

Residential Infill Project Summary

PROPOSED DRAFT

Shaping the future of our neighborhoods together

Portland's neighborhoods have always been places of change. In our city, it's important to work together as a community to make sure that change is for the better and includes all of us.

By 2035, Portland will grow by more than 100,000 households. The city's popularity, changes in housing demand and other factors have resulted in a housing shortage that has driven up housing costs. Also, housing market changes have made it more attractive to construct large, expensive new houses in older residential neighborhoods — even as the number of people per household is getting smaller.

To address these issues around growth and change, the City of Portland is taking a fresh look at the rules that govern the types of housing allowed in our neighborhoods. This proposal would allow more housing units to be built in residential neighborhoods, *but only if they follow new limits on the size of new buildings.*

As Portlanders, we have an opportunity to update the rules that shape our residential neighborhoods so that more people can live in them, while limiting the construction of very large new houses.

Three project topics

This project addresses these concerns through the following topics:



1. SCALE OF HOUSES

Smaller houses that better fit existing neighborhoods



2. HOUSING OPTIONS

More housing options for people's changing needs



3. NARROW LOTS

Clear and fair rules for narrow lot development

Timeline



Testify on the Proposed Draft on May 8 or May 15, 2018.

April 2018

www.portlandoregon.gov/bps/infill



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon
Ted Wheeler, 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 and basements from house size limits.
- Allow an additional .15 FAR for detached accessory structures (such as garages, sheds and accessory dwelling units).

	R7 zone 7,000 square foot lot	R5 zone 5,000 square foot lot	R2.5 zone 2,500 square foot lot	
Current code	7,650 sf (1.1 FAR)	6,750 sf (1.35 FAR)	4,375 (1.75 FAR)	
Proposed code	2,800 sf (0.4 FAR)	2,500 sf (0.5 FAR)	1,250 sf (0.5 FAR) for detached houses	1,750 sf (0.7 FAR) for attached houses
	+1,050 sf (0.15 FAR) detached structure	+750 sf (0.15 FAR) detached structure	+375 sf (0.15 FAR) detached structure	

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

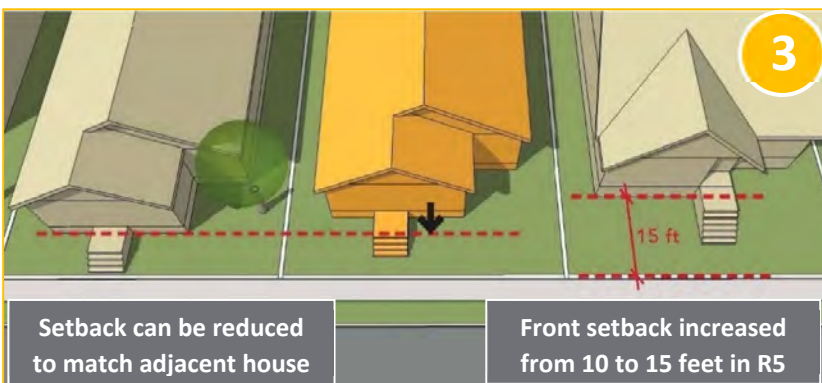
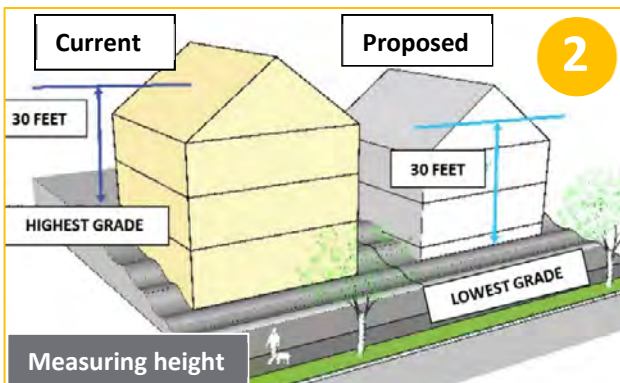
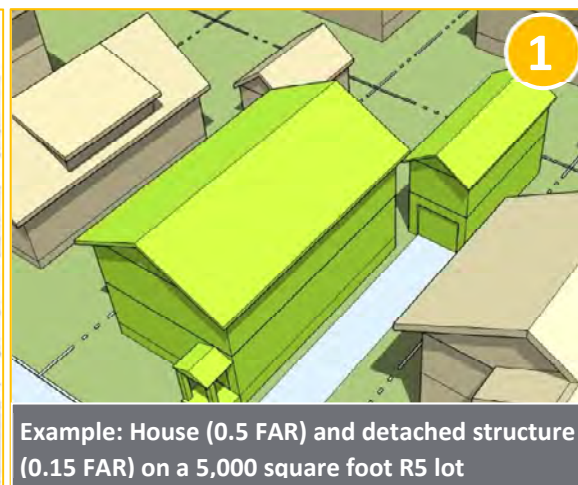
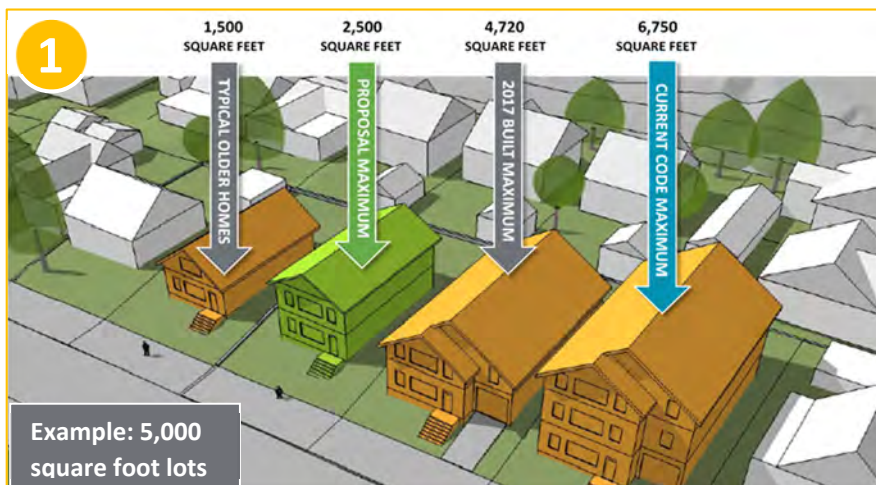
- Measure height from the *lowest* point near the house, not the *highest* point.
- Clarify that small dormers are excluded from the height measurement.
- Continue to allow 2½ story houses (30 feet high) on standard lots.

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

- Increase front setbacks from 10 feet to 15 feet in the R5 zone.
- Allow a front setback reduction to align with the house next door in R7, R5 and R2.5 zones.

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

- Limit how high the front door can be above the ground.
- Allow eaves to project up to 2 feet into setbacks.
- On a lot abutting an alley, require access from the alley when parking is provided.



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

- Allow the following additional housing types in the new ‘a’ overlay if they are no larger than a house and 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 no-step entry, wider halls and doors, and living space and bathroom on the ground floor.
- Allow the FAR for all structures to be combined for triplexes on corner lots.
- Do not require parking for additional housing types.

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

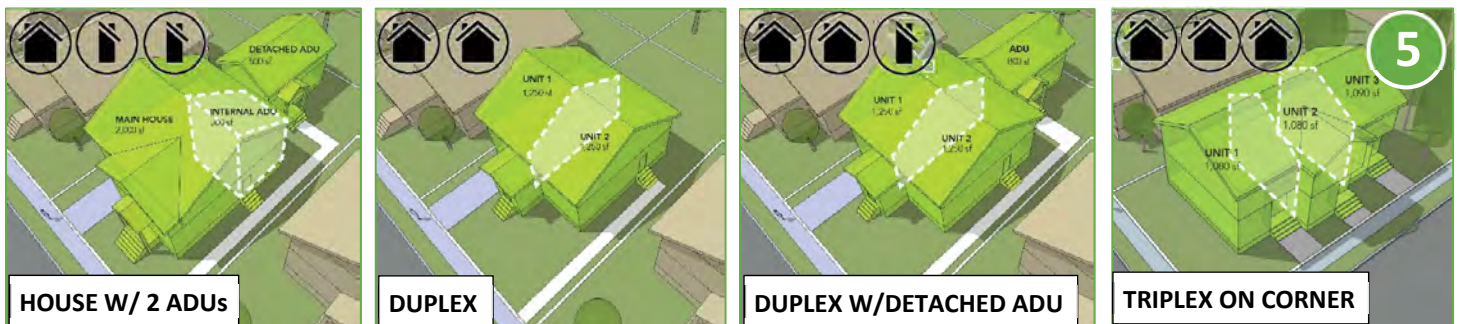
- Apply the new ‘a’ overlay to properties zoned R7, R5 and R2.5 within:
 - ¼ mile of centers, corridors with 15-minute bus service or MAX stations; or
 - Higher opportunity housing areas (with services, amenities, jobs, schools and parks).
- Reduce the new ‘a’ overlay based on infrastructure and environmental constraints.
- Reduce the new ‘a’ overlay in areas with concentrations of vulnerable populations until programs are available to mitigate displacement risk.
- 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 single-dwelling-zoned properties. Delete the current ‘a’ overlay zoning code provisions.

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

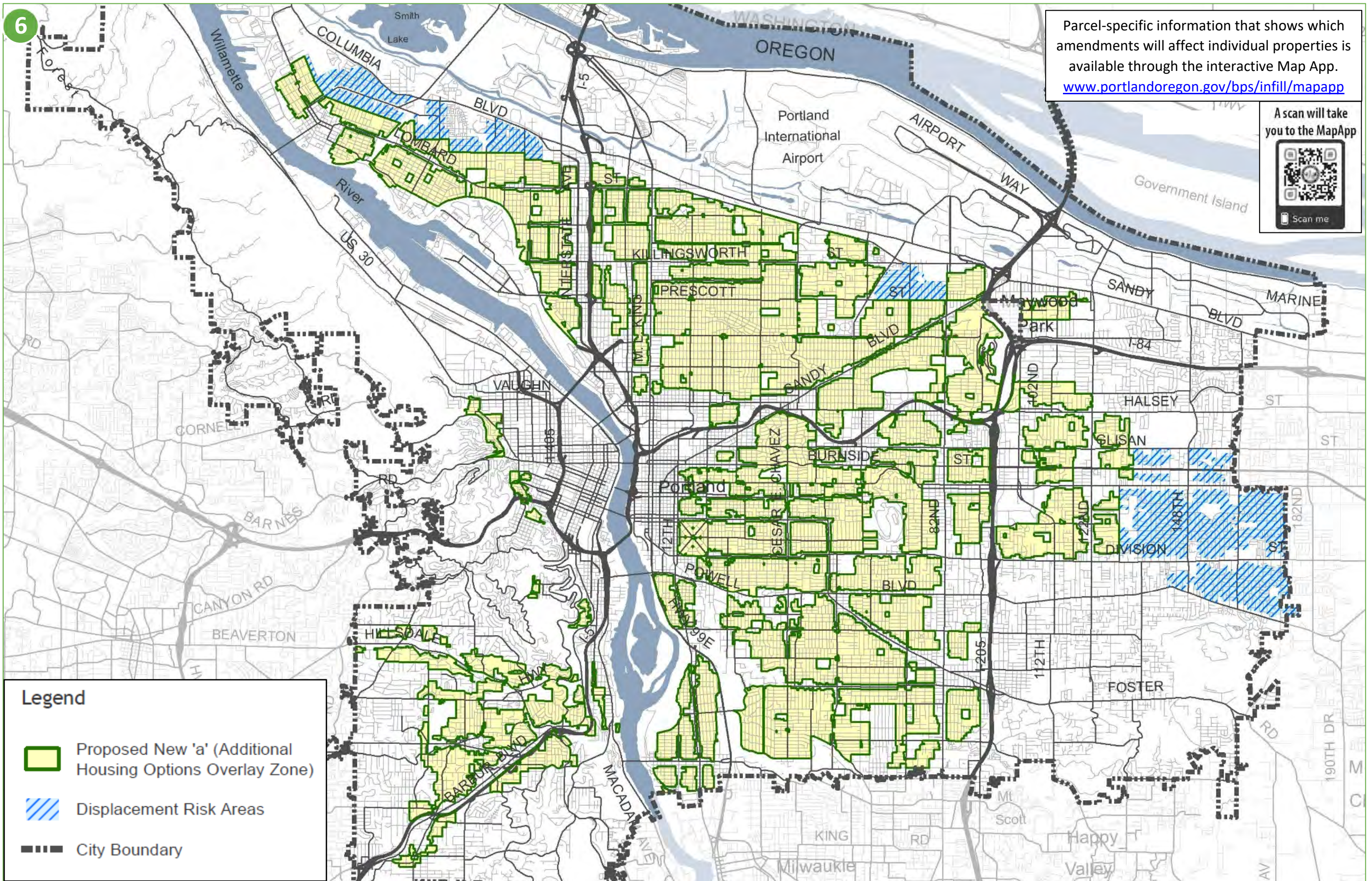
- Allow a bonus of 0.1 FAR when providing:
 - An affordable unit (up to 80 percent of Median Family Income) on site or
 - Payment in lieu of providing an affordable unit on site.
- Allow a triplex and an ADU on corner lots when one unit is affordable.
- Promote preservation of historic resources when adding units through incentives such as flexibility in housing types and the ability to combine FAR for all structures on the lot.

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

- Allow for an ADU to be built with each house on a cottage cluster site.
- Require at least half of the units to be oriented around a common open space.
- Reduce the procedure type for some cottage cluster reviews 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 and one of the units is “visitable”



NARROW LOTS

NARROW LOTS

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

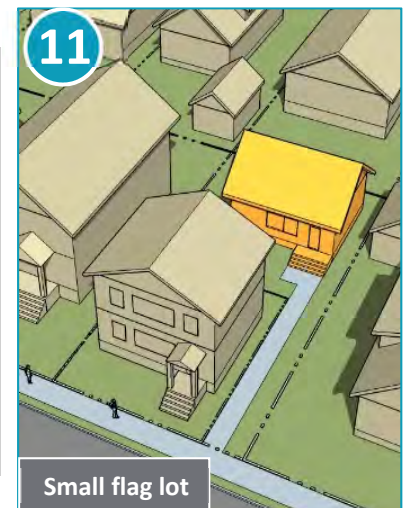
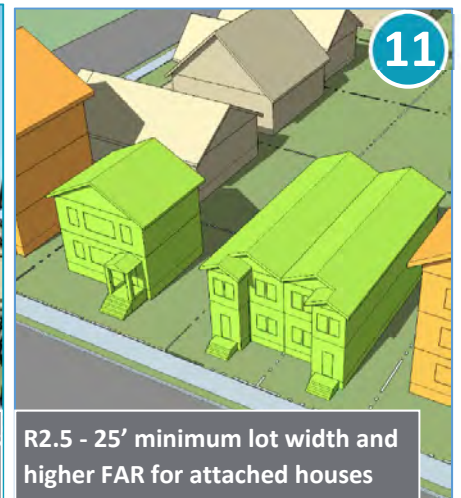
- In the new 'a' overlay, rezone historically narrow lots that have the highest access to amenities from R5 to R2.5.
- For the remaining historically narrow lots zoned R5 citywide, do not allow development unless the lot meets the minimum dimension standards for the R5 zone – 3,000 square feet and 36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

10. Improve building design for all narrow lots (less than 32 feet wide).

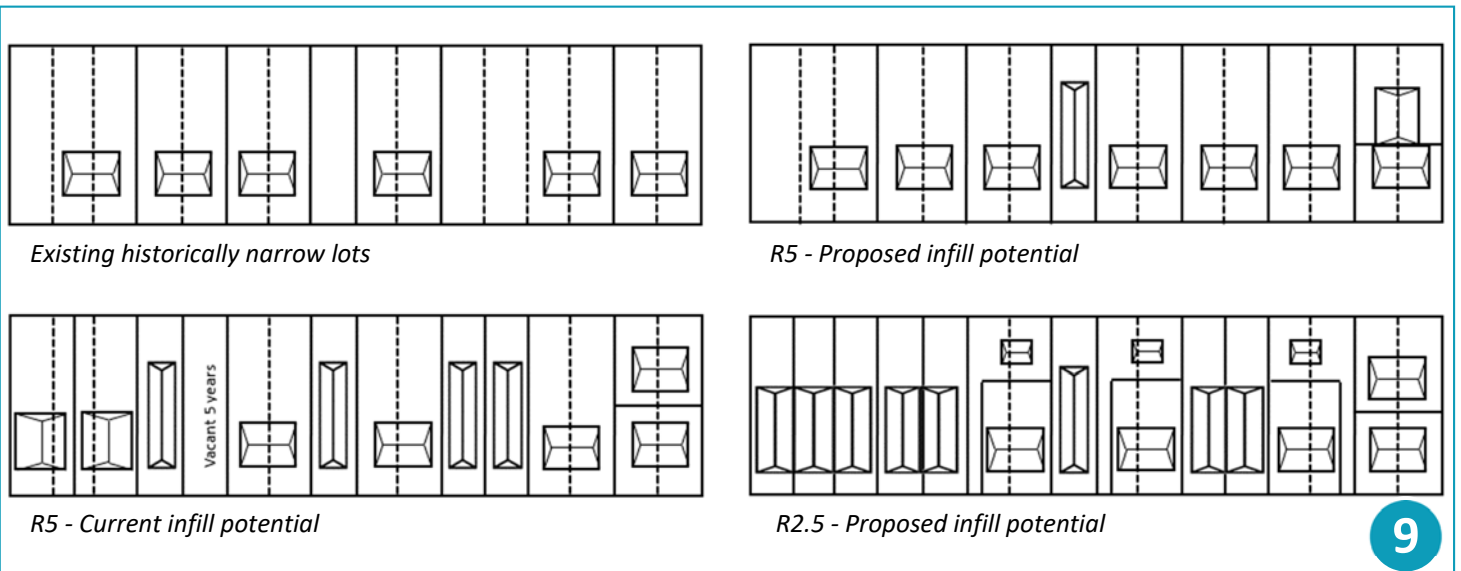
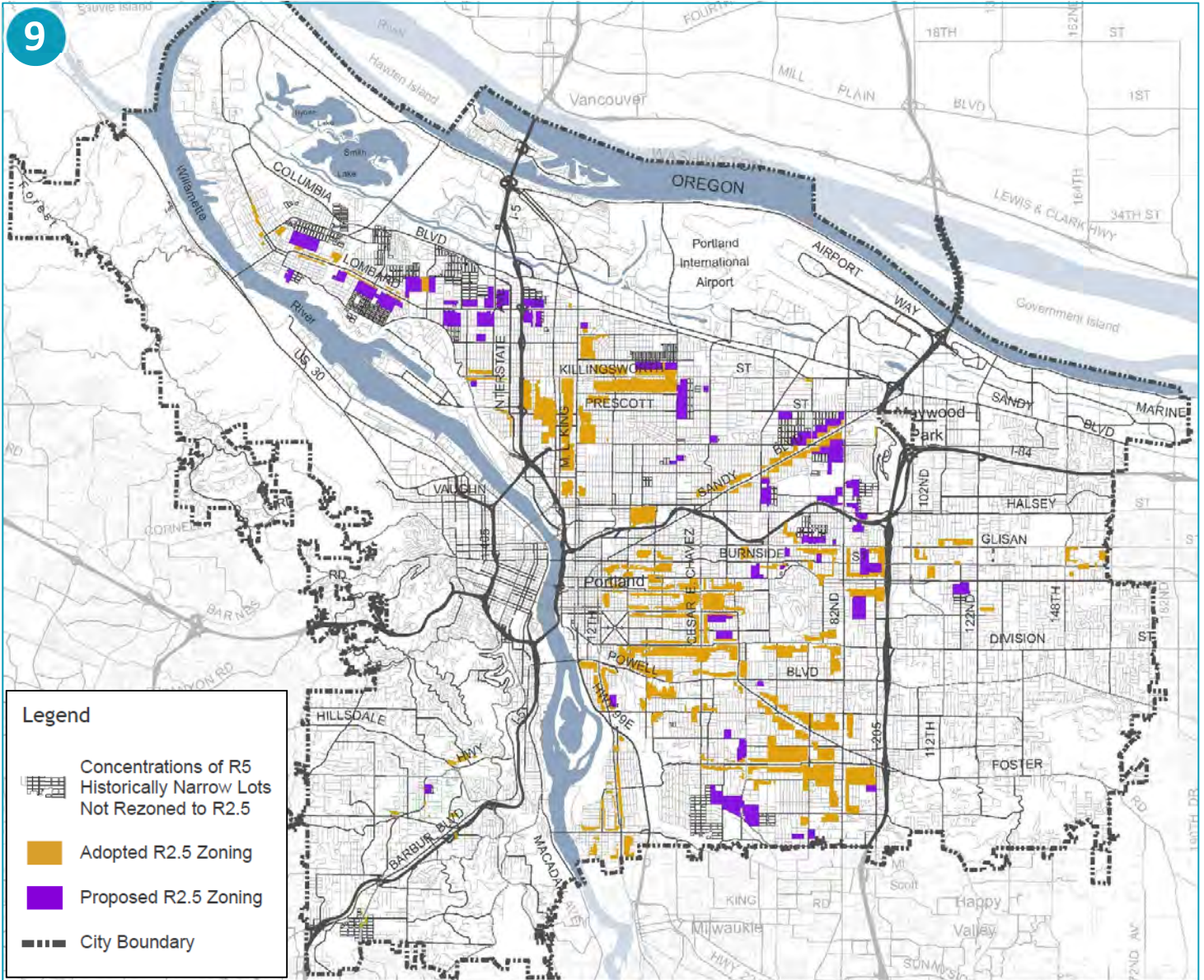
- Limit height of a detached house to 1½ times its width.
- Prohibit parking and driveways between the building and a street. Continue to allow parking behind the building.
- Require attached houses on lots 25 feet wide or narrower.

11. Revise rules for 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)



Residential Infill Project | LEARN MORE AND PARTICIPATE!

Phase I: Concept Development

The concepts for these 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, more than 7,000 people participated in an online questionnaire during 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

Staff received over 3,700 comments on the *Discussion Draft* which helped refine the *Proposed Draft*. The *Proposed Draft* includes the Zoning Code and Zoning Map amendments to implement the concepts from Phase I. This 8-page document summarizes these proposals. For additional information, refer to Volumes 1 through 3 of the staff report.

Learn more

Visit our project website and the interactive Map App on any computer, tablet or smart phone.

1. Project website: www.portlandoregon.gov/bps/infill

Get the latest news, view documents and more.

2. Map App: www.portlandoregon.gov/bps/infill/mapapp

Learn how the proposals may affect individual properties across Portland. Type in the property address to see proposed changes that may affect your property.

3. Ask staff a question. Call 503-823-0195 or email us at residential.infill@portlandoregon.gov.

Participate

Testify in person at one of the following Planning and Sustainability Commission (PSC) public hearings	Testify in writing between now and Tuesday, May 15, 2018
<p>Tuesday, May 8, 2018, at 5 p.m. 1900 SW 4th Avenue, Room 2500, Portland, Oregon</p> <p>Tuesday, May 15, 2018, at 5 p.m. 1900 SW 4th Avenue, Room 2500, Portland, Oregon</p> <p>To confirm the date, time and location, check the PSC calendar at www.portlandoregon.gov/bps/35452</p>	<p>Map App: www.portlandoregon.gov/bps/infill/mapapp Click on the "Testify" button. You can testify about a specific location or on the proposals in general. Testifying in the Map App is as easy as sending an email. Once your testimony is submitted, you can read it in real time.</p> <p>U.S. Mail: You must provide your full name and mailing address. Portland Planning and Sustainability Commission Residential Infill Project Testimony 1900 SW 4th Ave, Suite 7100 Portland, OR 97201</p>

Next steps

The next draft of the proposal - the *Recommended Draft* - will incorporate the changes the PSC makes to the Proposed Draft. The *Recommended Draft* will be forwarded to City Council for additional public testimony and hearings, deliberations, possible amendments and vote. The *Recommended Draft* should be at City Council in Fall 2018.

The Bureau of Planning and Sustainability is committed to providing meaningful access. For accommodations, modifications, translation, interpretation or other services, please contact at 503-823-7700, or use City TTY 503-823-6868, or Oregon Relay Service 711.			
Traducción o interpretación	Chuyển Ngữ hoặc Phiên Dịch	翻译或传译	Письменный или устный перевод
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Residential Infill Project

Summary of Changes Between the *Discussion Draft, October 2017* and the *Proposed Draft, April 2018*

The purpose of this document is to provide the public with a summary of what changed between the Discussion Draft, published in October 2017, and Proposed Draft, published in April 2018.

Community members provided many good ideas and astute observations and suggestions for ways to improve the proposals presented in the *Discussion Draft*. Thanks to this input, the draft presented to the Planning and Sustainability Commission – the *Proposed Draft* – is much improved.

In addition to the specific feedback we received, there were also several broad policy comments that will remain key issues for the Planning and Sustainability Commission and City Council to consider and discuss (e.g. the overlay map). Similarly, staff also heard some conflicting suggestions (e.g. size limits are too low/too high) that will continue to be discussed during the hearings process.

Below, is a summary of the more substantive changes to the proposed rules. The items in **bold typeface** are the changes reflected in the 8-page [Summary of Proposals](#).

SCALE OF HOUSES

A. SIZE LIMITS (proposal 1)

What changed?

- **For detached houses in the R2.5 zone, the maximum FAR is now the same as the maximum FAR in the R5 zone (i.e. FAR 0.5).** The higher FAR (0.7) now only applies to attached houses, which are more common on smaller-sized lots.
- The FAR limit is no longer adjustable. To gain additional square footage, one may either:
 - Pay the new affordability fee in lieu, or
 - For existing houses that are at least 5 years old—one addition up to 250 square feet is allowed in a five-year period. These incremental additions would not be limited by the FAR cap. The Discussion Draft limited incremental additions to 200 square feet and it applied to houses built prior to the FAR rules going into effect.
- A new definition for “basement” has been added. Basements are the portion of a building partly or completely below grade. A minimum of 50 percent of the total combined area of the basement walls must be below grade to be considered a basement. Floor area that meets the new definition are still excluded from FAR maximums.
- The new proposal increased flexibility for basement ADU conversions in existing houses. Now when converting a basement in an existing house, the 75%/800 square foot size limit does not apply.
- For rowhouse projects in the R2.5 zone, the FAR and building coverage is applied to the site and can be averaged for the units on the lots. This allows for greater consistency in rowhouse design.

Why?

The Discussion Draft included three maximum FAR limits that varied by the three zones. Higher FAR limits applied in zones with typically smaller lot sizes, lower FAR limits in zones with larger lot sizes. However, in the R2.5 zone, there are many lots that are 5,000 square feet or larger, and many of the proposed rezone areas include sites this large and larger. So, where an R5 zoned lot would have a maximum 2,500 sf house, the same size lot in R2.5 would have a maximum 3,500 sf house. The new proposal makes these consistent – treating a house the same whether it’s in the R5 or R2.5 zone and encourages duplexes and attached houses on these lots instead.

The Discussion Draft also included provisions that allowed FAR limits to be “adjusted” through a discretionary review process (Adjustment process). Changes to the affordable housing incentives in the Proposed Draft include the ability to pay a fee in lieu to increase the FAR (see Affordability Incentives, below). By prohibiting Adjustments to FAR limits, staff is prioritizing affordable housing over the Adjustment process

The previous draft included an allowance for homes built prior to these new rules going into effect (2019) one addition up to 200 square feet in a 5-year period. With the change to not allow FAR limits to be adjusted, we needed to increase the flexibility for longer-term adaptability and improve home retention. So the new proposal would allow any home that is at least 5 years old may make a one-time addition up to 250 s.f. every 5 years.

Staff also heard a lot about whether basements should or should not count toward FAR. Some expressed concern that their existing basement would be counted because it did not meet the 4’ depth from adjacent grade threshold. The draft is revised so that at least half of the basement area must be below grade. Since subgrade floor area does not contribute significantly to building bulk, we are proposing to exclude basements from the FAR limit.

We also heard concerns about basement ADUs where a single-level house with a basement was being converted. In some cases, the basement exceeded the size cap, requiring that the excess area be walled off or designed for use for both units. The new proposal allows conversions of basements into an ADU of any size.

Rowhouse projects in the R2.5 zone, where there are middle units between end units, have smaller middle lots. When combined with FAR and building coverage limits, these middle lots would have smaller units than the end units, which creates added complexity in building design and construction, and unnecessarily increases costs. Therefore, the new proposal is for FAR and building coverage to be calculated on the whole project, rather than by individual lot.

B. SETBACKS AND BUILDING DESIGN (proposals 3 and 4)

What changed?

- **The front setback in the R2.5 zone is no longer proposed to be increased from 10 feet to 15 feet.**
- **The facade articulation requirements were removed.**
- **The limit on maximum number of front steps was replaced with the front door being a maximum of 4' above grade.**
- The reduced setback matching only applies to the dwelling unit, not the garage, and only for properties in the same base zone.
- The proposal consolidated the measurement method for low and steep pitched roofs.

Why?

R2.5 lots are typically smaller (2,500 sf on average, 1,600 sf minimum) and can be as shallow as 40 feet. Increasing the front setback on these lots directly impacts the ability to site a house on the lot and nearly forces the rear yard to be 5'.

The façade articulation rules required that large street facing building planes (over 500 square feet) be broken into smaller distinct areas. Upon subsequent research, we found only one instance where this requirement would have applied, and this was on a building that was far in excess of the proposed FAR limits.

We heard feedback that the limitation on front steps could lead to much taller and steeper steps. There was also concern that the rules could be easily circumvented. The intent is to limit how far the front door or porch sit above the grade. The standard was modified to limit this distance rather than the number of steps.

The ability to reduce setbacks to match an adjacent lot was clarified to exclude reducing garage entrance setbacks, as there are potential visibility and safety concerns resulting from short driveways. Also, clarity was added that the adjacent lot had to be in the same base zone, since different zones can have smaller setbacks (e.g. a commercial zone with 0' front setback).

The proposed changes to roof measurements treat shallow and steep gabled roofs the same, consistent with building code methodology. While steeper pitched roofs may be taller, in conjunction with the FAR limits the building profile is less bulky in appearance than buildings with lower-pitched roofs.

C. ACCESSORY STRUCTURES (not described in the summary)

What changed?

- Limiting height for detached accessory structures to 4' above the height of the house, or 20 feet, whichever is less.
- Changed how rules apply to accessory structures that are not attached to the house with a common wall or a shared floor/ceiling. (i.e. attached via only a breezeway)

Why?

We heard a lot of concerns about the size of these backyard structures becoming more prominent than the primary structure. Allowing for backyard “accessory” structures to dominate the primary structure negates the relationship between these two buildings and breaks from a more traditional form. Therefore, the new proposal maintains this relationship by relating the height of the detached accessory structure to the primary structure. A small additional increment of height is less perceptible and allows for greater flexibility to address siting, design and modern construction method issues

Detached accessory structures are regulated differently than attached accessory structures (like a garage). The new proposal provides additional clarification of what is an attached versus detached accessory structure.

- Detached structures (including structures attached but don't share a wall or floor/ceiling with the primary structure) are limited in height and building coverage. They have added flexibility for reduced setbacks and there is an additional .15 FAR allowed
- Attached structures (that share a wall or floor/ceiling with the primary structure) can be up to the max height for the base zone (typically 30') and do not have exterior material limits, but are subject to setbacks and are included with the FAR for the primary structure.

D. PARKING – SEE LAST TOPIC

HOUSING OPTIONS

A. HOUSING TYPES (proposal 5)

What changed?

- **The visitability standards now require a no-step entry, rather than an option between low-step and no-step entry. The bathroom standards were also modified.**
- The minimum lot size requirements for duplexes and triplexes were consolidated.

Why?

The visitability requirements have been changed to reflect feedback related to the barrier that even a single step presents for those with mobility impairments. The change now means that when there are three units on a site, one of the units must be accessed with no steps.

The other visitability standard change provides for a more flexible bathroom configuration in recognition of smaller bathroom spaces in smaller sized units. The other “T-shape” clearance option supplements the previous “circle” clearance standard.

The Discussion Draft included three sets of lot sizes, depending on whether there was a house, a duplex or a triplex on the lot. To reduce complexity, lot sizes for duplexes (with or without an ADU) and triplexes were consolidated. The current smaller lot size requirements continue to apply for single houses (with or without an ADU).

B. ‘a’ OVERLAY ZONE MAP (proposal 6)

What changed?

- **Modest reductions were made to the overlay boundary to remove medium and high value Natural Resource Inventory (NRI) areas.**
- **Modest increases in the overlay boundary were made in the Northeast quadrant.**
- **Displacement Risk Areas continue to be outside the overlay boundary, but programs are proposed to bolster the City’s anti-displacement efforts.**

Why?

The Natural Resource Inventory (NRI) inventories areas that have natural resource value but are not necessarily included in the current environmental zones. Where this situation was present, the ‘a’ overlay was removed from these environmentally-sensitive properties.

In a small area of northeast Portland, the overlay was extended to fill a gap to make a more consistent and logical boundary.

With the Discussion Draft, staff identified the areas with concentrations of communities vulnerable to displacement, and showed these areas as not being included in the ‘a’ overlay. We heard from many housing advocates and community members within these areas who shared this concern but didn’t think that this was the appropriate approach. They argued that the risk of displacement can and should be mitigated through a programmatic approach. As current programs do not address the unique needs

of renters and homeowners across all single-dwelling zones, the proposal continues to exclude these areas but calls for the establishment or bolstering of housing and anti-displacement programs.

More information about the overlay mapping decisions is also included in [Appendix F](#).

C. AFFORDABILITY BONUS (proposal 7)

What changed?

- **Instead of earning one bonus unit by providing all the units as affordable units, three options are proposed:**
 - **Earn extra FAR by providing one affordable unit**
 - **Earn extra FAR by paying a fee-in lieu of providing one affordable unit**
 - **Earn a bonus unit and FAR on a corner lot (4 total) when the 4th unit is affordable.**

Why?

The previous affordability bonus allowed four units on any lot when all four of the units were affordable to those making up to 80% of the median family income. We heard from housing advocates that this bonus was not workable. We additionally heard concerns about the effect of not allowing for affordable family size units. We also heard concern about allowing four units on a lot.

The first option allows earning extra FAR by providing an affordable unit. This provides more space to create family-sized units, as well as make the overall project more economically feasible. By requiring that only one unit be affordable, this permits the market rate units to help offset the costs of the affordable unit.

The second option offers the ability to buy up FAR by paying a fee in lieu of providing an affordable unit. This generates funds that can be used to support housing programs or supplement affordable housing subsidies to create those units elsewhere.

Finally, we limited the 4-unit option to corners because on non-corner lots we heard concerns about the inability to orient 4 units to the street, meaning that the units were more likely to be oriented to the neighboring lot, negatively impacting privacy and having fewer opportunities for separation for light and air. Corner lots with their larger street frontages make this more feasible.

D. PARKING – SEE LAST TOPIC

NARROW LOTS

A. REZONING FROM R5 TO R2.5 (proposal 9)

What changed?

- In the Northeast District the R2.5 proposal was removed in two areas: the first lots south of Ainsworth from 22nd to 33rd; and in the Cully Neighborhood north of Sandy
- In the North District the R2.5 proposals were taken out of a 3 ½ block area south of Kenton Park to Terry west of Brandon.
- The only new R2.5 zoning proposed is in 4-block area between Tillamook and Rose City Golf Course and I-84 from 74th to 78th.

Why?

Along the Ainsworth park blocks staff wanted to keep the zoning consistent on both sides of this promenade. So the current R5 zoning was left in place. In select other areas, the previous rezoning proposal extended farther than 2-3 blocks, and this has been corrected. Near the Rose City Golf Course, a 4 block area was added as this area has access to good neighborhood amenities including multiple transit options along 82nd (e.g. MAX Light Rail 82nd station, bus)

More information about the R2.5 rezone mapping decisions is also included in [Appendix G](#).

B. DESIGN OF NARROW LOTS (proposal 10)

What changed?

- **Simplify rules by considering narrow lots to be those less than 32 feet wide, rather than 36 feet wide.**
- Attached houses will now be required in more cases.
- The requirements for material finishes, trim, and eave requirements were removed.
- The Lot Confirmation process was substantially revised.

Why?

Houses that are at least 22 feet wide can accommodate a garage without adversely affecting the visual connection between the dwelling and the street. A 22-foot wide house with 5-foot side setbacks on each side equals 32 feet. Also, the house height to width relationship maintains proportions when the house is at least 20 feet wide. Therefore, lots wider than 32 feet do not necessitate special additional treatment or restrictions.

Attached houses will be required on any lot that is 25 feet wide or less. There is an exception if there is existing development that precludes an attached house. However, on a vacant narrow lot that abuts another 25-foot wide vacant lot, an attached house will be required (even if the lots are under separate ownership).

Material finish requirements were removed from the narrow lot standards. These standards primarily applied to narrow lots in the R5 zone. With the changes that restrict building on substandard R5 narrow

lots, the applicability of these standards is greatly reduced. Therefore the standards were no longer deemed necessary.

The Proposed Draft includes a Lot Confirmation chapter to address the need for a process to separate historically narrow lots into separate tax accounts. 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 and ownership status of the lot over time, and an examination of some development standards to ensure the separation of a site does not create non-conforming situations. This process 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.

B. PARKING – SEE LAST TOPIC

PARKING RULES (proposals 4, 5 and 10)

Parking rules are summarized in all three project topics – scale of houses, housing options and narrow lots. This document consolidates the changes proposed into this section because the reasons for the changes are similar across topics.

What changed?

- **Alleys** -- Parking is not required on lots abutting an alley. **Access from the alley would be required when parking is provided.**
- **'a' overlay** -- **Parking is not required for the additional housing types (house with two ADUs, duplex, duplex with one detached ADU, or triplex on corner lot) in the 'a' overlay.** .
 - A house or a house with one ADU would still have to provide one parking space UNLESS it is within 500 feet of transit (with 20-minute peak headways) or is on an alley.
- **Narrow lots** -- **For narrow lots (less than 32 feet wide), parking is not required. Parking and driveways are prohibited between the building and a street. Parking to the side, between or behind the building is still allowed.**

Why?

Staff heard a lot of concern about the proposed allowance for tuck-under garages on narrow lots. There are many community goals that relate to parking and its impacts, and there are a number of tradeoffs. The negative impacts that parking can have mean it doesn't make sense to *require* parking in every situation.

- Building parking adds costs – it can add thousands of dollars to construction costs – so not requiring parking could mean less expensive homes.
- While on-site parking is more convenient to the residents, not every resident needs or desires to pay the added cost to have parking.
- Accounting for a single car driveway, curb cut and driveway aprons, providing an on-site parking space removes an on-street parking space.

- On street parking can be utilized more efficiently by more users throughout the day, whereas an on-site parking space may sit unused most of the day.
- Frequent curb cuts, and tuck-under parking with steep slopes create more potential conflicts making the sidewalk less safe for people walking.
- More parking means less room for street trees, yards, and landscaping, and more impervious area that affects stormwater infiltration.
- Garages taking up the front of a house can lead to a poor visual connection between the house and the public realm and fewer “eyes on the street.”
- Tuck-under parking, the only possible configuration in some situations, adds to the building height and overall apparent bulk of the house.
- Less convenient parking alternatives reinforces support for active transportation alternatives and transit use. The ‘a’ overlay is partly based on proximity to frequent transit as well as areas near services and amenities.

We heard that in combination with other requirements like setbacks, building coverage limits, outdoor area requirements and limits on how much of a façade a garage can occupy, requiring parking for a duplex or triplex could make those projects less feasible.

Parking continues to be required for a single house or a house with an ADU (the housing types that are allowed today). This, coupled with making parking optional for duplexes and triplexes, encourages the construction of these other housing types that can accommodate more families.

Residential Infill Project

AN UPDATE TO PORTLAND'S
SINGLE-DWELLING ZONING RULES

PROPOSED DRAFT
APRIL 2018

VOLUME 1: STAFF REPORT AND MAP AMENDMENTS

Submit testimony to the Portland Planning
and Sustainability Commission by May 15, 2018
See inside cover for more information



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



The Residential Infill Project is updating Portland’s single-dwelling zoning rules to meet the changing needs of current and future residents.

For more information:

Visit the project website www.portlandoregon.gov/bps/infill

Email the project team Residential.Infill@portlandoregon.gov

Call the helpline 503-823-0195

Para obtener más información, por favor llame al 503-823-0195.

如需更多資訊，請致電：503-823-0195。

За дополнительной информацией обращайтесь по номеру 503-823-0195.

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Call the helpline at 503-823-0195 for more information.

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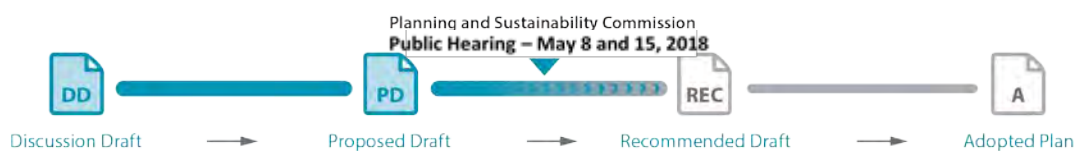
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How to Testify

The Residential Infill Project will be considered by the Portland Planning and Sustainability Commission (PSC). The public is invited to submit formal comments (called public testimony) to the PSC in writing, in person at a public hearing or online. Testimony on the **Proposed Draft** is directed to the PSC, which may amend the proposal and subsequently vote to recommend the changes to Portland City Council. This is then called the **Recommended Draft**. The public will also have an opportunity for formal testimony on the **Recommended Draft** when that draft is reviewed by City Council.

Testify in person at one of the following Planning and Sustainability Commission (PSC) public hearings	Testify in writing between now and Tuesday, May 15, 2018
<p>Tuesday, May 8, 2018, at 5 p.m. 1900 SW 4th Avenue, Room 2500, Portland, Oregon</p> <p>Tuesday, May 15, 2018, at 5 p.m. 1900 SW 4th Avenue, Room 2500, Portland, Oregon</p> <p>To confirm the date, time and location, check the PSC calendar at www.portlandoregon.gov/bps/35452</p>	<p>Map App: www.portlandoregon.gov/bps/infill/mapapp Click on the "Testify" button. You can testify about a specific location or on the proposals in general. Testifying in the Map App is as easy as sending an email. Once your testimony is submitted, you can read it in real time.</p> <p>U.S. Mail: You must provide your full name and mailing address. Portland Planning and Sustainability Commission Residential Infill Project Testimony 1900 SW 4th Ave, Suite 7100 Portland, OR 97201</p>

Next Steps:



The next draft of the proposal – the *Recommended Draft* – will incorporate the changes the PSC makes to the *Proposed Draft*. The *Recommended Draft* will be forwarded to City Council for additional public testimony and hearings, deliberations, possible amendments and vote. The *Recommended Draft* should be at City Council in Fall 2018.

Acknowledgements

City Council

Ted Wheeler, Mayor
Chloe Eudaly
Nick Fish
Amanda Fritz
Dan Saltzman

Planning and Sustainability Commission

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Michelle Rudd, Vice Chair
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Consultants

Envirolissues – Facilitation/Public Engagement
DECA Architecture, Inc. – Architectural models
Dyett and Bhatia – Urban and Regional Planners
Johnson Economics, Inc. – Economic Analysis

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- Appendix C:** *Use of Floor Area Ratios (FARs) in Single Family Zoning*, Dyett & Bhatia Urban and Regional Planners, June 2016
- Appendix D:** R2.5 Catalogue of 2015 New Single Family House Permits, BPS Staff, 2017
- Appendix E:** *Visitability Best Practices*, Alan DeLaTorre. Ph.D., Alex Freeman, and Matthew Wadleigh (Portland State University), June 27, 2017
- Appendix F:** Map Refinements to ‘a’ Overlay Zone by District, BPS Staff, 2018
- Appendix G:** R2.5 Zone Changes by District, BPS Staff, 2018
- Appendix H:** Portland’s Historically Narrow Lots, BPS Staff, 2017

Section 1: Introduction

As Portlanders, we have an opportunity to update the rules that shape our residential neighborhoods so that more people can live in them, while limiting the construction of very large new houses.

Portland's success is tied to the continued vibrancy and diversity of our neighborhoods.

These are the places where we spend time with friends and family. Where we join our neighbors for block parties, host barbeques in the backyard, and chat with the mail carrier. Where we walk our dogs, take our kids to school and grab a coffee. These interactions make our communities stronger and safer.

As a city and community, we're committed to increasing access to these great neighborhoods, while expanding economic opportunities for households and reducing our impact on the environment.

These decisions are particularly important because **Portland's population continues to grow**. By 2035, the number of households in the city will increase by more than 100,000. That's roughly 200,000 new residents — or 30 percent more people than live here today.

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 persons today to 2.1 in 2035). But despite shrinking households, there are few options for smaller households to live in residential 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 **the construction of very large homes** that are 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 residential 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.

Over the past two years, the Bureau of Planning and Sustainability has engaged Portlanders in the development of proposed changes to our residential zoning rules through online surveys, open houses, public hearings and e-mail updates, resulting in more than 15,000 comments and responses.

The proposal being considered by the Planning and Sustainability Commission and then the Portland City Council reflects feedback from this public engagement process. In the coming months, Portlanders will have additional opportunities to share their feedback through public testimony.

Why is it important to revisit the zoning code for residential neighborhoods?

By updating the rules that govern the types of housing allowed in our neighborhoods, we have an opportunity to accomplish two main goals:

- 1) Limit the size of new houses to bring them more in line with existing homes.
- 2) Expand housing choices in residential neighborhoods.

Just as important as the *amount* of housing in the city is *where* that housing is located. If adopted by City Council, the proposed rule changes would expand housing choices in neighborhoods that have good access to transit, jobs, schools, shops and parks. The proposal allows more housing units to be built in these residential neighborhoods, *but only if they follow the new limits on the size of new buildings.*

Why this is important

The rules that govern the types of housing allowed in our neighborhoods also affect who can live there. These rules are meant to be adapted to suit the evolving needs and values of our communities.

Currently, on many lots home builders can build houses up to 6,750 square feet for just a single family. This proposal would allow for a new structure to include two separate units, but the entire structure must stay under 2,500 square feet on a typical lot. On corner lots, new structures would be allowed to include three units. The proposal also includes incentives for building affordable housing and preserving historic structures. Finally, the zoning on some narrow lots is updated to allow for improved housing options in high-amenity neighborhoods.

Together, these new rules help increase housing options — in the form of accessory dwelling units (ADUs), duplexes and triplexes — in our residential neighborhoods which allow more people to live in them while also limiting the construction of very large houses.

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 proposal to update zoning rules in residential neighborhoods 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 residents. The proposals were evaluated in terms of whether, how and where 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 additional 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 mapping proposals.

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. This proposal offers amendments to some of the Comprehensive Plan's most important implementation tools — the Zoning Code and Zoning Map. In addition, the proposal would 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 proposed residential zoning changes help 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.

The proposal 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 options, 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 continued in the *Discussion Draft* phase. Specific measures, described 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 proposal furthers this principle in several ways. It 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 by placing housing in areas with active transportation and transit options.

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.

The proposal 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 R5 and implementing a new floor area ratio (FAR) tool, the proposal better accommodates sustainable stormwater solutions and provides options for 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, 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.

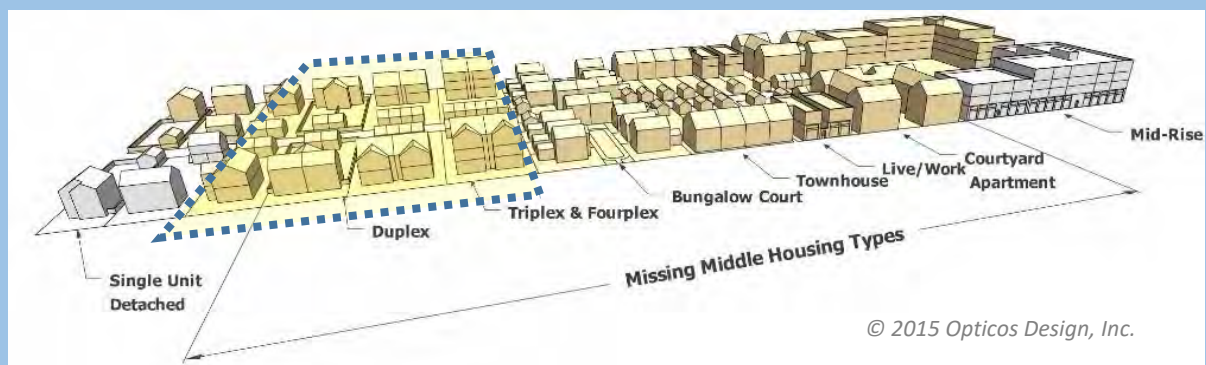
A paradigm shift toward more “middle” housing

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. 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 provide 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 means more variety in unit prices and living arrangements, and thus a better chance to find a house in a location and at a price that meets a wider range of needs. Additional housing 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 the 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.



This proposal 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

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.

We are currently in Phase II. In Fall of 2017 the public reviewed and provided comment on the staff's proposed zoning code and map amendments (the *Discussion Draft*). The proposals in this draft – the *Proposed Draft* – reflect comments received during the public review period and will be considered by the Planning and Sustainability Commission (PSC) in public hearings on May 8 and May 15, 2018.

Phase I: Concept Development

Public involvement from July 2015 to December 2016

Stakeholder Advisory Committee (SAC)

In September 2015, former 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, 13 members-at-large 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 online questionnaire responses were received between December 9, 2015 and 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. 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;
- 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.

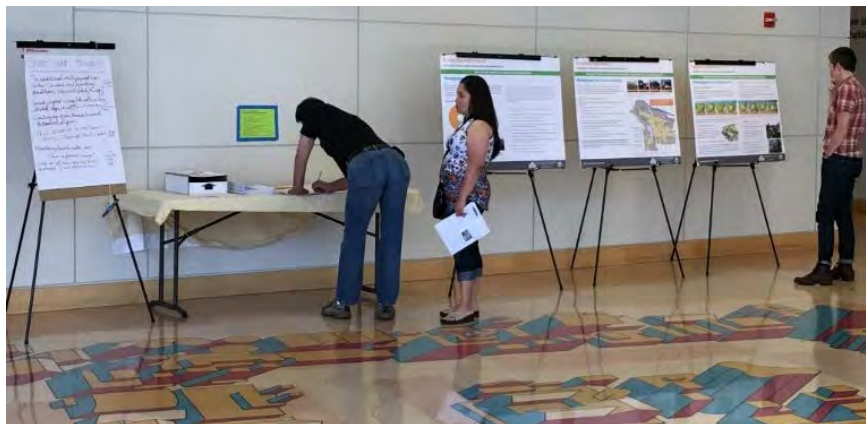
Staff used the feedback to refine the concepts in the Recommended Concept Report to City Council published on October 17, 2016.

