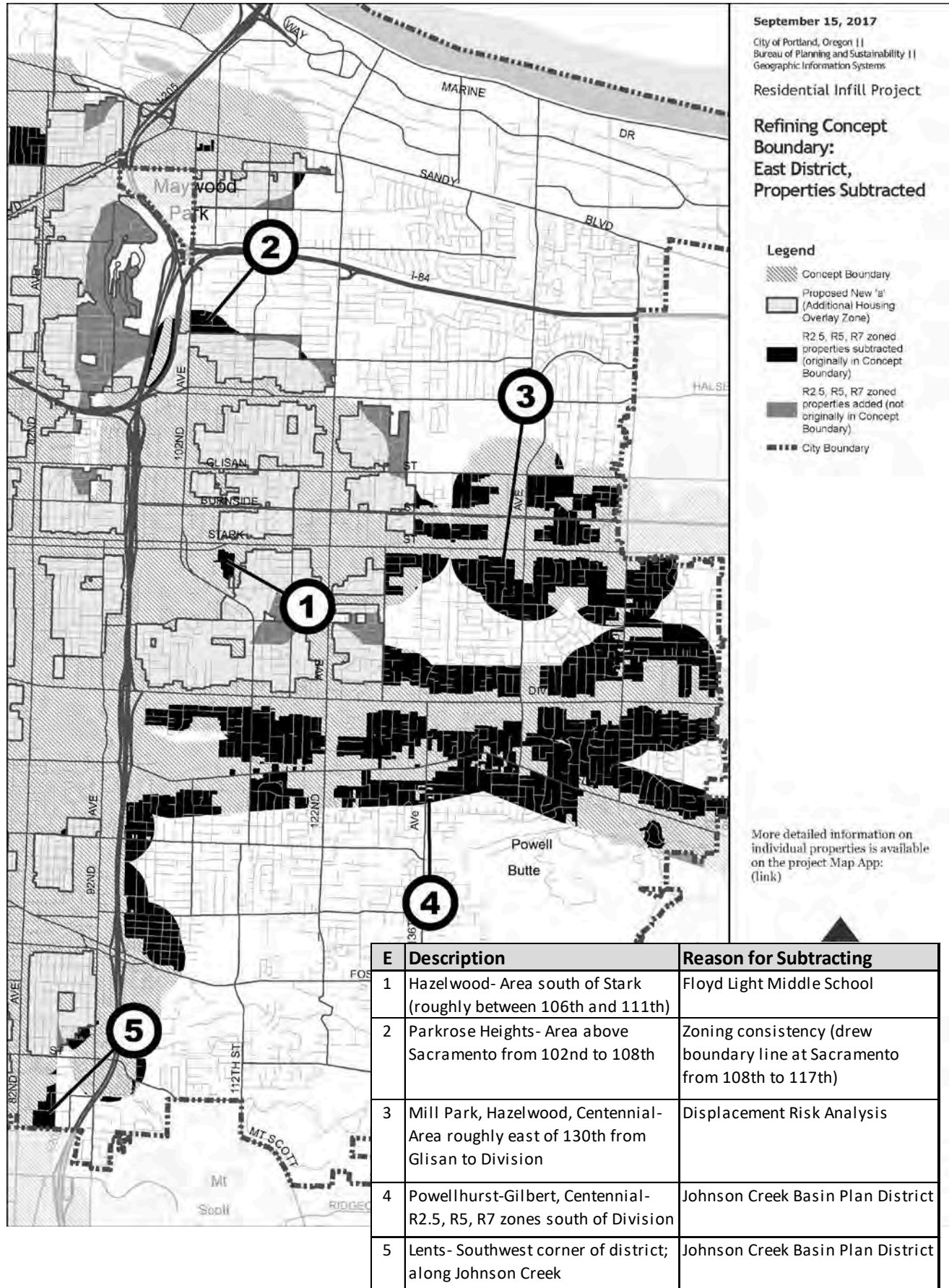
Bureau of Planning and Sustainability
1221 NE Oregon Street, Suite 300
Portland, Oregon 97232

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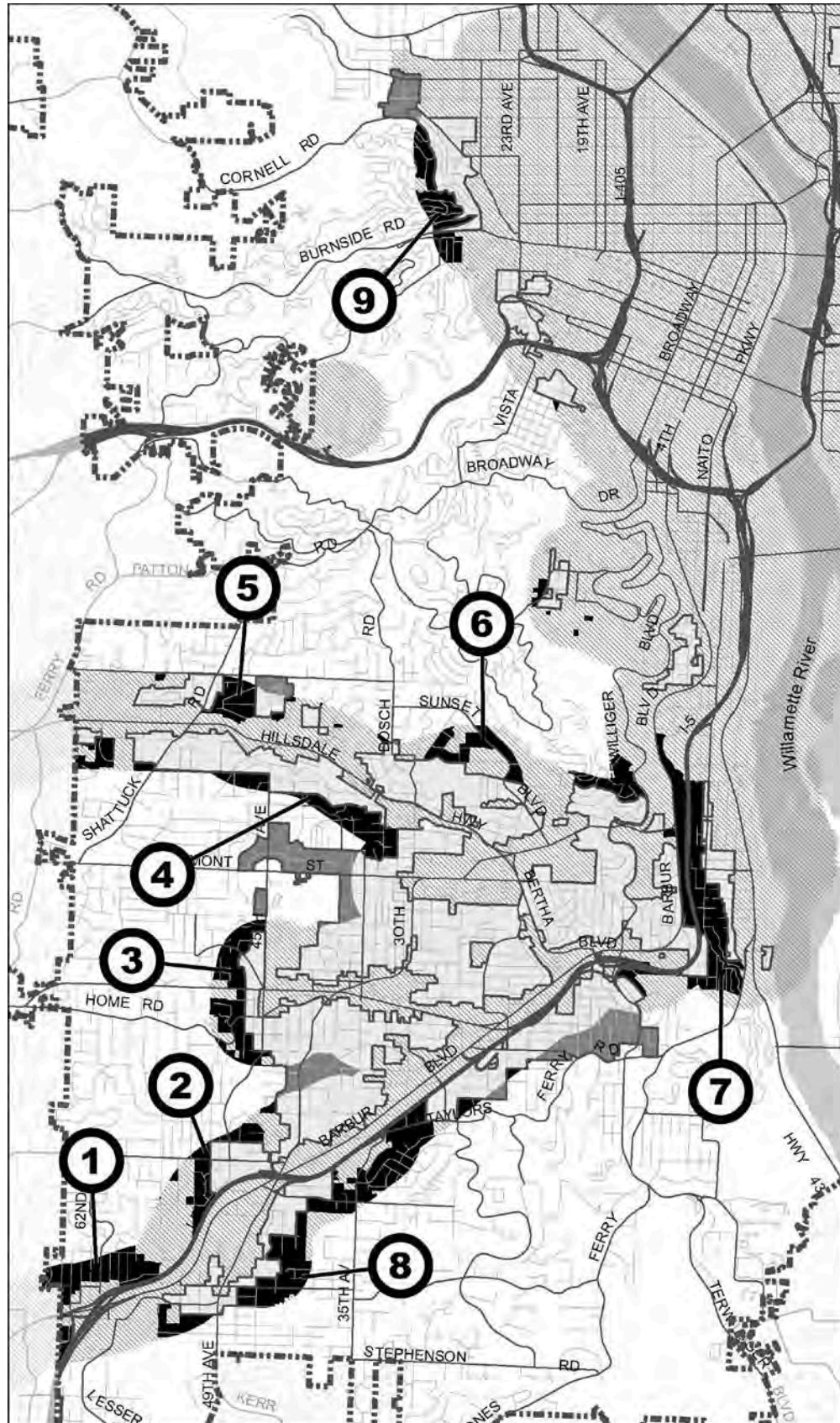
Areas Subtracted – Southeast District