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 former Mayor Charlie 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

Public involvement from October 2017 through project completion

There will be three periods for public review and input during Phase II: the public *Discussion Draft*, the *Proposed Draft* to the Planning and Sustainability Commission (PSC), and the PSC's *Recommended Draft* to City Council.

Comments received during the *Discussion Draft* public review period have informed the *Proposed Draft*, which is staff's proposal to the Planning and Sustainability Commission (PSC). The PSC will hold hearings (May 8 and 15, 2018) and consider public testimony as they provide their recommendations (in the *Recommended Draft*) to City Council. City Council will hold additional public hearings in the Fall of 2018 before making a final decision.

Discussion Draft Public Review

The public review period for the Residential Infill Project *Discussion Draft* was from October 3 to November 30, 2017. During this time the public had opportunities to learn about the proposals at a kick-off meeting and six drop-in events throughout the city. Staff also presented the proposals at various community meetings and had numerous conversations with groups and individuals through email and phone inquiries. In addition, an interactive online Map App was available that showed parcel-specific information about how the proposals would affect specific properties.

Comments were submitted via mail, email or online using a comment form on the project website. A [What We Heard Summary Report](#) is included on the project website which describes the range of feedback that staff received, along with an [appendix](#) that includes all comments received.

By the numbers

- **433** people submitted **3,425** comments through the online and paper comment forms
- **249** emails were sent to project staff
- Staff received **46** letters from organizations or groups which included nonprofits and advocacy groups, public-sector agencies and commissions, coalitions of for-profit housing developers, business interests and neighborhood associations and district coalitions.
- **36** comments were written on a lobby exhibit in the 1900 Development Services Building

How we got the word out

- News blogs featured on the Residential Infill Project website
- Monthly email updates were sent to the project mailing list (over 1,000 email address as of January 2018) to provide project updates and public input opportunities.
- BPS and Bureau of Development Services E-newsletters
- Posts by BPS on NextDoor, Twitter, and Facebook (many of which were shared by others)
- Articles in local newspapers (including *The Oregonian*, *Daily Journal of Commerce* and *Portland Tribune*)
- Media coverage on local TV news stations and local radio programs
- BPS project staff provided updates to neighborhood associations and other community groups

Proposed Draft to Planning and Sustainability Commission

The *Proposed Draft* was posted on the project website on April 2, 2018 — 5 weeks before the PSC’s first public hearing on May 8, 2018. As part of the *Proposed Draft* publication and legislative process requirements, the following legal notices are also being sent:

- **Form 1 Notice**
Sent to the Department of Land Conservation and Development (DLCD)
- **Legislative Notice** (~1,000 notices)
Sent to interested parties, recognized organizations, affected bureaus, TriMet, Metro and ODOT and published in the *Daily Journal of Commerce*
- **Measure 56 Notice** (~135,000 notices)
Required by Ballot Measure 56, this notice was sent to owners of each lot or parcel of property where there is a proposed change to the base zoning of the property or where there are limits or prohibition of land uses previously allowed in the affected zone.

In addition to these legal requirements, information about the PSC hearings will be featured in blog posts on the project website, e-updates to project mailing list, media releases and posts by BPS on NextDoor, Twitter and Facebook.

For more information about PSC hearing dates and how to provide testimony, please see the inside cover of this report.



Recommended Draft to City Council

After the Planning and Sustainability Commission considers public testimony, they will decide whether and what changes are necessary to include in their recommendation to the City Council. City Council is tentatively scheduled to hold public hearings on the PSC’s *Recommended Draft* in Fall of 2018.

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 options** 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 12*
2. Revise how height is measured. *Page 15*
3. Improve front setbacks to better reflect those of adjacent houses. *Page 17*
4. Improve building design. *Page 18*

Housing Options

5. Create a new Additional Housing Options overlay zone – the new ‘a’ overlay zone. *Page 19*
6. Apply the new ‘a’ overlay zone in select areas. *Page 23*
7. Provide incentives for affordable housing and historic preservation. *Page 26*
8. Encourage more cottage cluster development. *Page 30*

Narrow Lots

9. Rezone some historically narrow lots from R5 to R2.5. *Page 32*
10. Improve building design for all narrow lots. *Page 35*
11. Revise rules for the R2.5 zone. *Page 38*

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. By 2035:

- Portland will grow by more than 100,000 households. About 20 percent 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, Zoning Map and Comprehensive Plan 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 and basements from house size limits.
- Allow an additional .15 FAR for detached accessory structures (such as garages, sheds and accessory dwelling units).

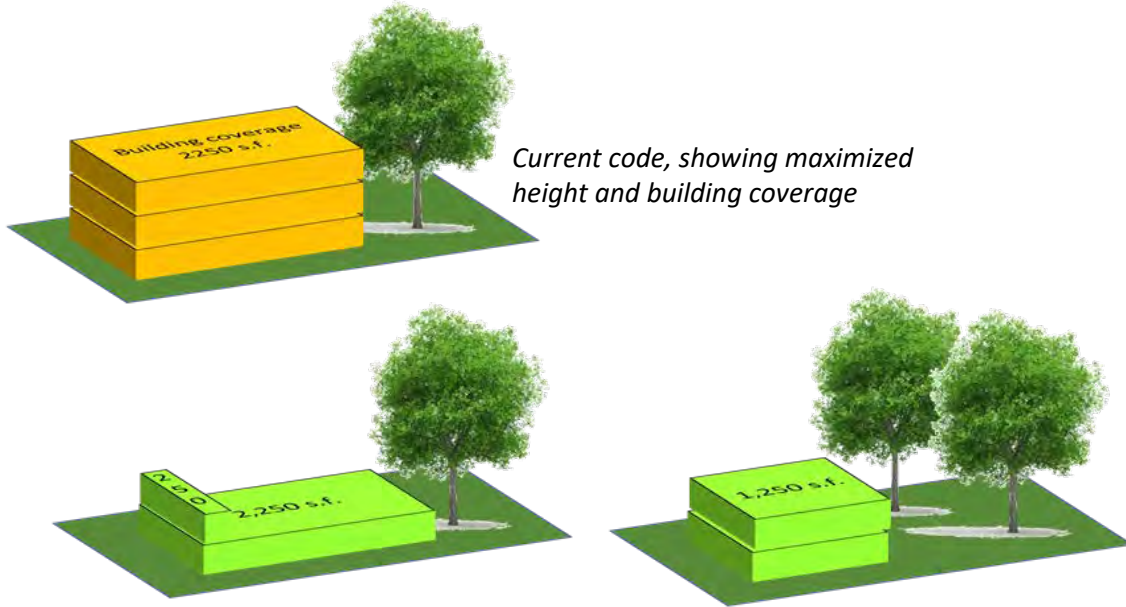
What is the intended benefit?

Using FAR is intended to **prevent disproportionately large buildings, while retaining flexibility** that does not create an undue barrier to new development or remodels. Other approaches like reducing building coverage, lowering heights and increasing setbacks 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 less flexible for subsequent additions. 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 versus 45 percent on a 5,000-square-foot R5-zoned lot). For example:



Proposed FAR creates a choice: spread out, or stack up.

	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 FAR.</i>		6,750 square feet <i>This is roughly 1.35 FAR.</i>	7,650 square feet <i>This is roughly 1.1 FAR.</i>
Proposed Code maximum size	Detached 1,250 square feet <i>Maximum 0.5 FAR</i>	Attached 1,750 square feet <i>Maximum 0.7 FAR</i>	2,500 square feet <i>Maximum 0.5 FAR</i>	2,800 square feet <i>Maximum 0.4 FAR</i>
<i>Images: Current limit (house on left) vs. proposed limit (house on right) in each zone</i>				

What else about the proposal should I know?

An additional 0.15 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 interior lots.

The calculation of total floor area does not include basements (floors where at least 50 percent of the combined wall area is below grade) or portions of attics where the ceiling height is less than 80 inches (the minimum height required by the building code to be considered “habitable space”). Additional FAR may be granted to some projects in conjunction with meeting affordability requirements (see Proposal 7). Consequently, the ability to modify FAR limits through an adjustment process would be prohibited.

Existing houses (those older than five years) will be allowed one addition up to 250 square feet in a five-year period 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.

In the R2.5 zone, there are different FAR limits proposed for attached (0.7) versus detached (0.5) homes. In addition to providing an incentive for attached homes, this also responds to the areas proposed for R2.5 zoning (see Proposal 9) where many homes sit on 5,000-square-foot lots. Without this differentiation, homes up to 3,500 square feet would be allowed on those lots.

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 citywide data available. This comparison shows that while many of the new houses being built today surpass the proposed FAR limits, most of the housing stock – older, existing houses – would fall within the proposed limits.

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
Permits above the proposed FAR	51%	76%	59%
<i>Includes data for habitable area only, excluding low attics, utility areas, garages and unfinished basements.</i>			
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 percentage of houses that are nonconforming with proposed FAR	476 (3.5%)	9159 (12%)	1412 (5.1%)

2. Revise how height is measured.

Affects All zones, including non-residential zones.

The proposal

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

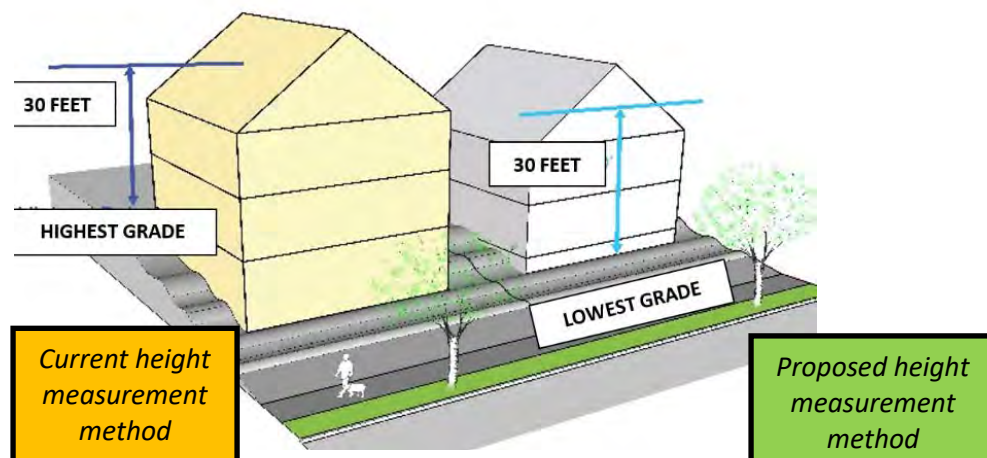
What is the intended benefit?

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 street and sidewalk**. 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, 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 measured for height unless they maintain a minimum 3:1 pitch, are set back from exterior walls by 1 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.



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

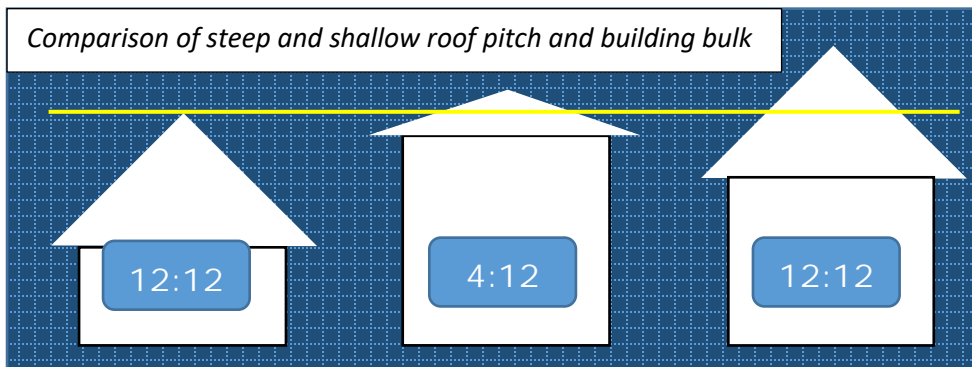


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What else about the proposal should I know?

Since the height measurement is taken along a perimeter that sits 5 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.

The current code differentiates measurement methods between gable roofs with less than 12:12 pitch (measure to the midpoint) from those with 12:12 and greater roof pitch (measure to the peak). The proposed changes would treat these roof types the same by measuring to the midpoint in both cases, consistent with building code methodology. This allows for steeper pitched roofs that may be taller, but the building profile is typically less bulky than buildings with lower-pitched roofs. This along with FAR limits that count tall attic spaces will work together to reduce the overall building bulk.



Detached accessory structures (currently limited to 20 feet tall) will be restricted to no more than 4 feet above the primary structure height, up to the 20-foot maximum height. In addition to reinforcing the relationship between smaller primary structures and accessory structures, this fosters greater privacy for abutting lots.

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 from 10 feet to 15 feet.
- Allow a front setback reduction to align with the house next door in R7, R5 and R2.5 zones.

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. In higher-density R2.5 areas with smaller lot sizes, this increased front setback was found to be too impactful on available back yard space.

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 code currently provides for front setback averaging (meaning the setback may be reduced to the mid-way point between house setbacks on either side). These provisions will continue to apply to larger-lot RF, R20 and R10 zones but are replaced by setback *matching* for the R7, R5 and R2.5 zones. The averaging method allows for gradual transitions, which work 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 (or averaging) does not apply to garages.

4. Improve building design.

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

The proposal

- Limit how high the front door can be above the ground.
- Allow eaves to project up to 2 feet into setbacks.
- On a lot abutting an alley, require access from the alley when parking is provided.

What is the intended benefit?

Limiting the height that the front door can be above grade reduces the number of stairs needed to get into a house and 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 it prevents the façade from being obscured by stairs.

In zones with a required side yard setback of 5 feet, eaves may only project 1 foot into the setback under current rules. Taller, wider houses look and fit better with wider eaves. In addition to **better proportioned buildings**, wider eaves also afford better **protection from sun and rain**.

Requiring sites take access from an alley, where an alley is present, preserves on-street parking, reduces curb cuts and conflicts between pedestrians, and increases room for street trees and front landscaping. It also encourages more active use of alleys. The proposal also recognizes that in some cases, the condition of the alley may require extensive improvement to make it useable. That is why on-site parking is not required for these lots – to provide the option to forgo that added expense.

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.

Housing Options

The proposal provides for more *housing options*, 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.

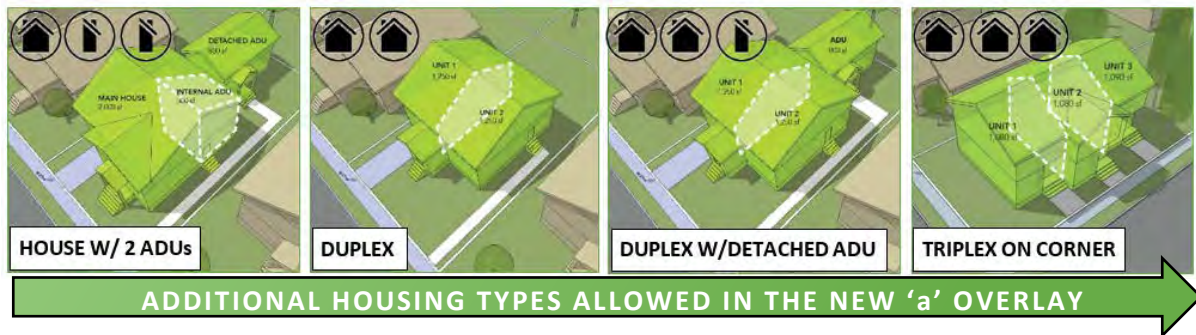
5. Create a new Additional Housing Options overlay zone – the new ‘a’ overlay zone.

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 they are no larger than a house and 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 no-step entry, wider halls and doors, and living space and bathroom on the ground floor.
- Allow the FAR for all structures to be combined for triplexes on corner lots.
- Do not require parking for additional housing types.

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 eras of development.

The proposed new housing options can help **increase the supply of housing and smaller units** in a way that fills a gap between single houses and apartment buildings.

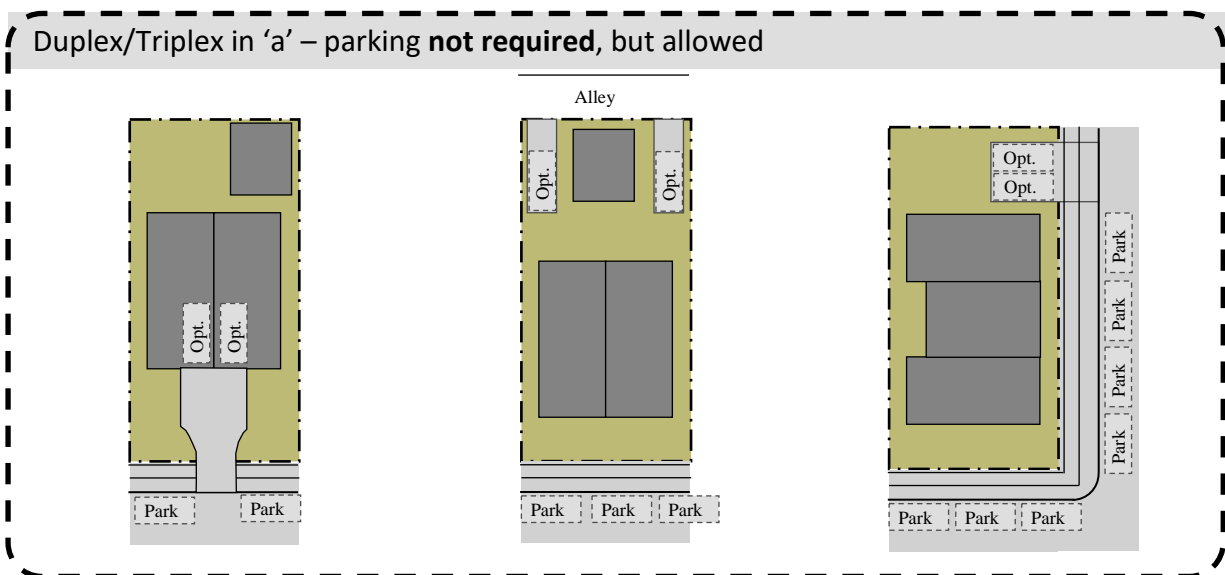
The proposed housing options **use land and resources more efficiently**. Average household sizes have declined in Portland from nearly 4.2 persons a century ago to just about 2.3 persons today. Nationally, home sizes have increased from just over 1,000 square feet to more than 2,600 square feet today. A block of single-dwelling houses very likely had many more people living on it than does today. Allowing two or three families to live where just one family is allowed today in some ways is a return to how many neighborhoods used to function. Smaller unit sizes are also more **energy-efficient** than a single unit twice the size.

The proposed housing options include **new “visitability” requirements** to increase the accessibility and resiliency of neighborhoods. These requirements:

- Add to the supply of housing with fewer barriers to people with mobility impairments (including elderly and disabled persons).
- Add options for households to stay in their neighborhoods as they age and downsize.
- Offer convenience to other users of all ages, who, for example, use strollers or bicycles.
- Help remove barriers that can lead to social isolation for those with mobility limitations.

To be “visitable,” a dwelling must have a zero-step entry, wider hallways and doors (34 inches minimum), a bathroom with adequate maneuvering area and an area to socialize (minimum 70-square-foot room) on the same floor as the bathroom and visitable entrance. This is intended as a relatively low-cost but high-impact way to increase accessibility. It does not accomplish or cost the same as providing for full accessible living, but it does provide a platform for future home modifications that can be tailored to meet the specific needs of the occupant.

Removing parking requirements for these additional housing types recognizes that areas within the overlay are well served by transit. This also helps preserve on-street parking spaces that could be lost to driveways and curb cuts and reduces the amount of lot area used for pavement rather than yard and landscaping.



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 Duplex (with or without ADU) Triplex	3,000	4,500	6,300

Larger lot sizes ensure that sites are big enough in conjunction with their associated FAR limits to accommodate reasonably sized units, plus suitable yard area and parking, if proposed.

Combined FAR for triplexes. Triplexes are less likely to have need for a primary structure and a detached accessory building such as a garage. As a result, the proposal allows all the FAR allowed in the base zone for a house and a detached accessory structure to be used for the triplex.

For example, in the R5 zone, a 0.5 to 1 FAR for the primary structure is proposed, while an additional 0.15 to 1 FAR detached accessory structure would also be allowed. For a triplex, these two FAR limits could be combined to develop a single building at 0.65 to 1 FAR.

Triplexes are only allowed on corner lots and not on interior lots. This larger single primary structure works better on corner lots since these lots effectively have two street frontages, which mitigate and work well with the larger building by providing more light and air separation on two sides as opposed to one. The greater street frontage also provides for more on-street parking in addition to enhanced opportunities for units to orient to the public street in a way that is more characteristic of older Portland neighborhoods.

Triplexes on interior lots are more difficult to integrate and design successfully and are not allowed in this proposal. They frequently result in rows of units that face the neighboring property and turn sideways to the public street.



Interior lot triplex (left) and corner lot triplex (right)

Proposed **accessory dwelling units in basements** will also have increased flexibility. Current code limits an ADU to 800 square feet or 75 percent of the primary dwelling unit size. In cases where a basement is being converted, it may either be slightly larger than the 800 square feet allowed, or the house may have just a single level above the basement meaning the ADU exceeds the 75 percent proportion limit. When this is the case, sections of the basement must be walled off as inaccessible, area must be designed for common use between both units, or an adjustment to the standards is required. To create added incentive to retain existing houses and promote additional ADUs, the size restrictions would not apply for converting a basement into an ADU provided that the entire ADU is in the basement and the home is at least five years old.



Example: Basement ADU

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 single-dwelling zoned 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 or MAX stations; or
 - Higher opportunity housing areas (with services, amenities, jobs, schools and parks).
- Reduce the new ‘a’ overlay based on infrastructure and environmental constraints.
- Reduce the new ‘a’ overlay in areas with concentrations of vulnerable populations until programs are available to mitigate displacement risk.
- 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 single-dwelling-zoned properties. Delete the current ‘a’ overlay zoning code provisions.

What is the intended benefit?

The 2035 Comprehensive Plan calls for housing development throughout the city with a focus on growth along corridors and in centers – Central City and Regional, Neighborhood and Town Centers. The Plan also calls for increasing and diversifying the types of housing available in all neighborhoods. To meet these policies, the proposal would apply an overlay zone that would allow use of the new housing options. The proposal would do this by eliminating the current ‘a’ overlay zone and creating a new ‘a’ overlay for these new housing options.

The current zoning code has an overlay zone – the ‘a’ overlay – that was created decades ago with the Albina Community Plan. Since its inception, many of the provisions (e.g., attached houses, accessory dwelling units) have been shifted into base zone allowances that apply citywide. The remaining overlay provisions have been rarely used and the location of the overlay does not align with the centers and corridors growth strategy. Of the nearly 45,000 properties in the overlay, fewer than 250 properties used these ‘a’ overlay provisions.¹

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.

The new 'a' overlay would allow lots within the zone to use **new provisions that encourage additional housing types**. The location of the new 'a' overlay zone aligns with the new Comprehensive Plan to:

- 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 current 'a' overlay includes some provisions that will be deleted, but those provisions have already been incorporated into the base zone:

- Flag lots in R2.5 zones: Newer provisions in the base zone already allow flag lots in the R2.5 zone without design review.
- Attached houses in R5 zones: Newer provisions in the base zone already allow attached houses on standard lots in R5 without design review.

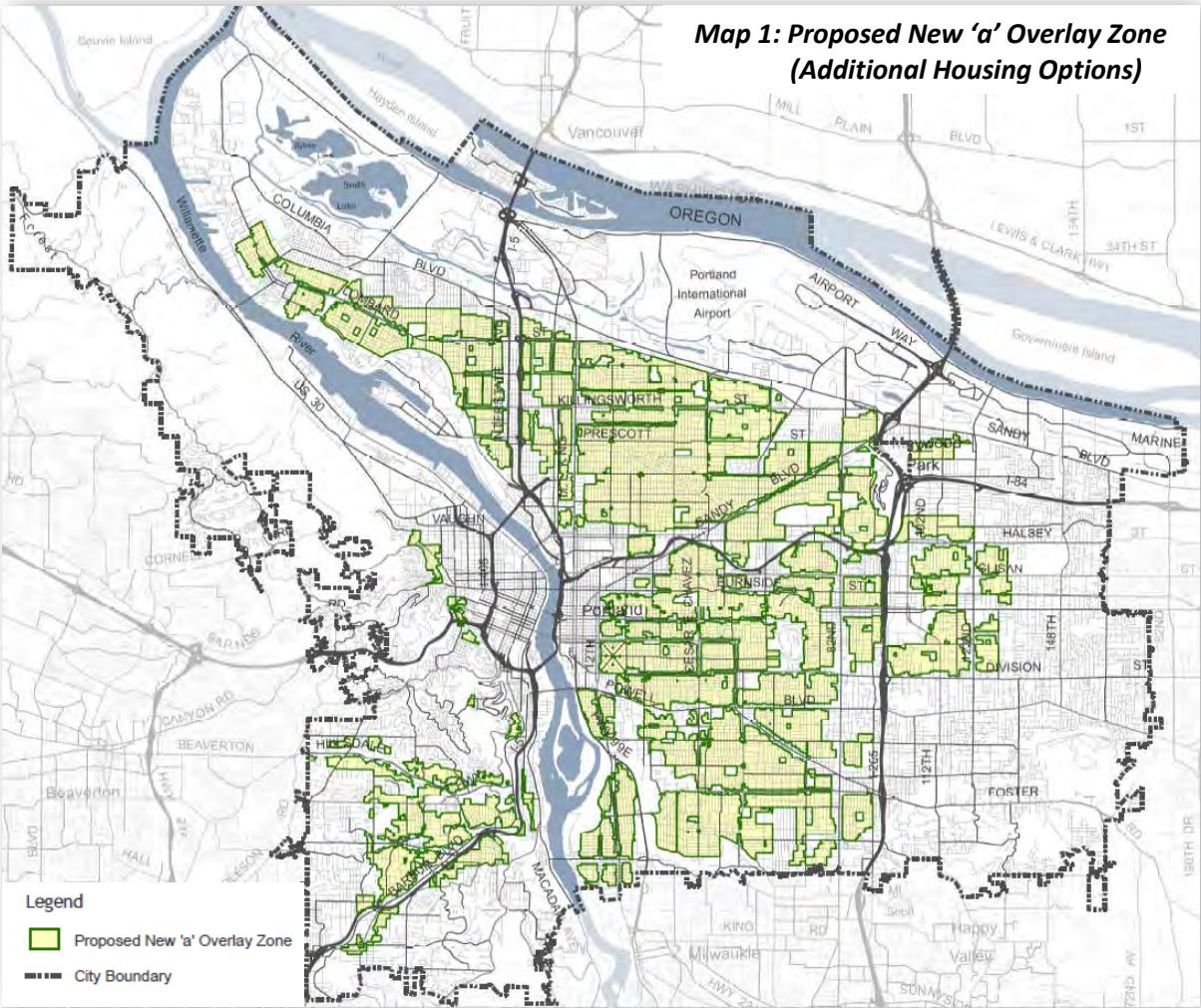
The elimination of the current 'a' overlay single dwelling zone provisions means some R2.5-zoned properties that are at least 4,800 square feet in area will no longer be allowed to build a triplex. With the new 'a', triplexes will be allowed only on corner lots, and duplexes plus a detached ADU will be allowed on other lots.

The proposal continues to include sites in the **David Douglas School District**. There was concern that the proposal could result in growth that could impact the district's recent overcrowding. However, based on the lower occurrence of duplexes on corner lots and accessory dwelling units in East Portland, the rate of additional units with the new 'a' provisions is also expected to be lower.³ This translates to fewer than 20 additional 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.

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.

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.

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



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


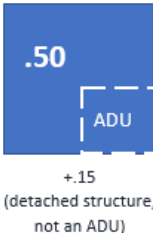






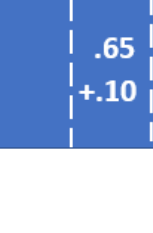

- Allow a bonus of 0.1 FAR when providing:
 - An affordable unit (up to 80 percent of Median Family Income) on-site or
 - Payment in lieu of providing an affordable unit on-site.
- Allow a triplex and an ADU on corner lots when one unit is affordable.
- Promote preservation of historic resources when adding units through incentives such as flexibility in housing types and the ability to combine FAR for all structures on the lot.

What is the intended benefit?

An **affordability bonus** included in the proposal is designed to help make small, affordable infill-housing development projects more feasible. It does this by making more FAR and units available than are allowed for market-rate housing projects.

The **additional FAR option** for projects with affordable units may help improve project feasibility for affordable housing developers and/or allow for larger units to better accommodate families. A **fee-in-lieu** may also be used by market-rate developers to achieve limited additional FAR, which would generate funds for affordable housing programs.

Allowing affordable housing projects to have a **bonus unit option** (four units instead of three) on corner lots can help offset the cost of land. Non-profit housing developers asked that only one of the four units be required to be affordable. They expressed that this would allow them to try to develop projects where the market-rate units help financially support the affordable units. The four-unit option is only allowed on corner lots because of the design issues for triplexes on internal lots (see Proposal 6 for more information).

(R5 example shown)	Housing types allowed – Internal/corner lots		Housing types allowed – corner lots only	FAR max for site by zone
Base zone	 House + DADU	 House + ADU	 Duplex	R7: 0.55 R5: 0.65 R2.5: 0.85
'a' overlay	 House + ADU + DADU	 Duplex + DADU	 Triplex	R7: 0.55 R5: 0.65 R2.5: 0.85
'a' overlay – FAR Bonus <ul style="list-style-type: none"> 3 units req'd Up to .10 FAR extra for primary structure only (detached structure kept at .15) Pay \$/sf (for sf above base FAR) OR Provide 1 unit affordable @80% MFI 	 House + ADU + DADU	 Duplex + DADU	 Triplex	R7: 0.65 R5: 0.75 R2.5: 0.95
'a' overlay – Unit Bonus <ul style="list-style-type: none"> corner lots only 4 units allowed 1 unit affordable @80% MFI 	N/A	N/A	 Triplex + DADU (other unit configurations through PD)	R7: 0.70 R5: 0.80 R2.5: 1.0

Comparison of affordability incentives (FAR bonus and unit bonus)

Incentives for the **preservation and reuse of historic buildings** are also included in the proposal. These provisions allow added flexibility for conversion of historic houses into duplexes or triplexes or to retain the historic house while adding units elsewhere on the site. Incentives and flexibility are needed because renovation of historic buildings for two or three units can be uniquely challenging and costly. Each project has custom needs and 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.

The incentives include:

- Allowing flexibility in how the site's total FAR is allocated between historic primary structures and new accessory structures.
- Reducing the minimum lot size requirement for development of duplexes and triplexes in historic buildings.
- Allowing a site to have two ADUs, both of which may be inside or outside the existing house.

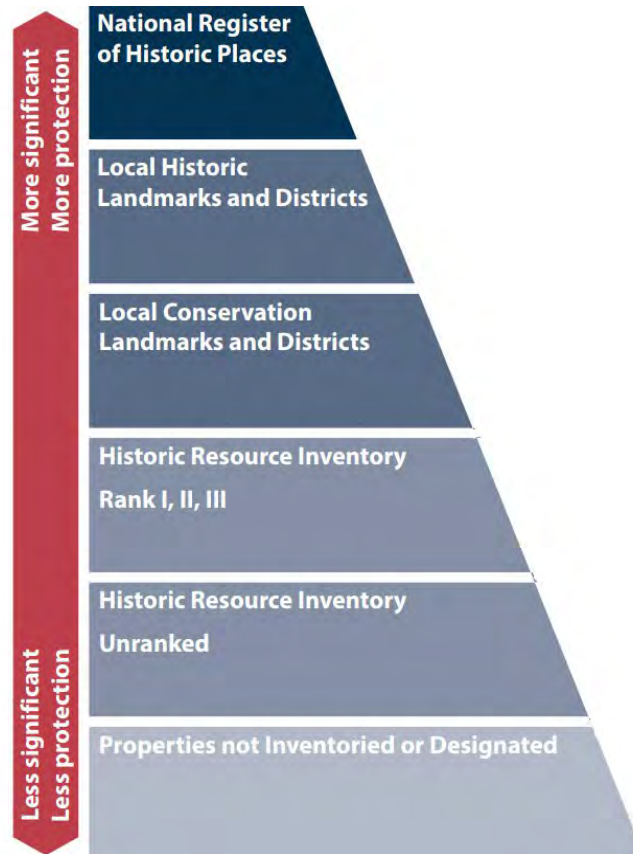
Allowing the combined total FAR to be allocated flexibly among historic and new structures help make it more likely that smaller historic houses will be preserved and supported economically by larger detached accessory structures. At the same time, for larger historic resources, additions to the house can be made, provided that detached structures are smaller or not present.

For new housing options, the minimum lot size increases with the number of units developed. 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 or a triplex requires 4,500 square feet of lot area. The proposed historic incentives would exempt historic conversions from the larger lot size requirements.

Sites with historic resources that are either landmarks or contributing structures in historic or conservation districts may not utilize the bonus provisions of the 'a' overlay if the resource has been demolished.

The design of these projects will be subject to historic resource review (a type of design review) or additional standards depending on a building's historic status. Renovation of buildings listed on the National Register, historic landmarks and contributing structures in historic districts already are required to go through discretionary historic resource review to protect the historic character and significance.

Renovation of some historic buildings – contributing structures in conservation districts and ranked properties on the Historic Resources Inventory – does not require discretionary review. The proposal includes additional standards that will limit the degree of alteration allowed for these properties.



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

What else about the proposal should I know?

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 when the structure is retained.

For conversions of historic resources, the 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. Alternatively, for larger historic resources, additions to the house can be made, provided that detached structures are smaller or not present.



8. Encourage more cottage cluster development.

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

The proposal

- Allow for an ADU to be built with each house on a cottage cluster site.
- Require at least half of the units to be oriented around a common open space.
- Reduce the procedure type for some cottage cluster reviews 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 that are typically oriented around a shared common space such as a courtyard or garden. Parking is 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 other innovative attributes.

Planned Development (PD) is the type of permit review process used for new cottage cluster projects. The primary difference between a cottage cluster PD and a standard subdivision is the lack of individual lots. Some or all the cottage cluster units share a lot.

The PD review enables the flexibility needed by cottage clusters to respond 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 surrounding neighborhood.

The proposal accomplishes **four key objectives**:

1. It provides the same opportunities for ADUs as is allowed for houses in a subdivision, whereas the current PD rules do not.
2. It aligns the type of review procedure with subdivisions proposing the same number of units, while applying criteria that are more relevant to the cluster proposal.
3. 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).
4. 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 up to 10 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.

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
- Greater land use and energy efficiency

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

Affects Historically narrow lots in the R5 zone.

The proposal

- In the new ‘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	6,384	742
Other R5 rezones (not historically narrow lots)	324	40
Total properties rezoned to 2.5	6,708	782

* Reflects zoning adopted with the 2035 Comprehensive Plan

What is the intended benefit?

There are areas of the city where the **underlying platting created lots that are smaller than typical for the zone**. These are referred to as “historically narrow lots.” Most of these areas are in R5 zones. A typical R5-zoned property is 50 feet wide by 100 feet deep (5,000 square feet). A typical R5 “historically narrow lot” is 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 size and is at least 36 feet wide. Current rules in the R5 zone 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 H: 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.

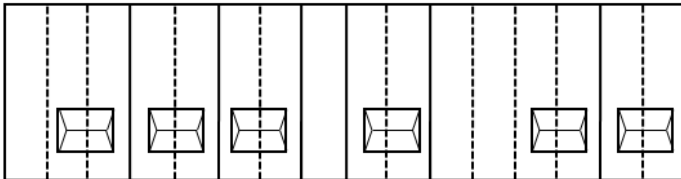
First, it provides **property owners and neighbors with long-needed clarity** regarding what can and cannot be developed on underlying platted historically narrow lots. Rezoning half of the historically narrow lots to R2.5 signals that these areas can and should support additional small lots. Conversely, 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 rezoning **increases the supply of housing in amenity-rich areas**, as called for in the Comprehensive Plan. The rezoning is 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.

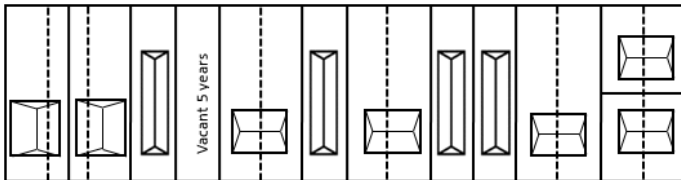
What else about the proposal should I know?

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.



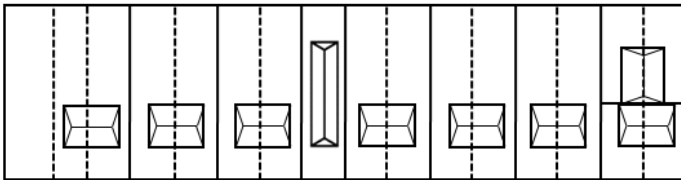
Existing historically narrow lots

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



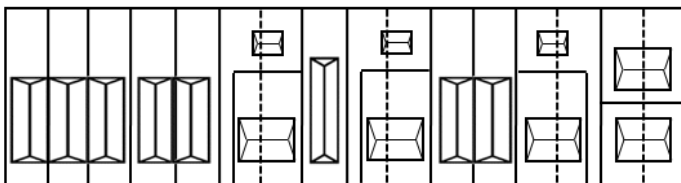
R5 - Current infill potential

Under current rules, property lines can be adjusted to create two lots. A house can be built on one side, leaving the other side vacant for five 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 be at least 36 feet wide and 3,000 square feet. 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.

Some small pockets of R5-zoned areas that did not include historically narrow lots have been included in the proposal (about 325 lots) to provide for a logical transition between existing higher-density zones and the proposed rezone areas.

(For more information about the criteria used to rezone areas, see Section 5: Map Amendments and Appendix G: R2.5 Zone Changes by District.)

10. Improve building design for all narrow lots.

Affects Primarily R2.5 zoned properties but also any lot in single-dwelling zones less than 32 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 32 feet wide:

- Limit height of a detached house to 1½ times its width.
- Prohibit parking and driveways between the building and a street. Continue to allow parking behind the building.
- Require attached houses on lots 25 feet wide or narrower.

For example:



The proposal discourages detached tall houses, front-loaded 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 provides 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 25 feet wide and narrower. 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.

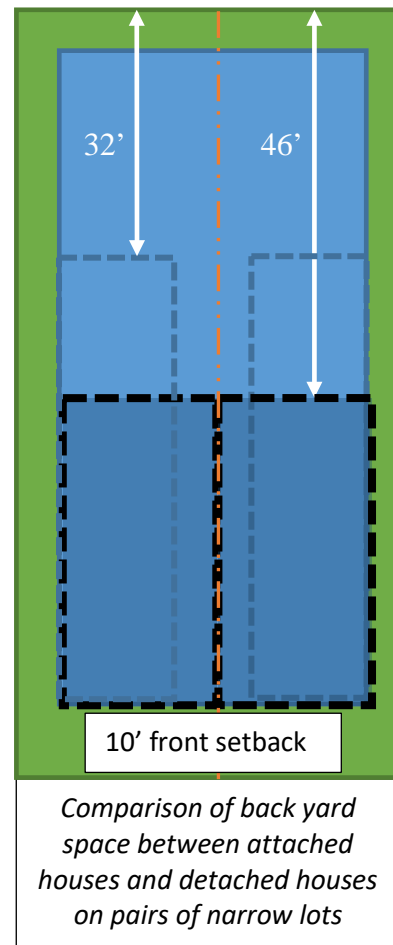
Parking and garages.

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 10 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 (e.g., a detached house on a 32-foot-wide lot), a garage may be built.

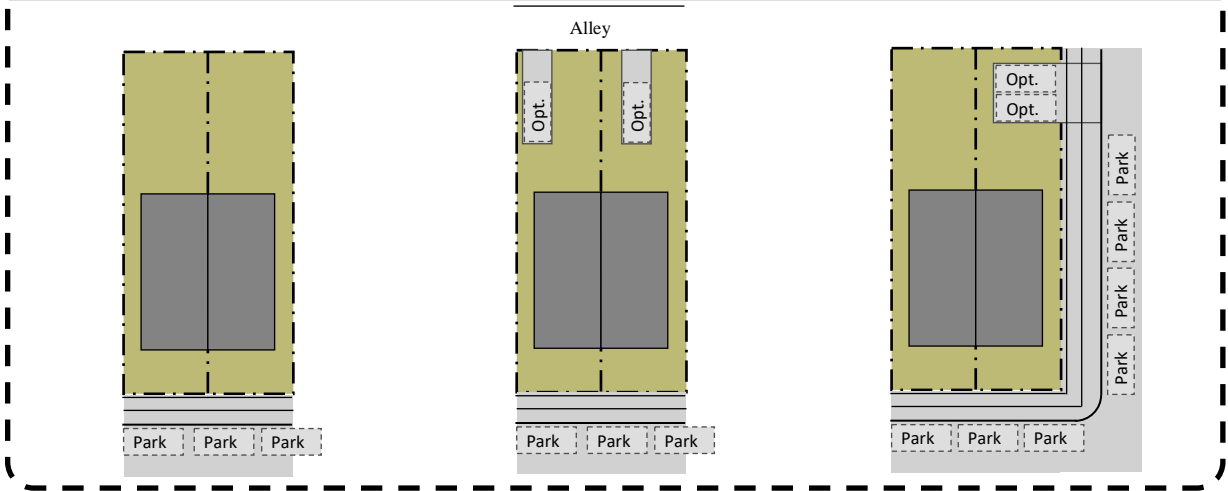
Currently, parking is not required for historically narrow lots, yet a 12-foot-wide garage is allowed on the main floor. Narrow lots created more recently through a land division are required to have parking, but garages are not allowed and alley access is required where alleys are present. The proposal combines these requirements so that parking is not required, and vehicle areas are prohibited between the building and the street. Parking access from alleys will continue to be allowed, as well as parking located behind the building.

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.



Comparison of back yard space between attached houses and detached houses on pairs of narrow lots

Narrow lots with attached houses – parking **not required** and **prohibited** between the building and the street



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.



If a lot abuts an alley, then parking may be provided, but it must be accessed from the alley.



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

11. Revise rules for 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.

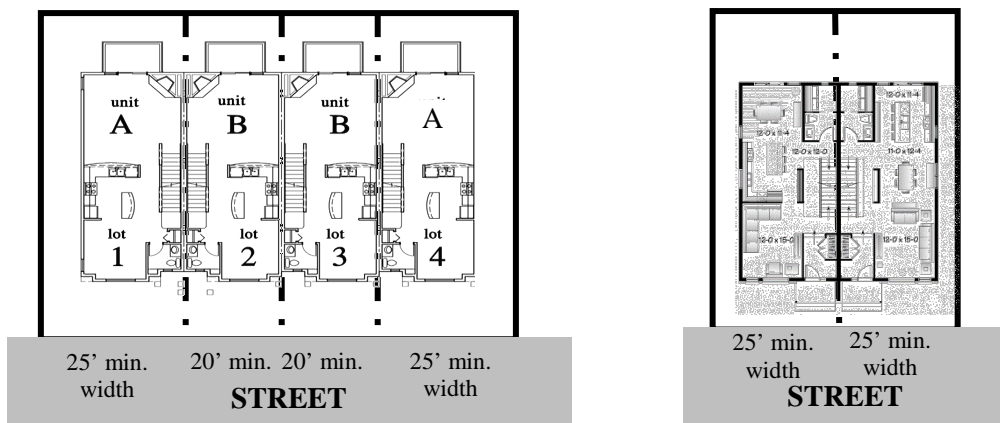
What is the intended benefit?

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 more 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.

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

When there are three or more attached units in a row (up to eight maximum), lots for the middle units may be 20 feet wide. Also, FAR and building coverage will be applied for the whole rowhouse site. This is intended to provide consistent unit widths and sizes (as units on the end are required to have larger lots to accommodate 5-foot-wide side setbacks). See the examples above. Lots that are less than 32 feet wide will be subject to additional narrow lot standards, such as requirements for attached houses on 25-foot-wide lots, vehicle area restrictions. (See Proposal 10.)

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 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 limit (1,000 square feet) and height limit (20 feet) are also proposed for the house built on the flag lot. Those limits are similar to those that apply to detached ADUs. This will help improve the compatibility of houses built on these flag lots.



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

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.

Section 5: Map Amendments

This section addresses map changes proposed as part of the Residential Infill Project. These changes prioritize growth in and around centers and corridors and increase housing choice and supply in accordance with the 2035 Comprehensive Plan policies 3.15, 3.33, 3.37, 3.43 and 5.6. This section is divided into the following subsections:

- A. Defining the Areas in the New ‘a’ Overlay Zone:** Explains how and where the proposed Additional Housing Options overlay zone (new ‘a’ overlay) will be applied to select areas;
- B. Adjusting the ‘a’ Overlay Boundary Using the Displacement Risk Analysis:** Describes how the ‘a’ overlay boundary was adjusted based on a displacement risk analysis that assessed potential impacts on populations most vulnerable to displacement;
- C. Rezoning Historically Narrow Lots:** Explains how and where the Comprehensive Plan Map and Zoning Map are proposed to be amended from R5 to R2.5 for some historically narrow lots; and
- D. Removing the Current ‘a’ Overlay Zone:** Explains the reasons and impacts for deleting the current ‘a’ overlay, the Alternative Design Density overlay zone.

The previous section of this report (Section 4: Analysis of Amendments) provides the background and analysis of all the proposals, including these map amendment proposals. Section 5 describes the methodology that was used to develop the map proposals.

A. Defining the Areas in the New ‘a’ Overlay Zone

The purpose of an overlay zone is to apply distinct requirements to specific geographic areas. Overlay regulations work in concert with the underlying base zone to further specific goals such as environmental protection or building design quality.

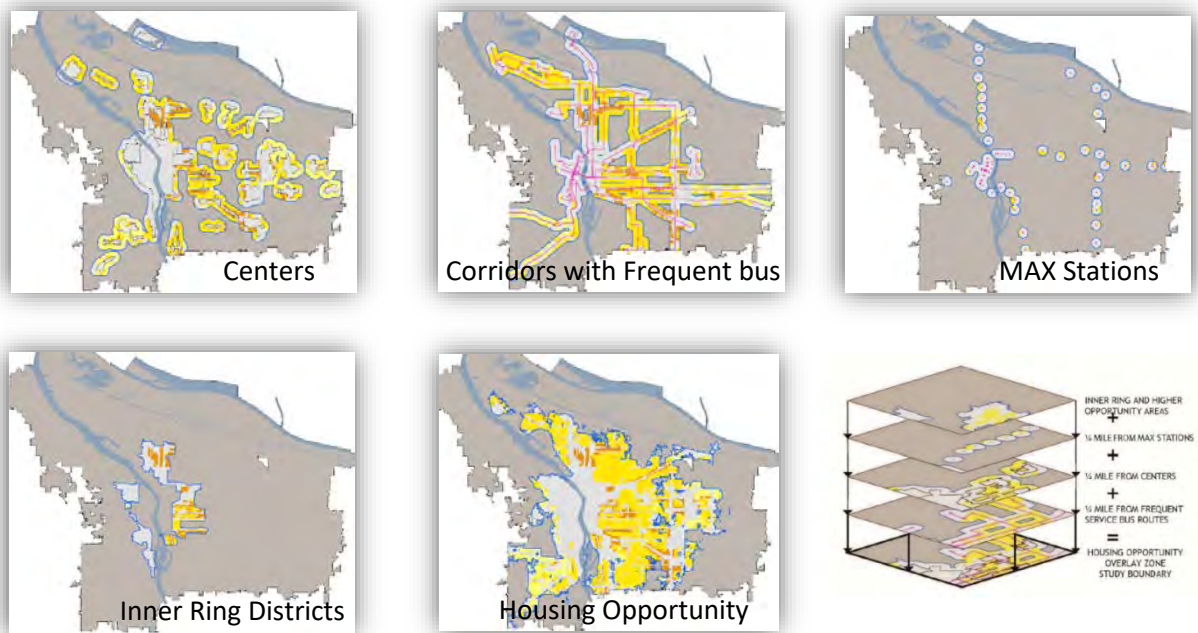
The new **Additional Housing Options** overlay zone (‘a’ overlay) is proposed to “allow for increased density in high opportunity areas including areas near frequent transit, areas designated as Centers in the Comprehensive Plan and areas close to schools, employment and everyday services.” The overlay 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.

The proposed location of the ‘a’ overlay was developed in five steps:

Step 1. Defining the Base Boundary: Centers, Corridors, Transit and Opportunity Areas

The first iteration of the 'a' overlay boundary, published in the Concept Report, identified the area where additional housing types should be allowed in single-dwelling zones. The area was defined based on the combination of 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 base boundary was developed by combining these different layers.

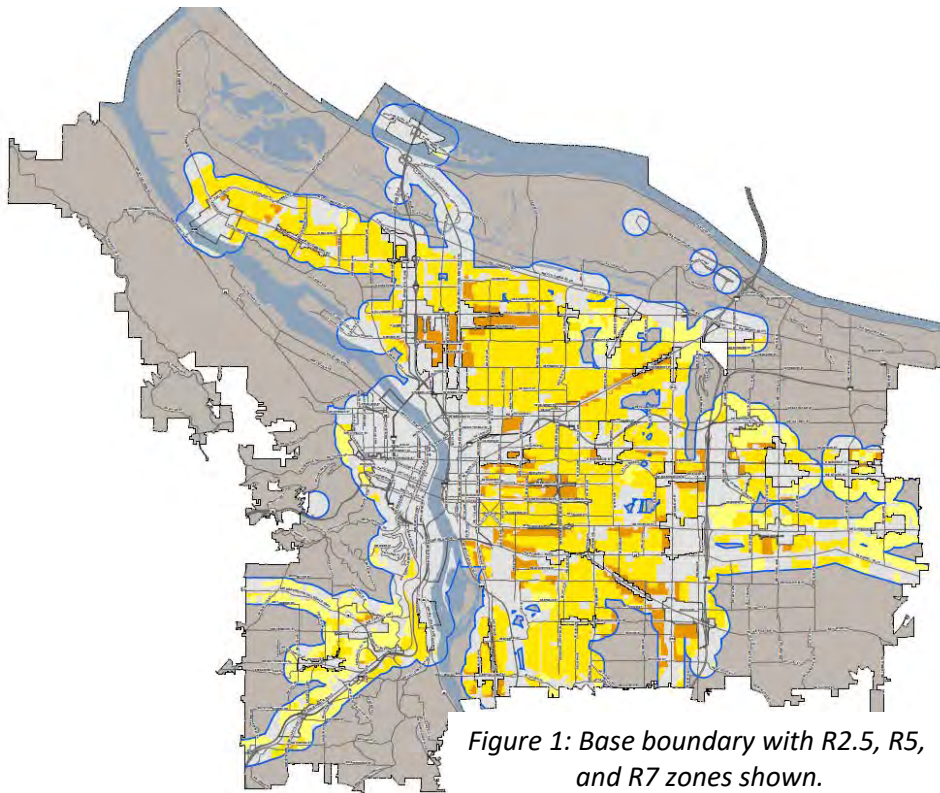


Figure 1: Base boundary with R2.5, R5, and R7 zones shown.