Areas Subtracted – East District



Areas Subtracted – West District



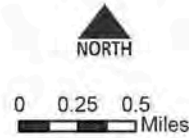
September 15, 2017
 City of Portland, Oregon |
 Bureau of Planning and Sustainability |
 Geographic Information Systems

Residential Infill Project

Refining Concept
 Boundary:
 West District,
 Properties Subtracted

- Legend**
- Concept Boundary
 - Proposed New 'a' (Additional Housing Overlay Zone)
 - R2 5, R5, R7 zoned properties subtracted (originally in Concept Boundary)
 - R2 5, R5, R7 zoned properties added (not originally in Concept Boundary)
 - City Boundary

More detailed information on individual properties is available on the project Map App: [\(link\)](#)



The information on this map was derived from City of Portland GIS databases. Care was taken in the creation of this map but it is provided "as is". The City of Portland cannot accept any responsibility for errors, omissions or positional accuracy.



W	Description	Reasons for Subtracting
1	Ashcreek - North of I-5 (61st)	Poor connectivity - I-5 blocks access to transit and Barbur; Far from commercial services
2	Crestwood - North of I-5 (48th)	Poor connectivity - I-5 blocks access to Barbur; Far from commercial services
3	Multnomah - Linear area running north-south; west of 45th; centered on Multnomah	Poor connectivity; Areas of water and sewer constraints, and of R10 zoning; Steep slopes
4	Hayhurst - South of Beaverton-Hillsdale Highway	Poor connectivity; Areas of sewer constraints; Steep slopes
5	Bridlemile - North of Beaverton-Hillsdale	Poor connectivity; Areas of water and sewer constraints, and of R10 zoning; Steep slopes
6	Hillsdale - North of Hillsdale Town Center	Distance to frequent transit; Areas of R10 zoning; Steep slopes
7	South Portland - Macadam area between I-5 and Virginia	Limited access to Macadam; Poor connectivity; Landslide history; Steep slopes
8	Far Southwest/West Portland Park/Markham - South of Barbur/I-5	Poor connectivity; Areas of sewer and water constraints and of R10 zoning; Steep slopes
9	Hillside/Arlington Heights – West of Albermarle and south of Burnside	Steep slopes; Poor connectivity; Distance to transit

Appendix F

Historically Narrow Lots

What are Historically Narrow Lots?

Some older parts of Portland neighborhoods that are zoned R5 today have a pattern of lots smaller than the predominant 50-foot-wide by 100-foot-deep lots. While most parts of inner Portland were platted with 50-foot wide by 100-foot deep lots, surveyors in the late 1800s and early 1900s sometimes platted lots that measured 25 feet or 33 feet wide by 100 feet deep. These “historically narrow lots” could be sold individually, or in bundles depending on the buyer’s preference.

Additionally, prior to 1979, the City did not have a formal property line adjustment or land division process. This allowed portions of lots to be conveyed through property deed exchanges. In other words, a property owner could sell off a part of his or her lot by recording a deed describing the property exchange with the County. In some cases, this created properties that were less than the zoning code required for developing.

In the R5 zone, current zoning and land division rules allow 1 lot per 5,000 square feet of site area. Each lot must be at least 3,000 square feet and 36 feet wide¹. Historically narrow lots are considered sub-standard because they don’t meet these dimensional requirements. However, because they were legally created prior to the current zoning requirements, they must be recognized by the City².

People who own multiple historically narrow lots (whose underlying lot lines are denoted by dashed lines on the county tax assessor’s maps, (see figure 2) can re-establish these previously created lots through a process called a “Lot Confirmation.” A Lot Confirmation can be used to separate ownership of legally established lots that have been combined into one ownership. A Lot Confirmation takes six to ten weeks and costs about \$1,000. In contrast, a two-lot land division can take between six months to a year and cost close to \$10,000.