Step 2. Adjusting the Boundary: Zoning Patterns and Street Centerlines

The Concept Boundary was refined based on the following considerations:

1. **Base zones.** All properties not zoned R2.5, R5 or R7 were removed from the boundary with two exceptions.

The new overlay provisions only apply to R2.5, R5 and R7 zones. However, a small area of R10 zoning (219 lots encompassing 68 acres) is designated on the Comprehensive Plan Map with a future zoning designation of R5. When these properties are rezoned to R5, the overlay will then be applicable. In addition, multi-dwelling zoned parcels with the *existing* 'a' overlay are being addressed through a separate project. The current 'a' overlay provisions will continue to apply to those parcels until they are amended through the Better Housing by Design project.

2. **Street centerlines.** Where possible, the boundary was adjusted to follow street centerlines. Street are less likely to shift than property lines, so this reduces the creation of split-zoned lots in the future.
3. **Zoning pattern.** The boundary was adjusted to create a compact and clear area. This entailed avoiding the creation of small pockets or peninsulas of areas inside or outside the overlay zone.

Step 3. Adjusting the Boundary: Development Constraints

Over 50 potential development constraints were identified by an inter-bureau team of experts and used to evaluate whether areas should be removed from the ‘a’ overlay. The types of constraints considered include, infrastructure and services, natural hazards, historic and natural resources, and zoning regulations.

The constraints were categorized into groups based on the severity of potential impacts if development was increased on the site.

- **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)
 - Natural Resources Inventory (NRI) designation, adopted 2012 (properties with more than 50 percent of the lot in high- or medium-value resource areas)
 - 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 only one of the following constraints were not automatically excluded, but were more closely considered when two or more constraints were present:
 - Stormwater limitations
 - Steep slopes
 - Landslide history
 - Water service limitations
 - Wildfire hazard
- **Other Constraints.**
 - **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.** Areas accessed by streets that have not been accepted by the City for maintenance are excluded from the ‘a’ overlay. 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. Because the condition of streets will change over time, this limitation is

⁵ Transfer of Development Rights allowances provide a mechanism for owners of property in floodplain 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.

embedded in the 'a' overlay Zoning Code provisions instead of excluding lots on unpaved streets from the overlay boundary on the Zoning Map.

Step 4. Adjusting the Boundary: Proximity to a Combination of Other Amenities

Areas adjacent to the initial boundary were examined in more detail to identify places where proximity to amenities warrants inclusion in the 'a' overlay. This includes proximity to MAX stations slightly farther than ¼ mile, community centers, parks, schools, the presence of multiple bus lines and convenient access to services. For example, part of Arbor Lodge, while not in the concept boundary, was added because the area is close to the MAX Yellow Line Rosa Parks station and to commercial services on N Lombard St.

Appendix F: Map Refinements to 'a' Overlay by District includes a map showing the areas where the concept boundary was expanded based on this step, along with areas removed based on the constraints described above. The appendix also contains district level maps and a corresponding matrix of the reasons why areas were added to or removed from the 'a' overlay zone proposal.

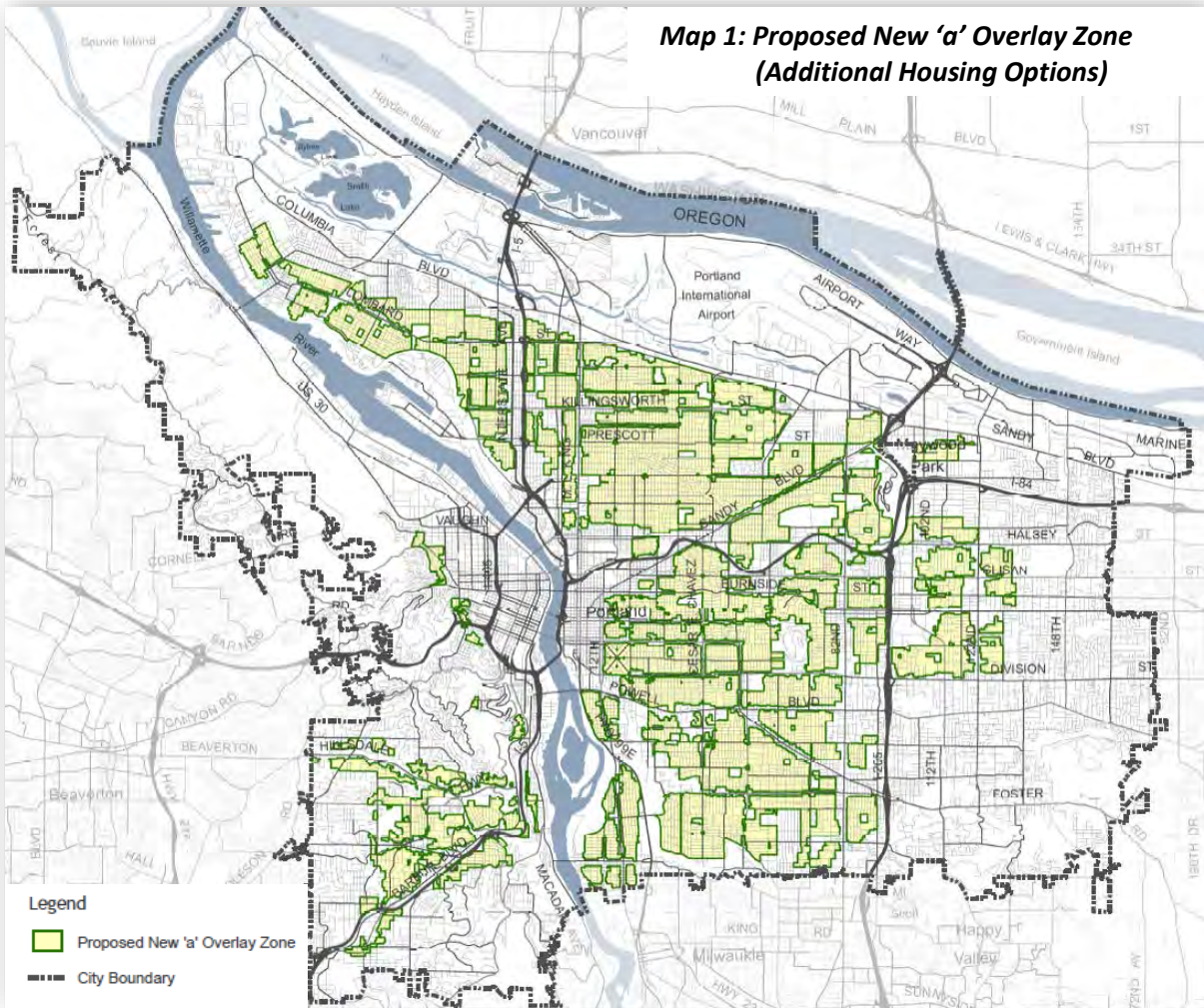
Step 5. Adjusting the Boundary: Displacement Risk Analysis

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

A more detailed description of this methodology is included in the next section, B. Adjusting the 'a' Overlay Zone Boundary Using the Displacement Risk Analysis.

Proposal. Additional Housing Options Overlay Zone Boundary

The outcome of these five steps is the new 'a' overlay shown on Map 1: Proposed New 'a' Overlay Zone (Additional Housing Options).



Lots and Acreage in proposed overlay boundary		
Proposed 'a' overlay	Lots	Acres
R10 (Comp Plan R5)	219	68
R7	9,105	1,977
R5	58,979	8,430
R2.5	19,021	2,286
TOTAL	87,324	12,761
Percentage of R2.5-R7	66%	60%
Percentage of SF zones	59%	41%
Percentage of city		18%

B. Adjusting the ‘a’ Overlay Boundary Using the Displacement Risk Analysis

This section provides additional information about the displacement risk analysis, which was used to adjust the new ‘a’ overlay zone boundary in Step 5.

Zoning changes can result in benefits for some and burdens for others. The 2035 Comprehensive Plan includes new environmental justice and anti-displacement policies (5.15 and 5.16). The policies require assessment of whether new plans, policies and code provisions have significant and disproportionate negative impacts, including involuntary displacement, on under-represented communities and communities of color. They also require identifying and implementing strategies to mitigate these impacts.

The final step in developing a proposal for the ‘a’ overlay zone was to analyze its potential to result in involuntary displacement of economically vulnerable households. Based on this analysis, staff adjusted the proposal for the ‘a’ overlay zone and, by extension, the extent of proposed R2.5 rezoning of historically narrow lots.

1. Overview

The displacement risk analysis was used to assess where application of the ‘a’ overlay might unacceptably increase the risk of displacement for low-income households. To do this, the analysis identified areas with high shares of economically vulnerable households based on the race/ethnicity, education level, housing tenure and income of the area’s residents. The analysis also identified areas with medium to high ranked “housing opportunity areas.”

Based on this analysis, areas with higher opportunity but with lower risk of displacement due to having fewer economically vulnerable households were included in the ‘a’ overlay. Areas where there was a higher percentage of vulnerable households and lower housing opportunity scores were removed from the ‘a’ overlay. This approach is based on the judgment that for these areas it is better to avoid potential displacement impacts until more is known about how the proposed housing options will increase redevelopment and/or until programs are funded and in place to mitigate potential displacement impacts in these areas. Neighborhood-level market pressures, and associated neighborhood change, pose a more serious risk to residents who are less economically resilient to weather these challenges.

On one hand, increasing the supply and variety of housing options will allow more people of different income levels to have access to these neighborhoods and their amenities. While on the

Equity Guiding Principle from the 2035 Comp Plan

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.

other hand, not allowing extra housing options in higher vulnerability areas could reduce redevelopment pressure that may contribute to involuntary displacement of lower income residents, particularly renters.

While there are households that face displacement pressures inside the ‘a’ overlay zone, on balance, more housing supply and choice in high opportunity/low vulnerability areas will help to relieve housing pressures *throughout* the region. Housing demand that exceeds supply, which currently is most acute in housing opportunity areas, is a leading cause of increasing housing costs and resulting displacement pressure. As homebuyers and renters get priced out of those areas, they seek options they can afford elsewhere. This puts pressure on lower income-earners who are then forced farther afield. Sub-area housing markets within the Portland region are inextricably linked.

2. Methodology

The displacement risk analysis used to evaluate the “a” overlay compares an area’s “vulnerability” score with its “housing opportunity” score. The following describes the methods used to calculate and compare these scores.

a. Vulnerability score

For each census tract, vulnerability is measured in terms of 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.

The results of these factors were calculated for each of the 143 census tracts in Portland. These were sorted into five equally sized groups (quintiles). A score of one to five was assigned to each based on which quintile it was in. A higher score indicates higher vulnerability. The quintile scores for each of the four demographic factors listed above were added together to create the tract’s total score.

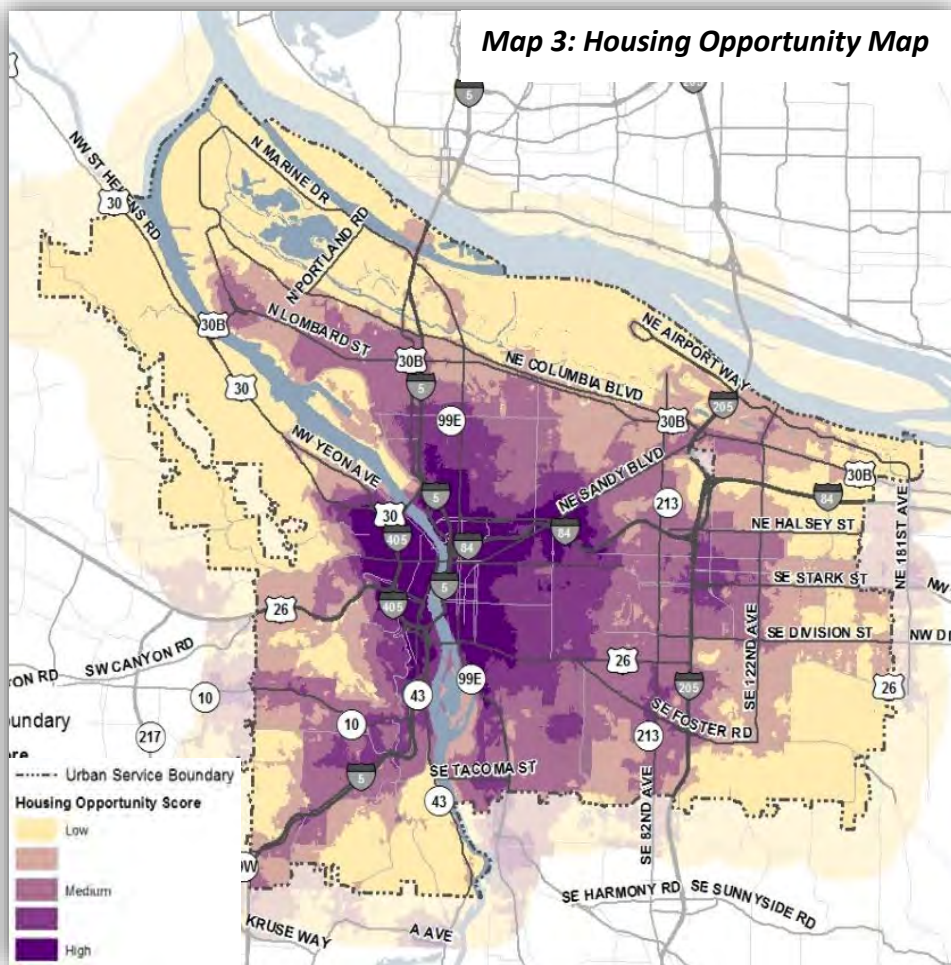
For example, Tract 75 (in the Cully Neighborhood) has a composite vulnerability score of 16:

- 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)
- 50.8% of households that were low-income (quintile score = 4)

b. Housing Opportunity Score

Housing opportunity score was calculated based on the following five equally-weighted factors. These were translated into quintile scores for each census tract using a method like that used for the vulnerability score:

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)



3. Staff Proposal: Adjust the ‘a’ Overlay Boundary Based on the Displacement Risk Analysis

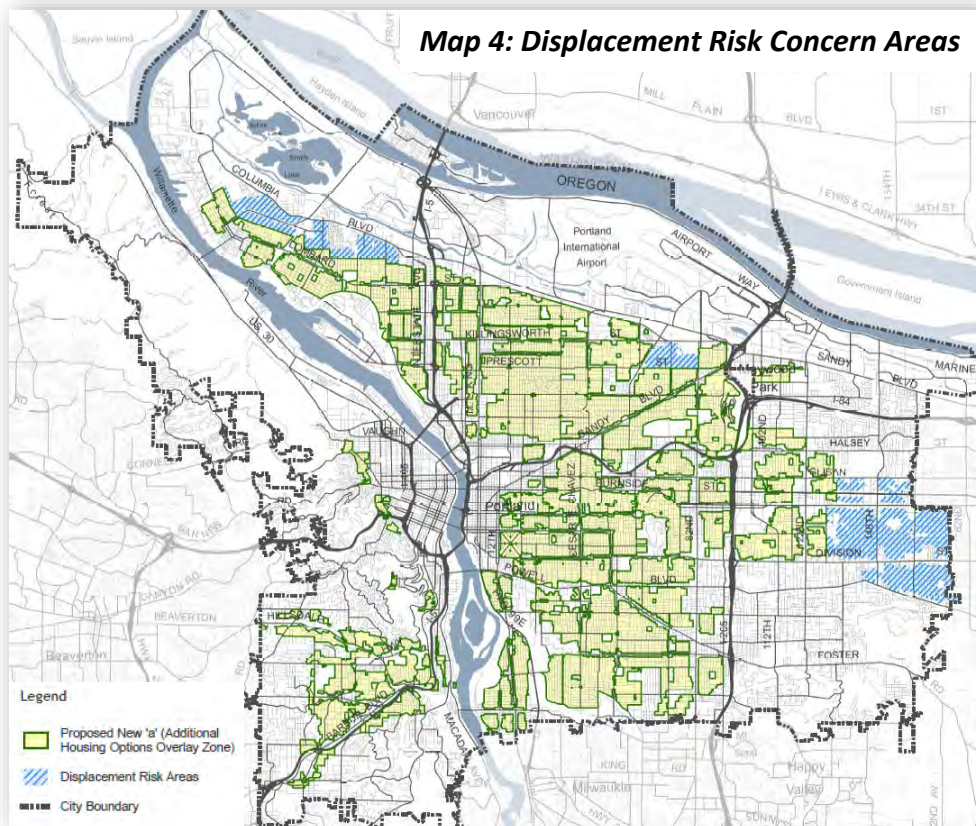
Based on the displacement risk analysis, areas with higher opportunity scores but lower vulnerability scores were included in the ‘a’ overlay. Areas with higher vulnerability scores and lower opportunity scores were removed from the ‘a’ overlay.

The removed areas include blocks in the following locations:

- St. Johns (north of N Smith St.) and Portsmouth
- Cully (north of NE Prescott St. between Cully Boulevard and NE 82nd Ave.)
- East Portland (east of 122nd Ave.)

These areas also 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 Ave. 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. See Map 4: Displacement Risk Concern Areas.



4. Proposed Conditions for Future Expansion of the ‘a’ Overlay Boundary

The decision to remove areas from the proposed ‘a’ overlay boundary based on the displacement risk analysis was made to be cautious about how the additional housing options could increase displacement pressure on Portland’s most vulnerable households.

As part of the *Discussion Draft* review, community development organizations and advocates commented that including more areas in the ‘a’ overlay would help increase opportunities for wealth creation and help stabilize low-income homeowners by offering the potential to gain from the development of additional units on their property. At the same time, these advocates argued it is critical to have mitigation programs in place to lower the risk of displacement to low-income households in these areas.

Staff agrees that before the 'a' overlay is expanded into these areas, a full range of anti-displacement mitigation programs must be in place. These programs need to address the issues facing homeowners as well as renters and need to include education, technical assistance and financial tools. The following are examples of the type of activities that already exist that could be expanded or are new and could be further developed:

Programs to support vulnerable homeowners:

1. Offer outreach and education to low-income homeowners about the ‘a’ overlay provisions and their opportunities and risks.
2. Provide technical assistance to low-income homeowners on how to build additional unit(s) on their property and how to manage rentals.
3. Increase funding for financial assistance programs regarding:
 - a. Home-ownership
 - b. Home-repairs
 - c. Down payment assistance
 - d. Loans to homeowners to build additional unit(s) on their property.

Programs to support vulnerable renters of single-family homes:

1. Develop anti-displacement strategies for specific areas facing early stages of displacement risk.
2. Fund education programs for low-income renters regarding tenant rights, financial literacy and other skills that could help them stabilize their housing situation.
3. Pilot a program to give qualified displaced households preference for affordable housing units in or near neighborhoods where they were displaced.

The demand for housing assistance programs already exceeds available resources. The proposal excludes areas with high proportions of vulnerable households until the impacts of the new housing options are clearer and the resources to mitigate the potential displacement impacts are available. Delivery of these programs will likely require additional resource commitment in other bureaus and agencies (e.g., Portland Housing Bureau) and in partnership with non-profit organizations that serve low-income communities. The option to make a payment-in-lieu for bonus FAR could help fund these programs.

C. 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 Comprehensive Plan and Zoning Map amendments from R5 to R2.5 were developed 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 options – 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, Corridors and Neighborhood Amenities

While additional housing options in the right areas is a community goal, the pace of change and the concentration of change can be alarming to community members. Historically narrow lots provide a lower cost alternative to create fee-simple (as opposed to condominium or rental) units, as the underlying independent lots already exist. Because we anticipate that redevelopment will be more attractive to these lots than other development types 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

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.

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.

- **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.
- **Existing development patterns.** Areas where historically narrow lots have already been developed with narrow houses.

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.
- **Site constraints.** Areas with a high number of unimproved streets, poor connectivity or stormwater or topography issues.

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 benefits homeowners in these areas. An equity lens was applied to the rezoning proposal but did not change the outcome.

Nexus with the Additional Housing Options 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 consideration. This incorporates strategies that were applied to avoid displacement in areas at higher risk.

Consideration of demographic factors. Staff examined the proportion of 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 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	71.80%	5.52%	0.49%	7.42%	0.62%	0.28%	4.34%	9.54%
Rezoned	74.65%	4.91%	0.64%	6.97%	0.91%	0.31%	4.00%	7.61%

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 R5 zoned historically narrow lots citywide, how many are in the proposed ‘a’ overlay and how many are proposed to be rezoned.

Unsurprisingly, East and West 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.

	Narrow lots citywide	Narrow lots proposed to be rezoned	% of narrow lots proposed to be rezoned	Narrow lots in ‘a’ overlay	% of narrow lots in ‘a’ overlay	% of narrow lots in ‘a’ overlay proposed to be rezoned
North	5,878	2,138	36%	3,622	62%	59%
West	447	27	6%	158	35%	17%
Northeast	4,567	2,220	49%	4,565	100%	49%
East	262	170	65%	262	100%	65%
Southeast	3,281	1,984	60%	3,131	95%	63%
Total	14,435	6,539	45%	11,738	81%	56%

The table shows that out of 14,435 historically narrow lots in the city, about 45 percent – 6,539 – are proposed to be rezoned.

It also shows that the rezones are proposed for about one-half to 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 in West Portland Park, an area with steep slopes, unpaved streets and considerable infrastructure constraints.

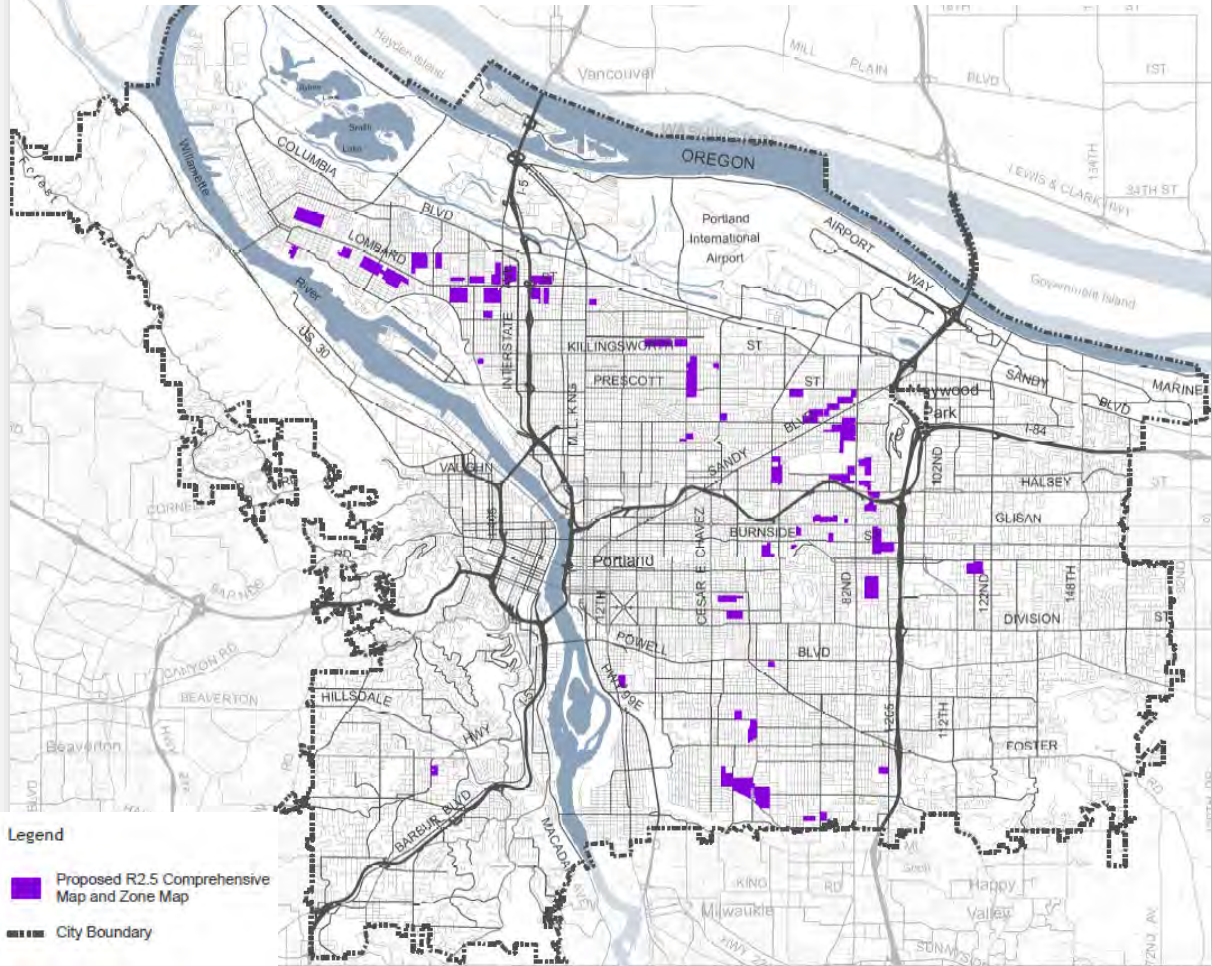
Staff Proposal: Rezoning Historically Narrow Lots

The proposal amends the Comprehensive Plan and rezones about 45 percent – 6,539 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 one-half to two-thirds of the historically narrow lots in the ‘a’ overlay are proposed to be rezoned to R2.5 in each quadrant of the city, except West.

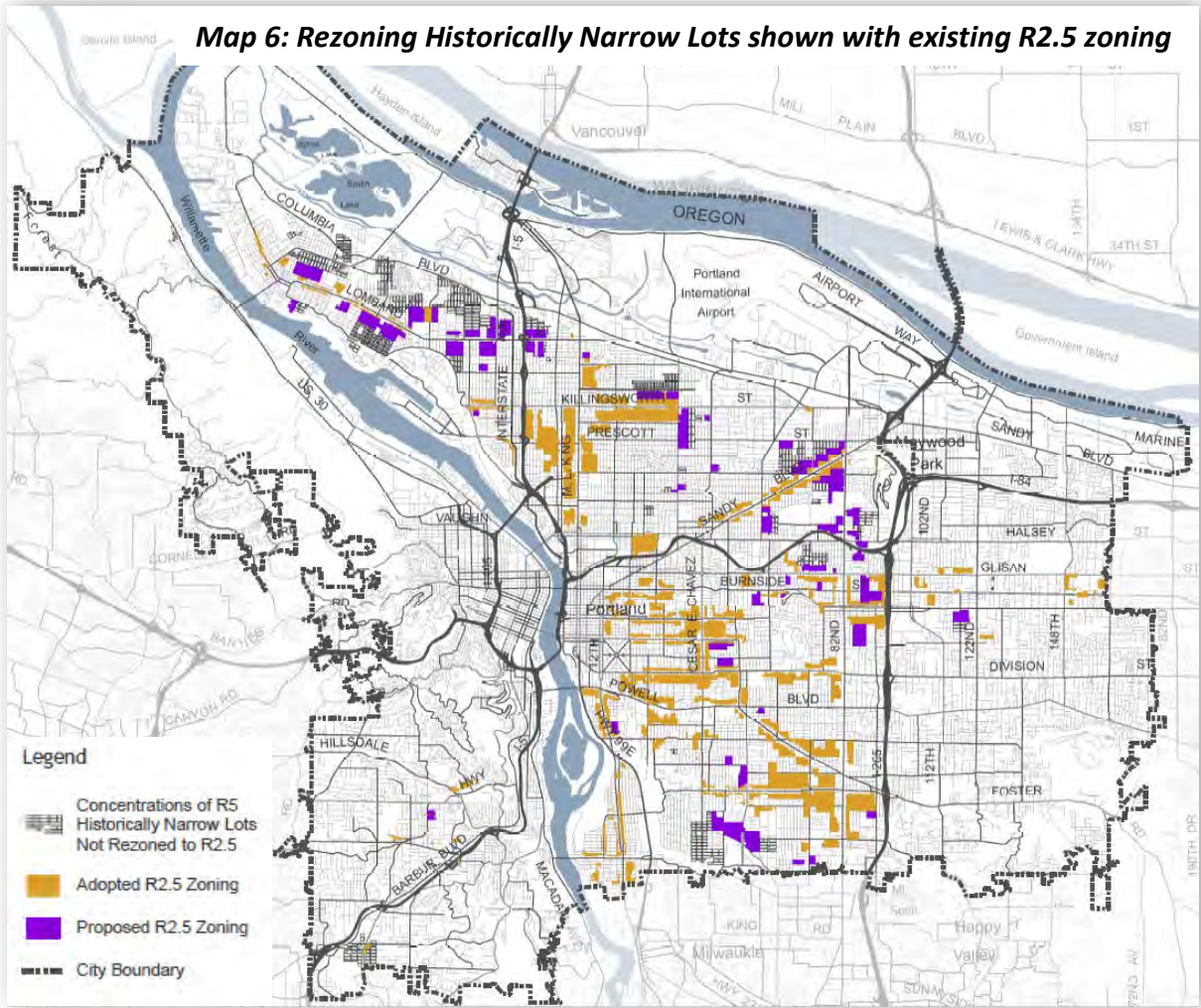
While the proposed ‘a’ overlay would allow a duplex on these lots, rezoning them provides for the opportunity for these properties to be easily divided and for two attached houses to be built fee-simple (i.e., house and land sold together, independent of the other attached unit).

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 shown with existing R2.5 zoning



D. Removing the Current 'a' Overlay Zone

Background

The current 'a' overlay zone – the Alternative Design Density overlay zone – was adopted with the Albina Community Plan in 1993 and was later expanded to apply to areas in Lents, Powellhurst-Gilbert and Sellwood. It has been applied to R1, R2 and R3 (multi-dwelling zones) and R2.5, R5, R7 and R10 (single-dwelling zones).

In single-dwelling zones, the original '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 triplexes on 4,800 square foot lots in the R2.5 zone. Design review, with the option of using Community Design Standards instead, was required for these additional units.

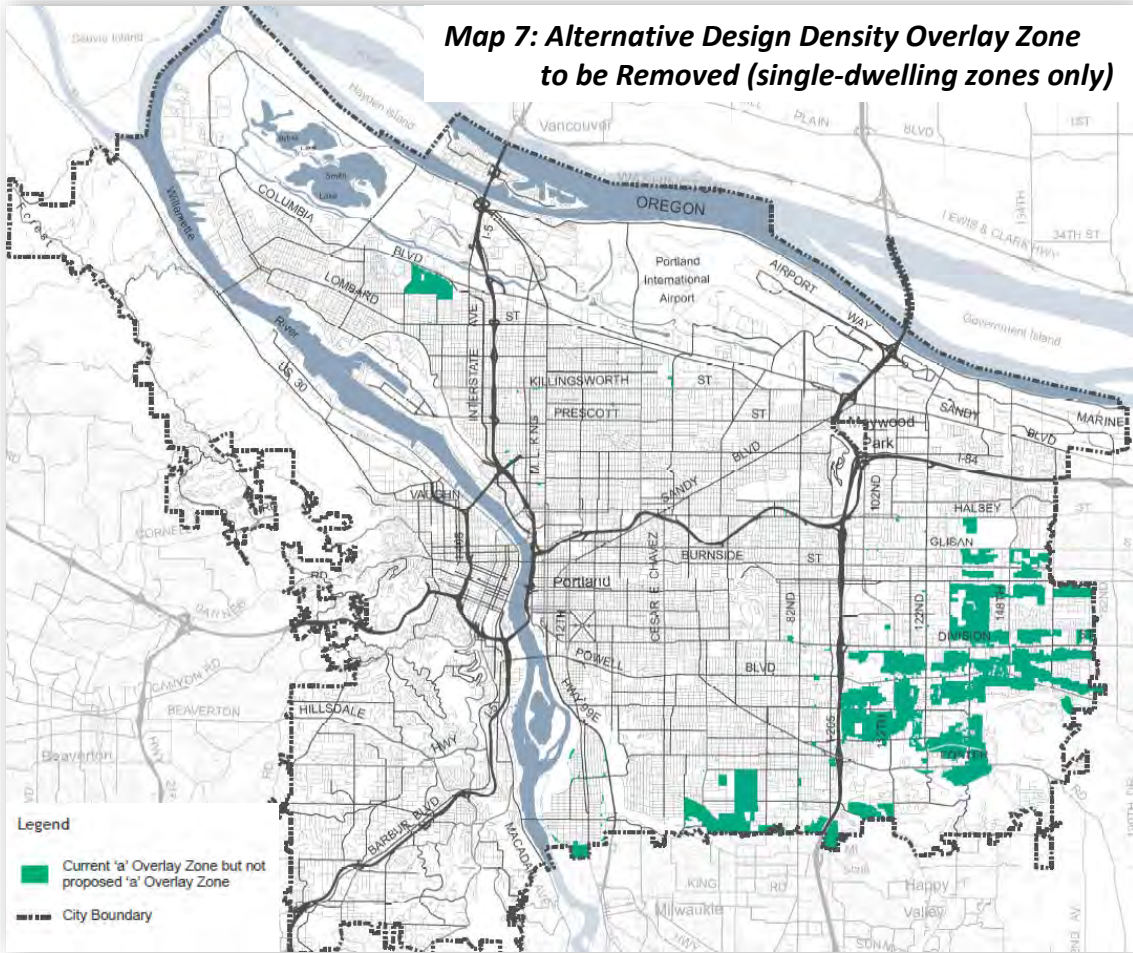
In more recent years, many of the original 'a' overlay provisions have been incorporated into the base zone regulations. The regulations that remain in the current 'a' overlay have not been well-utilized. In fact, of the nearly 45,000 properties in the overlay zone, staff estimates that fewer than 250 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.

Staff Proposal:

Removing the Current 'a' Overlay Zone

The proposal removes the current 'a' overlay for all single-dwelling zones sites, as shown on Map 7: Alternative Design Density Overlay Zone to be Removed. Concurrently, the Zoning Code provisions are being amended to delete the provisions applicable to single-dwelling zoned sites (see Section 6: Zoning Code Amendments in *Volume 2*). Therefore, properties that have the current 'a' overlay (those in green on the map below) will no longer be able to increase their density using the provisions described above. (See Proposal 6 in Section 4: Analysis of Amendments.)

Map 7: Alternative Design Density Overlay Zone to be Removed (single-dwelling zones only)



Residential Infill Project

AN UPDATE TO PORTLAND'S
SINGLE-DWELLING ZONING RULES

PROPOSED DRAFT
APRIL 2018

VOLUME 2: ZONING CODE AMENDMENTS

Submit testimony to the Portland Planning
and Sustainability Commission by May 15, 2018
See inside cover for more information



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

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



The Residential Infill Project is updating Portland’s single dwelling zoning rules to meet the changing needs of current and future residents.

For more information:

Visit the project website www.portlandoregon.gov/bps/infill

Email the project team Residential.Infill@portlandoregon.gov

Call the helpline 503-823-0195

Para obtener más información, por favor llame al 503-823-0195.

如需更多資訊，請致電：503-823-0195。

За дополнительной информацией обращайтесь по номеру 503-823-0195.

Để biết thêm thông tin, vui lòng gọi 503-823-0195.

Wixii macluumaad dheeraad ah, fadlan wac 503-823-0195

Call the helpline at 503-823-0195 for more information.

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How to Testify

The Residential Infill Project will be considered by the Portland Planning and Sustainability Commission (PSC). The public is invited to submit formal comments (called public testimony) to the PSC, in writing or in person, at a public hearing or online. Testimony on the **Proposed Draft** is directed to the PSC which may amend the proposal and subsequently vote to recommend the changes to Portland City Council. This is then called the **Recommended Draft**. The public will also have an opportunity for formal testimony on the **Recommended Draft** when that draft is reviewed by City Council.

Testify in person at one of the following Planning and Sustainability Commission (PSC) public hearings	Testify in writing between now and Tuesday May 15 th , 2018
<p>Tuesday, May 8, 2018, at 5 p.m. 1900 SW 4th Avenue, Room 2500, Portland, Oregon</p> <p>Tuesday, May 15, 2018, at 5 p.m. 1900 SW 4th Avenue, Room 2500, Portland, Oregon</p> <p>To confirm the date, time and location, check the PSC calendar at www.portlandoregon.gov/bps/35452</p>	<p>Map App: www.portlandoregon.gov/bps/infill/mapapp Click on the "Testify" button. You can testify about a specific location or on the proposals in general. Testifying in the Map App is as easy as sending an email. Once your testimony is submitted, you can read it in real time.</p> <p>U.S. Mail: You must provide your full name and mailing address. Portland Planning and Sustainability Commission Residential Infill Project Testimony 1900 SW 4th Ave, suite 7100 Portland, OR 97201</p>

Next Steps:



Recommended Draft: After the PSC votes on their recommendation, 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 Fall of 2018.

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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 is not an exhaustive list of all code changes, but rather it 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 May 24, 2018 and are available online for viewing:

www.portlandoregon.gov/bps/article/641579

The amendments in this draft do not reflect other pending changes proposed as part of the “2035 Comprehensive Plan Code Reconciliation Project”. Those amendments were not adopted prior to publishing this Proposed Draft. More information about this project can be found at

<https://www.portlandoregon.gov/bps/72600>

Proposal	Summary of change	Code reference
SCALE OF HOUSES		
Limit the size of houses	New floor to area (FAR) standard Accessory structure FAR Basements and floor area defined	33.110.215; 33.110.250.C.1 33.910
Revise height measurement	Measure from lowest point Reduced height for detached house in R2.5 Dormer projection	33.930 Table 110-4 33.110.220.C.2
Improve setbacks	Increased setback in R5 Setback matching Fence location and height Measuring setback matching	Table 110-4 33.110.225.D.2 33.110.280.C. 33.930
Improve building design	2' eave projections Limit height of main entrance Require alley access, when available	33.110.225.C.2 33.110.235.D 33.266.120.C.1
HOUSING CHOICE		
Allow more housing types	Duplex Triplex Additional ADU (with house or duplex) Basement ADU size waiver	33.405.040 33.405.050 33.405.060 33.205.040.C.3
Require age-friendly housing	Visitability standards	33.405.040-060
Reduce parking impacts	Waive on site parking for duplexes/triplexes	33.405.040-060
Incent historic preservation	Incentives and limitations for historic resources	33.405.040-060
Add affordability incentives	Bonus FAR or bonus unit	33.405.070
Facilitate cottage clusters	Allow ADUs in single-site planned developments Add open space and circulation criteria Reduce Type III review to Type IIx	33.205.020.B 33.854.310.E-H 33.854.200.C
NARROW LOTS		
Restrict 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	33.110.205 & Table 110-3 33.676 33.677.100.B
Improve building design for narrow lots	Require attached houses on 25' wide lots Limit height of detached house Prohibit parking between building and street	33.110.260.C.1 33.110.260.C.2 33.110.260.C.3
Revise rules for the R2.5 zone	Require 2 units on 5,000 s.f. and larger lots Reduce lot width for attached houses in land divisions Allow property line adjustments to create flag lots to encourage house retention Apply size limits and design standards to flag lots	33.110.210 33.611.200.C 33.677.300.C. 33.110.265.C.2.

Commentary

33.110 Single-Dwelling Zones

The chapter is being reorganized and renumbered.

The 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)
- update table and figure references to reflect the correct order of appearance in the chapter
- 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)

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
- ~~33.110.205212 Development on Lots and Lots of Record When Primary Structures are Allowed~~
- 33.110.210 Minimum Number of Dwelling Units Required
- 33.110.215 Floor Area Ratio
- ~~33.110.220215~~ Height
- ~~33.110.225220~~ Setbacks
- ~~33.110.230225~~ Building Coverage
- ~~33.110.227~~ Trees
- ~~33.110.235230~~ Main Entrances in R10 through R2.5 Zones
- ~~33.110.240232~~ Street-Facing Facades in R10 through R2.5 Zones
- ~~33.110.245235~~ Required Outdoor Areas
- ~~33.110.250~~ Detached Accessory Structures
- ~~33.110.255253~~ Additional Development Standards for Garages
- ~~33.110.260213~~ Additional Development Standards for Narrow Lots and Lots of Record
Created Before July 26, 1979
- 33.110.265 Additional Development Standards for Flag Lots
- ~~33.110.270240~~ Alternative Development Options
- ~~33.110.275245~~ Institutional Development Standards
- ~~33.110.280255~~ Fences
- 33.110.28533.110.257 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

- 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

33.110.100.B Limited uses

The Paragraphs in this subsection are being renumbered so that they align with the order that they appear in Table 110-1.

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 that~~ 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. This sentence is being added to make it consistent with other paragraphs.

33.110.100.B.9 Agriculture in R5 and R2.5 zones. The word "it" is being clarified because 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

References that are not regulatory and only refer to other titles of City code are being removed.

Table 110-1

Numbers in Table 110-1 are being 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

Footnote numbers are being updated to be in numerical order

The notation for "Limited" Agriculture use in the R10 and R7 zones is being deleted to reflect that these uses currently require a conditional use in these zones. The regulation for this use is not being changed.

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.

Commentary

Table 110-2

Adding a 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 being revised to reflect the new Planned Development Review chapter location (moved with prior Task 5 Comp plan project - effective in 2018)

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.

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 <u>33.110.260.C</u> and <u>33.110.240270.C, E & H<u>G</u>)</u>	No	Yes	Yes	Yes	Yes	Yes
Accessory dwelling unit (See 33.205)	Yes	Yes	Yes	Yes	Yes	Yes
Duplexes: On corners (See <u>33.110.240270.E</u>)	No	Yes	Yes	Yes	Yes	Yes
On transitional lots (See <u>33.110.240.H 270.G</u>)	No	Yes	Yes	Yes	Yes	Yes
Other situations (See <u>33.110.240270.D</u>)	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. 270 <u>638</u> .					
Group structure	Only when in conjunction with an approved conditional use.					
Multi-dwelling structure	Only in Planned Developments, See Chapter 33. 270 <u>638</u>					
Multi-dwelling development	Only in Planned Developments, See Chapter 33.270					

Yes = allowed; No = prohibited.

Commentary

33.110.205 Development on Lots and Lots of Record

Additional language is being added to the purpose statement to provide a better linkage to the lot confirmation process (See NEW Chapter 33.676 for these provisions). The regulations of this section are intended to set the minimum lot sizes required for development. The section contains restrictions on development of substandard lots (and lot remnants, adjusted lots, and lots of record) when those lots have been owned in common with abutting property, as well as exceptions for lots that have not been owned in common with abutting property, or were rendered substandard by virtue of right of way condemnation or specific zone change.

Reorganizing Paragraph 4 to consolidate a number of similar provisions and to incorporate the footnotes from (renumbered) table 110-3.

4.d. is being added to continue allowing lots (and lot remnants, adjusted lots, and lots of record) that were lawfully established prior to July 26, 1979 and were under separate ownership on April 24, 2010 to be buildable. This subparagraph also allows development on lots that have completed a lot confirmation process (or lot segregation - an earlier version of lot confirmation) within 6 months of the effective date of these changes to allow development on these lots (which would otherwise be considered substandard through these changes).

This is intended to address R5 zoned lots that were confirmed under prior rules that allowed 25-foot-wide/2400 square foot lots if there had not been a house on the lot for at least 5 years as well as 36-foot-wide/1,600 square foot corner lots approved through a property line adjustment.

33.110.205212 Development on Lots and Lots of Record ~~When Primary Structures are Allowed~~

- A. Purpose.** The regulations of this section allow for development of primary structures on lots and lots of record that are an adequate size, but do not legitimize plots that were divided after subdivision and partitioning regulations were established. The regulations ensure that development on a site will in most cases be able to comply with all site development standards. Where more than one lot is in the same ownership, these regulations prevent breaking up large vacant ownerships into small lots, which are difficult to develop in conformance with the development standards. However, where more than one lot is in the same ownership, and there is existing development, allowing the ownership to be separated may increase opportunities for residential infill while preserving existing housing. 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. Ownership of multiple lots and lots of record.** Where more than one abutting lot or lot of record is in the same ownership, the ownership may be separated when:
1. Development is allowed on the lot or lot of record as described in Paragraph D. or E.; and
 2. All other requirements of this Title, excluding density, will be met after the separation.
- D. Development on lots and lots of record ~~Primary structures allowed.~~** In all areas outside the West Portland Park Subdivision, development of a primary structures ~~are~~ is allowed on a lot or lot of record as follows:
- On a lots created on or after July 26, 1979;
 - On a lots created through the Planned Development or Planned Unit Development process;
 - On a lots, lots of record, lot remnants, or combinations thereof that did not abut~~have not abutted~~ a lot, lot of record, or lot remnant under the same ownership on July 26, 1979, and has not abutted a lot, lot of record, or lot remnant under the same ownership since July 26, 1979; or any time since that date.
 - On a lots, lots of record, lot remnants, or combinations thereof created before July 26, 1979 that: ~~meet the requirements of Table 110-6.~~
 - Meets the requirements of Table 110-3;
 - Did meet the requirements of Table 110-3 in the past but was reduced below those requirements solely because of condemnation or required dedication by a public agency for right-of-way;
 - Is zoned R20 and met the requirements of Table 110-3 in the past but no longer meets the requirements solely due to a zone change effective on May 24, 2018; or
 - Does not meet the requirements of Table 110-3 but:
 - Is zoned R5 and was under separate ownership from abutting lots on April 24, 2010; or
 - Was separated from abutting lots through a lot confirmation that was finalized before **INSERT EFFECTIVE DATE + 6 MONTHS**

Commentary

33.110.205.E.3.c.

Updating table reference. Table is being renumbered (from 110-6 to 110-3) to reflect correct order of appearance in the chapter.

33.110.205.F. Nonconforming situations.

Deleting sections that simply reference other regulations. No changes are made to those referenced regulations. Additionally, since the separation of an ownership may not result in creating or increasing the degree of a non-conforming situation, including the reference to non-conforming situations here may be confusing.

- ~~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.~~

ED. Regulations for Development on lots and lots of record in West Portland Park. In the West Portland Park subdivision, development of a primary structures are is allowed on a lot or lot of record as follows:

1. On a lots created on or after July 26, 1979;
2. On a lots, lots of record, lot remnants, or combinations thereof that did not abut~~have not abutted~~ a lot, lot of record, or lot remnant under the same ownership on July 26, 1979, and has not abutted a lot, lot of record, or lot remnant under the same ownership since July 26, 1979; or any time since that date;
3. On a 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-~~36;~~
4. A ~~P~~primary structures are is allowed on a lots, lots of record, lot remnants and or combinations thereof that did meet the requirements of D.2, above, in the past but ~~were was~~ reduced below those requirements solely because of condemnation or required dedication by a public agency for right-of-way.

FE. 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. Chapter 33.258 also includes regulations regarding damage to or destruction of nonconforming situations.~~

Commentary

Table 110-3

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 are being removed.

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

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

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

Note [3] is deleted since the updated standards are now embedded in 33.110.210.C. Primary Structures Allowed

Note [4] is renumbered.

33.110.210 Minimum Number of Dwelling Units 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. The site may alternatively be divided. 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 larger R2.5 zoned sites, while not requiring a land division to build two units where underlying lots are not already present.

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

Table 110-3 6		
Minimum Lot Dimension Standards for Lots, Adjusted Lots, Lots of Record, and Lot Remnants Created Prior to July 26, 1979		
RF through R5R7 Zones		
Lots, including Adjusted Lots [1]	36 feet wide and meets the minimum lot area requirement of Table 610-2. [14]	
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.
- [14] Lot width for a flag lot is measured at the midpoint of the flag portion of the lot.

33.110.210 Minimum Number of Dwelling Units Required

- A. Purpose.** Requiring a minimum number of dwelling units in the R2.5 zone ensures that sites that are large enough for at least two dwelling units are not underutilized.
- B. Minimum number of dwelling units required.** In the R2.5 zone, two dwelling units are required on sites that are 5,000 square feet or larger. Multi-dwelling development is prohibited unless approved through a Planned Development.

Commentary

Table 110-4

The addition of a Floor Area Ratio (FAR) limit for the R7, R5, and R2.5 zones is being applied as 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 approximated 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 Size	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)	6,750 (FAR 1.35)	4,375 (FAR 1.75)
Proposed Code max size	2,800 (FAR 0.4)	2,500 (FAR 0.5)	1,750 (FAR 0.7) Attached houses 1,250 (FAR 0.5) Detached houses
Minimum Lot Size	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)	4,500 (FAR 1.5)	2,800 (FAR 1.75)
Proposed Code max size	1,680 (FAR 0.4)	1,500 (FAR 0.5)	1,120 (FAR 0.7) Attached houses 800 (FAR 0.5) Detached houses

* 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 or accessory dwelling units (ADUs), while reducing the mass of the primary structure. See 33.110.250, Accessory Structures

Floor area is not counted for basements or attic space where the ceiling height is less than 80 inches (the minimum height required by the building code to be counted as habitable space). See also amended definition of Floor Area and Basement (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 houses that are at least 5 years old. This allows modest additions (250 s.f. or less) that exceed the FAR limits. A 5-year period between additions is included to limit serial alterations. This reduces complexity for the applicant because demonstrating compliance with FAR would require showing the interior layout and dimensions of the entirety of a house, not just the proposed addition.

FAR adjustments are also prohibited, Affordability incentives in the overlay provide for a fee in lieu option to obtain limited additional FAR. (see 33.405.070) To increase the effectiveness of the fee-in lieu, adjustments cannot be allowed.

Table 110-4 3 Summary of Development Standards In Single-Dwelling Zones							
Standard	RF	R20	R10	R7	R5	R2.5	
						detached See 33.110. 270 240.C	attached
<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>0.5 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.	30 35 ft.	35 ft.
Minimum Setbacks							
- Front building setback	20 ft.	20 ft.	20 ft.	15 ft.	15 10 ft.	10 ft.	10 ft.
- 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 buildings on one lot does not overwhelm development on adjacent lots. Additionally, the standards help define the character of the different zones by establishing greater FAR allowances in the higher density zones.
- B. Maximum FAR standard.** Maximum floor area ratios are stated in Table 110-4. Additional floor area is allowed for covered accessory structures. See 33.110.250.C.1. The maximum FAR for institutional uses is stated in 33.110.275. Adjustments are prohibited.
- C. Exception.** Maximum FAR does not apply to one alteration or addition of up to 250 square feet when the alteration or addition is to a primary structure that is at least 5 years old. 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, and amended to reflect that minor projections, like bay windows, are not included in the street facing facade for the purpose of calculating the width to height relationship.

33.110.220215 Height

A. Purpose. The height standards serve several purposes:

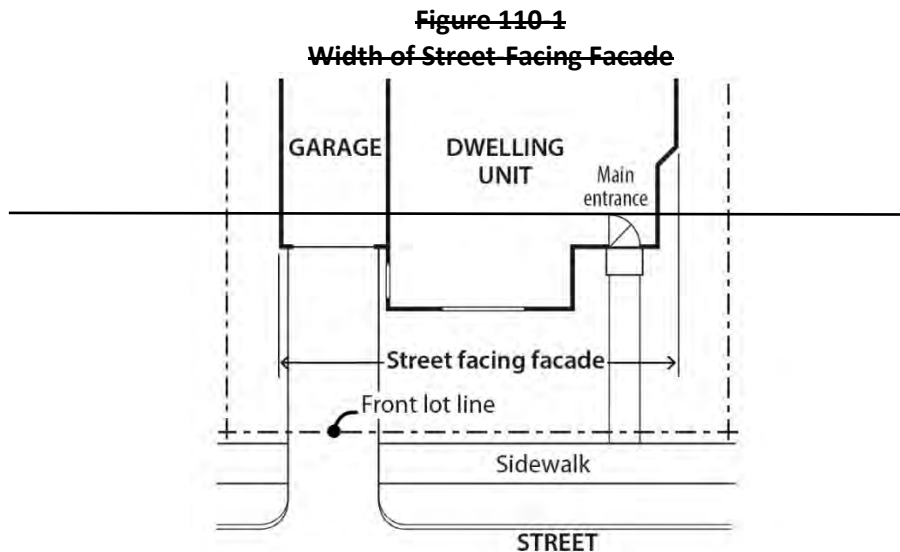
- They ~~promote~~foster a reasonable building scale and relationship of one residence to another;
- They ~~promote~~foster options for privacy for neighboring properties; and
- They reflect the general building scale and placement of houses in the city's single-dwelling neighborhoods.

B. Maximum height. 1.—Generally, ~~the maximum height allowed for all structures is stated in Table 110-4-3. 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 standard for detached primary structures on a narrow lot is stated in 33.110.260, Additional Development Standards for Narrow Lots. The maximum height standard for structures on small flag lots 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.



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



Credit: finehomebuilding.com

Would not meet dormer standard

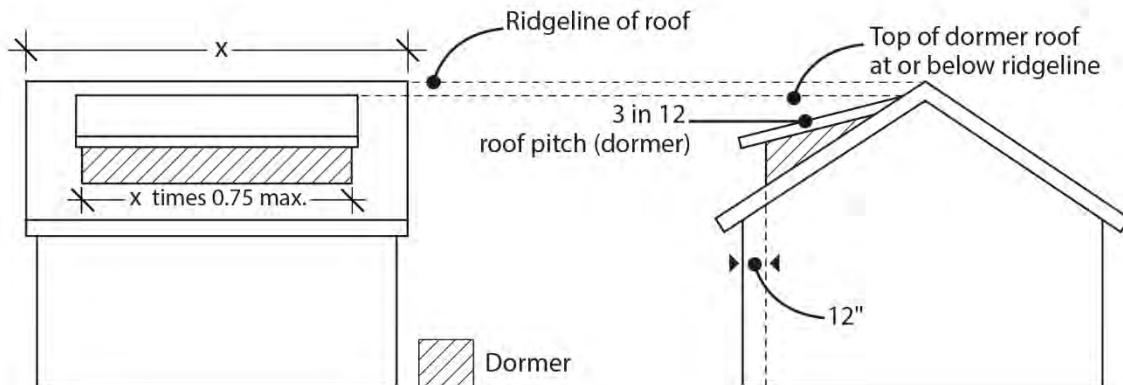


Credit: pro.homeadvisor.com

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 are attached to a building and 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:
 - 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; and
 - c. The width of the dormer is not more than 75 percent of the width of the roof from which it projects. See Figure 110-1
- ~~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, Wind Turbines.
- ~~6~~5. Roof mounted solar panels are not included in height calculations, and may exceed the maximum height limit as follows:~~if the following are met;~~
 - a. For flat roofs or the horizontal portion of mansard roofs, ~~they~~the roof mounted solar panel may extend up to 5 feet above the top of the highest point of the roof.
 - b. For pitched, hipped or gambrel roofs, ~~they~~the roof mounted solar panel 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.

Figure 110-1
Height Exception for Dormers



Commentary

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

Additional clarity has been added regarding how to measure the average street grade. In this case, the average street grade will be measured 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 is sloping both uphill from one street, while downhill from the other street.

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

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 of the grade of the street where the grade of the street is measured at that the corners of the lot 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.~~225220~~.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.~~225220~~.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 to meet either D.1 or D.2.

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 single-dwelling neighborhoods;
 - They ~~promote~~foster a reasonable physical relationship between residences;
 - They ~~promote~~foster options for privacy for neighboring properties;
 - They help prevent development that is inconsistent with the established setback of other development along the street; 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-~~4-3~~. The walls of the garage structure are subject to the front, side, and rear building setbacks stated in Table 110-~~4-3~~. The minimum setbacks for institutional uses are stated in 33.110.~~275245~~. 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

Commentary

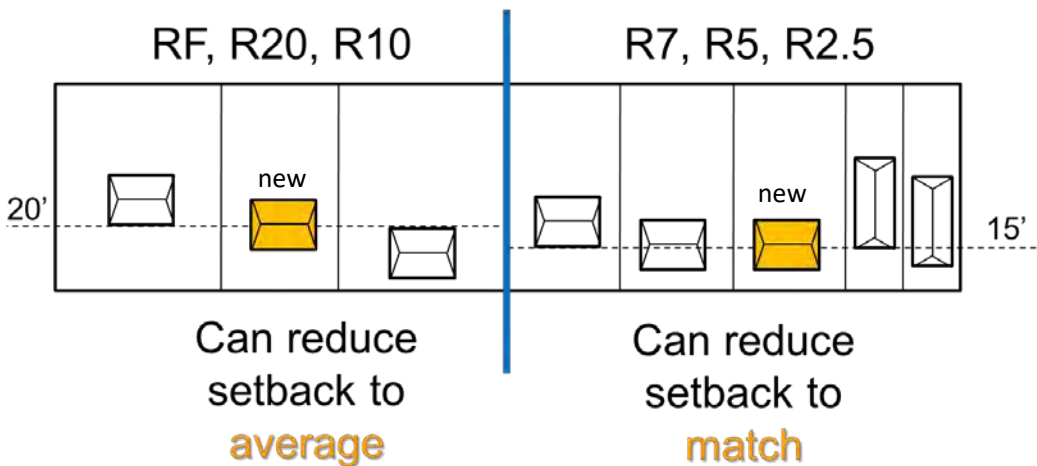
33.110.225 D.1 and D.2 Exceptions to the required setbacks

The setback in R5 was increased from 10 to 15 feet (consistent with the current R7 zone). The setback in this zone 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 are being removed from these provisions 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 other potential impacts.

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



33.110.225. D.3. Flag Lots

On lots that sit in front of a flag lot, the side setback that abuts the flag lot "pole" is being reduced. Greater flexibility provides more incentive to retain an existing house, as opposed to demolishing it. The reduced setback is appropriate since the flag pole area may not be developed and provides 10-12 feet of separation from the lot next door. Additional construction measures continue to be required to meet building code for structures closer than 3 feet to a property line.

- 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 extend up to 2 feet into a required building setback provided the eave is at least 3 feet from a lot line.
- ~~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 a~~ 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.~~280~~255. Detached accessory dwelling units are addressed in Chapter 33.205.

D. Exceptions to the required setbacks.

1. Front setback averaging. In the RF, R20, and R10 zones, the front building setback, garage entrance setback, and the front 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 front setback of decks, balconies, and porches may be reduced to match the respective setback on either abutting lot if the abutting 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 zero~~3~~ feet. ~~Eaves may be within 2 feet of the flag pole lot line.~~ All other setback requirements remain the same.

Commentary

33.110.225 D.5 Steeply Sloping Lots

Front setbacks are being increased to 15 feet in R5 zones, so this zone is added to the list of eligible zones that can reduce front setbacks on steeply sloping lots. R2.5 is remaining at a 10 foot front setback.

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

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.
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, and R5~~ zones, 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 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, referring to specific zones in the diagram is not necessary.

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

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

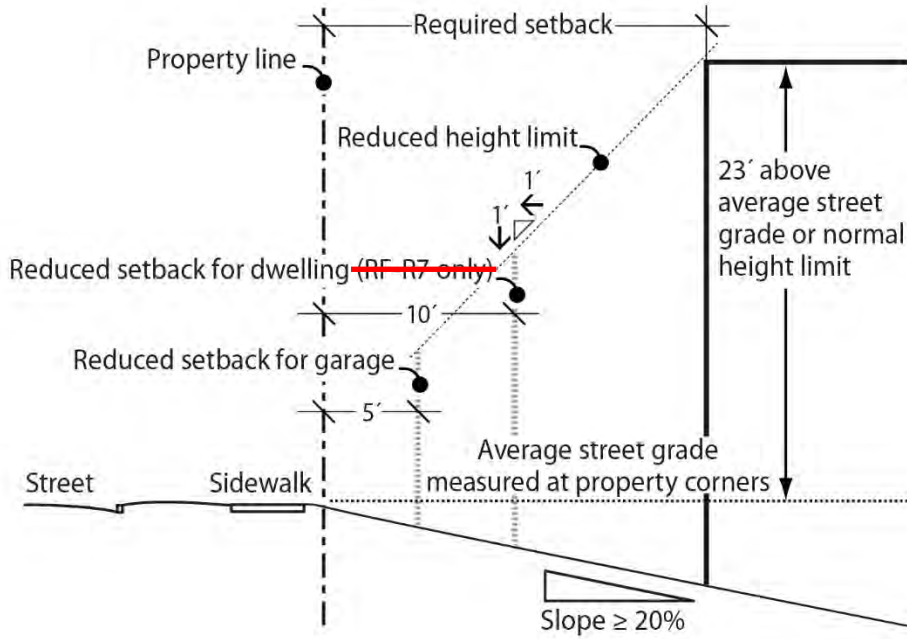
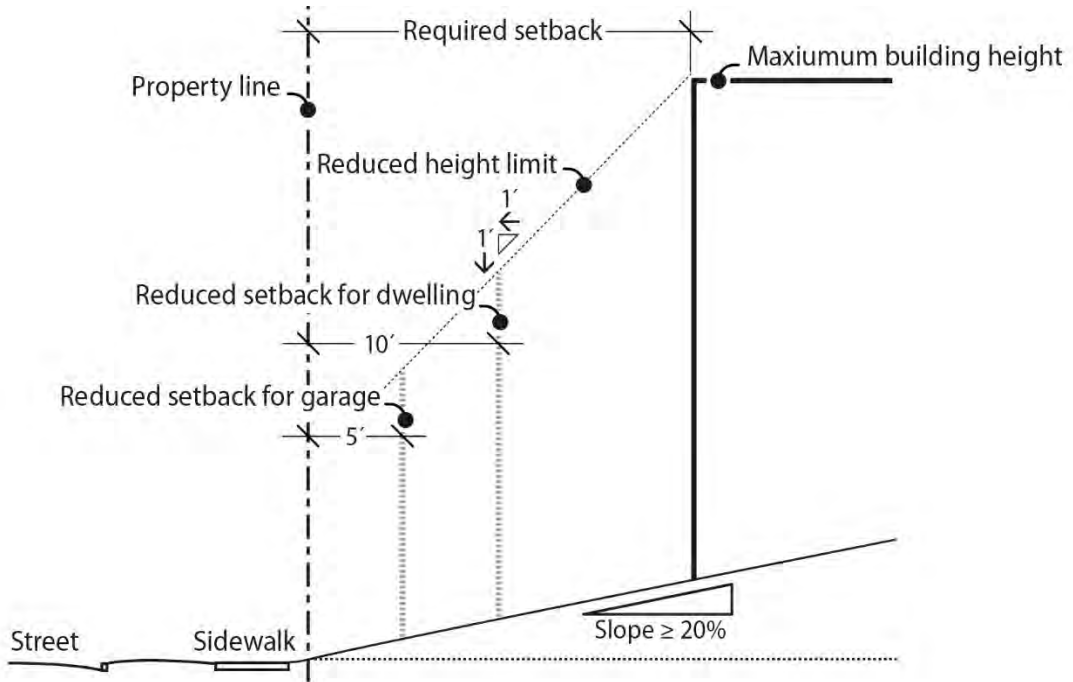


Figure 110-3
Exceptions To Front Building Setback And Garage Entrance Setback—Uphill



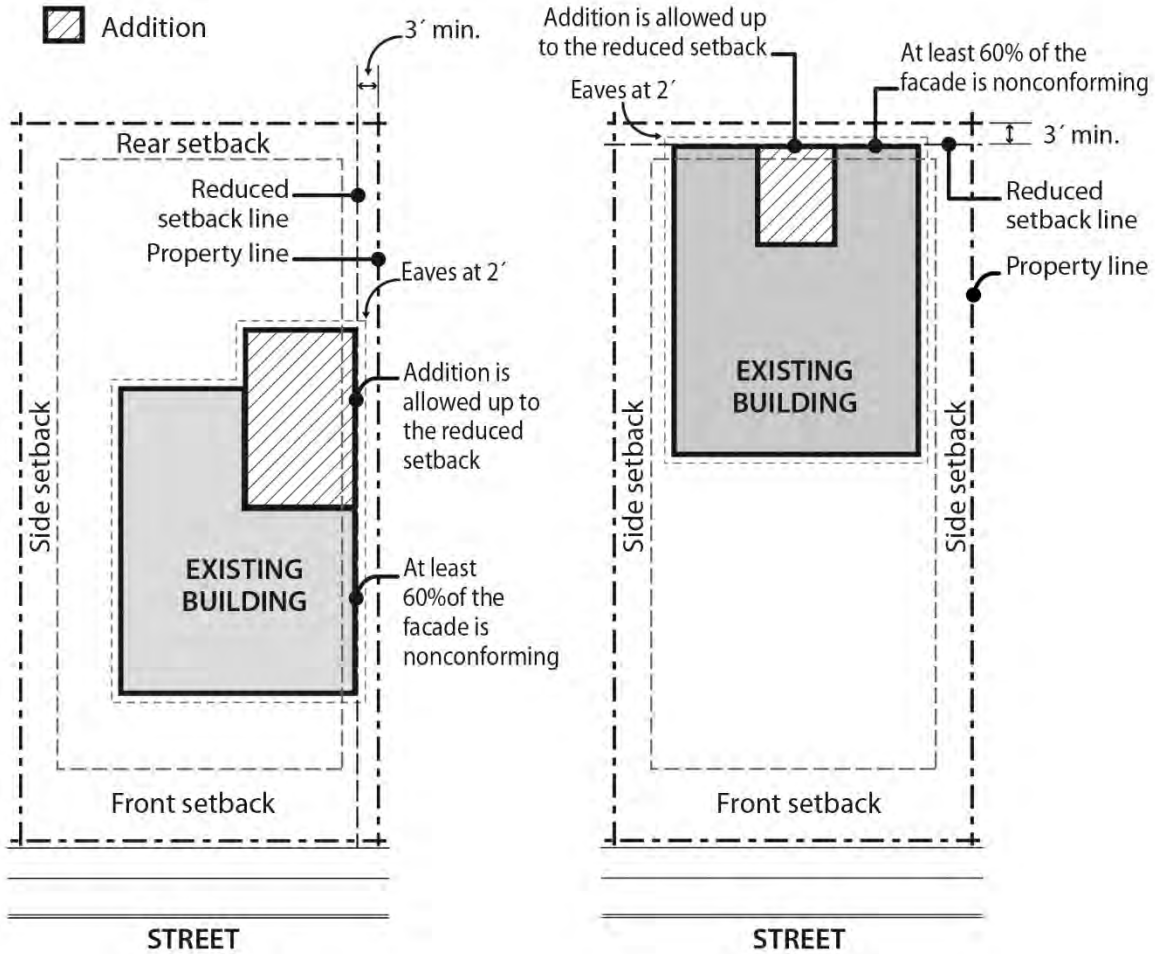
Commentary

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).

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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 ensure 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 110-5-4.

Commentary

33.110.227 Trees

References to other regulations that are contained in other city Titles are deleted throughout chapter.

33.110.235.B. Where these standards apply

The standard that limits the height of main entrances that previously applied only to attached houses on new narrow lots is being revised and will now apply to all lots in R10-R2.5 zones, and will also encompass houses, attached houses, and manufactured homes, as well as other structures that may contain additional dwelling units (e.g. house with and ADU, duplex, or triplexes in the case of sites in the new 'a' overlay)

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 110-7-5.

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.~~

33.110.235~~230~~ Main Entrances in R10 through R2.5 Zones

A. Purpose. These standards:

- ~~Together~~Work with the street-facing facade and garage standards, to 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. Location

The main entrance requirements are being separated between houses and structures that contain more than one unit. The new standard ensures two things: C.1: One main entrance will face the street or open onto a porch; and C.2: when there are additional dwelling units in the building, the main entrance to those units will have basic weather protection in the form of a small roof. The additional entrance(s) need not be on the same façade as the main entrance or face the street, but the standards are written to allow entrances to be combined under a single covered porch. If there is a single entrance to more than one internal entrance, as long as the single exterior entrance meets C.1, then C.2 would not apply.

33.110.235.D. Distance from Grade

This standard is being clarified and supplemented with a diagram to illustrate how to measure the average grade. The clarified methodology is intended to address tuck under garages (which were not counted as part of the "dwelling unit") or other excavations that may distort calculating the "average" grade. The standard is intended to limit long, tall runs of "floating" stairways. This also improves the relationship between the first floor of the dwelling and the surrounding grade. The standard as revised will now apply more broadly than to just new narrow lots. The standard only applies to the main entrance that meets the street facing requirements of C.1.



Houses with main entrance high above average grade



Main entrances within 4 feet of average grade

C. Location.

~~1. At least one main entrance to the primary structure for each structure must:~~ 1. Be within 8 feet of the longest street-facing wall of the dwelling unit; and must meet either Subparagraphs C.1.a. and C.1.b., or must meet Subparagraph C.1.c.:

~~2. Either:~~

- a. The main entrance must face the street or be at an angle of up to 45 degrees from the street. See Figure 110-5;
- b. The main entrance must be covered by a roof that is at least 2 feet deep and 8 square feet in area. The roof must be solid and no more than 12 feet above the threshold of the main entrance;
- c. The main entrance must 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 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 there is more than one dwelling unit on the site, the main entrance to all other dwelling units, including additional dwelling units in the primary structure that do not share the main entrance that meets C.1., must be covered by a roof that is at least 2 feet deep and 8 square feet in area. The roof must be solid and must be no more than 12 feet above the threshold of the entrance.

D. Distance from grade. ~~The main entrance that meets Subsection Paragraph C.1, above,~~ must be within 4 feet of grade. For the purposes of this Subsection, grade is the average grade measured at the outer most corners of the street facing façade 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. ~~270638,~~ 270638, Planned Development. Adjustments are prohibited.

Commentary

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Figure 110-5
Main Entrance Facing the Street

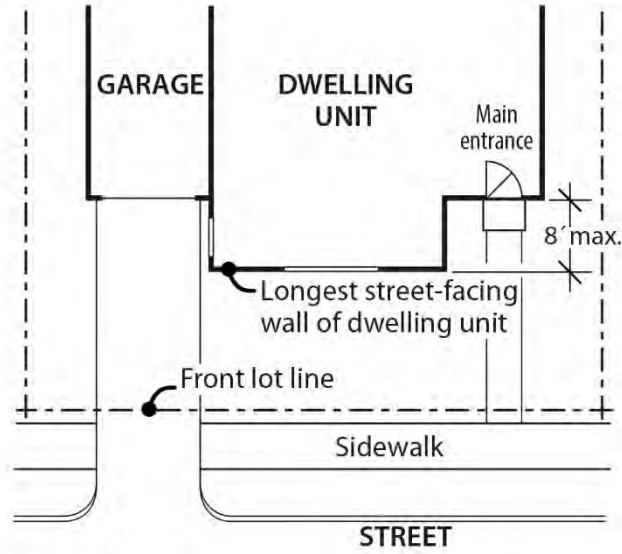
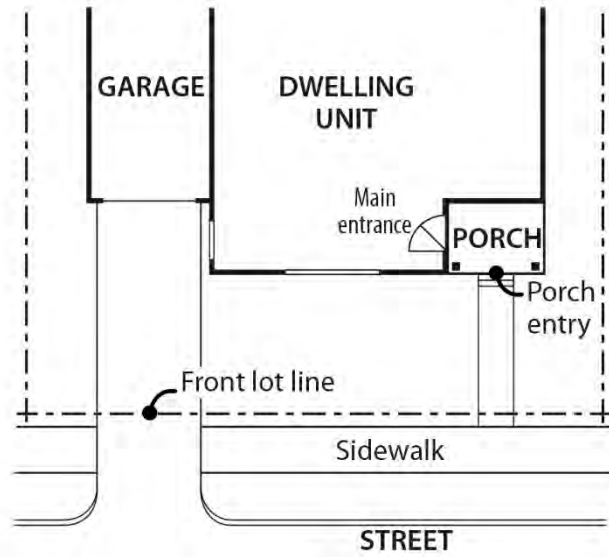


Figure 110-6
Main Entrance Opening onto a Porch



Commentary

Figure 110-7

The methodology for measuring average grade is being amended, this figure is also being changed to reflect that change.

33.110.240 A. Additional standards were added to the street facing façade requirements. The changes to the purpose statement relates to the new standard that limits second story entrance stairways on the street facing façade of a house

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

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

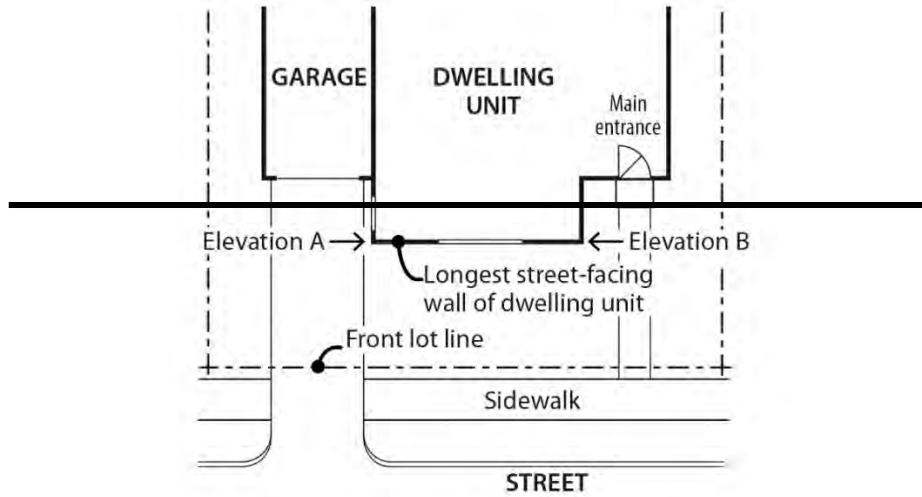
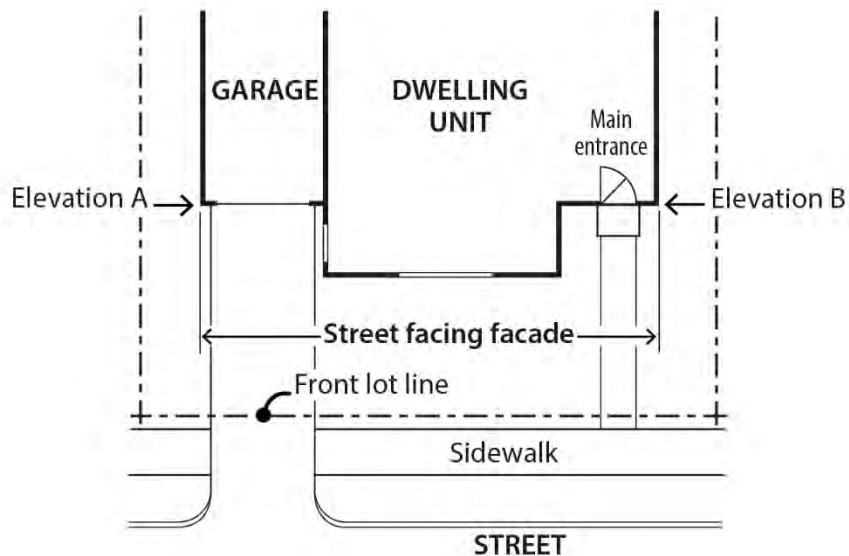


Figure 110-7
Calculation of Grade: ~~(Elevation A + Elevation B) / 2~~



33.110.24032 Street-Facing Facades in R10 through R2.5 Zones

A. Purpose. ~~This~~The standards:

- ~~Together~~Work with the main entrance and garage standards, to ensures that there is a visual connection between the living area of the residence and the street;
- Enhances public safety by allowing people to survey their neighborhood from inside their residences; and
- Provides a ~~more~~-pleasant pedestrian environment along the street by preventing large expanses of blank facades and façade-obscuring staircases from interrupting the connection between the residence and the public realm~~along streets~~.

Commentary

33.110.240.C. The subsection was renamed to differentiate the minimum window requirement from the other standard that is being added.

33.110.240 D. This new standard is intended to prevent exterior stairs to a second story from being located between the building façade and a street. These stairs would still be permissible on non-street side and rear façades.



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

33.110.245 Required outdoor areas

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

A few minor changes are 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 direct access to its required outdoor area, and that residents are not expected to travel through parking areas of the outdoor areas belonging to other units to get to their outdoor area.

- B. ~~Where these standards apply.~~** The standards of this section apply 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 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. Exterior stairs.** Fire escapes and exterior stairs providing access to an upper level are not allowed on any facade that faces a street lot line.

33.110.245235-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 dwelling unit are stated in Table 110-4-3. Outdoor area is not required for an accessory dwelling unit. 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, ~~and 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 as 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

33.110.250.B General Standards

Additional clarification is added to better distinguish a detached covered accessory structure from an attached covered accessory structure. The definition of an attached structure is "Any structure that is attached to another structure by a common wall, by a roof, or by *structural connections that allow pedestrian access to both structures*. For example, decks or stairways are attached structures when they are connected to another structure. A garage may be attached to another structure by sharing a wall or by a roofed structure such as a breezeway."

An attached structure that shares a wall (or floor/ceiling) with a building appears like an extension of that building, whereas a structure that is attached via just a breezeway or deck reads more like a separate (detached) building.

These changes more clearly differentiate an attached covered structure (one that shares a wall or is built above or below a primary structure) from attached covered structures (not sharing a common wall or floor/ceiling). This is important when considering the additional limits and allowances depending on whether a structure is attached or detached, as follows:

	Attached accessory structures (shared wall or floor/ceiling)	Detached accessory structures and structures attached via breezeway etc.
Allowances	Height limit: 30-35 feet Combined building coverage limit	Decreased side/rear setbacks Additional FAR
Limitations:	Standard setbacks apply FAR (part of primary structure)	Height limit: match house/20 feet max Exterior material requirements Building coverage max 15%



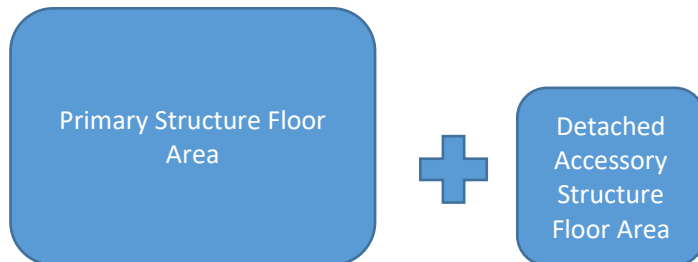
33.110.250 ~~Detached~~ Accessory Structures

- 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, and to attached covered accessory structures that do not share a common wall or common floor/ceiling. 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.

Commentary

33.110.250.C.1 Floor Area

Separate floor area standards from primary structures are included for detached accessory structures and attached covered accessory structures that do not share a common wall or common floor/ceiling. The FAR limits ensure that detached accessory buildings do not get excessively large. For example, current code applies a 15% building coverage limit to these structures 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.

33.110.250.C.2 Height.

When a two story detached accessory structure is built behind a low-roofed house, it can dominate the back yard and appear to overwhelm the primary structure. An additional height limitation now ensures that these structures better maintain the relationship between the primary and accessory structures.

- C. Detached and attached covered accessory structures.** ~~The following standards apply to detached covered accessory structures, and to attached covered accessory structures that do not share a common wall or common floor/ceiling.~~ 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. Attached covered accessory structures that do not share a common wall or common floor/ceiling include structures that are attached via a roofed structure such as a breezeway. ~~The following standards apply to all detached covered accessory structures.~~ Garages are also subject to the standards of 33.110.255~~253~~.
- ~~1.~~ 1. Maximum floor area ratio. In the R7, R5 and R2.5 zones, the combined FAR of all detached covered accessory structures and attached covered accessory structures that do not share a common wall or common floor/ceiling may not exceed 0.15 to 1. This is in addition to the maximum floor area ratio stated in Table 110-4.
 - ~~2.~~ 2. Height. The maximum height allowed for all detached covered accessory structures and attached covered accessory structures that do not share a common wall or common floor/ceiling is either 20 feet or not more than 4 feet taller than the primary structure, whichever is less.
 - ~~3.~~ 3. Setbacks. Except as follows, ~~detached covered accessory structures are subject to required building setbacks~~ apply. 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 and attached accessory structures that do not share a common wall or common floor/ceiling, 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’s 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 unless the lot line abuts a street or alley in which case doors and windows are allowed;

Commentary

33.110.250.C.3.b(8) Dormers

Additional clarity is added for lot lines that abut an alley (dormers do not need to be setback 5 feet in these cases)

- (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 that abut another lot.
- ~~34.~~ 44. Building coverage. The following additional building coverage standards apply to detached covered accessory structures and attached covered accessory structures that do not share a common wall or common floor/ceiling:
- a. The combined building coverage of all ~~detached~~the covered accessory structures may not exceed 15 percent of the total area of the site; and
 - b. The building coverage of a ~~detached~~any covered accessory structure may not be greater than the building coverage of the primary structure.
45. Additional development standards for detached and attached covered accessory structures. The following additional standards apply to detached covered accessory structures and attached covered accessory structures that do not share a common wall or common floor/ceiling 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.

Commentary

33.110.250.D. Detached uncovered vertical structures.
Reference to Fence section is being updated.

- 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.~~280255~~:
- 1. Height. Except as follows, the maximum height allowed for all detached uncovered vertical structures is 20 feet:
 - 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's footprint has dimensions that do not exceed 24 feet by 24 feet;
 - (3) The structure is no more than 10 feet high;

Commentary

- (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.

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.

Commentary

33.110.255 Additional Development Standards for Garages

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

33.110.255253 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
 - 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.

Commentary

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

33.110.255.D.2.c Moving the applicable clarification of the standard to D.3.

33.110.255.D.3.b

This change aligns with the prohibition of vehicle and parking area between a building and a street on narrow lots. The two standards are intended to work together to address design issues and impacts from fitting a garage in a narrow house façade, and parking on a narrow lot. In the case of wider lots, these narrow façades are much less common, and where they exist, other parking options are often available, such as a parking pad to the side, or a separate garage. This change (from "not allowed" to "prohibited") means that adjustments to this standard cannot be requested.

Renumbering Figure 110-11 to 110-8 to reflect correct order of appearance in the 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.~~
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 110-8-11. On corner lots, only one street-facing garage wall must meet this standard. For duplexes, this standard applies to the total length of the street-facing façades. 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~~prohibited as part of that façade.

Commentary

33.110.255.D.4 and D.5. Exception

These paragraphs provided exceptions for attached garage development on historically narrow lots and new narrow lots. Narrow lot standards are being amended and consolidated into one section 33.110.260 "Additional Development Standards For Narrow Lots".

Figures 110-13 and 110-14 are being renumbered to reflect correct order of appearance in the chapter.

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.~~
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-~~9~~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-~~10~~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 110-8-11
Length of Street-Facing Garage Wall

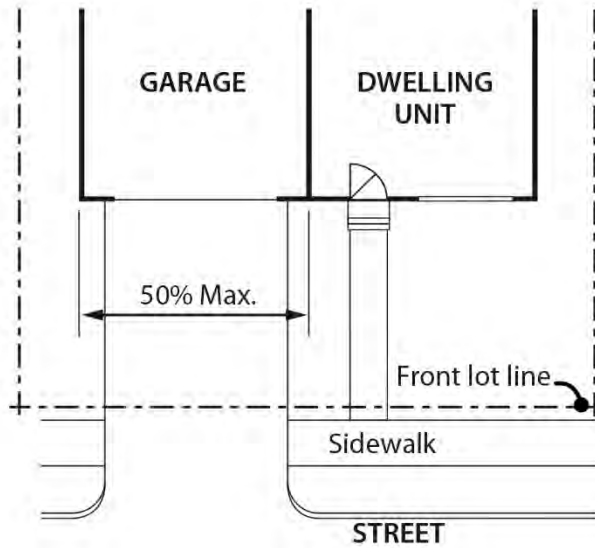
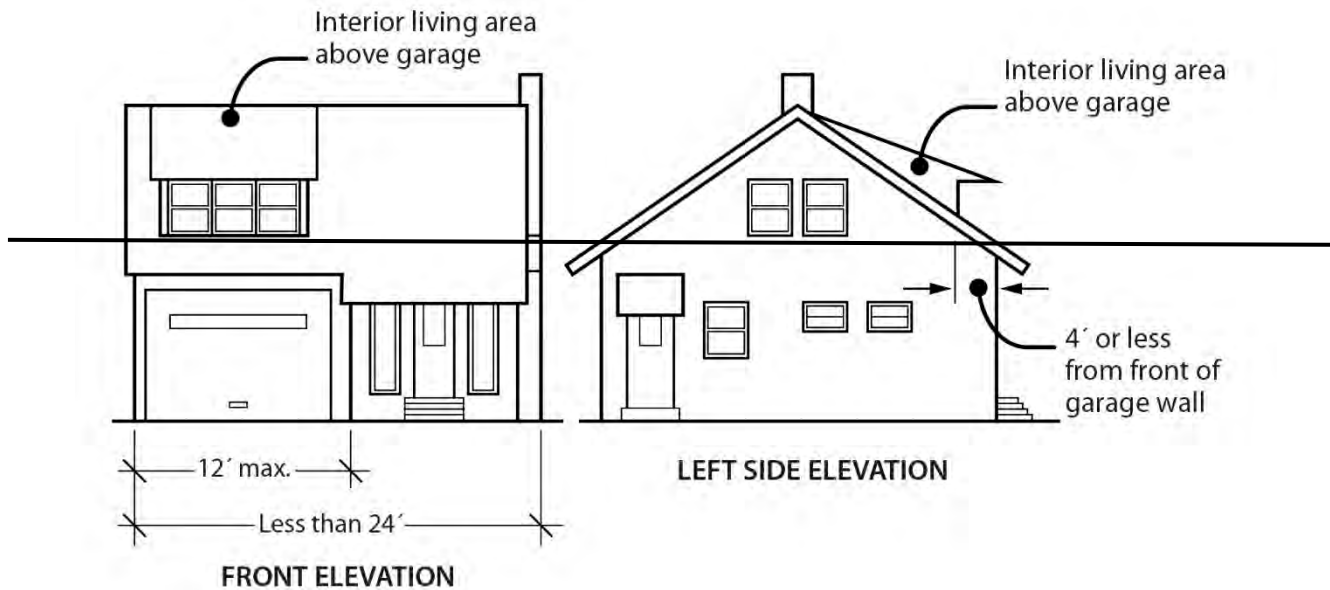


Figure 110-12
Length of Street-Facing Garage Wall Exception



Commentary

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

Figure 110-9-13
Street Lot Line Setback

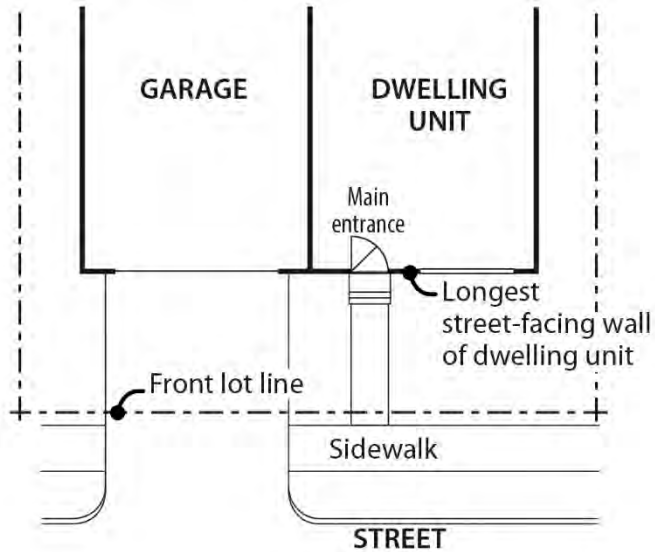
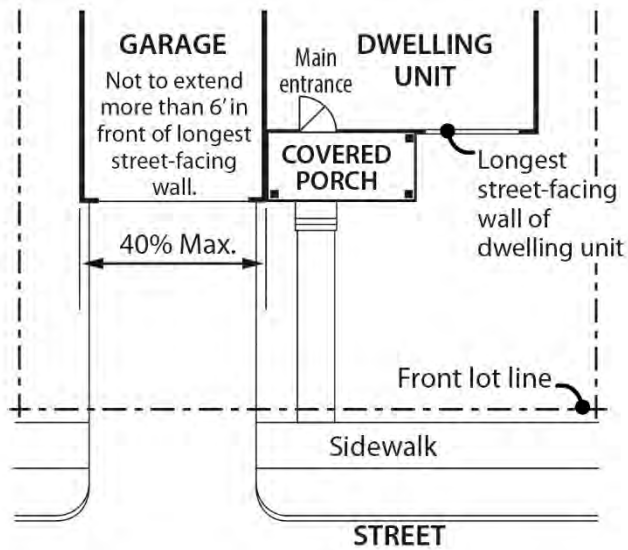


Figure 110-10-14
Garage Front Setback Exception



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	Attached houses required (<25' wide lots)	Detached and attached houses allowed	Attached houses required (<26' wide lots)
Parking space	Required (alley access required)	Not required (access not limited)	Parking not required Prohibited between building and street (alley access required if parking provided)
Street facing garage	Not allowed	12' wide max allowed	Prohibited for houses <22 feet wide.
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' in R5)
Main Entrance requirements	Attached houses only	All houses	Base zone (new grade limits apply to all houses)
Building Coverage	50% max	40% max	50% max
Materials, trim, and eaves	Not regulated	Required	Not regulated
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, including the attached house requirement), except parking and garages

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~~~~33.110.213~~ 33.110.213 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;
 - Ensure reasonably proportional relationship of the width and height of narrow structures;
 - Promote open landscaped front yards and quality building materials for improved compatibility;
 - Strengthen the relationship between the living area of the dwelling unit and the public realm;
 - Maximize on-street parking opportunities by reducing off-street parking requirements and promoting the use of alleys for vehicle access.

Commentary

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

Deleting the requirement that modifications may only be requested through design review. With this change, adjustments to any standard may be requested (other than standards that "prohibit"). This also helps when multiple adjustments are necessary by consolidating the review into one procedure.

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 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.

Figure 110-11 (Width of Street Facing Façade) was moved from 33.110.213 and modified slightly to clarify that minor building projections like bay windows are not included in the calculation of facade width for the purposes of determining the maximum height.

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 being amended in 33.110.235 Main Entrances, and will apply to all houses on most lots, including narrow lots.

Garage door. With the change that restricts vehicle area and parking, this standard is not necessary.

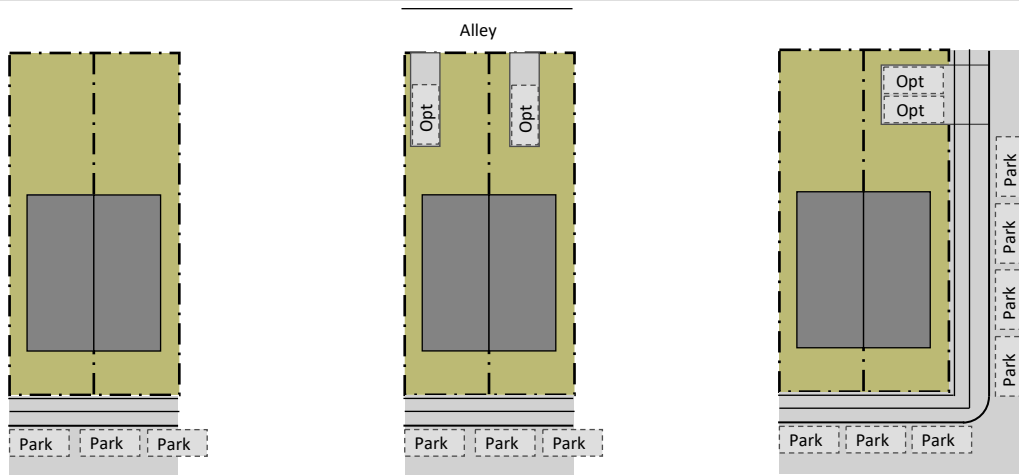
- B. Where these regulations apply.** The following additional development standards apply to lots, lots of record, or combination of lots or lots of record that are less than 32 feet wide. Lots in planned unit developments are exempt from the additional standards.
- ~~1. RF through R7 zones. These regulations 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. Housing type limitation. Attached houses are required on lots, lots of record, or combinations of lots or lots of record that are less than 26 feet wide unless the location of existing primary structures on adjacent lots precludes the development of attached houses. Attached houses must also conform to the requirements of 33.110.270.C., Attached housing.
 - ~~2. Maximum height. The maximum height allowed for all primary structures is 1.5 times the width of the structure, up to the maximum height limit listed in Table 110-4.3. Attached houses are exempt from this standard. For the purpose of this Paragraph, width is the length of the street-facing façade of the dwelling unit. See Figure 110-11.~~
 - ~~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;~~
 - ~~4. 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;~~

Commentary

33.110.260.C Standards (continued)

3. Parking and access. Off street parking on narrow lots presents considerable design challenges and creates impacts that are difficult to mitigate. Given the narrowness of such lots, resulting development will either be characterized by a car parked in front of the unit, dominating the front yard area and obscuring the house if building a parking pad; or a garage that dominates the ground floor façade of the house. These changes waive on-site parking and prohibit parking and vehicle areas between a building and the street lot line, while still allowing parking to occur from an alley, side street, or via a shared driveway.

Narrow lots with attached houses – parking **not required** and is **prohibited** between the building and the street



Narrow lots with detached houses – parking **not required** and is **prohibited** between the building and the street



4. Landscaping. 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.

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

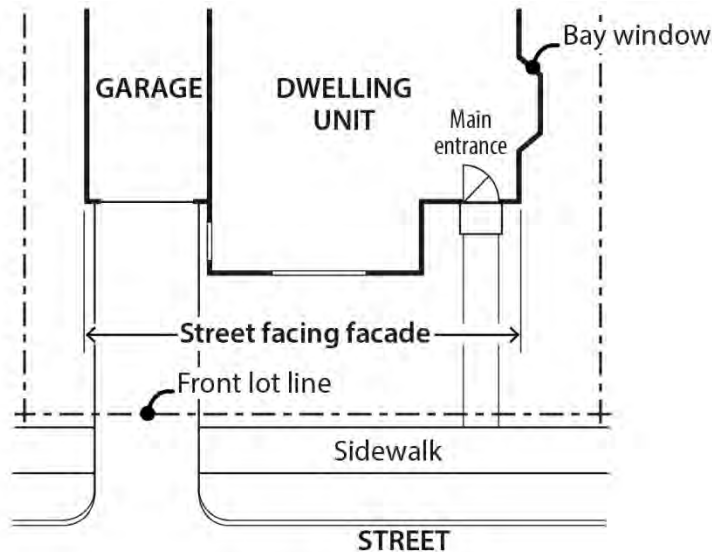
~~35. No parking required~~ Parking. No off-street parking is required. Where the street-facing facade is less than 22 feet long, parking and vehicle area are prohibited between the building and the street.

4. Landscaping.

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.

Figure 110-11
Width of Street-Facing Facade



Commentary

6. Exterior finish materials.

7. Trim.

8. Eaves.

Exterior finish materials, trim, and eave requirements are being deleted. This will encourage greater variety and architectural treatments.

9. Attached housing. This section is replaced by C.1 which requires attached houses on very narrow lots.

10. Setbacks. This section was deleted. Exceptions to the Narrow Lot standards may be requested through an Adjustment review, except for the parking and vehicle area standard,

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.

6. Exterior finish materials. ~~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.~~
7. 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 stucco or masonry are exempt from this standard;~~
8. Eaves. ~~Roof eaves must project from the building wall at least 12 inches on all elevations; and~~
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

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. - primarily R2.5 zones). The language for larger flag lots remains nearly the same as was previously in the Alternative Development Options with the two changes noted in C.1.b and C.1.f. below. New standards for small flag lots are described in C.2.

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.

33.110.265.C.1.f. Parking and Vehicle Access. To reduce the number of curb cuts along a street frontage, parking is not required, but when it is proposed, it must be accessed from an alley, when an alley is present. Alternatively, when there is no alley, a single curb cut is allowed to serve both lots.

33.110.265 Additional Development Standards for Flag Lots

A. Purpose. These standards are intended to protect the privacy of abutting residences and increase the compatibility of houses on small flag lots.

B. Flag lot standards. The following additional development standards apply to flag lots:

1. Large flag lots. The following standards apply to flag lots that are 3,000 square feet or more in area. Only the area of the flag portion of the flag lot is included when calculating area. The pole portion of the flag lot is not included:

a. Setbacks. Large flag lots have required building setbacks that are the same along all lot lines. The required setbacks are:

<u>Zone</u>	<u>Setback</u>
<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 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 portion of the flag lot is not included in the calculation of area, and the pole and the lot lines that are internal to the original land division site, or are adjacent to an alley, are exempt from the landscaped area requirement. The landscaped area must be at least 5 feet deep and must be landscaped to at least the L3 standard. The landscaped area may be reduced where the pole portion meets the flag portion to accommodate a 9-foot driveway. See Figure 110-12;

c. Building coverage. Only the area of the flag portion of the flag lot is included 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 Subparagraph B.1.b.; and

e. Detached accessory structures. Detached accessory structures may project into the flag lot setbacks as allowed by 33.110.250. However, these structures may not extend into the landscaped buffer area required by Subparagraph B.1.b.

f. Parking and vehicle access.

(1) Parking is not required, however if the large flag lot abuts an alley, and vehicle access is provided, vehicle access must be from the alley.

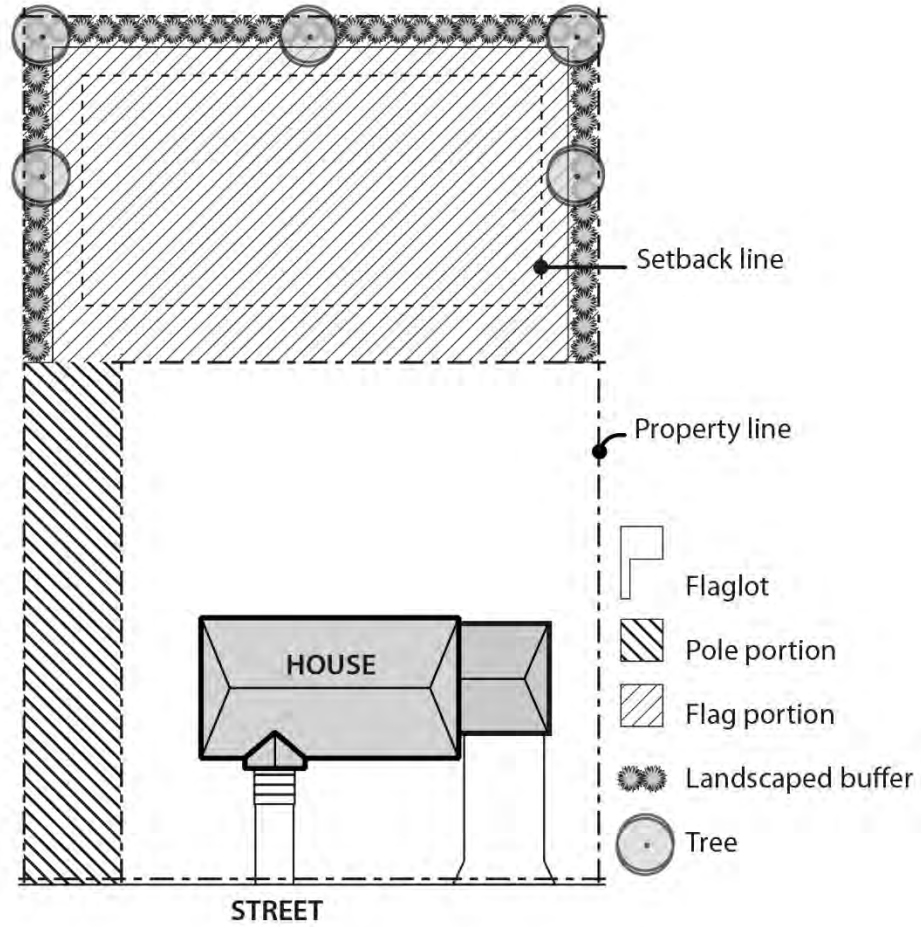
(2) If vehicle access will be provided and there is no alley, only a single curb cut for the large flag lot and the lot in front of the large flag lot is allowed.

Commentary

Figure 110-12 moved from previous 33.110.240. (now 33.110.270) Alternative Development Options along with related regulations for Flag Lots

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

Figure 110-12
Flag Lot Description and Buffer



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 1,500 square feet on a 3,000 s.f. R2.5 lot, plus 450 square feet for a detached structure. 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 includes material, trim, and eave requirements that encourage matching the house on the front lot. This helps maintain the block pattern of houses with a detached accessory structure or accessory dwelling unit (ADU) in the backyard, but these "accessory structures" would not be accessory to the house, they would be primary structures on an independently owned lot.