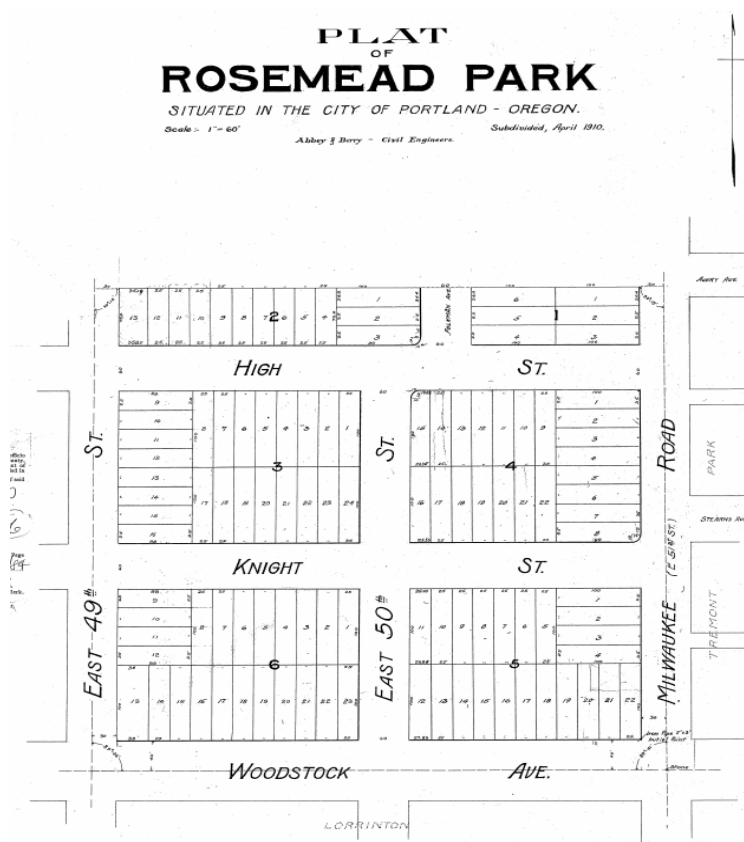


Figure 1: Plat for Rosemead Park, filed 1910. The lots in this plat are 25 feet wide, with varying depths.

¹ There are exceptions to lot dimension standards, for instance a Planned Development allows lot sizes and widths to be modified to suit unique site conditions. Alternatively, there are compatibility criteria in land divisions that allow lots to be less than 36 feet wide in the R5 zone.

² **92.017 When lawfully created lot or parcel remains discrete lot or parcel.** A lot or parcel lawfully created shall remain a discrete lot or parcel, unless the lot or parcel lines are vacated or the lot or parcel is further divided, as provided by law.

The current lot confirmation process involves a staff review of an application and supporting deed information to ensure:

- The lot was legally established;
- The lot meets dimensional requirements and conditions (in R5 this is either 3,000 square feet and 36 feet wide or, for a vacant lot, 2,400 square feet and 25 feet wide);
- Structures are not built over the underlying lot line; and
- Required parking and utilities are not being separated from the lot with the dwelling they are serving.

Other requirements that are reviewed with a land division (e.g. density, street improvements, tree preservation) are not considered because historically narrow lots were technically already “divided” for purposes of separate ownership.

After the City approves the Lot Confirmation, the County then assigns new tax lot numbers to the confirmed lots. The lots are then sellable to other owners and can be built on.



Figure 2: Tax map for lots in Rosemead Park. Tax lot numbers are 4-digits, lot numbers are 2-digits. Dashed lines show where multiple platted lots are under a single ownership.

Distribution of Historically Narrow Lots

Of the plats across the city, there are almost 16,000 tax lots containing historically narrow lots. Most these – about 94 percent – are in the R5 zone, while less than 1,000, are in the R2.5 zone.

These historically narrow lots are randomly distributed throughout the city due to platting decisions made by developers in the early 1900s. Figure 3 below shows areas of the city with concentrations of historically narrow lots. Significant numbers of historically narrow lots exist in North and Northeast Portland. Smaller concentrations exist in Southeast Portland, mostly in the Brentwood-Darlington and Woodstock neighborhoods. There are three small pockets of narrow lots in West Portland around Linnton, between Hillsdale and Multnomah Village and a large concentration in West Portland Park. Both Linnton and West Portland Park plats have had additional zoning restrictions that require larger lot sizes (i.e. 5,000 square feet in R5 zone) due to infrastructure, natural hazards and emergency access concerns.

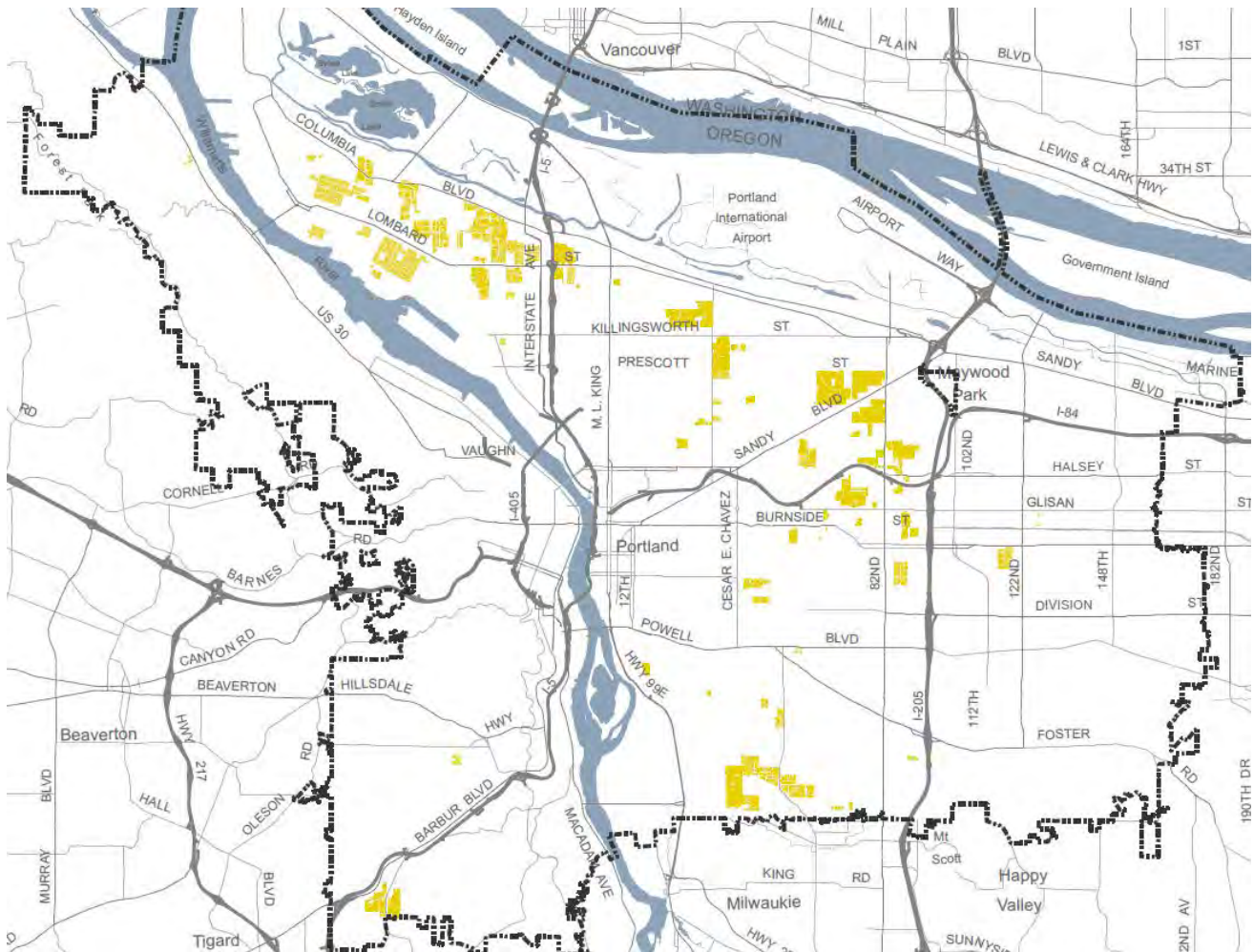


Figure 3: Map showing locations of plats with historically narrow lots in Portland.