NOTE: 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. Where the accessory structure is in a setback, an adjustment would also be required.

33.110.270 Alternative Development Options. Section is renumbered

33.110.270.A Purpose

A minor revision to the purpose statement is made 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.

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 of the flag lot is included when calculating area. The pole portion of the flag lot is not included:
- a. Accessory dwelling units are prohibited on small flag lots;
 - b. The primary structure may be no larger than 1,000 square feet of floor area.
 - c. The maximum height allowed for all structures on small flag lots is 20 feet. When a structure on a small flag lot is more than 15 feet high the following standards must be met:
 - (1) The exterior finish material must be the same or visually match in type, size and placement, the primary structure on the lot in front of the flag lot, or be made from brick, stucco, wood, composite boards, 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) The roof pitch must be the same as the predominant roof pitch of the primary structure on the lot in front of the small flag lot, or be at least 6/12.
 - (3) The trim around all windows and doors must be the same or visually match the window and door trim on the primary structure on the lot in front of the flag lot, or be at least 3-1/2 inches wide.
 - (4) The eaves must be the same or visually match the eaves on the primary structure on the lot in front of the flag lot, or project from the building walls at least 1 foot on all elevations.
 - d. Small flag lots have a 5 foot required building setback along all lot lines;
 - e. Parking and vehicle access.
 - (1) Parking is not required, however if the small flag lot abuts an alley, and vehicle access is provided, vehicle access must be from the alley.
 - (2) If vehicle access will be provided and there is no alley, only a single curb cut for the small flag lot and the lot in front of the small flag lot is allowed.

33.110.27033-110.240 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. On lots 32 feet wide and wider, ~~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.

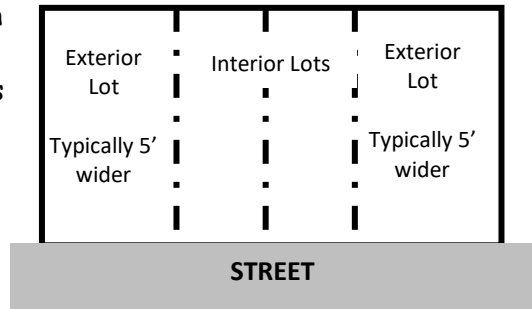
Commentary

33.110.270.C.2.c Floor Area Ratio

FAR is a function of a lot size like building coverage. With the smaller interior lots in multiple attached house project, the FAR would restrict the middle units to be smaller than the end units. This provision allows for the FAR to apply to the entire project site, rather than each lot. Unlike building coverage, the FAR does not change as the lot gets larger, so a cap is not needed on a per lot basis.

33.110.270.C.2.e Building coverage

Since R2.5 attached house projects can include more than pairs of attached houses, the lot sizes will often vary to accommodate side setbacks on the end units. This creates issues when applying building coverage limits, as the interior lots are smaller (thus less building coverage allowed). This provision allows the building coverage to be applied across the entire site, while including a cap so that no individual lot is allowed more than 5 percent more than would have been allowed otherwise.



33.110.270.C.2.d Landscape standards

These landscaping standards are being deleted from this Section and moved into 33.110.260, Additional Standards for Narrow Lots.

33.110.270.D Duplexes in the R2.5 zone

The FAR for attached houses (houses sharing a common wall) is higher than for detached houses in the R2.5 zone. A pair of attached houses and a duplex often share many of the same attributes, with the primary difference being the presence or lack of an invisible property line. Therefore, duplexes are allowed the same FAR as attached houses in the R2.5 zone.

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, so it is not necessary here.

- c. Floor area ratios. The maximum floor area ratio of the base zone applies to the entire attached housing project.
- d. 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.
- e. Building coverage. The maximum building coverage of the base zone applies to the entire attached housing project. The maximum building coverage for an individual lot is 5 percent more than the base zone allowance.
- 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; and
 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. The maximum FAR allowed for a duplex is the same as allowed for an attached house in the R2.5 zone.; 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	3,200 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 are being 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. Lot dimension regulations. Lots in the R20 through R2.5 zones must meet the lot dimension regulations of this section. Adjustments are prohibited.
- a. Duplexes. Lots for duplexes must meet the minimum lot area requirement shown in Table 110-6.

Zone	Minimum Lot Area
R2.5	3,200 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 must meet the minimum lot area requirement shown in Table 110-6. The original lot is the lot before division for attached houses. The new lots for attached houses must meet the following minimum lot dimension regulations:

(1) In the R20 through R5 zones, the new lots created for attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone.

(2) There are no minimum lot dimension standards for 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.

- 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

This clarifies what the allowable FAR is for a duplex, since the R2.5 base zone distinguishes max FAR between attached and detached houses.

33.110.270.E.5

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 Main Entrances

To strengthen the requirement that each entrance face a separate street, clarification is being added that a porch that opens to a separate street does not meet this standard if the door still faces the same street as the other entrance.

This subsection was also 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.

~~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. Floor area ratio. The maximum FAR allowed for a duplex in the R2.5 zone is the same as for attached houses in the R2.5 zone.

54. 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. The entrance to a porch does not count toward meeting this standard. ~~Where an existing house is being converted to two units, one~~ For duplexes, one main entrance with internal access to both units is allowed;
- 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.

Commentary

33.110.270.F. Flag Lot development standards

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

33.110.270.F. Planned development.

The reference number is being amended to reflect the new location of the Planned Development chapter.

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.~~
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.~~

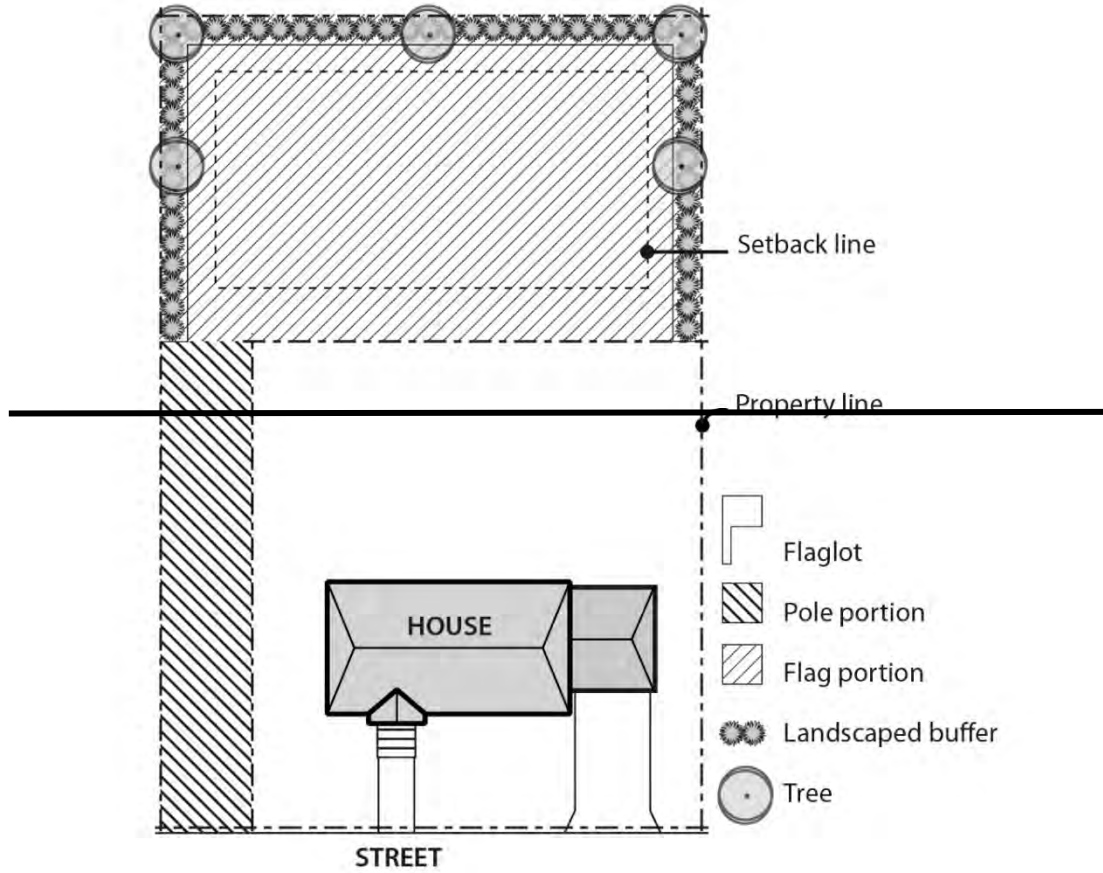
FG. Planned development. See Chapter 33.270638, Planned Developments.

Commentary

Figure 110-9 Figure 110-9 is being moved to Figure 110-12 in Section 33.110.265

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

Figure 110-9
Flag Lot Description and Buffer



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.

GH. **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 is being deleted since the City's permit ready house program has been suspended. The Code Reconciliation Project will remove Chapter 33.278, Permit Ready Houses.

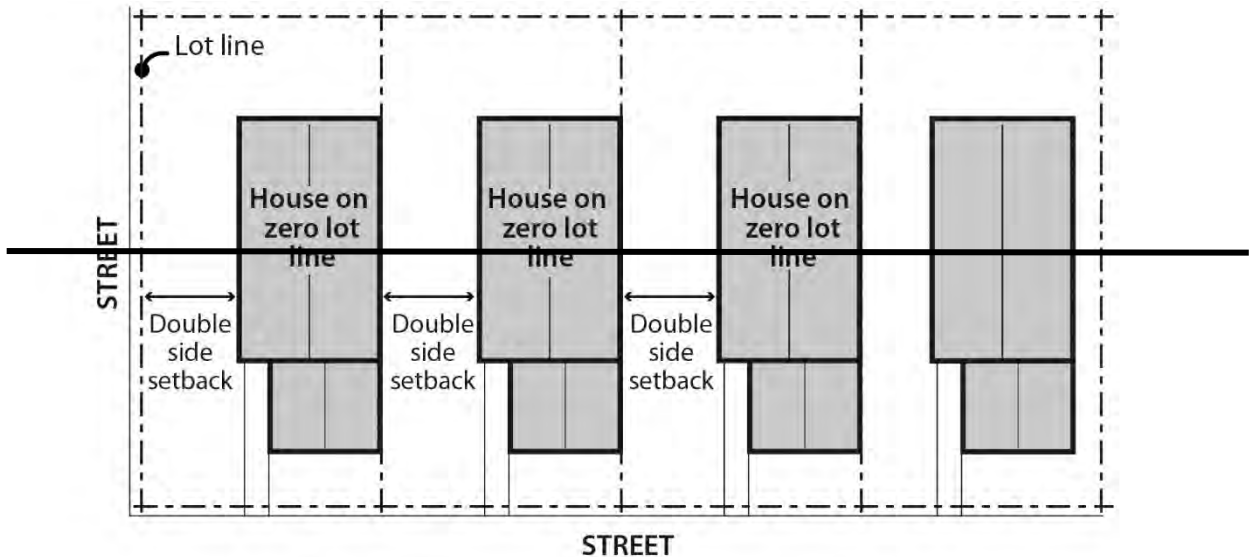
Figure 110-10 Figure is being deleted with removal of related zero lot line provisions.

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 are being made to provisions.

33.110.275~~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-~~7-5~~. 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

33.110.275.C.7 & C.8.

References to the renumbered table 110-7 are being updated.

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-~~7-5~~, 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-~~7-5~~ 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 110-7 and Footnote [5]

The table is being renumbered to reflect the correct order of appearance.

Footnote 5 is being amended to replace "surface parking lot" with "vehicle area". Surface parking does not include driveways and the driveway to a parking area on a site with an institution should be subject to parking lot landscaping and setback standards. The text has also been amended to reflect the updated name of Chapter 266.

Table 110-7 Footnote [7]

Updating section reference

33.110.280 Fences.

Renumbering section

Table 110-7-5 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 110-4-3. 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~~ Vehicle areas are subject to the parking lot setback and landscaping standards stated in Chapter 33.266, ~~Parking And Loading And Transportation And Parking Demand Management~~.

[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.

33.110.280-255 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 zone) 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

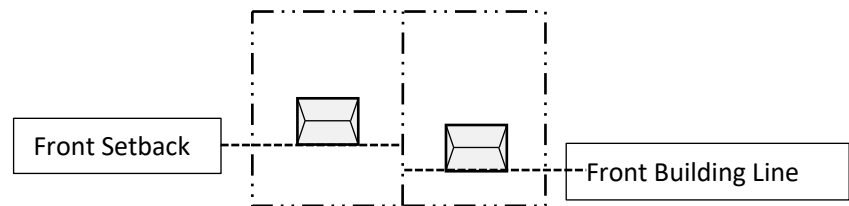


Figure 110-15 is being renumbered to reflect correct order of appearance in chapter

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.

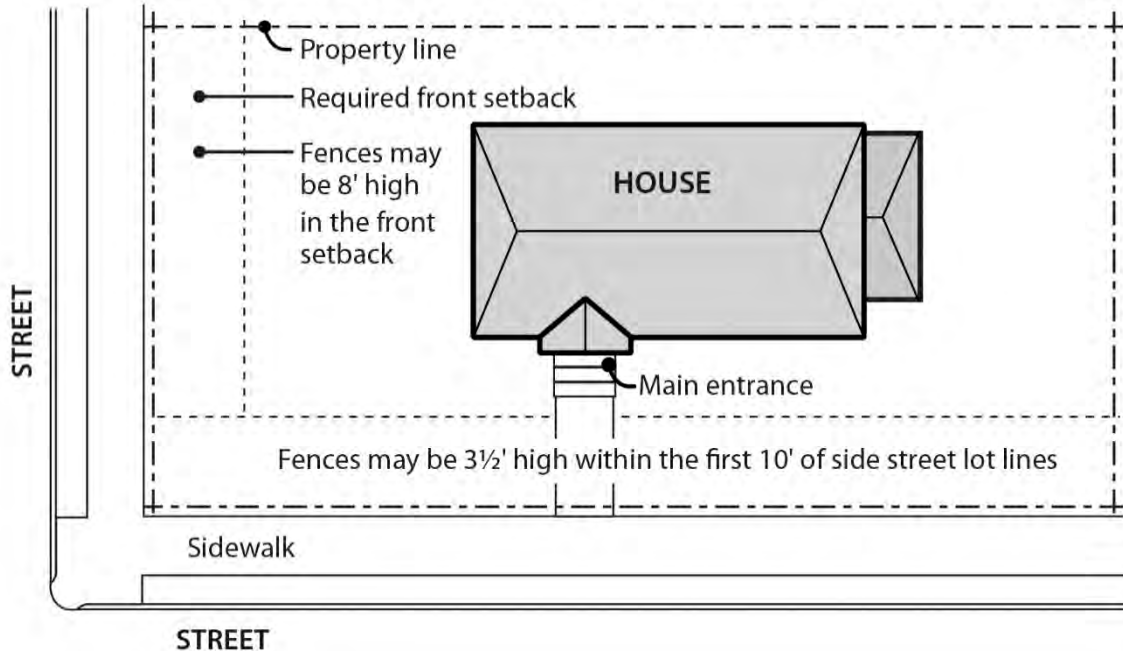
C. Location and height.

1. Front building setbacks. Fences up to 3-1/2 feet high are allowed in required front building setbacks, or between the front lot line and the front building line, whichever is less-
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-~~13-15~~.
 - 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
Renumbering section

Figure 110-13-15
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.**
1. 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.
 2. Exceptions. The following are not subject to the regulations of this section:
 - a. Retaining walls in the areas described in B.1 that are less than four feet high, as measured from the bottom of the footing.
 - b. Retaining walls on sites where the site slopes downward from a street in the area described in B.1.
 - c. 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.
 - d. 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 are made to those referenced regulations

33.110.270 Nonconforming Development

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

- 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-~~14-16~~.
2. Retaining walls must be set back at least 3 feet from other street-facing retaining walls, as shown in Figure 110-~~14-16~~. 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.

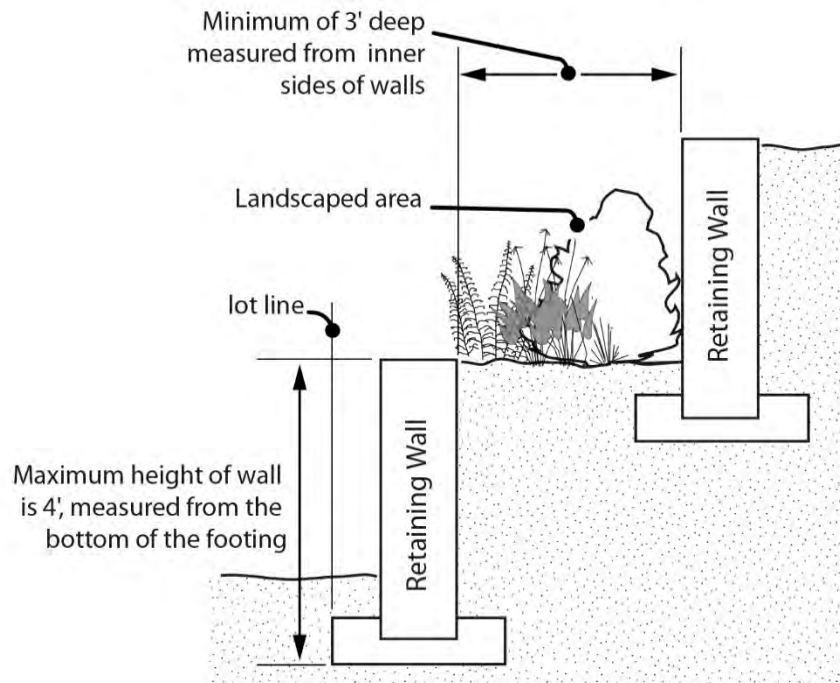
33.110.260 Demolitions

- ~~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-~~14-16~~
Retaining Walls**



Commentary

33.110.275 Parking and Loading

These regulations previously applied to new narrow lots. These provisions are being expanded to apply to all houses, attached houses, duplexes and triplexes on lots that abut an alley. See 33.266.120.C.

33.110.280 Signs

Deleting sections that simply reference other regulations. No changes are 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.

Adding 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.

Changing subsection to reflect that ADUs may be on sites with more than one primary dwelling. This means that the number of residents allowed is the same as a single household shared between a primary dwelling unit and its accessory dwelling unit.

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.** 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 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. 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".

33.205.040.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.

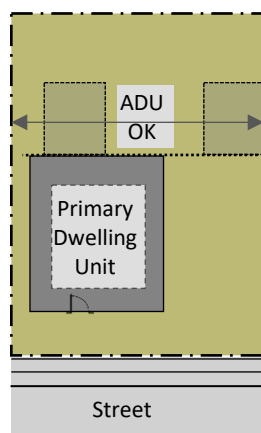
33.205.040.C.3. Maximum Size

These provisions were changed to address size limits when an ADU is proposed with a duplex (i.e. a building with 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.

A new provision is being added to recognize situations where a basement is being converted and where the basement is the same size as the house on the first floor. In these cases, the 75 percent/800 square foot size limit leads to either walling off area in the basement, designing it as common area for both units, or triggering the need for an adjustment. Since there is often little to no exterior difference, the impact is minimal. This, together with the 5 year time threshold, also serves as an incentive to adapt existing basement space as opposed to redeveloping the site.

33.205.040.C.4. Setbacks

Revising to "primary dwelling unit" term instead of "houses, etc." Also clarifying that the ADU must be behind the rear line of the house, but not that it need be physically behind the house itself.



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 street-facing facade of the primary dwelling unit~~house, attached house, or manufactured home~~ facing 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. This maximum size standard does not apply when the basement of a primary dwelling unit that was built at least 5 years ago is converted to an accessory dwelling unit. The size 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. When the primary dwelling unit is 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 of living area, 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

33.251 Manufactured Homes and Manufactured Dwelling Parks

33.251.020.D. Other regulations.

Floor Area. Deleting the minimum floor area limitation from the manufactured dwelling provisions. In addition to lifting restrictions on a housing type that provides a more affordable housing option, 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). Also, this minimum floor area requirement could further limit the ability to site manufactured homes on smaller lots with the new FAR limits.

Roof. Retaining requirement for 3/12 pitch roof as this helps to maintain compatibility with conventional built houses. The requirement for eaves is 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. - 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.~~

~~12.~~ Roof. The manufactured home must have a pitched roof with a pitch of at least a nominal 3/12. Roof eaves must project from the building wall at least 12 inches on all elevations. ~~The roof must be covered with shingles, shakes, or tile. Eaves from the roof must extend at least 1 foot from the intersection of the roof and the exterior walls.~~

~~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.

~~45.~~ Hauling mechanisms. The transportation mechanisms including the wheels, axles and hitch must be removed.

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 more restrictive front yard paving limits.

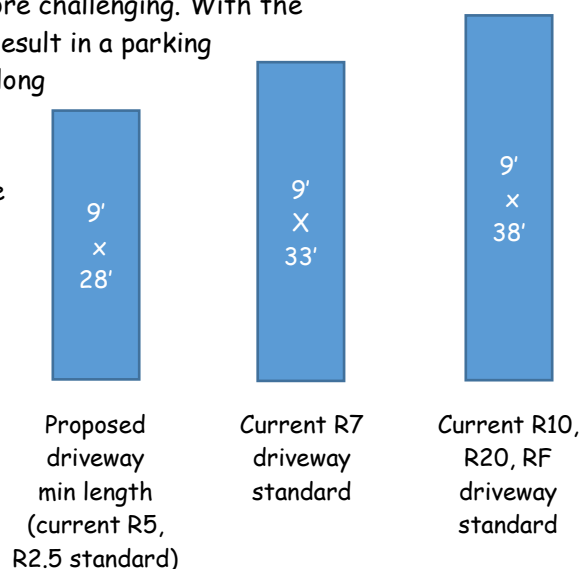
33.266.120.A Purpose

The changes to parking regulations aim to improve the pedestrian experience along streets and strengthen the relationship between reducing curb cuts and preserving on street parking through requirements to combined curb cuts, use alleys for access, and restrict front yard parking.

33.266.120.C. Parking area locations

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). These changes strike a balance by requiring alley access for vehicles when the lot abuts an alley but not requiring parking on these lots to account for those cases when it may be impractical to use or improve the alley.

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) is 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 which can obstructs the sidewalk. This change replaces the relationship of the parking pad to the front setback with a static 10 foot setback from the street lot line. Longer driveways are still permitted.



33.266 Parking, Loading, And Transportation And Parking Demand Management

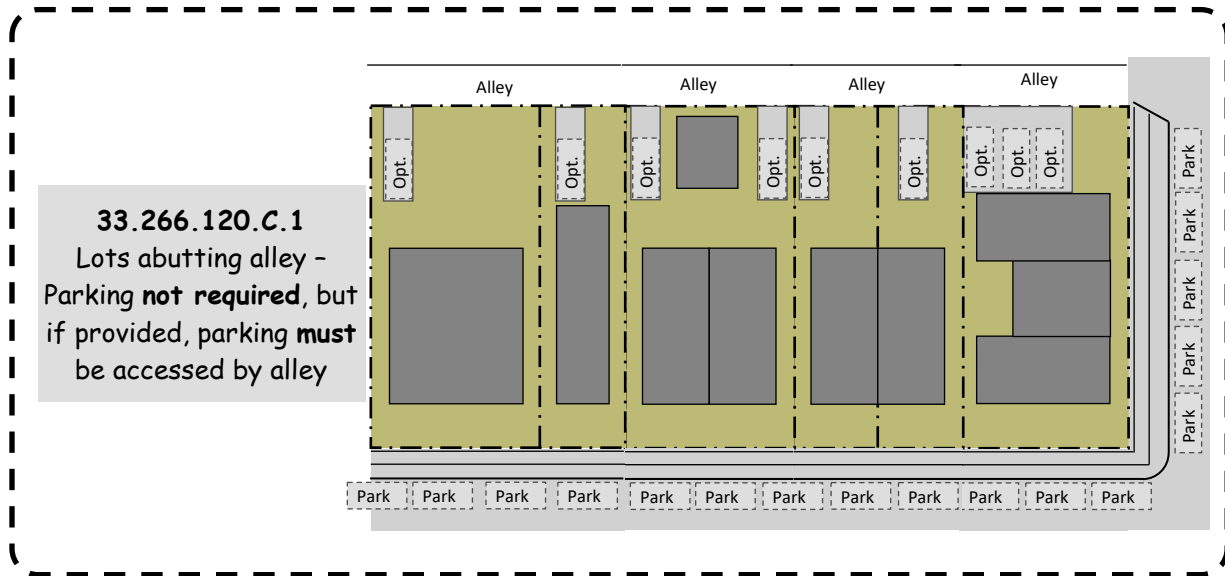
266

Table 266-2 Parking Spaces by Use [2] (Refer to Table 266-1 to determine which standard applies.)			
Use Categories	Specific Uses	Standard A	Standard B
Residential Categories			
Household Living		1 per unit, except <u>houses, attached houses duplexes, attached duplexes, triplexes, and manufactured homes, on lots that abut an alley exempt, SROs exempt,</u> and in RH, where it is 0 for 1 to 3 units and 1 per 2 units for four + units	None, except 1.35 per unit on sites that are both in a commercial/mixed use zone and close to transit as described in 33.266.110.B.1. Houses, attached houses and duplexes are exempt.

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 and pedestrian experience of neighborhoods, minimize curb cuts, and preserve on street parking.
- B. **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. Parking that is in a parking tract is subject to the standards of Section 33.266.130 instead of the standards of this section. However, perimeter landscaping is not required where the parking tract abuts a lot line internal to the site served by the tract.
 - 2. Parking for manufactured dwelling parks is regulated in Chapter 33.251.
- C. **Parking area locations.**
 - 1. Parking area location standard for lots that abut an alley. If the lot abuts an alley, all required and nonrequired parking and vehicle access to the lot must be from the alley.
 - 2. Parking area location for all other lots. The following standards apply to lots that do not abut an alley:
 - a. Required parking.
 - (1) ~~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.

Commentary



~~(2)~~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.

b~~2~~. Non-required parking. Where non-required parking is provided on a site, at least one parking space (required or not required) must meet the standards for required parking stated in Paragraph C.1 above. A non-required parking space is allowed within the first 10 feet from a front lot line or in a required front setback if it is in a driveway immediately behind a required parking space (See Figure 266-1, Non-Required Parking). On a corner lot, where the driveway is in the required side setback, a non-required space is allowed within the first 10 feet from the side street lot line or in the required side setback if it is in a driveway immediately behind a required parking space.

c~~3~~. Front yard restrictions.

~~(1)~~a. No more than 40 percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas. In addition, on corner lots, no more than 20 percent of the land area between the side street lot line and the side street building line may be paved or used for vehicle areas. See Figure 266-2. As an exception to the area limitations in this subparagraph, the following is allowed:

- ~~(1)~~A lot is allowed at least a 9-foot wide vehicle area.
- ~~(2)~~In the multi-dwelling, C, E, and I zones, on sites where the front lot line abuts a shared court, paving blocks or bricks may be used to surface the entire area between the front lot line and the front building line.

~~(2)~~b. For flag lots, where the width of the pole is greater than 30 feet, no more than 40 percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas.

See Figure 266-2. As an exception to the area limitation of this subparagraph, a flag lot is allowed at least a 12-foot wide vehicle area.

d~~4~~. Parking in garages. Parking in garages is subject to the garage setback standards of the base zone, overlay zone or plan district.

D.-F. [No change]

Commentary

Figure 266-1

Revising image to remove reference to front setback, consistent with code change in 33.266.120.C.. Also revising to make it clear that parking is not allowed in other areas of the front yard, sidewalk or planter strip.

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

Figure 266-1
Non-Required Parking

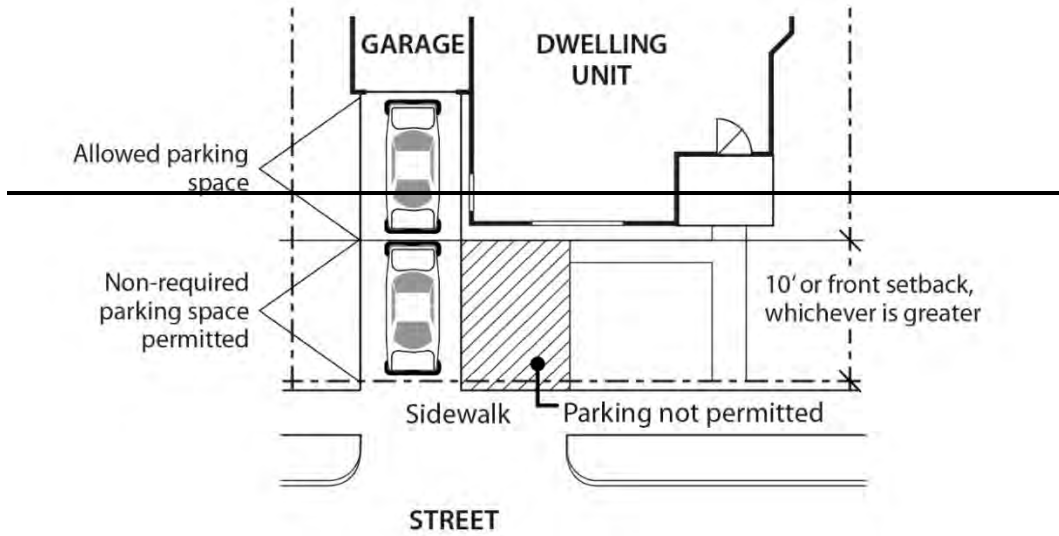
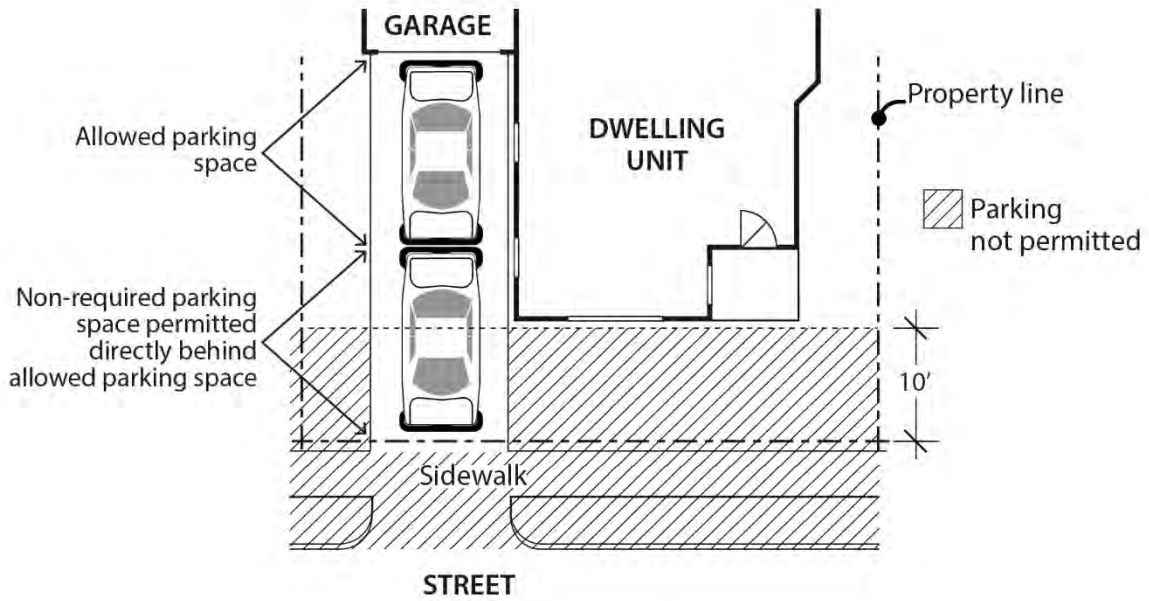


Figure 266-1
Non-Required Parking



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 May 24, 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 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.

33.270.100.C Triplexes.

Triplexes are being added because they were previously 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. Attached duplexes.** Attached duplexes may be requested in the RF through R2.5 zones;
- D. Triplexes.** Triplexes may be requested in the RF through R2.5 zones;
- ED.** **Multi-dwelling structures. [No change]**
- FE.** **Multi-dwelling development. [No change]**
- GF.** **Modification of site-related development standards. [No change]**
- HG.** **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.
- IH.** **Commercial uses. [No change]**
- JL.** **Additional height and FAR. [No change]**
- KJ.** **Transfer of development within a site. [No change]**
- LK.** **Transfer of development between sites. [No change]**

Commentary

33.281 Schools and School Sites

33.281.100 General

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

33.281 Schools and School Sites

281

33.281.100 General Standards

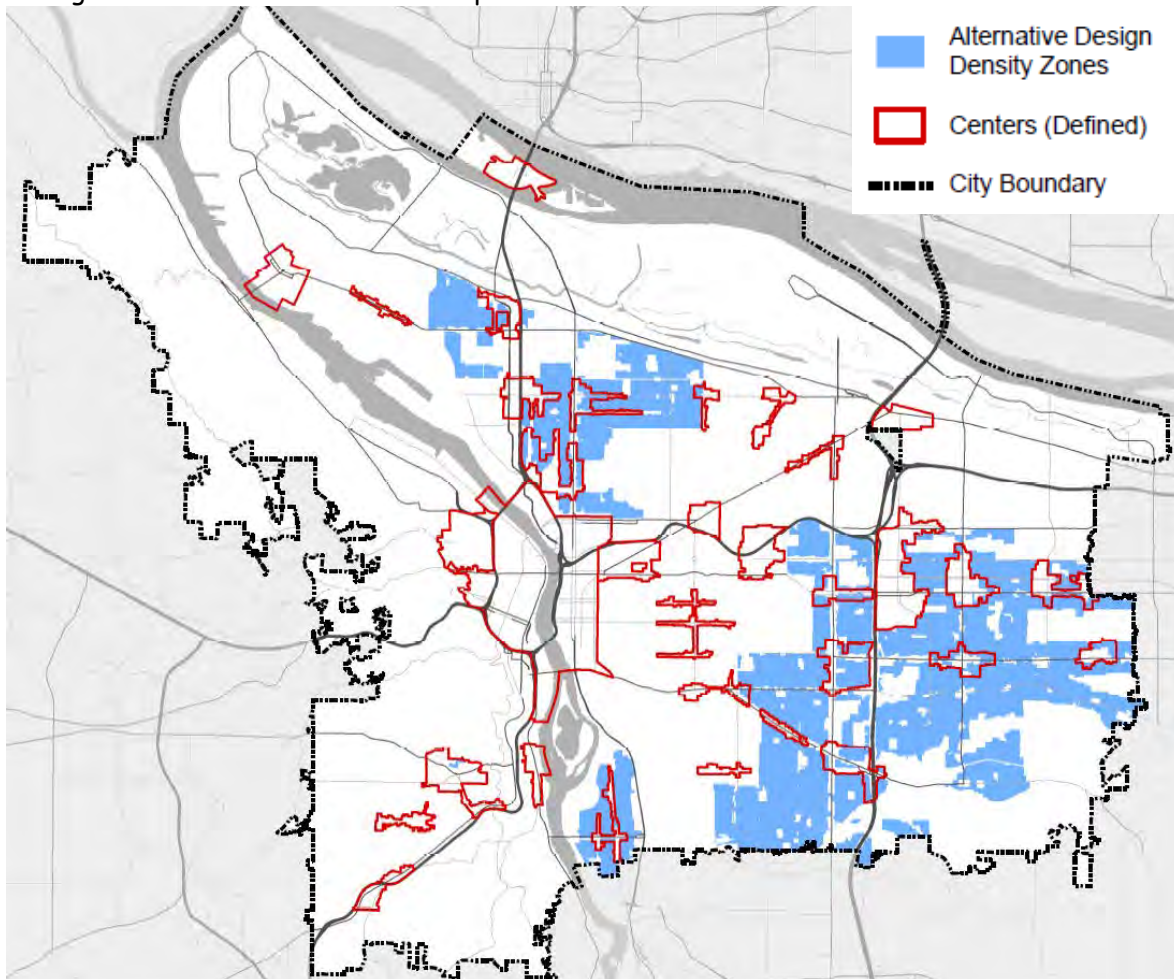
In the OS and R zones, the development standards for institutional uses apply except where superseded by the standards in this chapter. The institutional development standards are stated in 33.110.~~275~~245 and 33.120.275. In C and E zones, the development standards of the base zone apply except where 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 Alternative Density Design overlay zone

This chapter is being replaced by new text that begins on page 146

The following map shows the location and extent of the current a-overlay, and its relationship to the designated Centers in the 2035 Comprehensive Plan



The current a-overlay provisions for bonus density in the multi dwelling zones are being reconsidered with the Better Housing By Design Project. Therefore, these provisions are shown to be retained in the new 'a' overlay chapter, until addressed by that 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 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

33.405.050.C.Bonus Density

NOTE: The bonus density provisions that apply in R3, R2, and R1 zones are being retained in the new 'a' overlay chapter (see new 33.405.080), until they are addressed more holistically with other changes to the multi dwelling zones as part of the Better Housing By Design project.

~~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

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

NOTE: The alternative development options that apply in the R2 zones are being retained in the new 'a' overlay chapter (see new 33.405.090), until they are addressed more holistically with other changes to the multi dwelling zones as part of the Better Housing By Design project

- 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

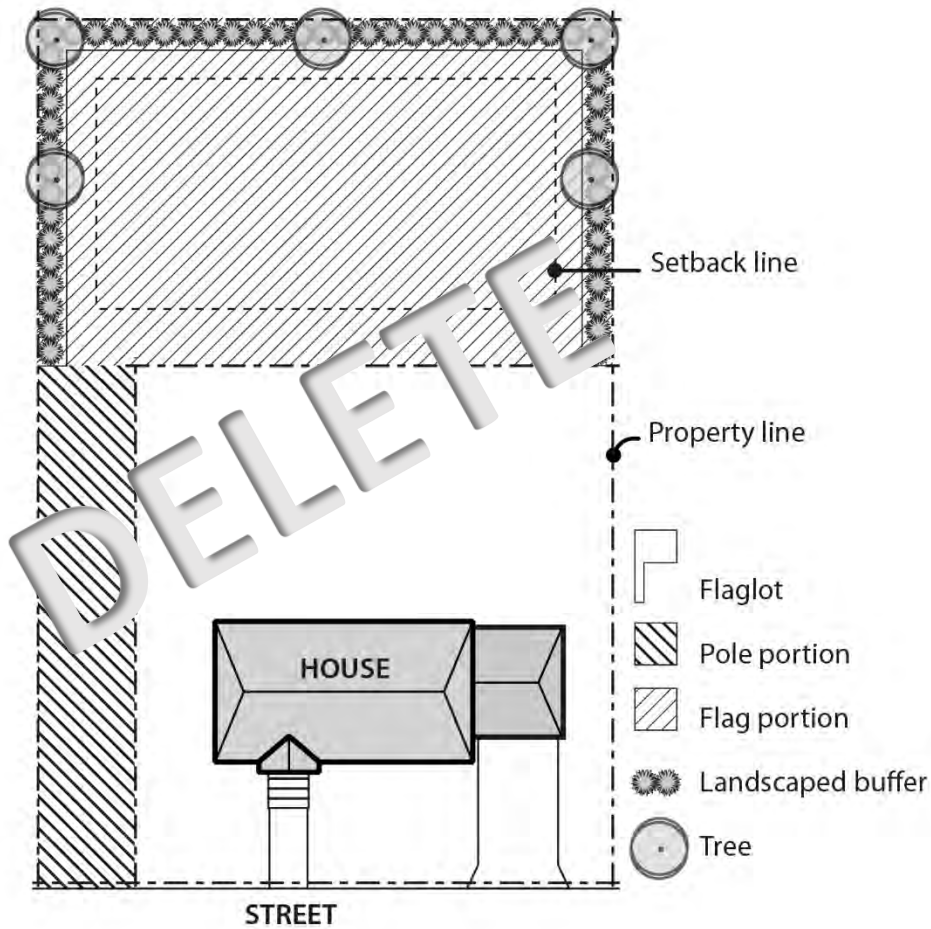
- A. Purpose.** ~~The provisions of this section offer opportunities for enhancing the variety of housing types and building forms that are found in areas zoned for attached or low-density multi-dwelling residential development. Such areas generally include a mixture of single-dwelling detached and small 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

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

33.405.080. Non-conforming Multi Dwelling Housing

This section is being deleted and is not being carried over to the new 'a' overlay provisions because these non-conforming rights are largely repeated in 33.258.060 Non conforming residential densities:

When there is more than one dwelling unit on a site, and when the site is nonconforming for residential density, the following applies if a structure containing dwelling units is damaged or destroyed by fire or other causes beyond the control of the owner:

- (1) If the structure is rebuilt within 5 years, nonconforming residential density rights are maintained;
- (2) If the structure is not rebuilt within 5 years, the nonconforming residential density rights are lost, and the site is considered vacant;

The primary difference is that the following thresholds and development standards would 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.:

- (3) If the repair cost is more than 75 percent of the assessed value of the structure, the new structure must comply with one of the following, whichever is less restrictive:
 - The development standards (except for density) that would apply to new development on the site; or
 - The development standards (except for density) that would apply to new development in the R2 zone.

However, in these cases, design review would be required in lieu of meeting the R2 or less restrictive standards. This alternative design review option was not used, and therefore this alternative is not viewed as necessary.

- 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

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.

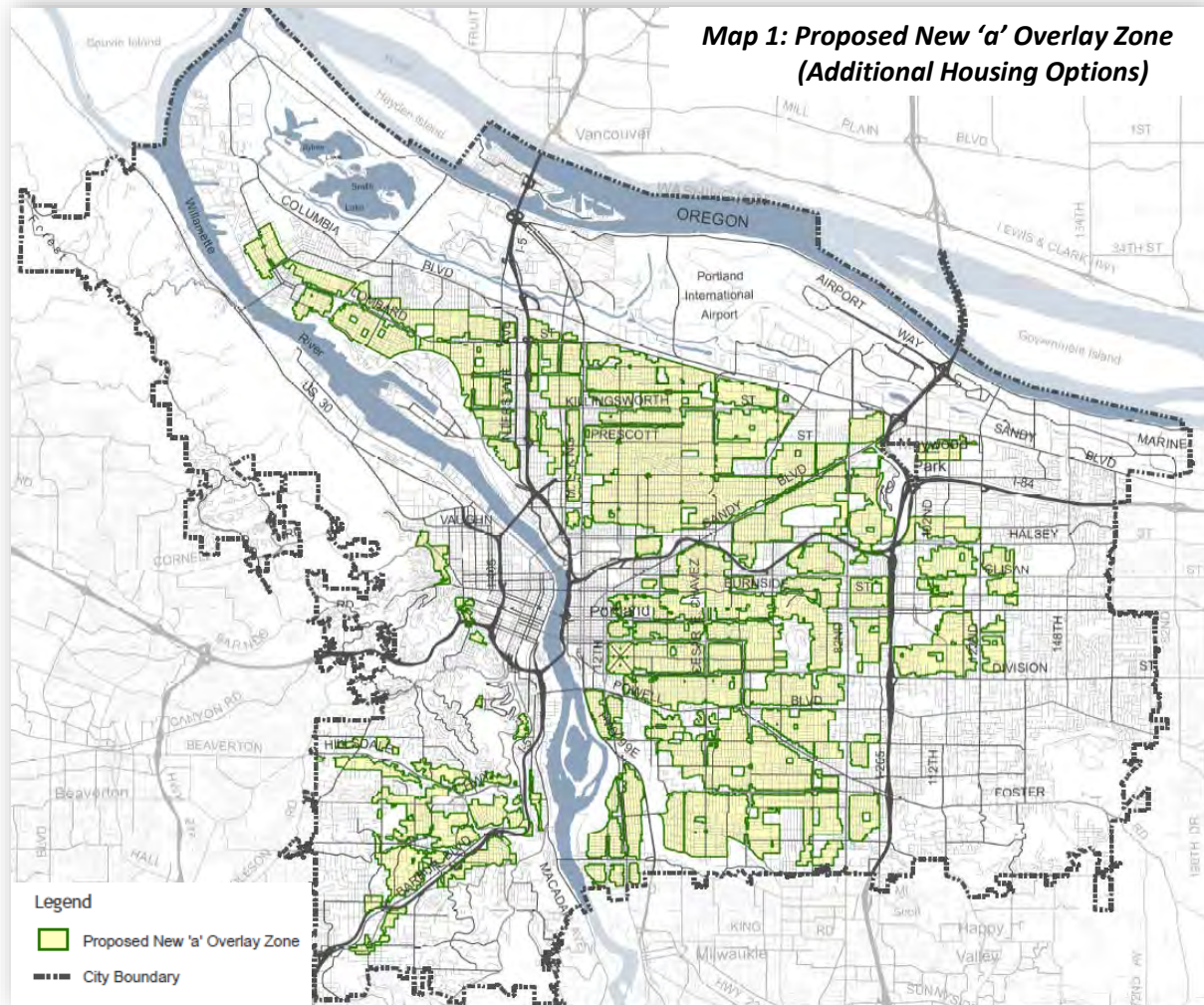
33.405.100 Review for Timeliness

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

33.405 Additional Housing Options 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 Options overlay zone) shown below.



The 2035 Comprehensive Plan identifies the need for a diversity of housing types in high-amenity areas, i.e. areas with convenient access to jobs, services, schools, and other 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 Options Overlay Zone

405

Sections:

33.405.010 Purpose

33.405.020 Map Symbol

33.405.030 Applying the Additional Housing Options Overlay Zone

33.405.040 Duplexes in the R7, R5 and R2.5 Zones

33.405.050 Triplexes on Corner Lots in the R7, R5 and R2.5 Zones

33.405.060 Accessory Dwelling Units in the R7, R5 and R2.5 Zones

33.405.070 Bonus FAR and Bonus Accessory Dwelling Units in the R7, R5 and R2.5 Zones

33.405.080 Bonus Density for Design Review in the R1, R2 and R3 Zones

33.405.090 Alternative Development Options in the R2 Zone

General

33.405.010 Purpose

The Additional Housing Options overlay zone allows increased density in high opportunity areas including areas near frequent transit, areas designated as Centers in the City’s 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 structures.

33.405.020 Map Symbol

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

33.405.030 Applying the Additional Housing Options Overlay Zone

The Additional Housing Options zone may be established or removed as the result of a legislative procedure. Establishment or removal of the Additional Housing Options zone through a quasi-judicial procedure is prohibited. The Additional Housing Options zone is only applicable in the R7, R5, R2.5, R3, R2 and R1 zones. When property is rezoned to a zone other than R7, R5, R2.5, R3, R2 or R1, the Additional Housing Options zone will be deleted from the Official Zoning Map.

Development Standards

33.405.040 Duplexes in the R7, R5 and R2.5 Zones

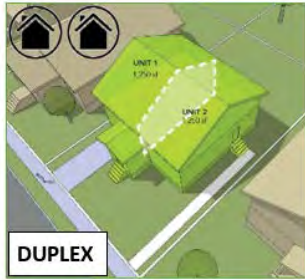
A. Where the duplex option applies. A duplex is allowed on a lot in the R7, R5 and R2.5 zones when the standards of this Section are met in addition to all other development standards of the base zone, except as follows:

1. A site that does 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, does not qualify to use the provisions of this Section. See Title 17.42, Property Owner Responsibility for Streets. Payments in lieu of street improvements do not satisfy this requirement; and

Commentary

33.405.040 Duplexes in the R7, R5, and R2.5 zones

A. Where the duplex option applies.



Sites that are not fronting on City maintained streets will not be eligible to use the provisions of this overlay. 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.

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 homeowner's association or individual property owners on a street.

Sites with historic resources are also restricted from using the additional housing types allowed in the 'a' when the resource has been demolished. Historic resources help 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 reduce incentives to demolish these resources, these sites are granted added flexibility (see 33.405.040.B and F) but only when the resource has been retained (HRI ranked properties are not similarly limited, but are granted the additional flexibility).

B. Minimum Lot Area

Larger lot sizes ensure that sites are large enough in conjunction with their associated FAR limits to provide room to accommodate the duplex, plus suitable yard area and parking if proposed. To provide additional flexibility for historic resources, the minimum lot areas do not apply (base zone minimum lot sizes would continue to apply), but the FAR standards allow the floor area limits for the primary structure and accessory structure to be combined to provide more flexibility in unit sizes.

C. Main entrances and D. Design Compatibility

To maintain consistency with the alternative development corner lot duplex option in the base zone (see 33.110.270.E) similar development standards apply to duplexes proposed on corner lots in the 'a' overlay.

E. Parking

When proposing a duplex, parking is not required. This is to encourage retention of more open yard area, and reduce the overall cost of providing housing. Garages occupy valuable floor area, or if placed in a basement (where floor area limits are not counted) this creates a wide cut out exposing much of the basement wall to the public street. Parking pads and/or PBOT requirements to share driveway curb cuts results in pushing the building back 26-28 feet resulting in additional impervious area, reduced rear yard, and less area for landscaping.

2. A site that had a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District on it on October 1, 2017 does not qualify to use the provisions of this Section when:
 - a. Demolition review or the 120-day demolition delay process applied to the landmark or structure; and
 - b. The landmark or structure has been demolished.
- B. Minimum lot area.** The duplex must be on a lot that meets the minimum lot area requirement stated in Table 405-1, unless a Historic or Conservation Landmark, contributing structure in a Historic or Conservation District, or a rank I, II, or III resource in the City's historic resources inventory is being converted to a duplex, in which case the duplex must be on a lot that meets the minimum lot area requirement stated in Table 405-2. Adjustments are prohibited;
- C. Main entrances.** For duplexes on corner lots, one main entrance with internal access to both units is allowed, or each of the units must have its address and main entrance oriented towards a separate street frontage. The main entrance to a porch does not count toward meeting this standard;
- D. Design compatibility standard.** Both units of the duplex must meet the following standards to ensure that the two units have compatible elements:
 1. The exterior finish material must be the same, or visually match in type, size and placement;
 2. The predominant roof pitch must be the same;
 3. Roof eaves must project the same distance from the building wall;
 4. Trim must be the same in type, size and location; and
 5. Windows must match in proportion and orientation.
- E. Parking.** No parking is required on the site.
- F. Additional standards for historic resources.** The following standards apply to conversions of Historic and Conservation Landmarks, contributing structures in Historic or Conservation Districts, and rank I, II, or III resource in the City's historic resources inventory. Adjustments are prohibited:
 1. For contributing structures in Conservation Districts and for rank I, II, or III resources in the City's historic resource inventory, unless approved through historic resource review, the following major residential alterations and additions are not allowed. The historic resources review for alterations to a rank I, II, or III resource in the City's historic resources inventory will be processed using the Type III procedure if the alteration is valued at more than \$459,450, and will be processed using the Type II procedure if the alteration is valued at \$459,450 or less:

Commentary

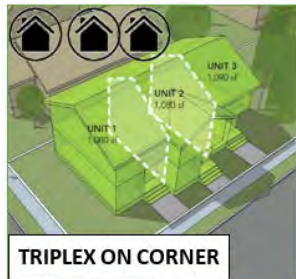
33.405.040 Duplexes in the R7, R5, and R2.5 zones (continued)

F. Additional standards for historic resources

To foster the retention of historic resources, greater flexibility is provided in terms of smaller lot sizes and the ability to separate or combine FAR for the whole site (as opposed to having a primary structure FAR and separate detached structure FAR limit). This allows, for example the floor area from a smaller detached accessory structure to be used to convert the house. In addition, for resources not already subject to discretionary review (i.e. Conservation Landmarks and contributing structures in conservation districts and ranked Historic Resource Inventory sites) an added layer of restricted alterations is in place to limit the degree of change allowed while converting these properties. For proposals that exceed these limits, discretionary historic resource review is an option.