Narrow Lot Regulations

The City of Portland's regulations for development on historically narrow lots have undergone several changes throughout the years. A short summary is provided below.

Early 20th century

In the early 1900s, pockets of land now in the City of Portland were platted as 25-foot-wide by 100-foot-deep lots. Until 1959, building houses on 25-foot-wide lots was allowed; however, most houses were built on parcels consisting of two or three platted lots.

1959 Zoning Code

In 1959, the City adopted a new zoning code establishing minimum lot sizes for residential areas. In the R5 zone, on a lot within a subdivision recorded prior to July 1, 1959, no building could be permitted on a lot with dimensions less than 4,000 sq. ft. in area, 40 ft. in width and 80 ft. in depth unless a variance was approved.

1983 Zoning Code

Minor revisions were made to the lot dimension standards so that in the R5 zone on a lot within a subdivision recorded prior to July 1, 1959, no building could be permitted on a lot with dimensions less than 3,750 sq. ft. in area, 35 ft. in width and 80 ft. in depth, unless a variance was approved.

1985 Oregon State Law

In 1985, the Oregon State Law ([ORS 92.017](#)) was changed to require cities and counties to recognize lawfully created lots as discrete pieces of property. In effect, in addition to lots that the city has approved through land divisions, the City must recognize lots created prior to July 26, 1979 as lawfully created lots, allowing them to be bought and sold. This is still the case today.

However, as was the case in 1985, the City still retains the zoning authority to determine when houses may be built on a lot. For example, while a piece of property may have existed on a separate deed record or was part of a historic plat, the City requires that the property meet certain minimum lot dimensions before a house is permitted to be built.

1991 Zoning Code

A major update to the Zoning Code was completed in 1991. R5-zoned lots that did not meet minimum lot dimension requirements (5,000 sq. ft. in area, 50 ft. in width and 80 ft. in depth) were considered “substandard lots.” An amendment was made that eliminated the minimum lot dimension standards for lots created prior to July 26, 1979. Therefore, a house could be built on any sized property in the R5 zone.

As development intensified in the 1990s, some houses were demolished and replaced with two houses on historically narrow lots. The houses were taller and narrower than existing houses. More importantly, they were built at twice the density allowed in the R5 zone. Neighbors grew concerned about demolitions and the architectural compatibility of these narrow houses.

2003 Changes to Historically Narrow Lot Rules

In August 2003, the Planning Commission recommended establishing a minimum lot size of 3,000 square feet for development on existing lots in R5. However, City Council rejected the amendment package, so development of houses on existing 25-foot-wide lots in R5 zone was still allowed.

The Council’s decision was appealed to the Land Use Board of Appeals (LUBA). Rather than await a decision from LUBA, Council voluntarily remanded their decision so they could develop a compromise proposal.

In November 2003, the Council adopted regulations to deter demolition of houses on historically narrow lots by establishing minimum lot sizes for development on existing lots, including a 3,000-square-foot minimum in the R5 zone.

In December 2003, City Council adopted a “vacant lot provision” that allowed for development on existing lots that were vacant but did not meet the recently-adopted 3,000-square-foot minimum. This meant that lots in the R5 zone that were less than 36 feet wide and 3,000 square feet could be developed if they had been vacant for 5 years. This was intended to discourage demolition while not stifling development on already-vacant sites by requiring a five-year period between when a house was demolished and the subsequent redevelopment of the underlying historically narrow lots.

Development standards applicable to narrow lot development in the 2003 code included:

- Limitations on garage width to 12 feet and requirement for living space above it,
- Requirements for materials and trims,
- Provisions for eaves, and

- Requirements for a porch and 15 percent window coverage on the front façade to orient the unit toward the street.