33.405.050 Triplexes on Corner Lots in the R7, R5 and R2.5 Zones

A. Where the triplex on a corner option applies.



Triplexes are only allowed on corner lots and not on interior lots. This larger single primary structure works better on corner lots, since these lots effectively have two street frontages which mitigates and works well with the larger size building by providing more light and air separation on two sides as opposed to one. The greater street frontage also provides for more on street parking in addition to enhanced opportunities for units to orient to the public street in a way that is more characteristic of older Portland neighborhoods.

Triplexes on interior lots are more difficult to integrate and design successfully and are not allowed in this proposal. They frequently result in rows of units that face the neighboring property and turn sideways to the public street.

For additional commentary regarding street condition and historic resource sites, see commentary for 33.405.040.A Where the duplex option applies

- a. Adding an additional story. Adding a story does not include excavating or raising the structure to create or make a basement taller;
 - 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; and
 - c. Altering the existing structure to add more than 800 square feet of floor area or an amount of floor area equal to 100 percent of the footprint of the existing structure, whichever is less.
2. The maximum FAR for the site is stated in Table 405-3. Maximum FAR applies to the combined floor area of the primary and all accessory structures.

Table 405-1	
Minimum Lot Area	
Base Zone	
<u>R2.5</u>	<u>3,200 square feet</u>
<u>R5</u>	<u>4,500 square feet</u>
<u>R7</u>	<u>6,300 square feet</u>

Table 405-2	
Minimum Lot Area for Historic Resources	
Base Zone	
<u>R2.5</u>	<u>1,600 square feet</u>
<u>R5</u>	<u>3,000 square feet</u>
<u>R7</u>	<u>4,200 square feet</u>

Table 405-3	
Maximum FAR for Historic Resources and Triplexes	
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>

33.405.050 Triplexes on Corner Lots in the R7, R5 and R2.5 Zones

- A. Where the triplex on a corner option applies.** A triplex is allowed on a corner lot in the R7, R5 or R2.5 zones when the standards of this Section are met in addition to all other development standards of the base zone that apply to a duplex, except as follows:
 - 1. A site that does 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, does not qualify to use the provisions of this Section. See Title 17.42, Property Owner Responsibility for Streets. Payments in lieu of street improvements do not satisfy this requirement; and

Commentary

33.405.050 Triplexes on Corners in the R7, R5 and R2.5 Zones (Continued)

B. Minimum lot area.

See commentary for 33.405.040.B Minimum Lot Area (Duplexes)

C. Maximum FAR

Triplexes are less likely to have need for a primary structure and a detached accessory building such as a garage. As a result, the proposal allows (but does not require) all the FAR allowed in the base zone for a house and the detached accessory structure to be combined for the triplex.

For example, in the R5 zone, a 0.5 to 1 FAR for the primary structure is proposed, while an additional 0.15 to 1 FAR detached accessory structure would also be allowed. For a triplex, these two FAR limits could be combined to develop a single building at 0.65 to 1 FAR.

D. Parking

When proposing a triplex, parking is not required. This is to encourage retention of more open yard area, and reduce the overall cost of providing housing. Garages occupy valuable floor area, or if placed in a basement (where floor area limits are not counted) this creates a wide cut out exposing much of the basement wall to the public street. Parking pads and/or PBOT requirements to share driveway curb cuts results in pushing the building back 26-28 feet resulting in additional impervious area, reduced rear yard, and less area for landscaping and required outdoor area. It is also more difficult to accommodate space for three cars given the orientation of a corner lot triplex and the garage entrance setbacks of 18 feet. Additionally, corner lots have much more street frontage for on-street parking (150 feet versus 50 feet on typical 5,000 square foot lots).

E. Additional Standards for Historic Resources

See commentary for 33.405.040.E Additional Standards for Historic Resources (Duplexes)

F. 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.

Visitability requirements are only applied when there are at least 3 units on a site

2. A site that had a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District on it on October 1, 2017 does not qualify to use the provisions of this Section when:
 - a. Demolition review or the 120-day demolition delay process applied to the landmark or structure; and
 - b. The landmark or structure has been demolished.
- B. Minimum lot area.** The triplex must be on a lot that meets the minimum lot area requirement stated in Table 405-1, unless a Historic or Conservation Landmark, contributing structure in a Historic or Conservation District, or a rank I, II, or III resource in the City's historic resources inventory is being converted to a triplex, in which case the triplex must be on a lot that meets the minimum lot area requirement stated in Table 405-2. Adjustments are prohibited;
- C. Maximum FAR.** The maximum FAR for the site is stated in Table 405-3. Maximum FAR applies to the combined floor area of the primary and all accessory structures;
- D. Parking.** No parking is required on the site.
- E. Additional standard for historic resources.** For contributing structures in Conservation Districts and for rank I, II, or III resources in the City's historic resource inventory, unless approved through historic resource review, the following major residential alterations and additions are not allowed. The historic resources review for alterations to a rank I, II, or III resource in the City's historic resources inventory will be processed using the Type III procedure if the alteration is valued at more than \$459,450, and will be processed using the Type II procedure if the alteration is valued at \$459,450 or less. Adjustments are prohibited:
 1. Adding an additional story. Adding a story does not include excavating or raising the structure to create or make a basement taller;
 2. 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; and
 3. Altering the existing structure to add more than 800 square feet of floor area or an amount of floor area equal to 100 percent of the footprint of the existing structure, whichever is less.
- F. Visitability.**
 1. 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.

Commentary

33.405.050.F.2. Standards.

There are four basic elements to meeting visitability requirements:

- 1) A zero step entry to ensure easy 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

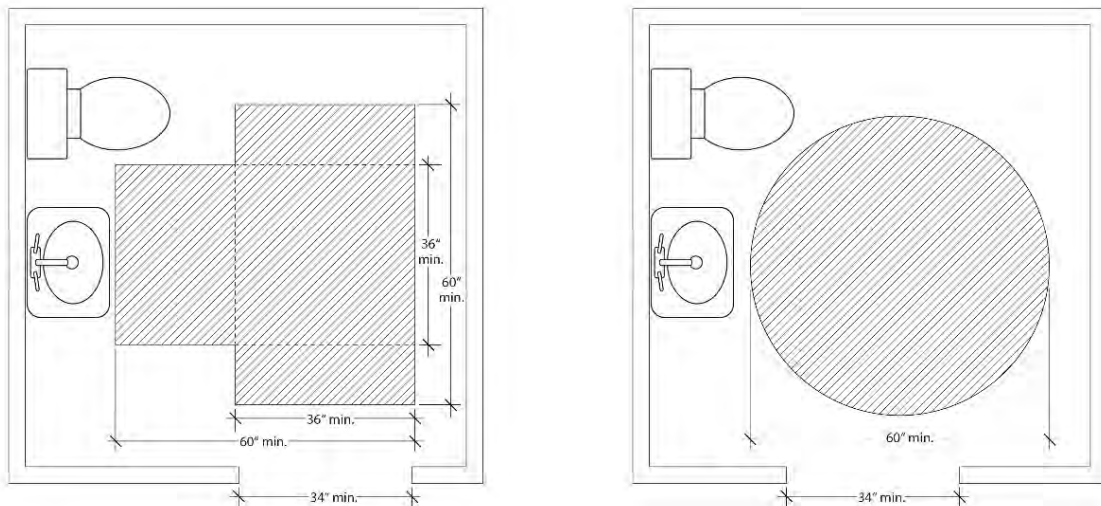
33.405.050.F.3. Exemptions.

Certain exemptions are included to address particular site conditions such as slopes and existing development. Steeply sloped lots (>20%) are commonly exempted from additional zoning code standards based on their unique development challenges, especially in terms of making a zero-step entry work. Recognizing that there may be other site constraints that prevent a zero-step entrance, adjustments to that standard may be requested.

Internal conversions to add dwelling units to existing structures also present challenges in terms of existing entrances and location of walls and plumbing that new construction has a greater opportunity to plan for and address.

2. Visitable unit. Unless exempted by Paragraph F.3., at least one dwelling unit on the site must meet all of the following visitability standards:
- a. Visitable entrance. At least one entrance must be accessible. Accessible means there is at least one route without stairs between a street lot line and the entrance and the slope of the route is less than 10 percent.
 - b. Visitable bathroom. At least one bathroom must be designed to accommodate an unobstructed circle that is at least 60-inches in diameter. As an alternative, the bathroom may be designed to accommodate an unobstructed area that is comprised of two rectangles that are at least 36 inches by 60 inches, and oriented at right angles to each other. See figure 405-1. The visitable bathroom must be on the same floor as the visitable entrance or be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited;
 - c. Visitable living area. There must be at least 70 square feet of living area on the same floor as the visitable entrance or 70 square feet of living area must be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited; and
 - d. Visitable hallways and doors. All hallways and all door openings between the visitable entrance, visitable living area, and the visitable bathroom must be at least 34 inches wide. Adjustments are prohibited.
3. Exemptions. The following are exempt from the standards of this Subsection:
- a. Lots with an average slope of 20 percent or greater;
 - b. Conversion of an existing residential structure to a triplex.

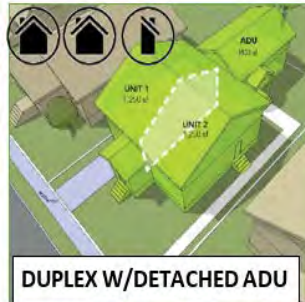
Figure 405-1
Visitable Bathroom Clearances



Commentary

33.405.060 Accessory Dwelling Units in the R2.5, R5 and R7 Zones

A. Where the accessory dwelling unit option applies.



Accessory dwelling units are currently allowed in conjunction with a house on any lot, but are not allowed in conjunction with a duplex. These changes allow for a second ADU in conjunction with a house, or a detached ADU in conjunction with a duplex. Sites in the 'a' overlay are limited like duplex and corner lot triplex lots, i.e. unimproved streets and sites with former historic resources.

B. Minimum lot area.

See commentary for 33.405.040.B Minimum Lot Area (Duplexes)

C. Accessory Dwelling Unit Configuration

To reinforce the pattern of a larger primary structure and a detached accessory structure, the configuration of allowed ADU's is limited. This means that one of the ADU's *must* be in a detached accessory structure. This standard is made more flexible for historic resources which allows both ADU units to be either internal to or detached from the house.

C. Maximum FAR

Triplexes are less likely to have need for a primary structure and a detached accessory building such as a garage. As a result, the proposal allows all the FAR allowed in the base zone for a house and a detached accessory structure to be used for the triplex.

For example, in the R5 zone, a 0.5 to 1 FAR for the primary structure is proposed, while an additional 0.15 to 1 FAR detached accessory structure would also be allowed. For a triplex, these two FAR limits could be combined to develop a single building at 0.65 to 1 FAR.

D. Parking

ADU's do not currently require parking. This allows for more open yard area, and reduces the overall cost of providing housing. Moreover, providing three parking spaces on a standard width lot would require substantial paved area. If parked side by side, more than 50% of the front yard on a typical 50 foot wide lot would be paved.

E. Additional Standards for Historic Resources

See commentary for 33.405.040.E Additional Standards for Historic Resources (Duplexes)

33.405.060 Accessory Dwelling Units in the R7, R5 and R2.5 Zones

- A. Where the accessory dwelling unit option applies.** One additional accessory dwelling unit may be added to a house, attached house or manufactured home, up to a maximum of 2 accessory dwelling units per house, attached house or manufactured home, and one accessory dwelling unit may be added to a duplex if the standards of this Section are met, except as follows:
1. A site that does 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, does not qualify to use the provisions of this Section. See Title 17.42, Property Owner Responsibility for Streets. Payments in lieu of street improvements do not satisfy this requirement; and
 2. A site that had a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District on it on October 1, 2017 does not qualify to use the provisions of this Section when:
 - a. Demolition review or the 120-day demolition delay process applied to the landmark or structure; and
 - b. The landmark or structure has been demolished.
- B. Minimum lot area.** When an accessory dwelling unit is being added, the lot must meet the minimum lot area requirement stated in Table 405-1, unless an accessory dwelling unit is being added to a Historic or Conservation Landmark, contributing structure in a Historic or Conservation District, or a rank I, II, or III resource in the City's historic resources inventory, in which case the lot must meet the minimum lot area requirement stated in Table 405-2. Adjustments are prohibited;
- C. Accessory dwelling unit configuration.** At least one accessory dwelling unit must be detached unless the accessory dwelling unit is being added to a site with a Historic or Conservation Landmark, contributing structure in a Historic or Conservation District, or a rank I, II, or III resource in the City's historic resource inventory, in which case both accessory dwelling units can be internal or detached;
- D. Parking.** No parking is required on the site.
- E. Additional standards for historic resources.** The following standards apply to conversions of Historic and Conservation Landmarks, contributing structures in Historic or Conservation Districts, or rank I, II, or III historic inventory resources. Adjustments are prohibited:
1. For contributing structures in Conservation Districts and for rank I, II, or III resources in the City's historic resource inventory, unless approved through historic resource review, the following major residential alterations and additions are not allowed. The historic resources review for alterations to a rank I, II, or III resource in the City's historic resources inventory will be processed using the Type III procedure if the alteration is valued at more than \$459,450, and will be processed using the Type II procedure if the alteration is valued at \$459,450 or less:

Commentary

F. Visitability

See commentary in 33.405.050 Visitability (for Triplexes)

- a. Adding an additional story. Adding a story does not include excavating or raising the structure to create or make a basement taller;
 - 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; and
 - c. Altering the existing structure to add more than 800 square feet of floor area or an amount of floor area equal to 100 percent of the footprint of the existing structure, whichever is less.
2. The maximum FAR for the site is stated in Table 405-2. Maximum FAR applies to the combined floor area of the primary and all accessory structures.

F. Visitability.

1. 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.
2. Visitability standards. Unless exempted by Paragraph F.3., at least one dwelling unit on the site must meet all of the following visitability standards:
 - a. Visitable entrance. At least one entrance must be accessible. Accessible means there is at least one route without stairs between a street lot line and the entrance and the slope of the route is less than 10 percent.
 - b. Visitable bathroom. At least one bathroom must be designed to accommodate an unobstructed circle that is at least 60-inches in diameter. As an alternative, the bathroom may be designed to accommodate an unobstructed area that is comprised of two rectangles that are at least 36 inches by 60 inches, and oriented at right angles to each other. See figure 405-1. The visitable bathroom must be on the same floor as the visitable entrance or be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited;
 - c. Visitable living area. There must be at least 70 square feet of living area on the same floor as the visitable entrance or 70 square feet of living area must be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited; and
 - d. Visitable hallways and doors. All hallways and all door openings between the visitable entrance, visitable living area, and the visitable bathroom must be at least 34 inches wide. Adjustments are prohibited.
3. Exemptions. The following are exempt from the standards of this Subsection:
 - a. Lots with an average slope of 20 percent or greater;
 - b. Conversion of an existing detached covered accessory structure to an ADU.

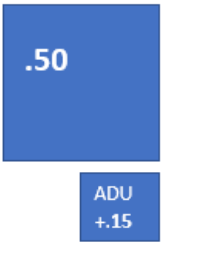
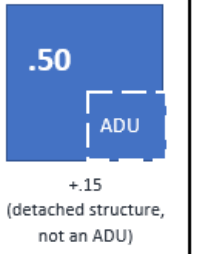
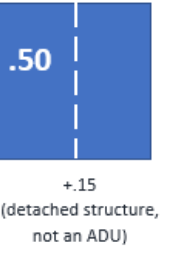
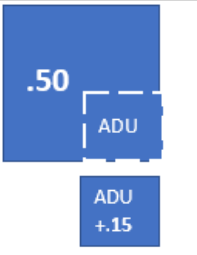
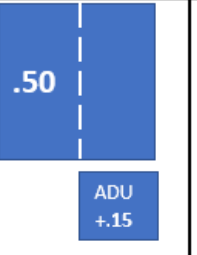

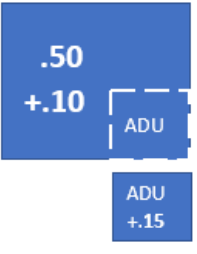
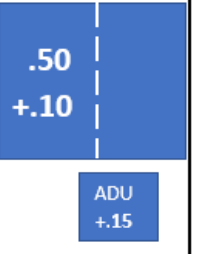
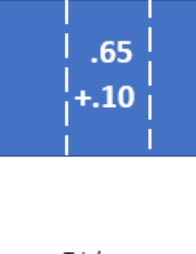
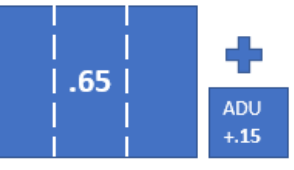
Commentary

33.405.070 Bonus FAR and Bonus Accessory Dwelling Units in the R7, R5 and R2.5 Zones

A. Where the bonus options apply.

See commentary for 33.405.040.A Where the duplex option applies.

B. Bonus FAR This provision allows limited additional FAR (0.1) on a site where either one of the three units is affordable (at 80% MFI) OR a fee is paid in lieu of making that third unit affordable (assessed for each square foot of additional floor area above the base allowance). The additional FAR may only be applied to the primary structure (to prevent overly large detached accessory structures).

(R5 example shown)	Housing types allowed – Internal/corner lots		Housing types allowed – corner lots only	FAR max for site by zone
Base zone	 <p><i>House + DADU</i></p>	 <p><i>House + ADU</i></p>	 <p><i>Duplex</i></p>	<p>R7: 0.55</p> <p>R5: 0.65</p> <p>R2.5: 0.85</p>
'a' overlay	 <p><i>House + ADU + DADU</i></p>	 <p><i>Duplex + DADU</i></p>	 <p><i>Triplex</i></p>	<p>R7: 0.55</p> <p>R5: 0.65</p> <p>R2.5: 0.85</p>
'a' overlay – FAR Bonus	<ul style="list-style-type: none"> • 3 units req'd • Up to .10 FAR extra for primary structure only (detached structure kept at .15) • Pay \$/sf (for sf above base FAR) OR • Provide 1 unit affordable @80% MFI  <p><i>House + ADU + DADU</i></p>	 <p><i>Duplex + DADU</i></p>	 <p><i>Triplex</i></p>	<p>R7: 0.65</p> <p>R5: 0.75</p> <p>R2.5: 0.95</p>
'a' overlay – Unit Bonus	N/A	N/A	 <p><i>Triplex + DADU</i> (other unit configurations through PD)</p>	<p>R7: 0.70</p> <p>R5: 0.80</p> <p>R2.5: 1.0</p>

33.405.070 Bonus FAR and Bonus Accessory Dwelling Units in the R7, R5 and R2.5 Zones

A. Where the bonus options apply. Bonus FAR or a bonus accessory dwelling unit are allowed on lots in the R7, R5 or R2.5 zone if the standards of this Section are met, except as follows:

1. A site that does 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, does not qualify to use the provisions of this Section. See Title 17.42, Property Owner Responsibility for Streets. Payments in lieu of street improvements do not satisfy this requirement; and
2. A site that had a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District on it on October 1, 2017 does not qualify to use the provisions of this Section when:
 - a. Demolition review or the 120-day demolition delay process applied to the landmark or structure; and
 - b. The landmark or structure has been demolished.

B. Bonus FAR. Primary structures are allowed up to an additional FAR of 0.1 to 1 when the following are met. Adjustments are prohibited:

1. The site must have at least 3 dwelling units;
2. The bonus FAR can only be added to a primary structure; and
3. Either subparagraph a. or b. is met:
 - a. At least one dwelling unit on the site is affordable to those earning no more than 80 percent of the median family income; and
 - (1) The affordable unit must be as large as one other unit on the site;
 - (2) The applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability rate stated above and any 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; and
 - (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
 - b. Payment into the Affordable Housing Fund. For each additional square foot of area purchased a fee must be paid to the Portland Housing Bureau. The Portland Housing Bureau collects and administers the Affordable Housing Fund and determines the fee. The Portland Housing Bureau determines the fee per square foot and updates the fee at least every three years. The fee schedule is available from the Bureau of Development Services. The applicant must provide a letter from the Portland Housing Bureau documenting the amount that has been contributed. The letter is required to be submitted before a building permit can be issued for development, but is not required in order to apply for a land use review.

Commentary

33.405.070 Bonus FAR and Bonus Accessory Dwelling Unit

C. Bonus accessory dwelling unit

On corner lots, where there is typically more street frontage, a triplex would be allowed to add a fourth unit in the form of an accessory dwelling unit. One of the units would need to be affordable (at 80% MFI). Payment of a fee in lieu is not available as part of this option.

33.405.080 Bonus Density for Design Review in the R1, R2 and R3 Zones

These provisions, applicable only to the R3, R2, and R1 Multi-dwelling zone, are unchanged and being retained from the previous Alternative Density Design Overlay chapter pending forthcoming proposals as part of the Better Housing By Design project.

33.405.090 Alternative Development Options in the R2 Zone

These provisions, applicable only to the R2 Multi-dwelling zone, are unchanged and being retained from the previous Alternative Density Design Overlay chapter pending forthcoming proposals as part of the Better Housing By Design project.

- C. Bonus accessory dwelling unit.** A detached accessory dwelling unit may be added to a triplex on a corner when the following are met. The site is also allowed an additional FAR of 0.15 to 1. Adjustments are prohibited:
1. At least one dwelling unit on the site is affordable to those earning no more than 80 percent of the median family income. The affordable unit must be as large as one other unit on the site;
 2. The applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability rate stated above and any 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; and
 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 any administrative requirements of the Portland Housing Bureau.

33.405.080 Bonus Density for Design Review in the R1, R2 and R3 Zones

- 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 Additional Housing Options zone that have a base zone of R1, R2, or R3.
- B. Where the bonus applies.** The bonus density for design review is applicable in areas zoned R3, R2, or R1. It is not, however, allowed on sites in design or historic resource zones.
- 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.

33.405.090 Alternative Development Options in the R2 Zone

- 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 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

Commentary

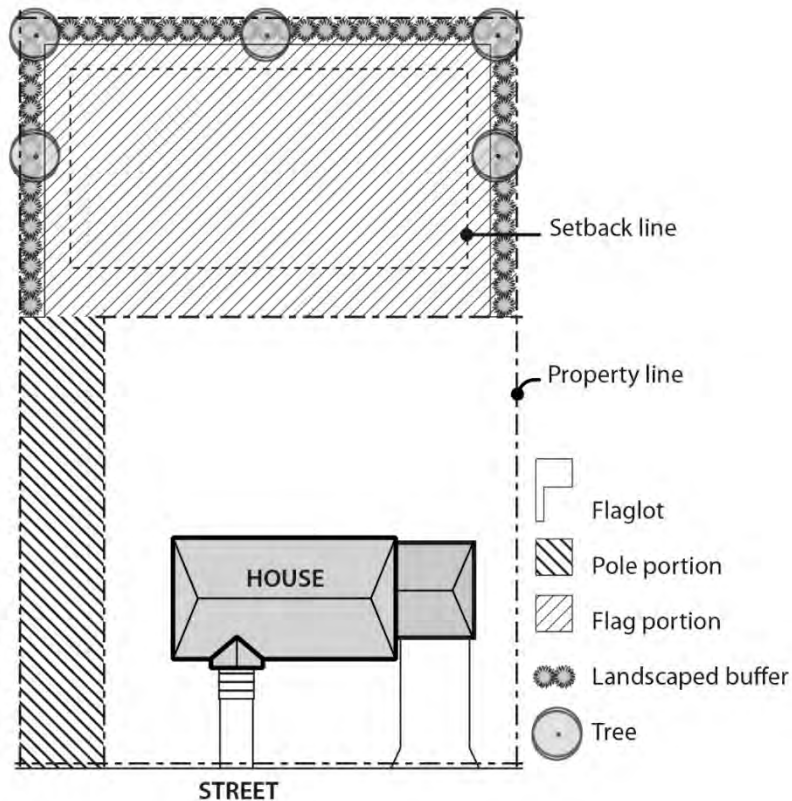
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Language to be **deleted** is shown in ~~strikethrough~~

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 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 lot lines that abut a lot that is not a part of the flag lot development; and
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 405-2.

Figure 405-2
Flag Lot Description and Buffer



Commentary

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 Paragraph D.4, Design Review and Community Design Standards.
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.
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. Development taking advantage of the provisions of this Section must meet the Community Design Standards, or in some cases go through design review.
 - a. Unless excluded by Paragraph D.4.b, proposals that are within the maximum limits of Table 405-1 may use the Community Design Standards. See Chapter 33.218. Proposals that do not meet the Community Design Standards—or where the applicant prefers more flexibility—must go through the discretionary design review process set out in Chapter 33.825, Design Review. If the proposal meets the Community Design Standards, no design review is required.

<u>Table 405-1</u>	
<u>Maximum Limits for Use of the Community Design Standards</u>	
<u>Zones</u>	<u>Maximum Limit—New Dwelling Units or Floor Area</u>
<u>R2 & R3 zones</u>	<u>10 dwelling units</u>
<u>R1</u>	<u>20,000 sq. ft. of floor area</u>
<u>Zones</u>	<u>Maximum Limit—Exterior Alterations</u>
<u>All zones</u>	<ul style="list-style-type: none"> • <u>For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the facade.</u> • <u>For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.</u>

- b. When Community Design Standards may not be used. The Community Design Standards may not be used as an alternative to design review as follows:
 - (1) For alterations to sites where there is a nonconforming use;
 - (2) For mixed-use or non-residential development; and
 - (3) If the proposal uses Section 33.405.080, Bonus Density for design review.

Commentary

33.420.041.I When Design Review is Required

This subsection is being amended to delete reference to 33.505.230, Attached Residential Infill on Vacant Lots in R5-Zoned Areas, as that section is being deleted.

33.420.055. When Community Design Standards May Be Used

A.3. Location

This is being amended to reflect the changes to the name of the 'a' overlay, as well as reflect changes to 33.405, where the only standard that allows use of the community design standards as an alternative to design review is 33.405.090.

33.420 Design Overlay Zone

420

33.420.041 When Design Review is Required

Unless exempted by Section 33.420.045, Exempt From Design Review, design review is required for the following:

A.-G. [No change]

- H.** Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080;
- I.** Proposals in the Albina Community plan district using the provisions of Section 33.505.220, Parking Requirement Reduction, ~~or Section 33.505.230, Attached Residential Infill on Vacant Lots in R5-Zoned Areas;~~

J.-K. [No change]

33.420.055 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. The standards for signs are stated in Title 32, Signs and related Regulations. 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 33.420.060, When Community Design Standards May Not Be Used, below, proposals that meet all of the requirements of this section may use the Community Design Standards as an alternative to design review.

A. Location. The proposal is in:

1. A Design Overlay Zone;
2. The Albina Community plan district shown on Map 505-1; or
3. ~~An Alternative Design Density Overlay Zone~~ The Additional Housing Options overlay zone and a Design Overlay Zone, and the proposal is not taking advantage of the provisions of ~~Chapter~~Section 33.405.090, Alternative Design Density Overlay Zone. ~~Proposals taking advantage of the provisions of Chapter 33.405 are regulated by Section 33.405.090.~~

B. Maximum limits. The proposal is within the maximum limits of Table 420-1.

Commentary

33.420.060 When Community Design Standards May Not Be Used

The standards in the 'a' overlay for bonus density in the R1, R2, and R3 zones which require Type III design review have been retained but are moved to a new section 33.405.080

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

Table 420-1	
Maximum Limits for Use of the Community Design Standards [1]	
Zones	Maximum Limit—New Floor Area
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 façade. • 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.

Notes:

[1] There are no maximum limits for proposals where any of the floor area is in residential use.

33.420.060 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.-F. [No change]

G. If the proposal uses Section 33.405.0580, Bonus Density for Design Review;

H.-J. [No change]

Commentary

33.505.230 Attached Residential Infill on Vacant Lots in R5 Zoned Areas

This provision, which was adopted in 1997, is being deleted. This provision allowed lots that have been vacant for at least 5 years in the R5 zone to be divided using the R2.5 zone standards, subject to design review or meeting the community design standards. However, the new 'a' overlay contains provisions to allow for similar density and apply more comprehensively.

33.505 Albina Community Plan District

505

Sections:

General

- 33.505.010 Purpose
- 33.505.020 Where These Regulations Apply

Use Regulations

- 33.505.100 Commercial Uses in the RH Zone

Development Standards

- 33.505.200 Minimum Density Standards
- 33.505.210 Off-Site Impacts in the EX Zone
- 33.505.220 Parking Requirement Reduction
- ~~33.505.230 Attached Residential Infill on Vacant Lots in R5 Zoned Areas~~
- 33.505.240 Design Review and Community Design Standards
- 33.505.245 When Community Design Standards May Be Used
- 33.505.248 When Community Design Standards May Not Be Used

Map 505-1 Albina Community Plan District

~~33.505.230 Attached Residential Infill on Vacant Lots in R5 Zoned Areas~~

- ~~**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 residential infill.** Attached residential development is allowed if all of the following are met. Adjustments to Subparagraphs B.1 through B.4, below, are prohibited:~~
- ~~1. The proposed attached residential 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. A land division creating an individual lot for each attached housing unit is recorded;~~
 - ~~4. The proposed attached residential development meets all development standards for attached residential development in the R2.5 zone; and~~
 - ~~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 33.505.240, 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

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

33.563.220 When Primary Structures Are Allowed in the Linnton Hillside Subarea

The regulations of Section 33.110.~~205212~~ 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.~~270240~~.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 33.110.205212 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 33.110.205212.

33.564.360 Planned Development

The following uses and development are prohibited through a planned development:

- A. Attached houses;
- B. Attached duplexes;
- C. Triplexes;
- ~~D.~~ Multi-dwelling structures; and
- ~~E.~~ 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 2526 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 33.110.255253.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.

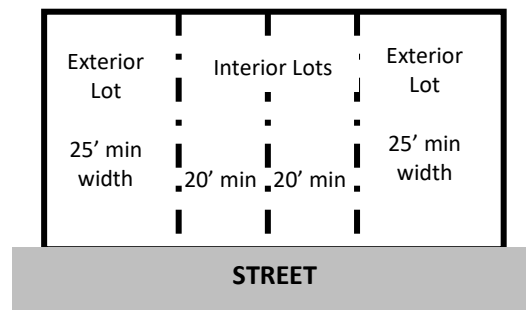
With the existing code, narrow lots are allowed when certain discretionary compatibility criteria are met. Alternatively, flag lots are allowed when either 1) a house is located that precludes a standard lot division, or 2) if the site is less than 50 feet wide. Applying clear and objective standards for flag lots over discretionary criteria for narrow lots made it easier to propose flag 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. 26-foot-wide to 36 foot wide 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.
3. 25 foot wide and wider lots:
 - 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.
4. 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 26 feet 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 5 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 paragraph 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 (less than 32 feet wide) 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

33.676 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 and ownership status of the lot over time, and an examination of some development standards to ensure the separation of a site does not create non-conforming development.

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, 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 land division plat cannot be "confirmed" through a lot confirmation. Instead a land division would be required to validate such properties, subject to some additional State statutes.

33.676.200. Application Requirements

B. 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 confirming an underlying lot, lot of record or combination of lots or lots of record. A Lot Confirmation recognizes the developability of a separated ownership. The regulations ensure that the Lot Confirmation does not:

- Create a new lot;
- 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.

33.676.100 Prohibited Lot Confirmations

A Lot Confirmation cannot be used to create a buildable lot from an unbuildable plot or to create plots.

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.** One copy 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. Adjustments to definitions are not permissible per 33.805, and therefore this does not need to be restated here.

B. Minimum lot dimension standards. Adjustments are prohibited to these lot size and frontage standards. Moreover, a property line adjustment may not be used to alter the dimensions of a substandard lot to make it meet these standards. The intention is that for lots that existed prior to a land division that already meet certain reduced standards, these will be recognized as developable, even though they may not meet density requirements for the zone. If the substandard lot needs to be modified, then it should be subject to current land division requirements, including density standards.

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. Also, lots without street frontage lack access for residents and utilities, unless easements are provided. Easements are generally not acceptable for some utility connections and cannot be established until *after* the lots are in separate ownership.

A reference to overlay zone and plan district requirements is included to capture the additional requirements of Linnton (NW Hills), Glendoveer, Pleasant Valley, etc.

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 or FAR, etc. In these cases, adjustments to the development standards may be requested, to the degree that adjustments are allowed elsewhere in the Title for those standards.

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.** The following lot dimension standards apply to each lots, lots of record or combination of lots or lots of record. The standards must be met without necessitating a property line adjustment. Adjustments are prohibited:
 1. In the OS, C, EX, CI and IR 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 the single-dwelling zones, each lot must have frontage on a street, and each lot must meet the standards of 33.110.205, Development on Lots and Lots of Record.
 3. In the multi-dwelling zones, each lot must have frontage on a street, and each lot must meet the standards of Section 33.120.210, Development on Lots and Lots of Record.
 4. In the EG zones, each lot must meet Standard B stated in Table 614-1.
 5. In the I zones, each lot must meet Standard B stated in Table 615-1.
 6. If the lot is in an overlay zone or plan district that regulates minimum lot dimensions, the minimum lot dimension standards of the overlay zone or plan district must be met instead of the standard that corresponds to the base zone.
- 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 Lot Confirmation will not cause the development to move further out of conformance with the standard unless an adjustment is approved.

Commentary

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.

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 for this submittal 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. The timeline does not pertain to when the county assigns the tax account number, only when the request is submitted to the county for processing.

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

- D. Services.** The Lot Confirmation will not eliminate the availability of services to any lot affected by the Lot Confirmation, and the lots will not move out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management, unless approved by the affected service bureau.
- E. Conditions of previous land use reviews.** All applicable conditions of previous land use reviews must be met, see 33.700.110, Prior Conditions of Land Use Approvals. Adjustments are prohibited.

33.676.400 Finalizing the Lot Confirmation

A Lot Confirmation approval must be submitted to 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

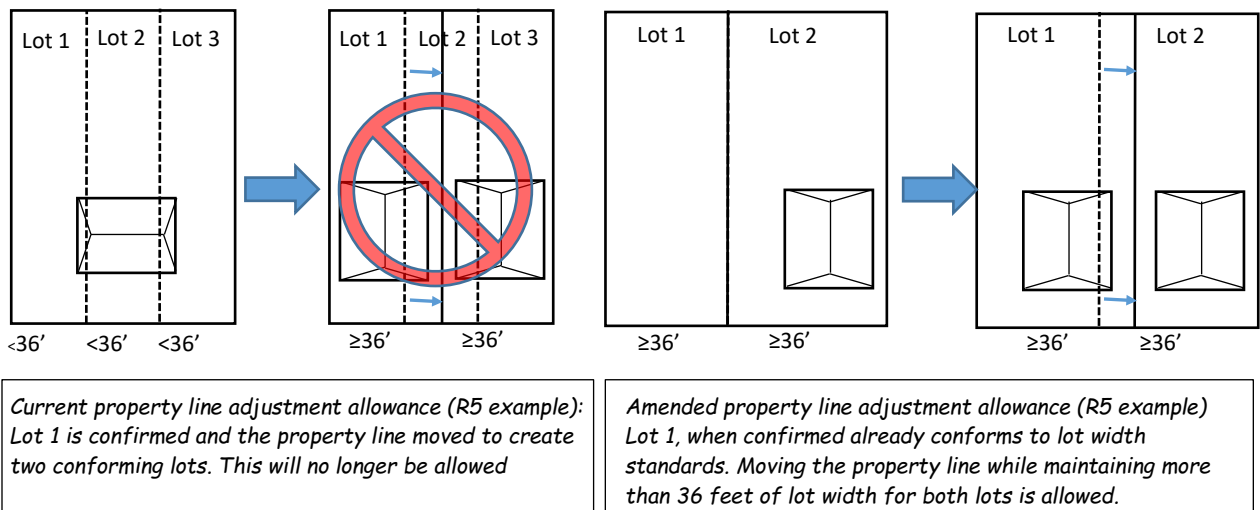
33.677 Property Line Adjustment

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.



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~~677.010 Purpose
- 33.~~677~~677.050 When these Regulations Apply
- 33.~~677~~677.100 Prohibited Property Line Adjustments
- 33.~~677~~677.150 Method of Review
- 33.~~677~~677.200 Application Requirements
- 33.~~677~~677.300 Standards
- 33.~~677~~677.400 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 one or both properties;
 - b. Only one flag lot is proposed;
 - c. Both properties 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 and Figure 667-1

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 is being deleted and a prohibition is being added that prevents using a Property Line Adjustment to make buildable lots from unbuildable lots. This change is consistent with the policy direction to reduce the number of narrow lots in the R5 zone that are developed.

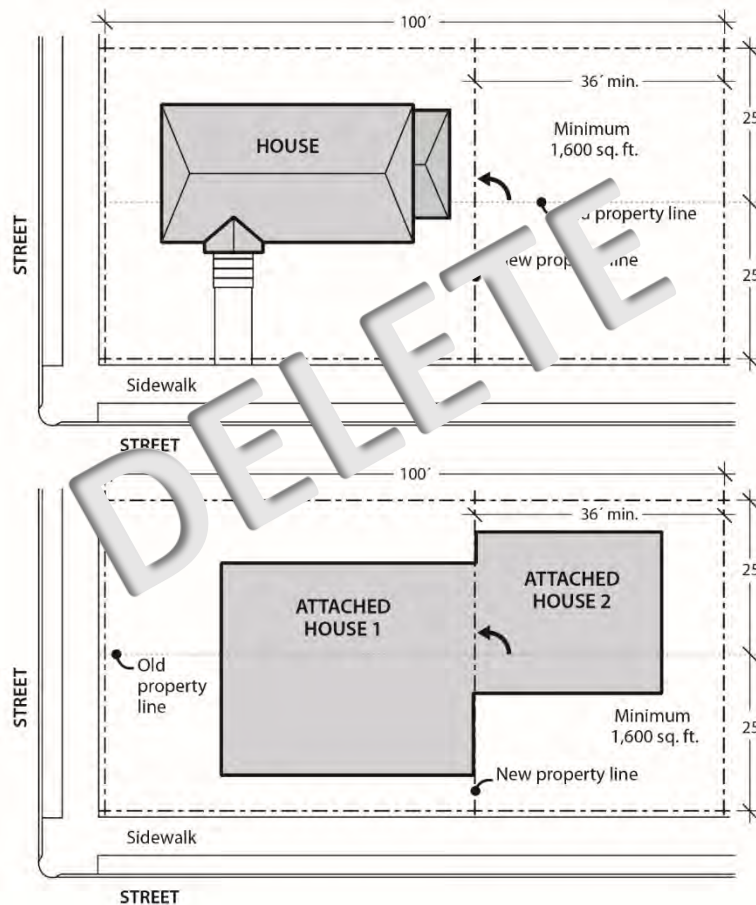
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4. ~~If at least one lot is already out of conformance with the minimum lot area standards and the site is in the R5 zone, the minimum lot area is 1600 square feet and the minimum width is 36 feet, if:~~
 - a. ~~At least one lot is a corner lot;~~
 - 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

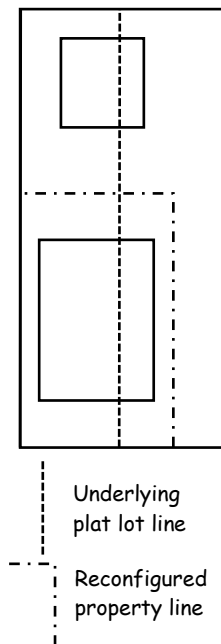
33.677.300.C Flag Lots in the R2.5 Zone.

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 (33.110.265).

These standards ensure that development on the flag lot is small and conforms with certain additional design requirements, limits building size and height, and is thus compatible with what could be built as a detached accessory dwelling unit. Additional flexibility is also added to the base zone to reduce the setback from the existing house to the pole.



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 pole. The pole portion of the flag lot must meet the following standards. 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 flag 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 flag 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. Lot dimensions. The lots must meet the following lot dimension standards:
 - 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. There is no minimum front lot line standard for the flag lot.
 - 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

33.700.075 Automatic Changes to Specified Dollar Thresholds

The thresholds from 33.405 Additional Housing Options overlay zone that determine when historic resource review will be a type II versus a Type III review are based on the same dollar thresholds found in Table 846-1 and 846-3 which are updated annually.

33.700 Administration and Enforcement

700

33.700.075 Automatic Changes to Specified Dollar Thresholds

The sections listed below include dollar thresholds. These thresholds will be increased or decreased each year on March 1. The change will occur automatically, and the new dollar amount will be placed in the Zoning Code without being subject to the procedures for amending the Zoning Code. The change will be based on the annual national average of the Construction Cost Index (CCI), as published in the second January issue of the Engineering News-Record.

- A. The following sections are subject to this regulation.** Any increase or decrease that is not a multiple of \$50 will be rounded to the nearest multiple of \$50:
1. 33.258.070.D.2.a;
 2. 33.258.070.D.2.d(2);
 3. 33.405.040.F.1;
 4. 33.405.050.E;
 5. 33.405.060.E.1;
 - ~~63.~~ 33.440.230.D.1;
 - ~~74.~~ 33.510.253.D.1.a;
 - ~~85.~~ 33.515.278.B.17.a(1);
 - ~~96.~~ 33.560.020
 - ~~107.~~ 33.565.310.B.2
 - ~~118.~~ Table 825-1
 - ~~129.~~ Table 846-1; and
 - ~~1340.~~ Table 846-3
- B. [No change]**

Commentary

33.825 Design Review

Table 825-1

No changes were made to the table on this page

33.825 Design Review

825

Table 825-1 Procedure Type for Design Review Proposals			
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
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			

Commentary

Table 825-1

References to Chapter 33.405, Alternative Density Design are being updated to reflect the new overlay name and the location of the relevant multi-dwelling bonus provisions.

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

Table 825-1 Procedure Type for Design Review Proposals			
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 Additional Housing Options overlay	Additional density in R3, R2, R1 zone	Using bonus density provisions in 33.405.080050	Type III
	Using other provisions in 33.405	Not subject to 33.405.080050	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 May 24, 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 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 public realm, while limiting less active uses of the site such as parking and storage areas along the public realm. Public realm includes adjacent streets as well as plazas and common open 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. Accessible connections

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 to accommodate the proposed development 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 on the site must be oriented around a common outdoor area. The total number of dwelling units includes accessory dwelling units.
- G. Accessible connections.** Provide one or more accessible routes that connect all buildings on the site to adjacent streets, common open areas, and parking areas. Use landscaping and site furnishings to ensure the accessible route provides a pleasant user experience.
- 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

Basement is a new term being added which correlates to the definition of "Floor Area"

No other changes to the list of terms are being made.

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

33.900 List of Terms

900

33.900.010 List of Terms

The following terms are defined in Chapter 33.910, Definitions, unless indicated otherwise.

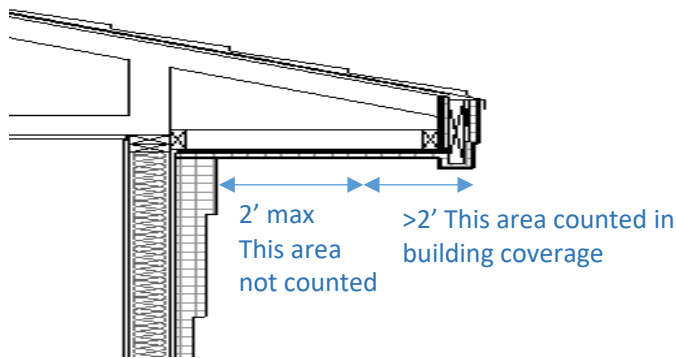
Basement

Commentary

33.910 Definitions

Basement. With the addition of FAR as a tool for single dwelling zones, additional consideration is required for how to address these smaller scale buildings. Floor area, which is intended to be a measure of building bulk, includes exemptions for building space that is partially or fully below grade. The definition of basement is intended to capture daylight basements and other basement levels that are generally at least half concealed below the ground. This in part addresses concerns that some existing basement floors that are less than 4 feet below grade, but are still half below ground (e.g. 3 ½ feet down, 3 ½ feet up). This would also consider a daylight basement a “basement” provided for example -one wall was up to 100% exposed, the opposite wall was 0% exposed and the side walls each 50% or less exposed.

Building Coverage. The definition of building coverage currently excludes eaves from the calculation. The exclusion is intended to encourage the use of eaves on houses and other buildings. However, very deep eaves have been proposed to provide cover over decks and balconies. When this occurs, the eave is acting as a roof and should be counted toward building coverage. Therefore, the definition of building coverage is being amended so that only the first 2 feet of eave depth is excluded from building coverage. A corollary amendment in the Single-Dwelling Zones chapter will allow eaves to project up to 2 feet into setbacks.



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. To address exclusion of basement areas, a new definition for “basement” was added. This is more relevant for smaller residential structures that sit inside the lot away from the street than it is for larger mixed use buildings which more frequently are located directly adjacent to rights of way.

Also, portions of attics with a low ceiling height are excluded from “floor area”. 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.

Figure 910-20 Floor Area in Attics

This new figure 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.

33.910 Definitions

910

Basement. The portion of a building that is partly or completely below grade. A minimum of 50 percent of the total combined area of the basement walls must be below grade to be considered a basement. Only one basement level may be partly below grade; additional basement levels must be completely below grade.

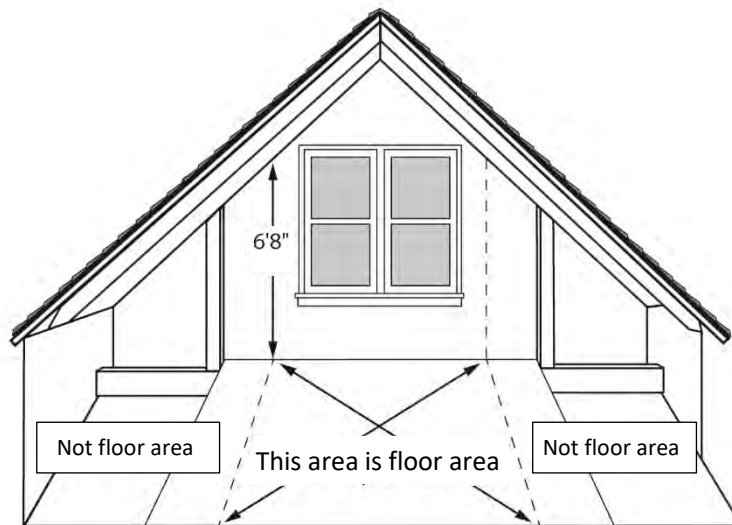
Building Coverage. The area that is covered by buildings or other roofed structures. A roofed structure includes any structure more than 6 feet above grade at any point, and that provides an impervious cover over what is below. Building coverage also includes uncovered horizontal structures such as decks, 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 of a building. 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. Floor area does not include the following:

- Areas where the elevation of the floor is 4 feet or more below the adjacent right-of way;
- Basements;
- Portions of attics where the finished ceiling height is less than 80 inches. See Figure 910-20;
- 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

Figure 910-20
Floor Area in Attics



Commentary

Floor Area (continued)

Chapter 3, Section 305 of the 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.

Garage. The definition is being amended to include a triplex, which was previously considered a multi-dwelling structure and therefore subject to the parking requirements for "structured parking"

Grade. The definition of grade is being simplified as part of related changes to the definition of height. The amendments clarify that grade is the final (altered) elevation, not the pre-development site elevation. This definition also no longer aligns with the building code definition of grade (or "grade plane"), so reference to the Oregon Structural Specialty Code is being removed.

Chapter 2, Section 202 of the 2014 Oregon Structural Specialty Code

GRADE PLANE. A reference plane representing the average of finished ground level adjoining the building at *exterior walls*. Where the finished ground level slopes away from the *exterior walls*, the reference plane shall be established by the lowest points within the area between the building and the *lot line* or, where the *lot line* is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

New Narrow Lot. The definition of new narrow lot is being deleted because development standards for narrow lots will no longer be based on when a narrow lot was created. See proposed amendments to 33.110.260, Additional Development Standards for Narrow Lots.

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.

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.
- **Corner Lot.** A lot that has frontage on more than one intersecting street, and where the lot frontages intersect. A street that curves with angles that are 120 degrees or less, measured from the center line of the street, is considered two intersecting streets for the purpose of evaluating whether a lot is a corner lot. See Figure 910-4.
- **Flag Lot.** A lot with two distinct parts (see Figure 910-5):
 - The flag, which is the only building site; and is located behind another lot; and
 - The pole, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.
- ~~**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.~~
- **Through Lot.** A lot that has frontage on two streets, and where the lot frontages do not intersect. See Figure 910-4.

Commentary

Residential Structure Types

Accessory Dwelling Unit. The amendments to the definition of accessory dwelling unit reflect the fact that other amendments in this proposal will allow ADUs to be added to duplexes and to sites with detached single-dwelling structures approved through a Planned Development. The definition focuses on the subordinate nature of the ADU, rather than with what structure type it is being created.

Attached house. No changes proposed, included for reference only.

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 continue to be defined as 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.

Residential Structure Types

- **Accessory Dwelling Unit.** An additional, subordinate~~second~~ dwelling unit created on a lot with a primary dwelling unit~~house, attached house, or manufactured home~~. The additional~~second~~ unit is ~~created auxiliary to, and is~~ always smaller than the primary 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.** [no change]
- **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.
- **Duplex.** [No change]
- **Dwelling Unit.** [No change]
- **Group Living Facility.** [No change]
- **House.** [No change]
- **Houseboat Moorage.** [No change]
- **Manufactured Dwelling.** [No change]
- **Multi-Dwelling Structure.** A structure 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 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

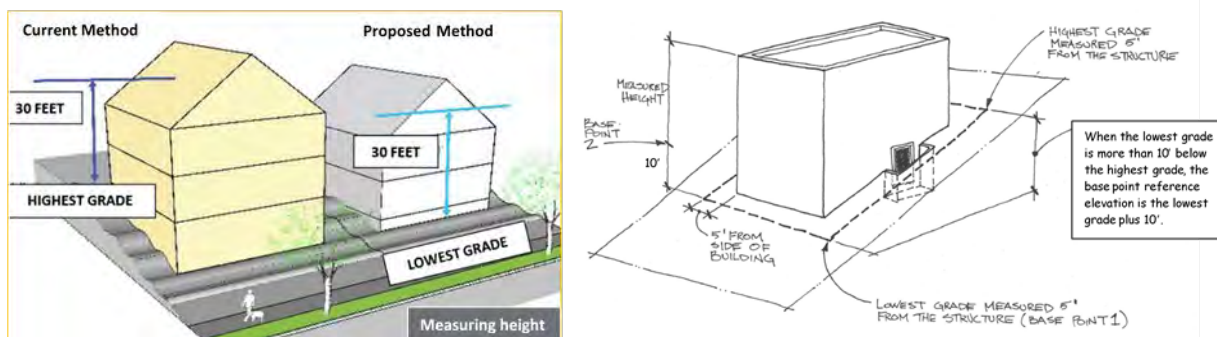
These changes to how building height is measured are significant. They aim to close potential loopholes that have allowed taller than desired buildings. In the past, this has not been an issue as new development had not been maximizing development allowances on sites, however, with increased land costs, development is more frequently maximized on the site to compensate for the increased land cost. Consequently, staff have observed instances of proposals that "push the envelope" of what is allowed and 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 proposed 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.

The changes also clarify that measured height is the greatest vertical distance between the two reference points. In other words, if a roof midpoint on the opposite side of a house is higher than the roof midpoint nearer to the lowest base point, the higher roof reference point is used.



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

33.930.050 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 a buildings is the vertical distance abovebetween the base reference point and the roof-type reference point the yields the greatest distance between points. 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 used is the 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 5 feet from the building. To establish lowest and highest grade, draw a line exactly 5 feet from all sides of the building and identify the lowest and highest elevation 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.

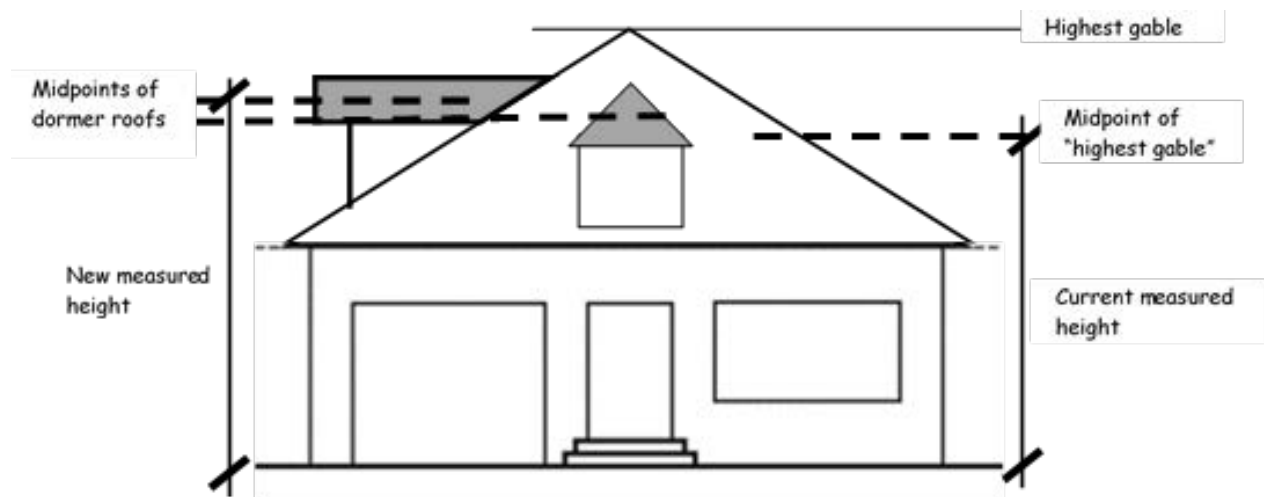
Commentary

Base point 2.

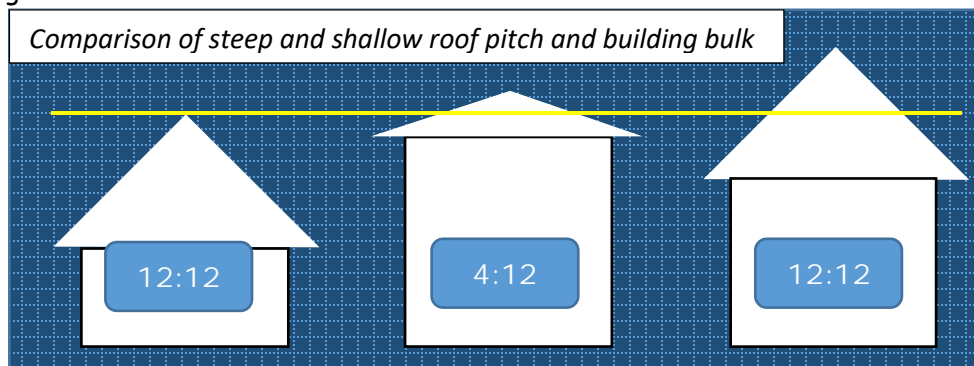
A slight revision was made to Base point 2 language for consistency of using the term "grade".

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.



Removing the differentiation between very steep (12:12 pitch and greater) and less steep (<12:12 pitch) roofs. Currently, code differentiates measurement methods between gable roofs with less than 12:12 pitch (measure to the midpoint), from those with 12:12 and greater roof pitch (measure to the peak). These changes treat these roof types the same by measuring to the midpoint in both cases, consistent with building code methodology. This allows for steeper pitched roofs which may be taller, but the building profile is typically less bulky than buildings with lower pitched roofs. This, along with FAR limits that count tall attic spaces will work together to reduce the overall building bulk.



- b. Base point 2. Base point 2 is the elevation that is 10 feet higher than the lowest grade when the lowest gradesidewalk or ground surface described in Subparagraph A.1.a, Paragraph 1, ~~above,~~ is more than 10 feet below the highest~~above~~ lowest grade. See Figure 930-~~6~~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 Subparagraphs Paragraphs A.1.a and A.1.b~~2~~:
 - (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.~~
- df. Other roof ~~types~~shapes—such as domed, shed, vaulted, or pyramidal shapes: Measure to the highest point.
- eg. 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

A small refinement was made to this drawing to show that the height for sloped roofs is measured at the point where the wall intersects with the roof plane, not the upper edge of the eave.

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

~~Figure 930-5~~
~~Measuring Height – Roof Types~~

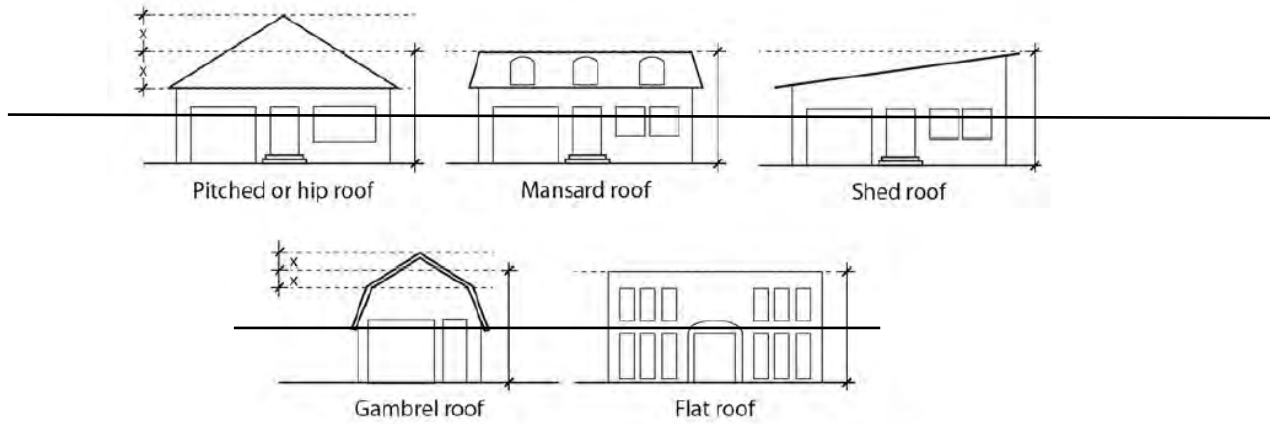
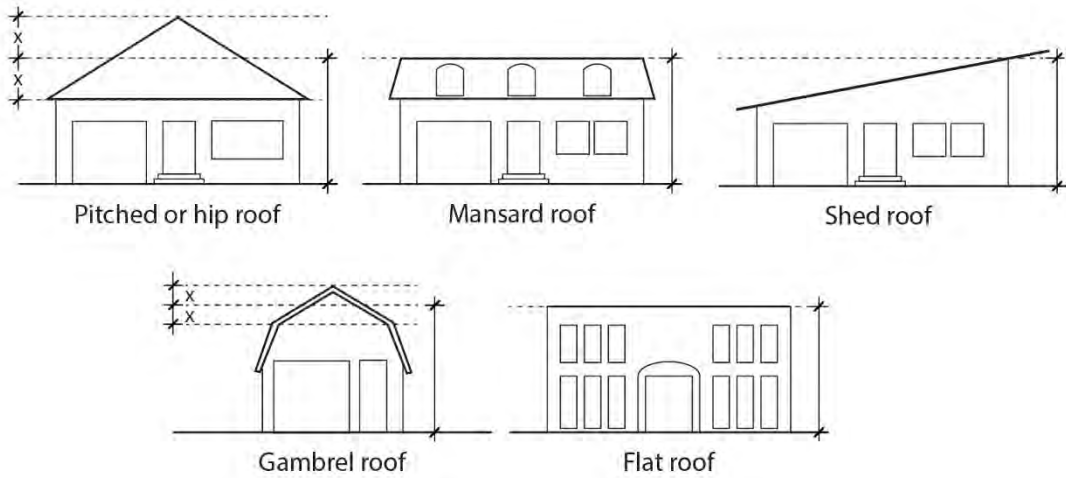


Figure 930-5
Measuring Height – Roof Types



Commentary

Figures 930-6 and 930-7

These figures are replaced with a new figure 930-6 to reflect changes to the base point height measurement method, and incorporate both base points into one figure.

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

~~Figure 930-6~~
Measuring Height – Base Point 1

~~Figure 930-7~~
Measuring Height – Base Point 2

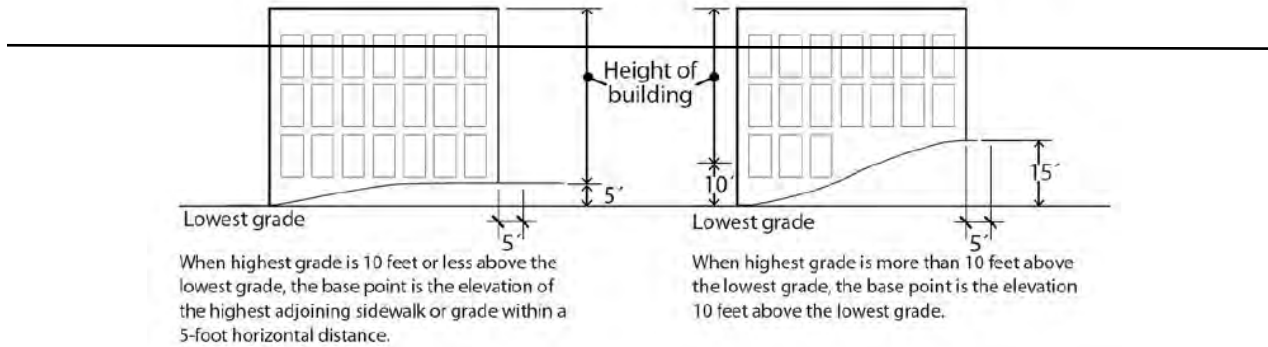
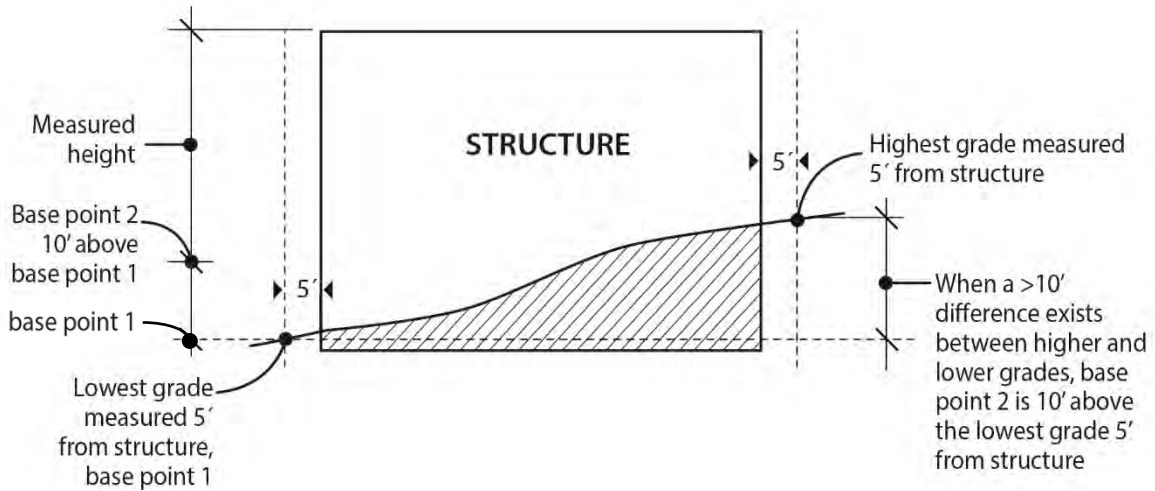


Figure 930-6
Measuring Height – Base Point 1 and 2



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.

Figure 930-9
Calculating Average Slope

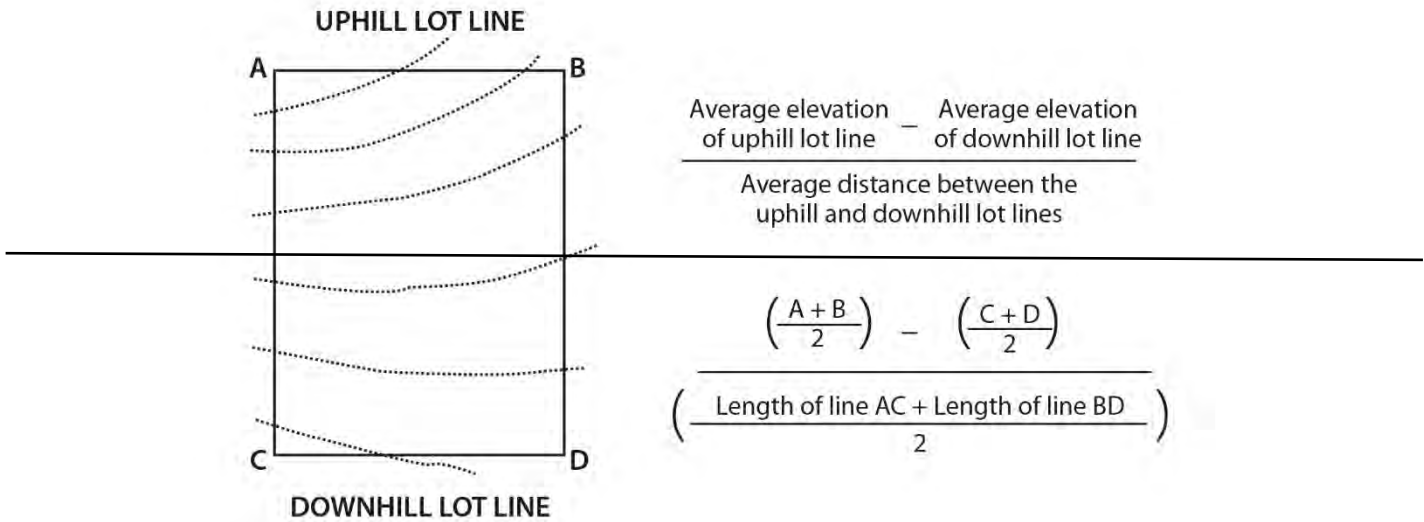
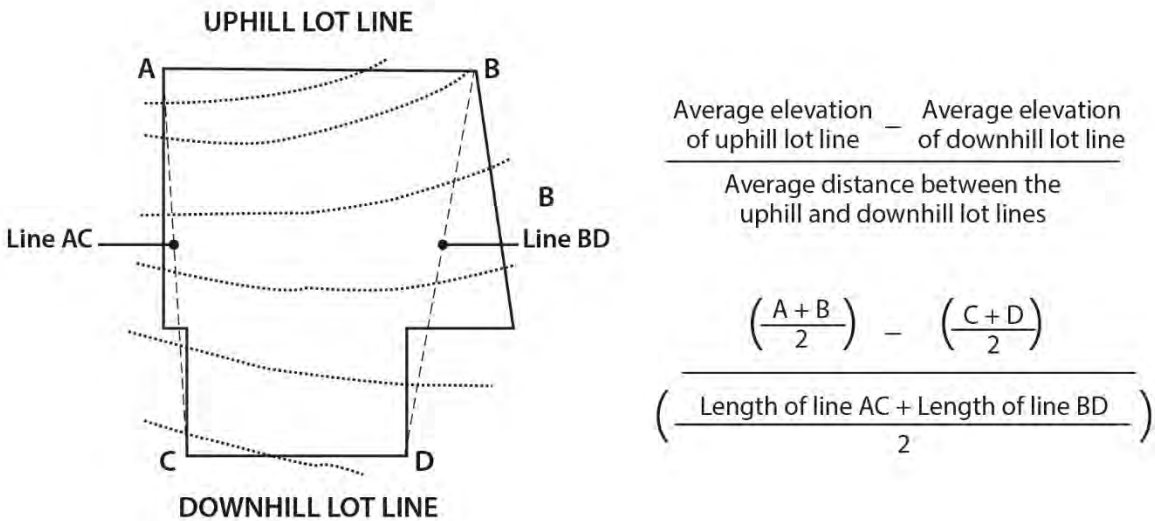


Figure 930-9
Calculating Average Slope



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

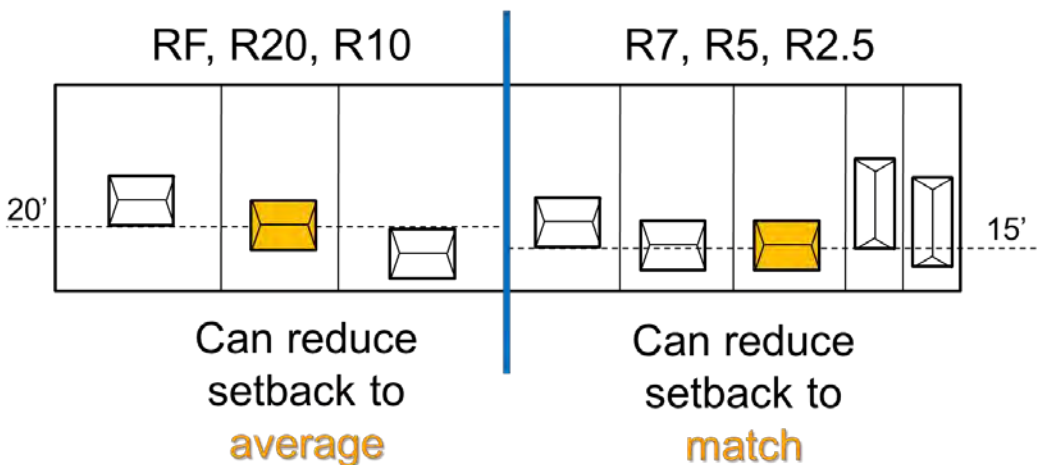


Figure 930-18 is being replaced to better clarify the distinction between setback averaging and setback matching.

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.

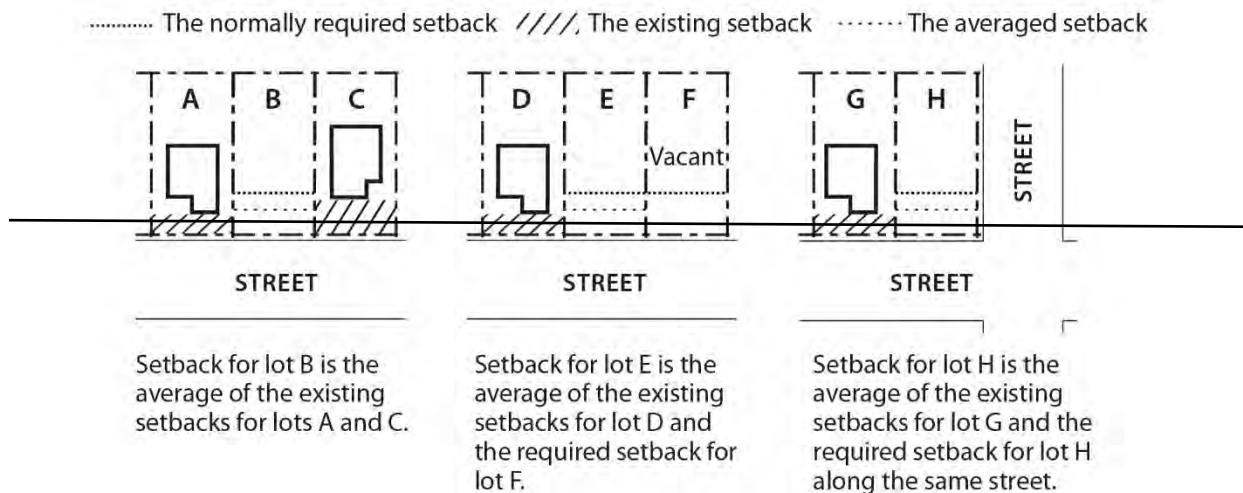
33.930.120 Setback Averaging and Setback Matching

Certain regulations allow for front setbacks to be averaged ~~or front setbacks to be reduced to match~~.

- A. Front setback averaging.** ~~In these situations—~~ The required front 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.

Figure 930-18
Setback Averaging



Commentary

33.930.120.B. Front Setback Matching.
See commentary on previous page.

Residential Infill Project

AN UPDATE TO PORTLAND'S
SINGLE-DWELLING ZONING RULES

PROPOSED DRAFT
APRIL 2018

VOLUME 3: APPENDICES

Submit testimony to the Portland Planning
and Sustainability Commission by May 15, 2018
See inside cover for more information



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

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



The Residential Infill Project is updating Portland’s single dwelling zoning rules to meet the changing needs of current and future residents.

For more information:

Visit the project website www.portlandoregon.gov/bps/infill

Email the project team Residential.Infill@portlandoregon.gov

Call the helpline 503-823-0195

Para obtener más información, por favor llame al 503-823-0195.

如需更多資訊，請致電：503-823-0195。

За дополнительной информацией обращайтесь по номеру 503-823-0195.

Để biết thêm thông tin, vui lòng gọi 503-823-0195.

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How to Testify

The Residential Infill Project will be considered by the Portland Planning and Sustainability Commission (PSC). The public is invited to submit formal comments (called public testimony) to the PSC in writing, in person at a public hearing or online. Testimony on the **Proposed Draft** is directed to the PSC, which may amend the proposal and subsequently vote to recommend the changes to Portland City Council. This is then called the **Recommended Draft**. The public will also have an opportunity for formal testimony on the **Recommended Draft** when that draft is reviewed by City Council.

Testify in person at one of the following Planning and Sustainability Commission (PSC) public hearings	Testify in writing between now and Tuesday, May 15, 2018
<p>Tuesday, May 8, 2018, at 5 p.m. 1900 SW 4th Avenue, Room 2500, Portland, Oregon</p> <p>Tuesday, May 15, 2018, at 5 p.m. 1900 SW 4th Avenue, Room 2500, Portland, Oregon</p> <p>To confirm the date, time and location, check the PSC calendar at www.portlandoregon.gov/bps/35452</p>	<p>Map App: www.portlandoregon.gov/bps/infill/mapapp Click on the "Testify" button. You can testify about a specific location or on the proposals in general. Testifying in the Map App is as easy as sending an email. Once your testimony is submitted, you can read it in real time.</p> <p>U.S. Mail: You must provide your full name and mailing address. Portland Planning and Sustainability Commission Residential Infill Project Testimony 1900 SW 4th Ave, Suite 7100 Portland, OR 97201</p>

Next Steps:



The next draft of the proposal – the *Recommended Draft* – will incorporate the changes the PSC makes to the *Proposed Draft*. The *Recommended Draft* will be forwarded to City Council for additional public testimony and hearings, deliberations, possible amendments and vote. The *Recommended Draft* should be at City Council in Fall 2018.

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

Appendix A

Guidance from the Comprehensive Plan

This appendix lists the relevant 2035 Comprehensive Plan Goals and Policies that guide the proposals in 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 tradeoffs between them. Some objectives work together, such as “Provide diverse housing opportunities” and “Support housing affordability and extend access to amenities.” 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.



Provide Diverse Housing Opportunities

Does the proposal 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 to accommodate this change. Portland’s average household size is decreasing, and the average age of the City’s total population is getting older. The current housing supply lacks the 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 percent 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 among 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.

Support Housing Affordability and Extend Access to Amenities

Does the proposal 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?

Housing affordability is traditionally defined by the ability of a household to pay no more than 30 percent of its income on housing, whether rented or owned. Over the long term, increasing housing supply stems upward pressure on prices of existing housing stock, which makes finding housing more feasible as our city grows.

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 at a lower price point, thereby helping to reduce long-term pressure from Portland's current imbalance between supply and demand.

Areas of the city where these additional, smaller 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.

Finally, aspects of the proposal include incentives to entice the creation of units affordable to those making up to 80 percent of the median family income. Applying these incentives over a larger geography tied to daily services and transit, increases fair housing access in more places where household prosperity outcomes are generally improved.

Supporting Policies:

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.

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>

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 5.14 Preserve communities. Encourage plans and investments to protect and/or restore the socioeconomic diversity and cultural stability of established communities.

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 5.29 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 Resource-Efficient and Environmentally Sensitive

Does the approach encourage the development and preservation of compact, resource- and energy-efficient homes? Does it support the use of technologies, techniques and materials that result in less environmental impact over the life cycle of the structure? Does 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 on lots 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.

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.

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.

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 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 5.30 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.

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.

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.

Avoid Increasing the Risk of Displacement

Does the proposal provide more people with access to amenity-rich neighborhoods? Does the proposal extend the benefits of growth, while avoiding or mitigating involuntary displacement of vulnerable communities?

Currently, Portland does not have enough housing to accommodate the growth we will see in the coming decades, particularly in neighborhoods where people can walk, bike, access good transit so they can rely less on driving a car, and live near jobs, parks, grocery stores, schools, restaurants, and shops. Allowing for more units that are smaller than those being built today can give more people access to these amenities.

However, the long-term benefits of adding more housing supply to support our vibrant neighborhoods must be balanced with potential short-term displacement impacts (and the longer term effect of community displacement) as the city develops. The 2035 Comprehensive Plan describes the City’s aspiration to ensure that existing residents benefit from future change, and it calls for projects, programs, and investments to alleviate the potential displacement pressures to which they contribute. The proposal carries out this charge by assessing displacement risk and proposing mitigation strategies.

Staff analyzed the risk of displacement facing vulnerable communities. As a result, staff proposes to remove some areas from the 'a' overlay to avoid displacement spurred by redevelopment in the short term. In response to the Discussion Draft, we heard from housing advocacy groups, nonprofit affordable housing developers, and members of the public that displacement needed to be addressed with a programmatic response. Staff has generated ideas for programs to mitigate displacement impacts citywide. After these programs are funded, developed, and implemented, areas vulnerable to displacement could be added into the 'a' overlay.

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 2.28 Historical understanding. To better understand concerns and conditions when initiating a project, research the history, culture, past plans, and other needs of the affected community, particularly under-represented and under-served groups, and persons with limited English proficiency (LEP). Review preliminary findings with members of the community who have institutional and historical knowledge.

Policy 2.29 Project-specific needs. Customize community involvement processes to meet the needs of those potentially affected by the planning or investment project. Use community involvement techniques that fit the scope, character, and potential impact of the planning or investment decision under consideration.

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 3.3.e. When private property value is increased by public plans and investments, require development to address or mitigate displacement impacts and impacts on housing affordability, in ways that are related and roughly proportional to these impacts.

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.

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.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.

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 5.15 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 5.21 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 5.22 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 5.31 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 5.34 Affordable housing resources. Pursue a variety of funding sources and mechanisms including new financial and regulatory tools to preserve and develop housing units and various assistance programs for households whose needs are not met by the private market.

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 5.41 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.

Policy 5.49 Housing quality. Encourage housing that provides high indoor air quality, access to sunlight and outdoor spaces, and is protected from excessive noise, pests, and hazardous environmental conditions.

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.

Policy 6.62 Neighborhood business districts. Provide for the growth, economic equity, and vitality of neighborhood business districts.

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 9.11 Land use and transportation coordination. Implement the Comprehensive Plan Map and the Urban Design Framework through coordinated long-range transportation and land use planning. Ensure that street policy and design classifications and land uses complement one another.

Allow Homes to Adapt Over Time

Does the proposal 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”? Does 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 to 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 to meet 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.

Other provisions require that a portion of new units built include “visitable” features. These are intended to remove the more cost prohibitive aspects or retrofitting a house to be more accessible. This also allows residents age in place, or provides options for other older adults seeking to age within their community.

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.

Be Economically Feasible

Does the proposal 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? Does 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 housing.

An economic feasibility analysis on the proposals 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 analysis conducted for the alternative housing prototypes indicates that they would be more attractive than large-lot, new single-dwelling construction and 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 may increase by additional flexibility such as increasing building area allowances and wider arrangements of housing units that are allowed otherwise. Placing specific limits that restrict redevelopment/removal of these resource 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

Are the proposed standards easy to use and understand? Can they be consistently applied, at a reasonable cost for both the development community and the City?

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 C). 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).

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 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.

Fit Neighborhood Context

Do the proposals produce infill houses that better fit with the form – scale, massing, street frontage and transitions to adjacent houses – of blocks on which they are located? Does the proposal produce houses that reflect Portland's different neighborhood patterns?

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.

Proposed increases to front setbacks in the R5 zone along with allowances to reduce the setback to match homes on adjacent lots will help new houses recognize and reinforce existing setback development 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.

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. Proposed allowances for modest additions encourage home reinvestment. Sites with historic resources are afforded increased flexibility and additional incentives for adaptive reuse.

Flexibility and more streamlined reviews 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.

Zoning and development standards are only one of many ingredients that define a neighborhood. In addition to the architecture of its homes and the people who inhabit them, the context of a neighborhood also concerns the spaces in between – the natural environment, open space, plants, access to sunlight, and more. Street layout, topography, existing vegetation and mix of residential, commercial and open space also have a strong influence. 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 of different neighborhoods.

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 4.11 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 4.15 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 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 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.



MEMORANDUM

DATE: March 27, 2018

To: Tyler Bump
BUREAU OF PLANNING AND SUSTAINABILITY

FROM: Jerry Johnson
JOHNSON ECONOMICS LLC

SUBJECT: Economic Analysis of Proposed Changes to the Infill Development Standards

The City of Portland Bureau of Planning and Sustainability has been refining the Residential Infill Project, and this analysis provides an updated to previous work completed by Johnson Economics on the project from October 2016. As with the previous iteration of the proposed changes, the new standards will impact maximum height limits, building square footage, and minimum setbacks and yard areas.

The proposed change in allowed development being evaluated are as follows:

TYPE	LOT SIZE	Current Size Allowed	Proposal
Single Family Home	5,000	R5 = 6,750 sf R7 = 7,650 sf	R5 (0.5 FAR) = 2,500 sf + 750 sf structure R7 (0.4 FAR) = 2,800 sf + 1,050 sf structure
Skinny Home	2,500	R2.5 = 4,375 sf	R2.5 (0.7 FAR) = 1,750 sf + 375 sf structure

The proposed changes include changing how height is measured, as well as increasing front setbacks in R5 and R2.5 zoning. Triplexes would now be allowed on corner lots, as well as duplexes with one detached ADU. Some historically narrow lots would be rezoned from R5 to R2.5. In addition, new developments in the R2.5 zone on sites 5,000 sf and larger would be required to have at least two units.

As with the previous iteration, the proposed changes would limit the allowed size of residential development within the single dwelling zones, while modestly expanding the ability of the market to provide some additional housing types. The current allowed size of structure for the three residential codes is likely well above what would be expected in the market, as homes in these size ranges represent a minute percentage of housing stock. The revised allowable home sizes will likely restrict final home sizes below what the market may support, and we would expect new development to largely develop at the new limits.



The code increases the allowance for Accessory Dwelling Units (ADUs). While this is both expected to marginally increase the yield on redevelopment, and encourage more residential development at a lower price point, the analysis does not factor this in. While we recognize that these units have seen market acceptance to-date, we feel that projecting the utilization rate of these allowances cannot be reliably done at this time.

In summary, the proposed changes to the code largely reflect an increase in allowable density in terms of units and a reduction in the amount of allowable building area within the codes. This would be reflected in generally lower residual land values associate with redevelopment options. The anticipated impact would be a lower rate of redevelopment, with resulting housing produced at a lower price point.

I. PROTOTYPES

To test the impact of the proposed changes, Johnson Economics model the economic feasibility of eight rental and eight ownership prototypical developments. The work is based on assumed market pricing and does not address the marginal impact of affordable housing provisions or incentives.

The proposed changes impact the form and financial performance of new development in two primary ways. The first of these is a marginal decrease in the allowable building square footage, reflected by a shift in the net Floor Area Ratio (FAR). This provides for less development yield on the site, expressed in square footage of saleable or leasable area. The second impact is associated with the shift in product type and associated price point. By allowing for multiple residential structures on the site, a developer is able to produce housing at a lower overall price point. This broadens the potential market for the housing, reducing market risk.

The following are summary pro formas for these development forms. The assumed pricing levels in these examples was included as an example, with actual pricing varied at based on a series of seventeen discrete pricing bands identified in the study area.



SUMMARY OF DEVELOPMENT PROTOTYPES, RENTAL RESIDENTIAL ANALYSIS

		Current Zoning Assumptions				New Zoning Assumptions			
		Rental_Middle_SFR	Rental_Middle_Skinny	Rental_Middle_Duplex	Rental_Middle_Triplex	Rental_Middle_SFR_2	Rental_Middle_Skinny_2	Rental_Middle_Duplex_2	Rental_Middle_Triplex_2
PROGRAM	Property Assumptions								
	Site Size (SF)	5,000	2,500	4,500	5,000	5,000	2,500	4,500	5,000
	Density	8.71	17.42	19.36	26.14	8.71	17.42	19.36	26.14
	Unit Count	1	1	2	3	1	1	2	3
	Ave Unit Size	2,750	1,850	1,700	1,100	2,500	1,500	1,250	833
	Efficiency Ratio	100%	100%	100%	100%	100%	100%	100%	100%
	Building Square Feet	2,750	1,850	3,400	3,300	2,500	1,500	2,500	2,499
	Stories	2	3	2	1.5			1.5	2.0
	Bldg Footprint	1,375	617	1,700	3,300			2,500	2,499
	FAR	0.55	0.74	0.76	0.66	0.50	0.60	0.56	0.50
	Total Parking Spaces	2	1	2	2	2	1	2	2
	Parking Spaces - Surface	-	1	-	-	-	1	-	-
	Parking Spaces - Structure	2	-	2	2	2	-	2	2
	Structured Parking %	100%	0%	100%	100%	100%	0%	100%	100%
	Cost Assumptions								
	Base Construction Cost/SF	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185
	Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%
	Construction Cost/SF	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185
	Base Parking Costs/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
	Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%
Parking Cost/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
INCOME	Income Assumptions								
	Achievable Pricing	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
	Parking Charges/Space/Mo	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100
	Expenses								
	Vacancy/Collection Loss	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
	Operating Expenses	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%
	Reserve & Replacement	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Valuation									
Capitalization Rate	5.50%	5.50%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	
SUPPORTABLE PROPERTY VALUE	Cost								
	Cost/Construct w/o prkg.	\$508,750	\$342,250	\$629,000	\$610,500	\$462,500	\$277,500	\$462,500	\$462,315
	Total Parking Costs	\$40,000	\$0	\$40,000	\$40,000	\$40,000	\$0	\$40,000	\$40,000
	Estimated Project Cost	\$548,750	\$342,250	\$669,000	\$650,500	\$502,500	\$277,500	\$502,500	\$502,315
	Income								
	Annual Base Income	\$66,000	\$44,400	\$81,600	\$79,200	\$60,000	\$36,000	\$60,000	\$59,976
	Annual Parking	\$2,400	\$0	\$2,400	\$2,400	\$2,400	\$0	\$2,400	\$2,400
	Gross Annual Income	\$68,400	\$44,400	\$84,000	\$81,600	\$62,400	\$36,000	\$62,400	\$62,376
	Less: Vacancy & CL	\$3,420	\$2,220	\$4,200	\$4,080	\$3,120	\$1,800	\$3,120	\$3,119
	Effective Gross Income	\$64,980	\$42,180	\$79,800	\$77,520	\$59,280	\$34,200	\$59,280	\$59,257
	Less Expenses:								
	Operating Expenses	\$20,794	\$13,498	\$25,536	\$24,806	\$18,970	\$10,944	\$18,970	\$18,962
	Reserve & Replacement	\$1,949	\$1,265	\$2,394	\$2,326	\$1,778	\$1,026	\$1,778	\$1,778
	Annual NOI	\$42,237	\$27,417	\$51,870	\$50,388	\$38,532	\$22,230	\$38,532	\$38,517
	Property Valuation								
	Return on Cost	7.70%	8.01%	7.75%	7.75%	7.67%	8.01%	7.67%	7.67%
	Threshold Return on Cost	6.33%	6.33%	6.90%	6.90%	6.90%	6.90%	6.90%	6.90%
Residual Property Value	\$119,029	\$91,220	\$82,739	\$79,761	\$55,935	\$44,674	\$55,935	\$55,905	
RPV/SF	\$23.81	\$36.49	\$18.39	\$15.95	\$11.19	\$17.87	\$12.43	\$11.18	



SUMMARY OF DEVELOPMENT PROTOTYPES, OWNERSHIP RESIDENTIAL ANALYSIS

		Current Zoning Assumptions				New Zoning Assumptions			
		Condo_Middle_SFR	Condo_Middle_Skinny	Condo_Middle_Duplex	Condo_Middle_Triplex	Condo_Middle_SFR_2	Condo_Middle_Skinny_2	Condo_Middle_Duplex_2	Condo_Middle_Triplex_2
PROGRAM	Property Assumptions								
	Site Size (SF)	5,000	2,500	4,500	5,000	5,000	2,500	4,500	5,000
	Density	9	17	19	26	9	17	19	26
	Unit Count	1	1	2	3	1	1	2	3
	Ave Unit Size	2,750	1,850	1,700	1,100	2,500	1,500	1,250	833
	Building Square Feet	2,750	1,850	3,400	3,300	2,500	1,500	2,500	2,499
	Stories								
	Bldg Footprint								
	FAR	0.55	0.74	0.76	0.66	0.50	0.60	0.56	0.50
	Parking Ratio/Unit	2.00	1.00	1.00	0.66	2.00	1.00	1.00	0.66
	Total Parking Spaces	2	1	2	2	2	1	2	2
	Parking Spaces - Surface	-	1	-	-	-	1	-	-
	Parking Spaces - Structure	2	-	2	2	2	-	2	2
	Cost Assumptions								
	Base Construction Cost/SF	\$197	\$197	\$197	\$197	\$197	\$197	\$197	\$197
Parking Cost/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
INCOME	Income Assumptions								
	Achievable Pricing	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300
	Parking Charges/Space	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875
	Expenses								
Sales Commission	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	
SUPPORTABLE PROPERTY VALUE	Cost								
	Cost/Construct w/o prkg.	\$541,750	\$364,450	\$669,800	\$650,100	\$492,500	\$295,500	\$492,500	\$492,303
	Total Parking Costs	\$40,000	\$0	\$40,000	\$40,000	\$40,000	\$0	\$40,000	\$40,000
	Estimated Project Cost	\$581,750	\$364,450	\$709,800	\$690,100	\$532,500	\$295,500	\$532,500	\$532,303
	Income								
	Gross Income - Units	\$825,000	\$555,000	\$1,020,000	\$990,000	\$750,000	\$450,000	\$750,000	\$749,700
	Gross Income - Parking	\$43,750	\$0	\$43,750	\$43,750	\$43,750	\$0	\$43,750	\$43,750
	Gross Sales Income	\$868,750	\$555,000	\$1,063,750	\$1,033,750	\$793,750	\$450,000	\$793,750	\$793,450
	Less: Commission	(\$34,750)	(\$22,200)	(\$42,550)	(\$41,350)	(\$31,750)	(\$18,000)	(\$31,750)	(\$31,738)
	Effective Gross Income	\$834,000	\$532,800	\$1,021,200	\$992,400	\$762,000	\$432,000	\$762,000	\$761,712
	Property Valuation								
Return on Sales	43.36%	46.19%	43.87%	43.81%	43.10%	46.19%	43.10%	43.10%	
Threshold Return on Cost	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	
Residual Property Value	\$143,467	\$98,854	\$178,200	\$172,857	\$130,109	\$80,152	\$130,109	\$130,055	
RPV/SF	\$28.69	\$39.54	\$39.60	\$34.57	\$26.02	\$32.06	\$28.91	\$26.01	



II. PREDICTIVE DEVELOPMENT MODELING

Description of Model

Johnson Economics used a predictive development model, which is designed to estimate the marginal impact of changes in the development environment on the expected magnitude and character of development. The model is designed to predict the magnitude and form of likely development or redevelopment activity over an assumed time frame. The primary approach used to predict likely development patterns is the relationship between the supportable residual land value for prospective uses and the current value of the property (including land as well as improvements, if any). The underlying assumption is that when the value of a property for new development is high relative to the current value of the property, it will be more likely to see development or redevelopment over a defined time-period.

The model is designed to generate an estimated ratio between the current value of a parcel and the underlying value of the parcel under potential development scenarios. This ratio is used as the primary indicator of the likelihood of development or redevelopment. Within the model, we use Real Market Value (RMV) from the assessors' office as a proxy for the value of the site. While we understand that this is an imperfect measure, it is readily available at the parcel level and any inherent bias is expected to be largely consistent. The residual land value is determined using a series of simplified pro formas that represent potential development forms. The resulting ratio between current and residual value has proven to be a strong predictor of the likelihood of development or redevelopment at the parcel level.

The model solves for a development solution that represents the highest and best use at the parcel level under the assumptions used, as well as outputting an associated residual property value. The highest and best use of each parcel is defined as the allowable land use program that yields the greatest return to the existing property, and the residual property value reflects the maximum acquisition value supported by that program under the assumptions used. For this analysis, the model evaluated a total of 16 prototypical programs which cover the range of residential development forms allowed under the current and proposed zoning on parcels zoned R2.5, R5 and R7. An entitlement screen narrows the allowed use types to reflect existing and proposed zoning.

The probability of development/redevelopment activity is predicted by the model at the parcel level based on the ratio generated by dividing the current value (RMV) by the indicated residual land value. A shift in assumptions that increases the value of the property under a new development scenario, such as higher achievable pricing or less restrictive entitlements, will increase the denominator in this ratio as well as the likeliness of development or redevelopment. Sites with relatively high current values resulting from significant physical improvements will have a relatively high numerator and will be significantly less likely to redevelop.

The model evaluates the likelihood of development at the parcel level, although the results are expressed in aggregated geographies. What the model solves for is probabilities to redevelop as well as anticipated development forms, and the results reflect the expected value of development/redevelopment activity. The model will not indicate that a specific parcel will or won't redevelop, it will change the probability of that occurrence as well as the likely form of development.



In summary, the model uses the relationship between current value of the property and the indicated value of the property under the highest and best use development prototype as the primary predictive measure of the likelihood of development and/or redevelopment.

Pricing Gradients

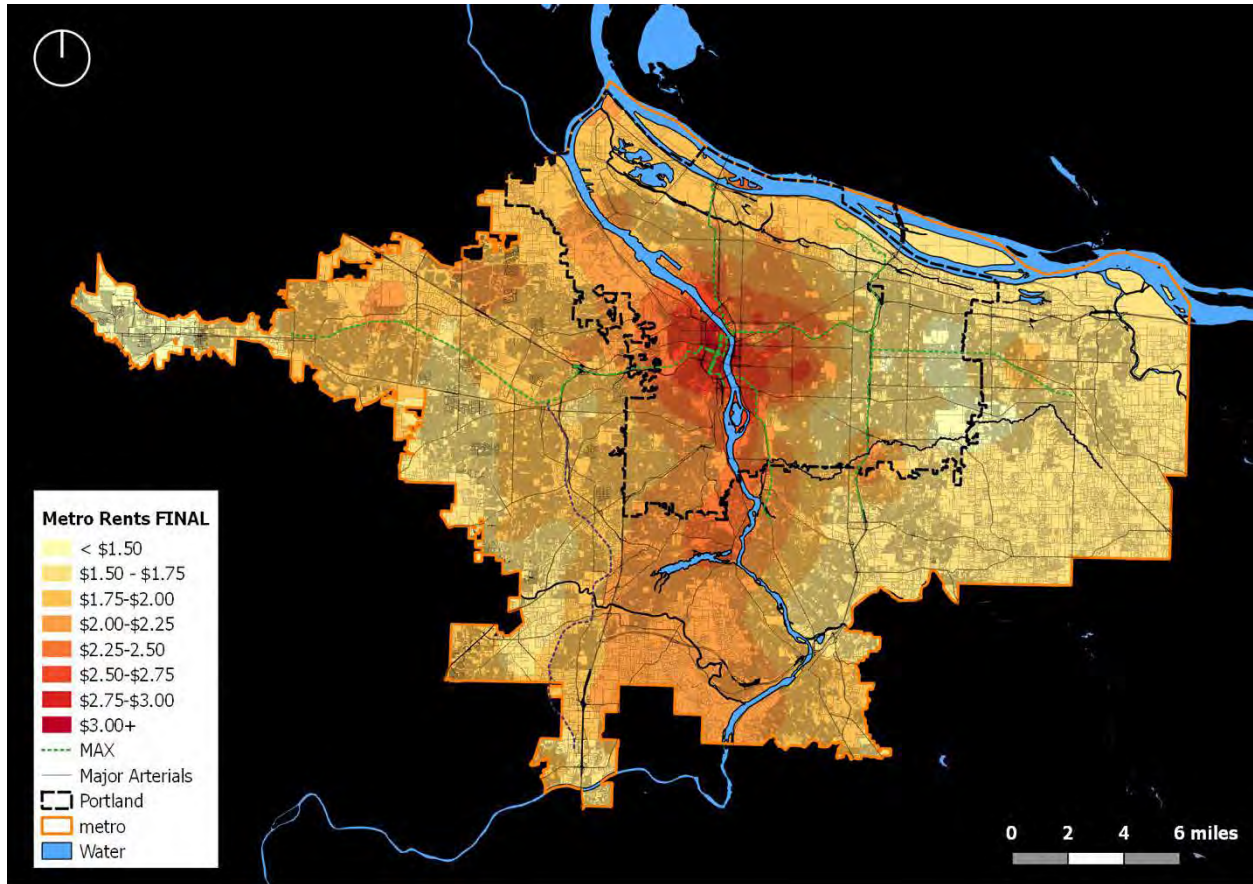
The analysis summarized in this memorandum evaluated the parcels using a more sophisticated approach than used previously, with achievable pricing estimated at the parcel level and both ownership and rental residential developments evaluated.

The data requirements at the parcel level are relatively simple, and readily available through Metro's RLIS data. This includes physical data such as square footage, net developable area, current real market value (RMV), zoning, and parcel reference numbers. The parcel database is further refined to include market information. For residential uses, the model uses parcel-specific pricing data, which has been imported to the parcel database to populate the achievable pricing field for these uses. Johnson Economics has generated a pricing gradient map to estimate achievable pricing for residential products at the parcel level. Whereas previous versions of this analysis divided the study area into areas with set rental prices, this analysis used interpolation methods in GIS software to set the rental prices at the tax lot level.

Two different rental data sets were used to establish the rental pricing assumptions: Rainmaker and Axiometrics. The following map illustrates the rent gradient produced by this process within the Metro area.