2004 to Present

After these changes, there have been several refinements of code language to address the architectural compatibility of narrow lot development.

Between June and December 2004, the City of Portland sponsored a design competition to facilitate the construction of architecturally compatible infill housing on narrow lots. Living Smart: Big Ideas for Small Lots received 426 entries from 22 countries and resulted in two publications that catalogued designs and site plans.

In 2005, the City selected two designs from the “People’s Choice” category and worked with the architects to develop ready-to-build plan sets for use in a new program in which developers could build these “permit-ready houses” through an expedited approval process.

In March 2006, City Council approved the two permit-ready house designs as well as amendments to the Zoning Code that would allow them to be built. These permit-ready houses could only be built on lots less than 36 feet wide outside historic and conservation districts.



Permit Ready Houses: Higgins Design



Vargas Design

The permit-ready housing program ended in 2009 due in part to decreased City resources caused by the economic downturn. Only eleven houses were built through the program between 2006 and 2009.

Today, houses built on historically narrow lots is subject to the following current development standards:

- There must be a main entrance within 4 feet of grade (this applies to all houses).
- Garages up to 12 feet wide garage are allowed (but not required).
- Building coverage is limited to 40 percent of site area.
- Height is limited to 1.5x width of house in R5 (and R2.5).
- Exceptions to development standards require design review (not adjustments).

Current Development Scenarios for Historically Narrow Lots in the R5 Zone

Figure 4 illustrates the intent of the 2003 vacant lot provision. This recognized that there were opportunities for infill development and increasing housing supply, and attempted to limit home demolitions by requiring that these narrow lots be vacant for at least 5 years. However, sometimes a house would be demolished, with a narrow house built on one side of the lot, and another built 5 years later (Figure 5).

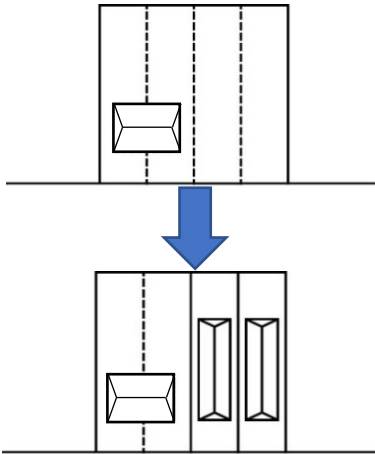


Figure 4 – Already vacant lots can develop with skinny houses.

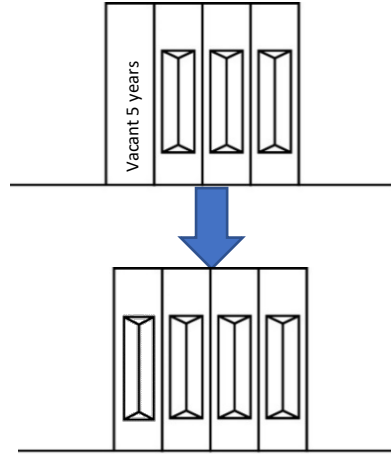


Figure 5 – Houses may be demolished and one lot can be built today, and the other 5 years later.

Figure 6 shows that when there are at least three narrow lots, a property line can be adjusted concurrently to make each property at least 36 feet wide and 3,000 square feet. When those conditions are met, the vacant lot provision does not apply because the lots are no longer “substandard.” In 2010, an exception was added to the code to allow a property line adjustment on corner lots to reduce lot sizes to 1,600 s.f. and determine the vacancy of the lot on the reconfigured lot to encourage retention of existing houses (Figure 7).

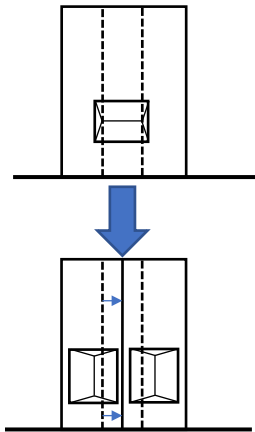


Figure 6 – By using a property line adjustment, historically narrow lots are no longer “substandard” and are not required to be vacant for 5 years.

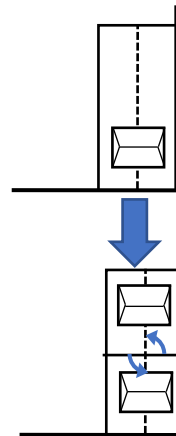


Figure 7 – Property line adjustment can also be used to rotate the lot line on a corner lot. The vacant lot provision applies to the reconfigured lot.

A Closer Look at Historically Narrow Lot Neighborhoods

Staff examined three neighborhoods with concentrations of historically narrow lots – St. Johns, Kenton, and Montavilla. These areas were studied in more detail to understand the development potential on these lots if no demolitions were to occur. The table below shows that not many vacant historically narrow lots exist – six percent in the St. Johns area (72 out of 1,279), five percent in the Kenton area (57 out of 1,193), and five percent in the Montavilla area (44 out of 966).

Proposal #12 of the Residential Infill Project Discussion Draft includes allowing property line adjustments to create flag lots when an existing house is being retained (Figure 8). This would permit an owner to create a small flag lot for a new house, as opposed to demolishing their house to create two side-by-side houses. This option provided between 8 and 10 percent of added infill opportunities.

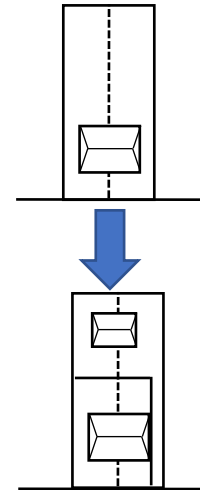


Figure 8 – Concept for allowing property line adjustments to form flag lots when retaining an existing house.

	St. Johns	Kenton	Montavilla
Number of tax lots	682	614	495
Number of underlying lots (<i>i.e. historically narrow lots</i>)	1,279	1,193	966
Number of existing houses	667	597	488
Vacant historically narrow lots	72	57	44
Percentage of vacant historically narrow lots (<i>Vacant narrow lots / Total narrow lots</i>)	6%	5%	5%
Potential flag lots	123	100	94
Percentage of historically narrow lots with flag lot potential (<i>Potential flag lots / Total narrow lots</i>)	10%	8%	10%
Combined infill potential of vacant lot/flag lot (<i>vacant lots + potential flag lots</i>)	195	157	138

Conclusion

While historically narrow lots in Portland are a product of history that were platted over a century ago, City regulations have evolved throughout the years to balance the benefits and drawbacks of developing these lots. Benefits include additional housing opportunities, including fee-simple and potentially lower cost homeownership options, and drawbacks include neighborhood concerns about architectural compatibility with existing patterns and unexpected degrees of density based on the zone.

Glossary

Buildable. A plot of land that was lawfully created and meets the applicable lot dimension to allow the construction of a primary structure (e.g. a house).

Deed. A legal document that is signed and recorded with the county recorder, especially one regarding the ownership of property or legal rights.

Historically Narrow Lot – this term is used by the Residential Infill Project to describe lots that were created prior to the City adopting formal land division rules and that are less than 36 feet wide.

Note: this term is not used in the zoning code. These lots are described as “Lots and Lots of Record Created Before July 26, 1979 that don’t meet the minimum width requirements of Table 110-6”

Lot. A lot is a legally defined piece of land other than a tract that is the result of a land division. This definition includes the State definition of both lot, (result of subdividing), and parcel, (result of partitioning). See also, Ownership and Site.

Plat. Diagrams, drawings and other writing containing all the descriptions, locations, dedications, provisions, and information concerning a land division. This term includes the State law definitions of “partition plat” and “subdivision plat”.

Tax Lot. A “tax lot” is a geographically mapped tax account and does not necessarily indicate the boundary of the lot or lot of record. The presence of a tax lot does not indicate whether that property is “buildable”.