RENTAL RESIDENTIAL ACHIEVABLE RENT GRADIENT, 2017

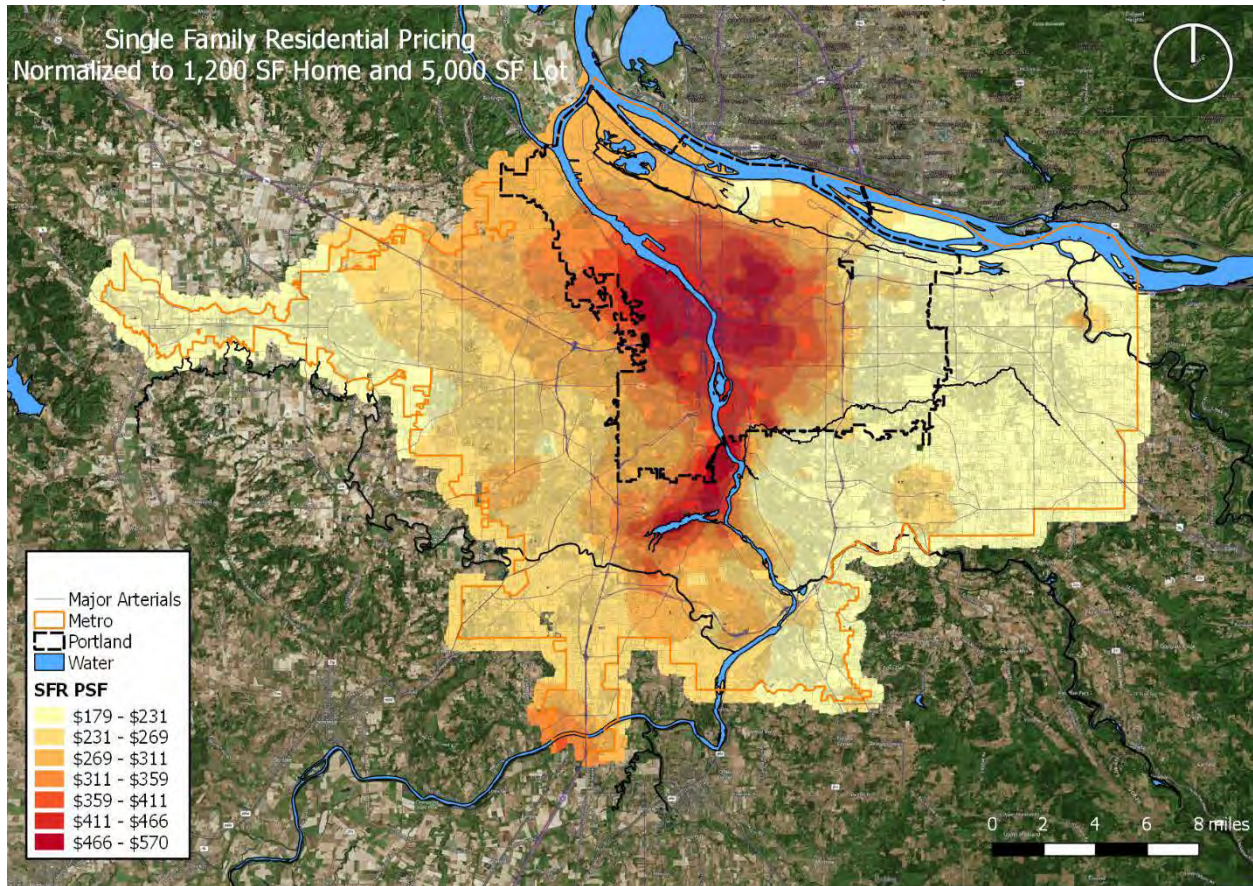


Johnson Economics created a similar surface for ownership residential sales. As home sales (and rents) can vary from neighborhood-to-neighborhood and, even, street to street, it is important to work towards this type of mapping to give a more accurate look at potential future redevelopment.

There are a limited number of ways to obtain sales data, and each has their plusses and minuses. For the use in these iterations of the interpolated sales surface, Johnson Economics obtained sales data by way of county assessor records. These obtained records went back to 1996 and consisted of sales records in Clackamas, Multnomah, and Washington Counties. This data was supplemented with data from RMLS.



SINGLE-FAMILY RESIDENTIAL ACHIEVABLE SALES PSF GRADIENT, 2017



The model as constructed cannot address parcel level pricing at this time, so the study was broken down into seventeen separate pricing districts, which have similar achievable price points. The table to the right shows the seventeen pricing bins, the number of parcels in that bin, as well as the average residential rent per square foot and the average sales price per square foot in that bin. Just over 100,000 parcels were evaluated, which represented all parcels zoned either R7, R5, or R2.5 in the study area.

Bin	# of Parcels	Residential Rent/SF	Sales Price/SF
1	632	\$1.25	\$178
2	3,915	\$1.39	\$199
3	6,073	\$1.52	\$217
4	7,702	\$1.69	\$241
5	12,716	\$1.83	\$261
6	20,729	\$2.00	\$286
7	17,476	\$2.20	\$314
8	7,514	\$2.35	\$335
9	9,805	\$2.47	\$353
10	6,236	\$2.62	\$374
11	3,866	\$2.76	\$394
12	2,081	\$2.91	\$416
13	953	\$3.07	\$438
14	373	\$3.21	\$458
15	226	\$3.35	\$479
16	262	\$3.69	\$526
17	102	\$4.37	\$625
Total	100,661	\$2.12	\$302



Model Output

Our predictive development model was run for two scenarios, reflecting current and proposed development standards. The model evaluated marginal shifts in entitlement that allowed for the development of triplexes on corner lots in R5 and R7 sites, as well as duplexes on interior lots. In addition, it adjusted the assumed square footage of structures associated with the proposed FAR restrictions, as well as the alternative entitlements for corner lots.

The results showed an expected aggregate reduction in the level of construction investment but a modestly higher number of predicted new residential units in the study area. As with the previous proposed code language, the reduced allowable building area had a larger negative impact on residual land values than the offsetting increase in allowable units. Despite a lower number of predicted redevelopment occurrences, the higher allowable unit yield translates into a higher number of expected units, particularly net new units (after deducting for units lost during redevelopment). The output reflects a lower aggregate level of redevelopment, but a greater unit density, expected net unit yield, and lower price point per unit on properties that do redevelop.

The output of the model differs from the previous version as it evaluated both rental residential as well as ownership residential programs. As developers tend to work within either one or the other tenure options, we evaluated them separately.

The predicted development yield from residential development/redevelopment in the study area was 12,266 units over the next twenty years under the current zoning, increasing to 12,481 units under the proposed new zoning. The construction of these units will entail the loss of existing residential capacity, which is reflected in the net unit estimates. The impact on rental residential pricing was highly significant, with average rents dropping by over a third. This reflects a change in unit size as opposed to reduced rents per square foot, which would be expected to be higher.

**SUMMARY OF PREDICTED DEVELOPMENT ACTIVITY
WITH PROPOSED MODIFICATIONS IN ZONING CODES
20 Year Study Period , No Pricing Changes**

	Predicted Development Yield				
	Construction Investment	New Units	Replaced Units	Net Units	Average Rent
BASELINE					
New Construction	\$5,049,417,244	12,266	(6,684)	5,582	\$4,597
NEW ZONING					
New Construction	\$3,369,470,704	12,481	(5,187)	7,294	\$2,997
NET IMPACT					
Total	(\$1,536,994,762)	215	1,498	1,713	-\$1,600
% Change	-30%	2%	-22%	31%	-35%

When output is broken down by pricing bin, we see the greatest impact on pricing to be in lower priced areas, where higher-priced single-family homes are replaced with smaller and higher density programs. The lowest priced neighborhoods have no predicted redevelopment under either the baseline or new zoning scenario.



SUMMARY OF RENTAL ANALYSIS RESULTS AT THE PRICING BIN LEVEL

Pricing Bin	# of Parcels	Residential Rent/SF	Sales Price/SF	Baseline		New Zoning		Net Change		
				Units	Avg. Rent	Units	Avg. Rent	Units	Avg. Price	% Price
1	632	\$1.25	\$178	0	\$0	0	\$0	0	\$0	0%
2	3,915	\$1.39	\$199	0	\$0	0	\$0	0	\$0	0%
3	6,073	\$1.52	\$217	0	\$0	0	\$0	0	\$0	0%
4	7,702	\$1.69	\$241	1,212	\$3,873	1	\$4,648	(1,211)	\$774	20%
5	12,716	\$1.83	\$261	1,127	\$3,974	1,228	\$2,137	101	(\$1,838)	-46%
6	20,729	\$2.00	\$286	2,259	\$4,817	3,168	\$2,710	909	(\$2,108)	-44%
7	17,476	\$2.20	\$314	1,874	\$5,467	2,918	\$2,907	1,044	(\$2,559)	-47%
8	7,514	\$2.35	\$335	2,071	\$4,142	1,892	\$3,105	(179)	(\$1,037)	-25%
9	9,805	\$2.47	\$353	2,642	\$4,478	2,365	\$3,415	(277)	(\$1,063)	-24%
10	6,236	\$2.62	\$374	628	\$4,834	516	\$3,721	(112)	(\$1,113)	-23%
11	3,866	\$2.76	\$394	299	\$5,131	263	\$3,996	(36)	(\$1,135)	-22%
12	2,081	\$2.91	\$416	35	\$6,369	23	\$5,504	(12)	(\$865)	-14%
13	953	\$3.07	\$438	20	\$6,508	14	\$5,701	(6)	(\$807)	-12%
14	373	\$3.21	\$458	13	\$6,161	10	\$5,136	(3)	(\$1,025)	-17%
15	226	\$3.35	\$479	6	\$7,203	5	\$6,365	(1)	(\$838)	-12%
16	262	\$3.69	\$526	17	\$6,989	16	\$5,708	(1)	(\$1,281)	-18%
17	102	\$4.37	\$625	63	\$8,085	62	\$6,555	(1)	(\$1,530)	-19%
Total	100,661	\$2.12	\$302	12,266	\$4,597	12,481	\$2,997	215	(\$1,600)	-35%

The same analysis was completed for ownership residential programs, which also yielded an expected reduction in units developed, while average price points declined by just over 24%. As with the rental market, the reduction in pricing reflects smaller average unit sizes delivered.

Under the assumptions used, rental residential largely outbid ownership residential solutions in the current pricing environment. Over the study period, the relationship between rental and ownership residential units will likely change, with ownership units shifting to the highest and best use solution. We would expect the dynamics to remain consistent though, with the marginal shift in development generating significantly smaller and thus more affordable units. The overall rate of redevelopment and residential investment would be lower, but the unit yield would likely be higher.

III. SUMMARY

As with the previous study, our analysis indicates that the proposed changes in entitlements would likely result in a lower rate of development and redevelopment in the study area, yielding less in terms of residential investment but likely a similar number of new units. The modest increase in allowable units is offset by the lower allowed square footage of new development, which generally reduces the supportable land value for new development. The lower supportable land value decreases the likelihood of redevelopment on a significant number of parcels.

Sites that do redevelop under the proposed modifications would be expected to deliver units at a generally lower price point and higher unit density. When adjusted to reflect net new units (deducting units lost during redevelopment), the net unit yield is significantly higher.

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
Urban and Regional Planners

June 2016

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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 generally, 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

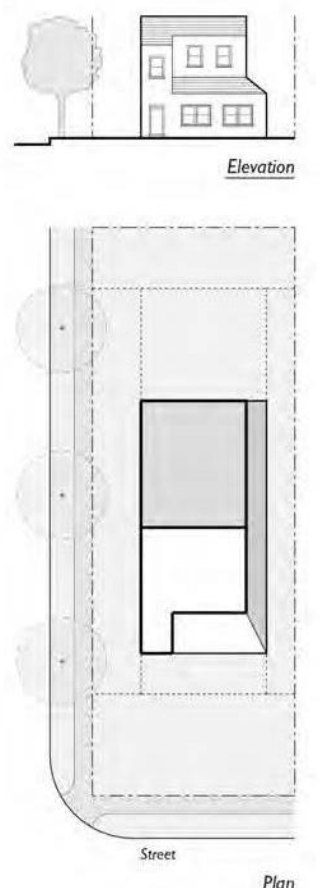
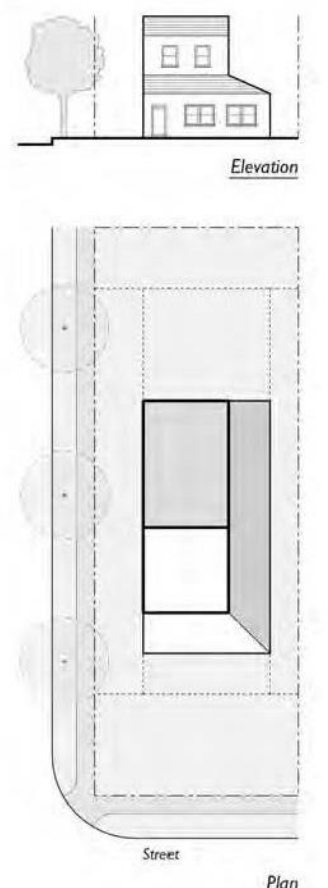
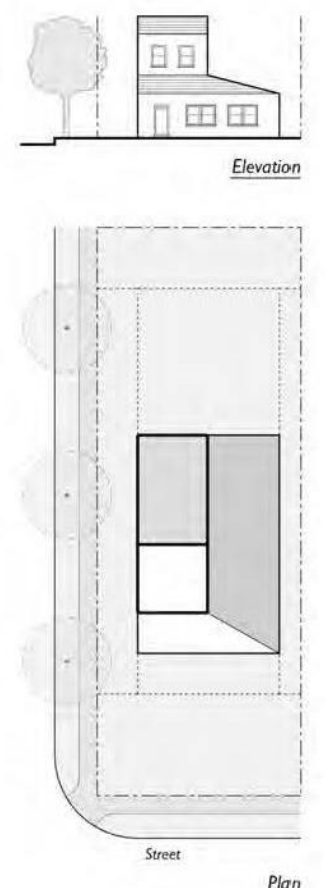
The floor area ratio (FAR) is the ratio of the floor area, excluding areas specifically noted, of all principal and accessory buildings on a site to the site area. To calculate the FAR, floor area is divided by site area, and typically expressed as a decimal. For example, if the floor area of all buildings 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 D

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.

R2.5 Zone New Construction Permits in 2015

51 Permits Analyzed: New Dwellings with/without Attached ADUs
Not Analyzed:


- 4 Permits for New Dwellings in R5 Zones being changed to R2.5 per Comp Plan
- 61 Permits for New ADUs in R2.5


LOT SIZE: 1,850 sf to 7,500 sf; Average = 3,234 sf
LOT WIDTH: 25 ft to 125 ft; Average = 40.1 ft
GROSS BUILDING FLOOR AREA: Average = 2,728 sf
LIVABLE FLOOR AREA: Average = 2,240 sf
FAR (GROSS): Average = 0.83:1
FAR (NET): Average = 0.91:1


BUILDING HEIGHT: Average = 25.9 ft
ALLOWED BUILDING HEIGHT: Average = 34.3 ft

FRONT SETBACK: Average = 13.4 ft; Min Req: 10 ft

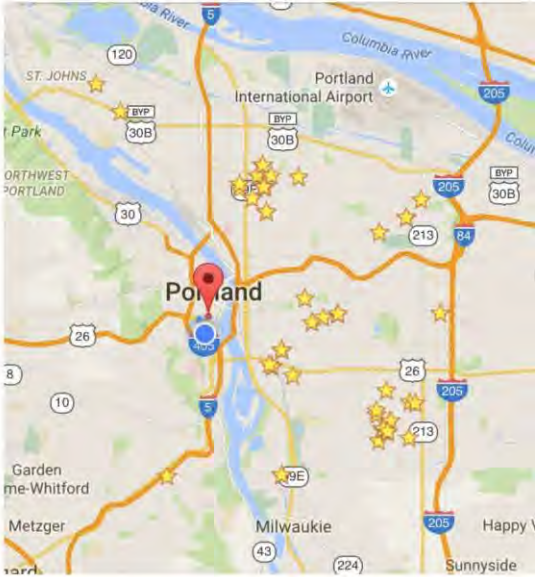
ALLOWED BUILDING COVERAGE: Average = 1,649 sf
BUILDING COVERAGE: Average = 1,362 sf (82.6%)

 45 of 51 Included
Garages (40 Attached)

 9 Attached Primary
Dwelling Units

 8 of 51 Included ADUs
(All Attached)

1 of 53

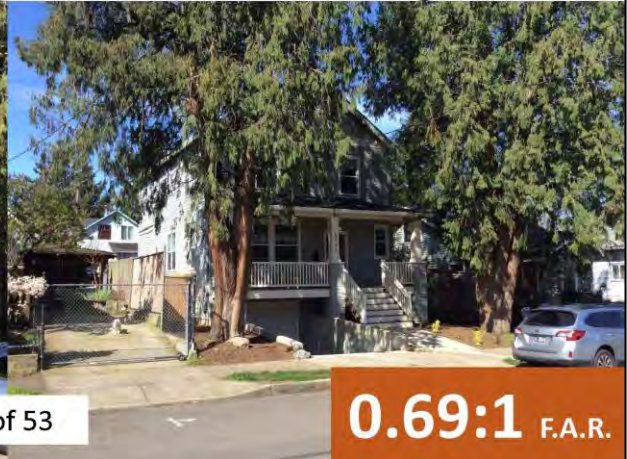
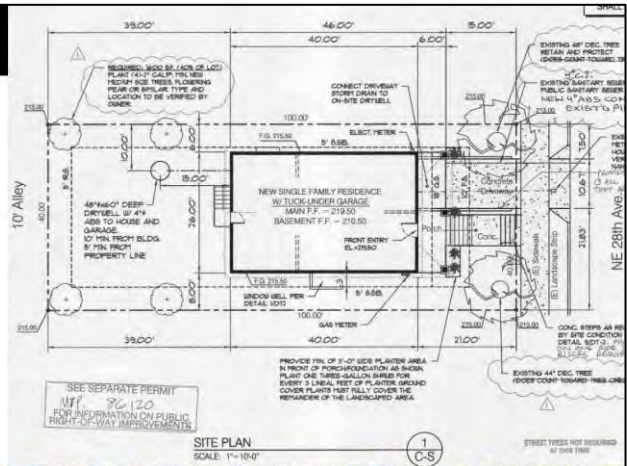


DATA SUMMARY

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



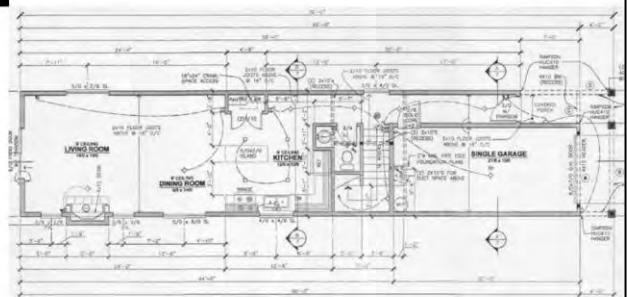
2 of 53

0.69:1 F.A.R.

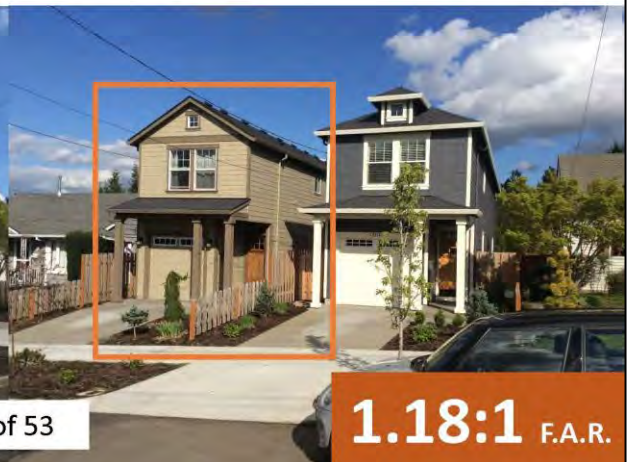
4214 NE 81st Ave. Beaumont-Wilshire

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



1st Floor Plan



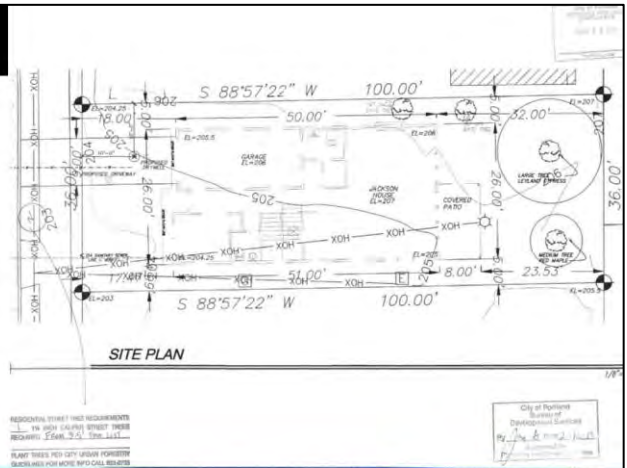
3 of 53

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



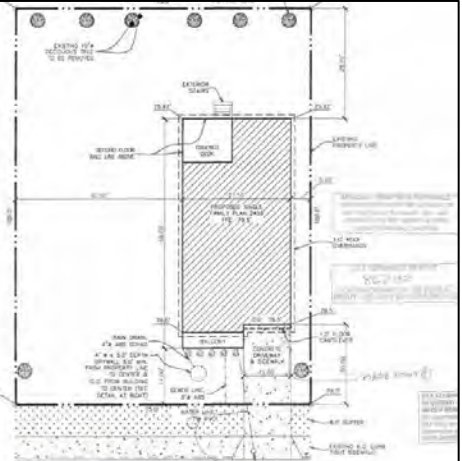
4 of 53

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

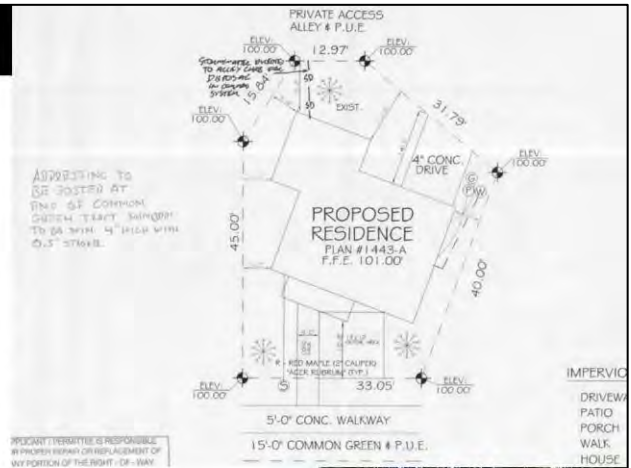


5 of 53

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

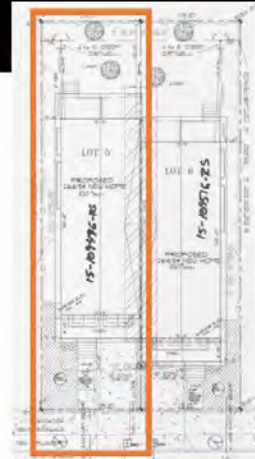


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0.94:1 F.A.R.

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



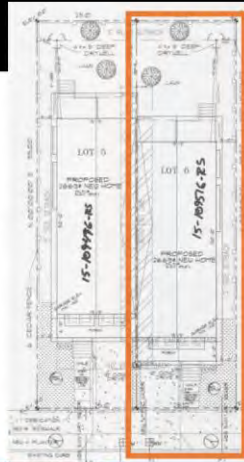
7 of 53

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



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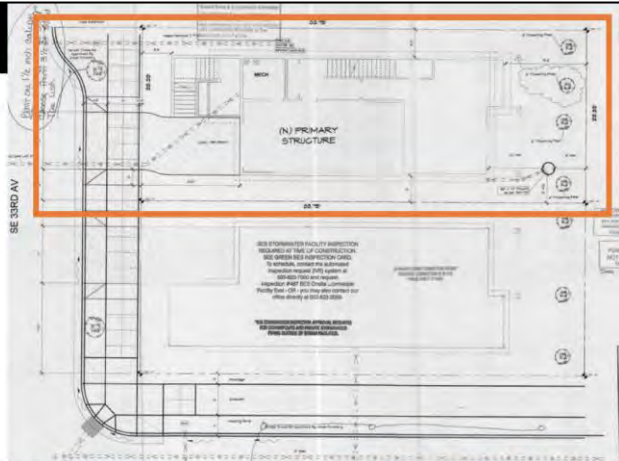


1.25:1 F.A.R.

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



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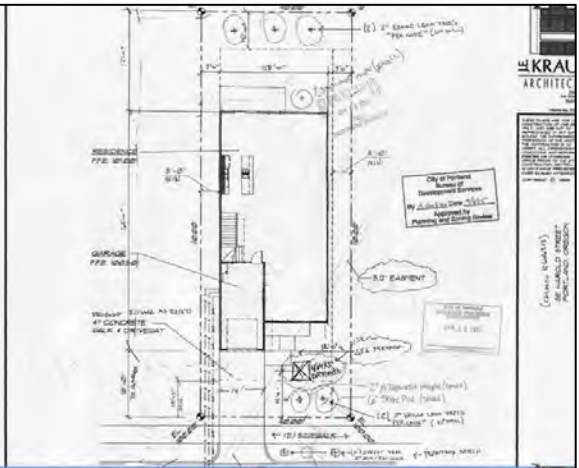


1.17:1 F.A.R.

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



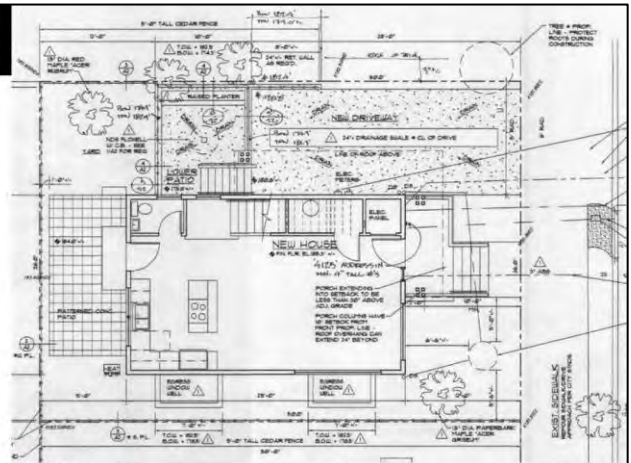
10 of 53

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



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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



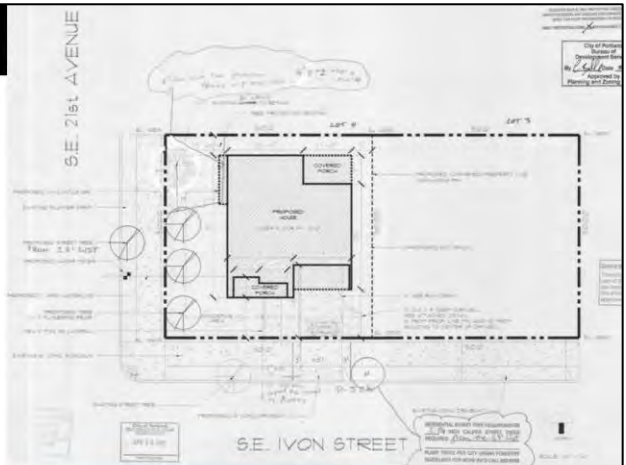
12 of 53

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



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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



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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



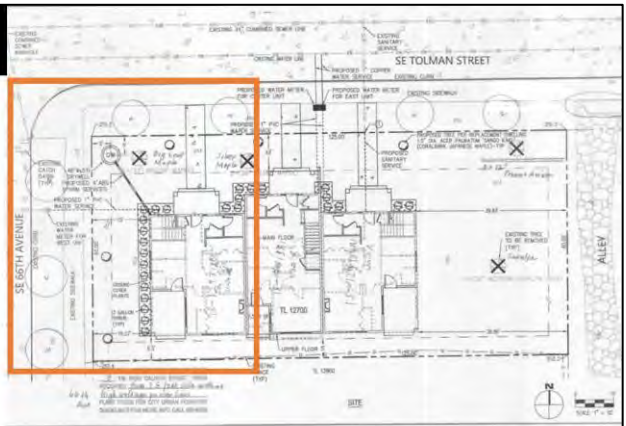
15 of 53

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



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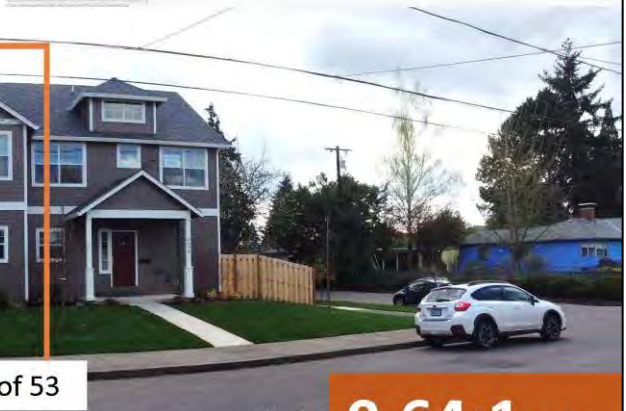
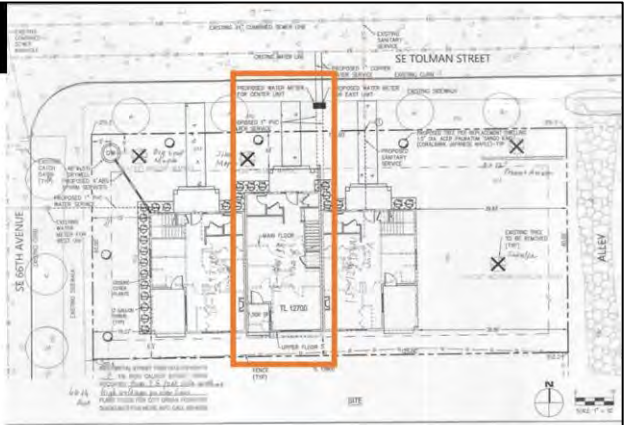
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Note: Lot size, coverage, facade and FAR calculations apply to entire site.

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



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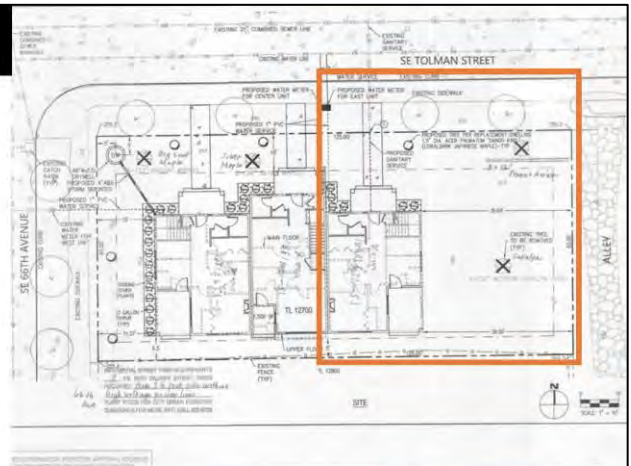
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Note: Lot size, coverage, facade and FAR calculations apply to entire site.

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



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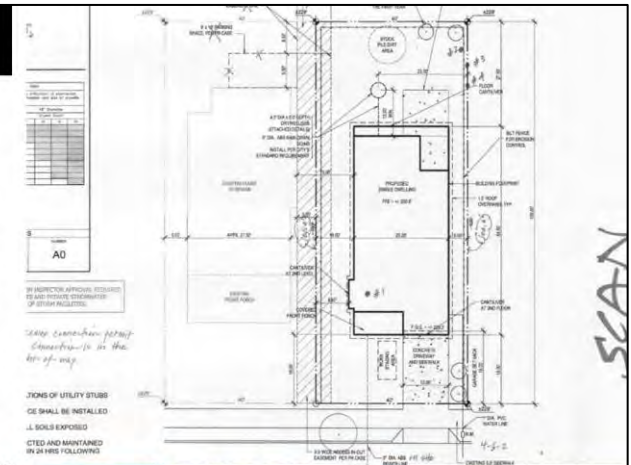
0.64:1 F.A.R.

Note: Lot size, coverage, facade and FAR calculations apply to entire site.

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



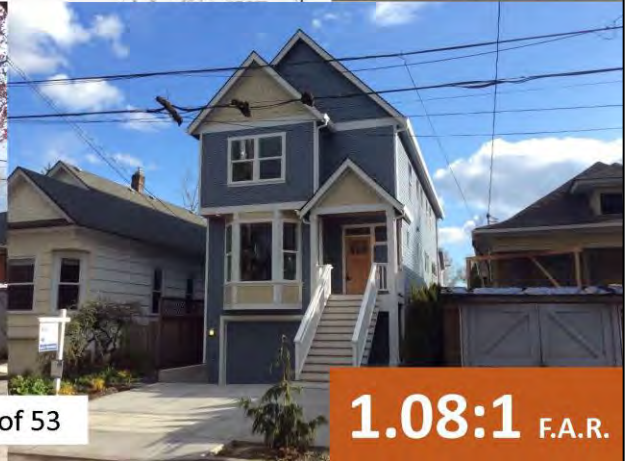
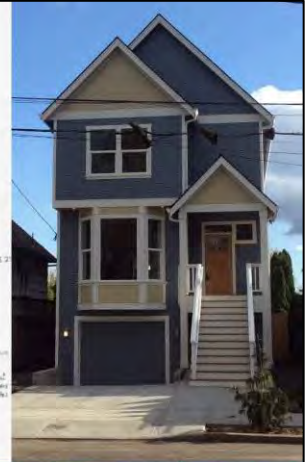
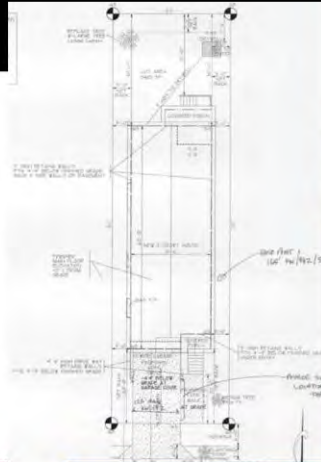
19 of 53

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



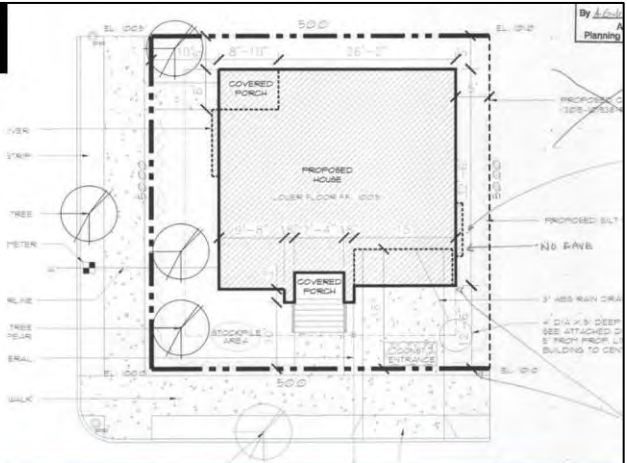
20 of 53

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



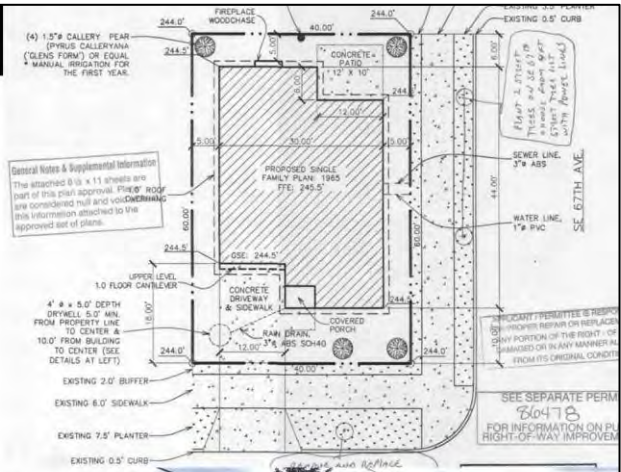
21 of 53

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



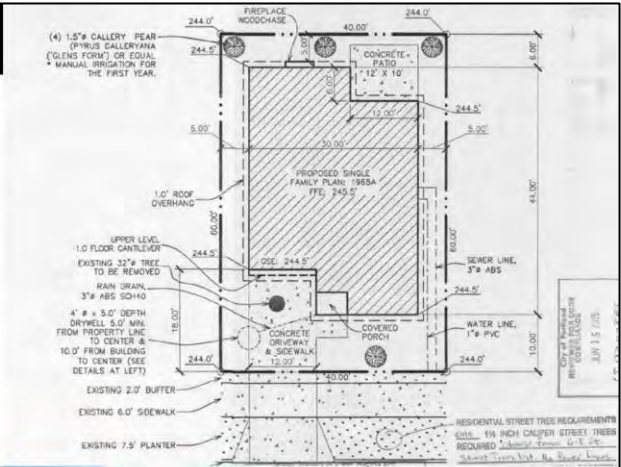
22 of 53

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



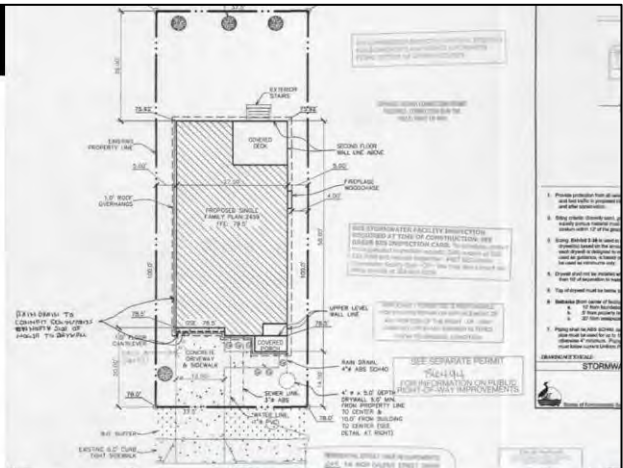
23 of 53

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



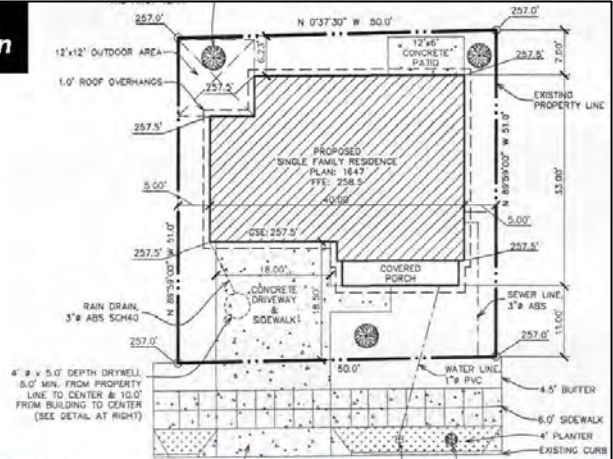
24 of 53

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



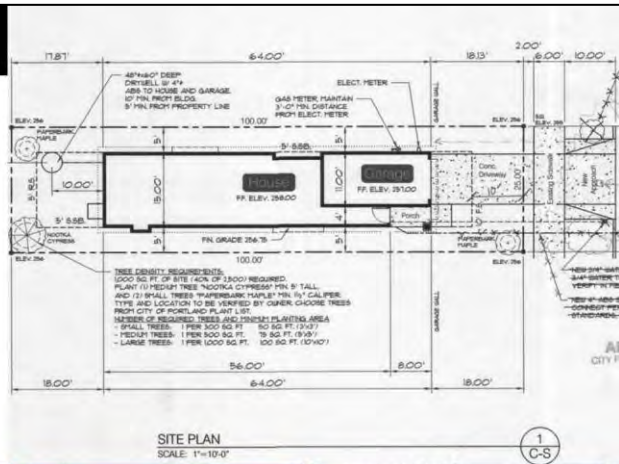
25 of 53

0.85:1 F.A.R.

3403 NE 74th Ave. Roseway

R2.5h

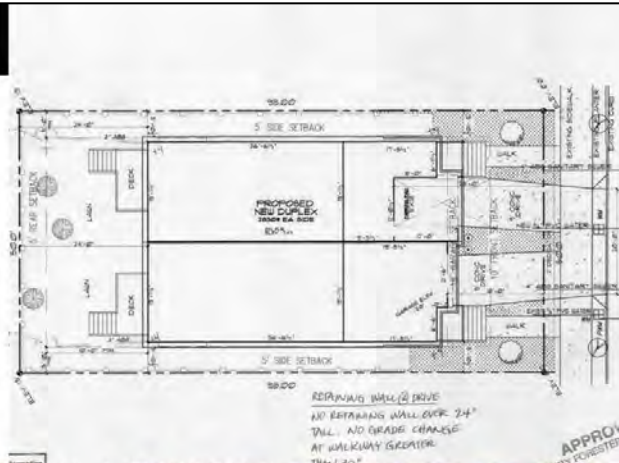
Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,922 sf
Height	21.8 ft
Front/Rear Setback	10 ft / 17.9 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	972 sf (1,250 sf)
Front Facade	NA



5241/5247 NE 15th Ave. Vernon

R2.5ah

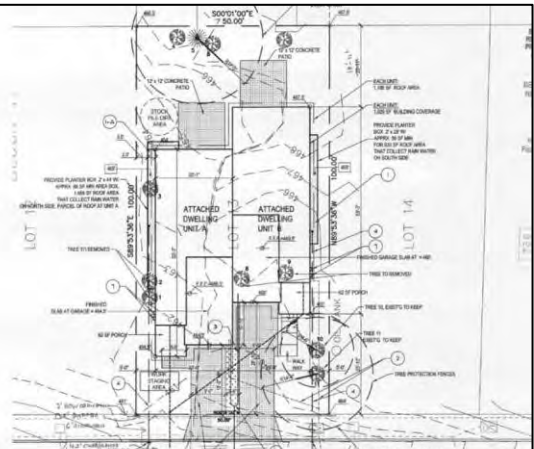
Lot Size/Width	5,000 sf / 50 ft
Gross Floor Area	6,440 sf
Height	31 ft
Front/Rear Setback	15 ft / 24 ft
Side Setbacks	10.9 ft / 10.9 ft
Lot Coverage (Max)	2,249 sf (2,250 sf)
Front Facade	1,293 sf



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



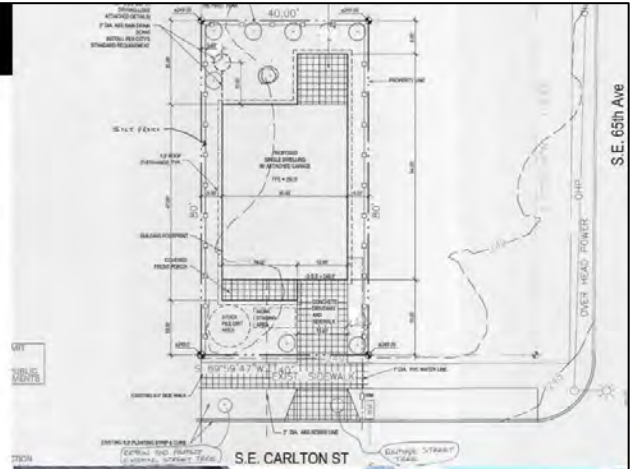
28 of 53

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



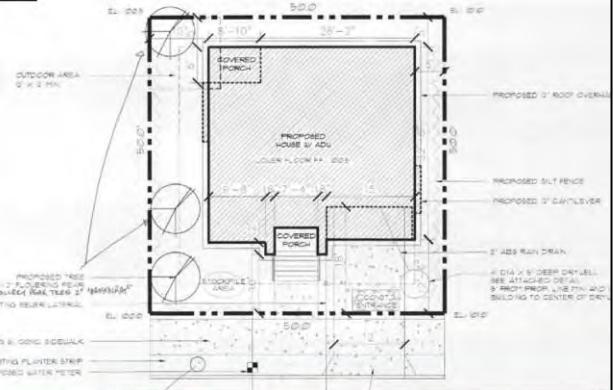
29 of 53

0.82:1 F.A.R.

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



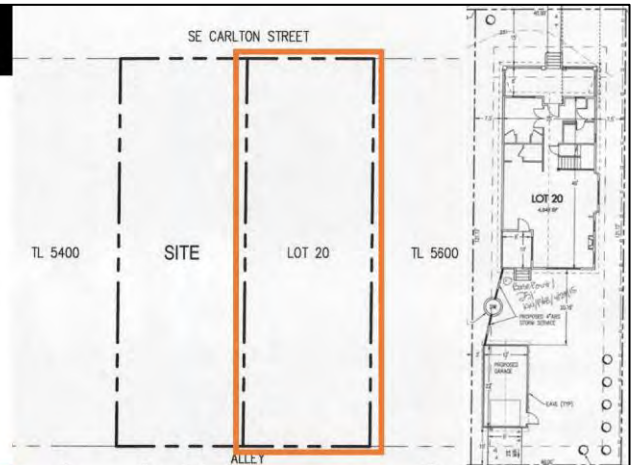
32 of 53

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.

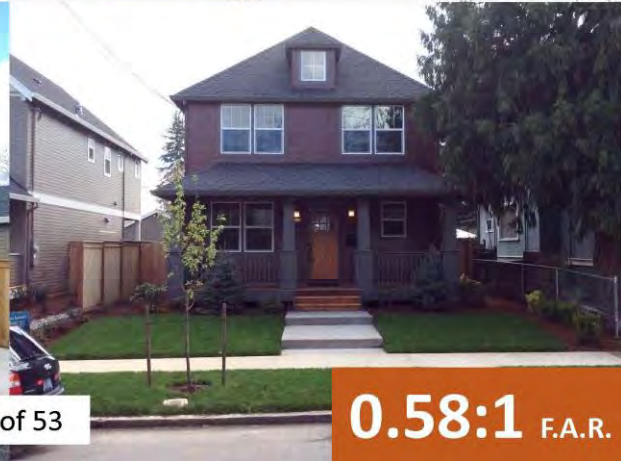
6316 SE Carlton St. Mt. Scott-Arleta

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



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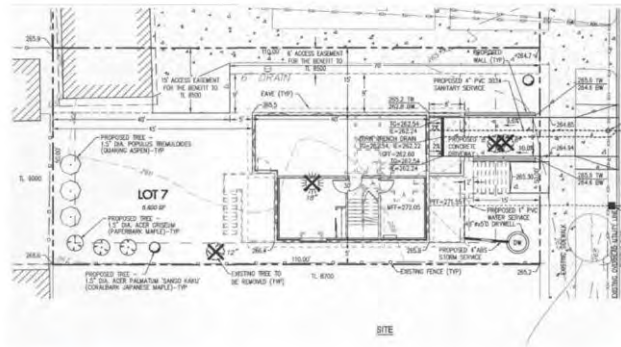


0.58:1 F.A.R.

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



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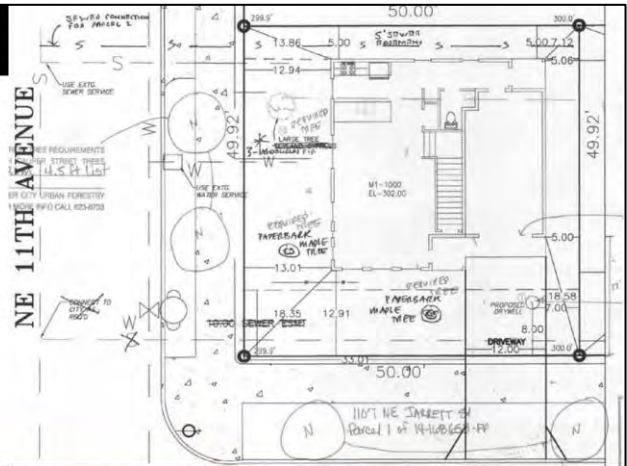
0.80:1 F.A.R.



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



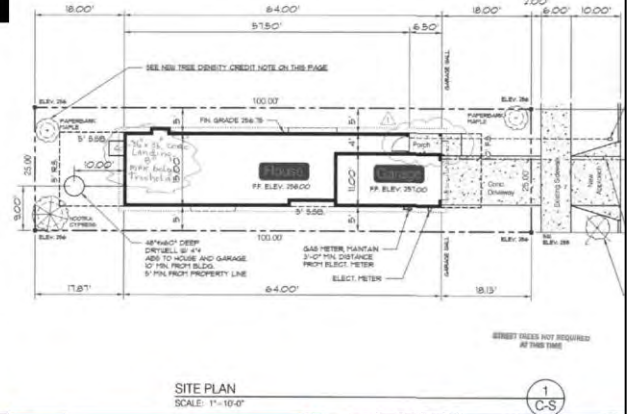
36 of 53

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



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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



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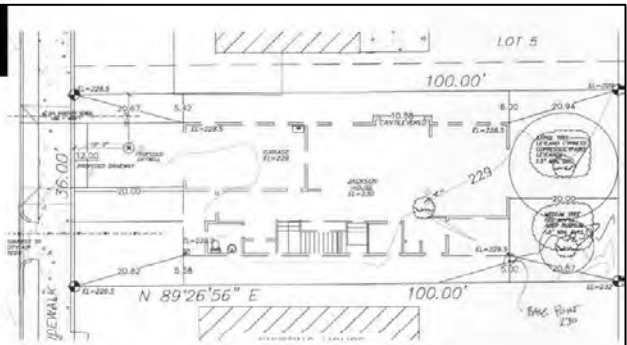
0.80:1 F.A.R.



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



SITE PLAN



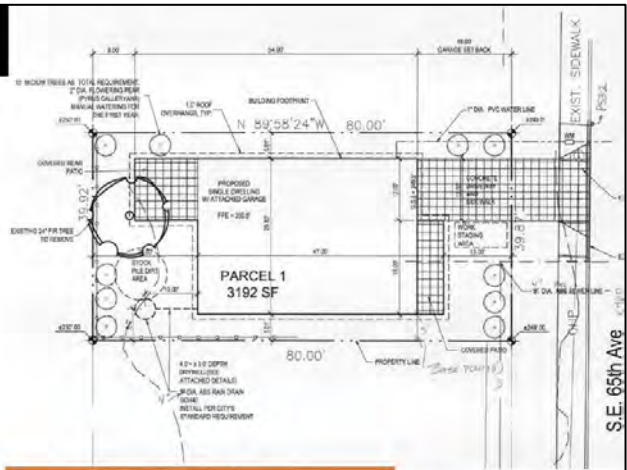
40 of 53

0.80:1 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



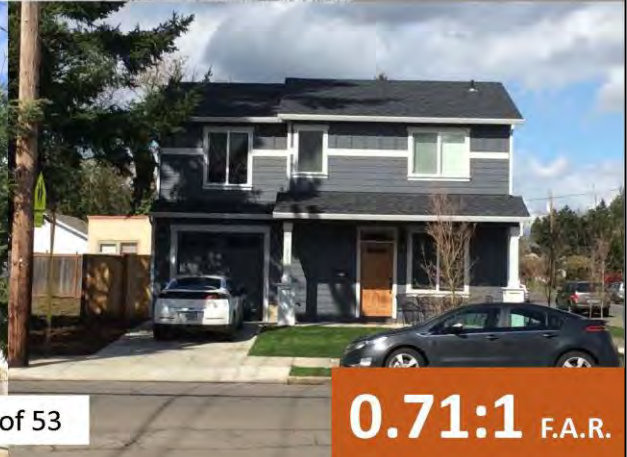
44 of 53

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



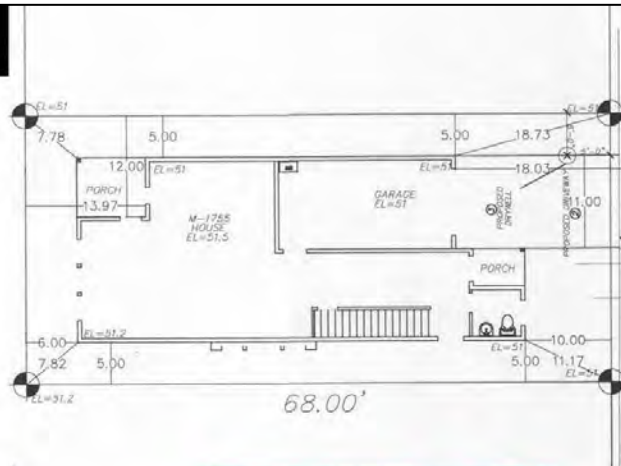
45 of 53

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



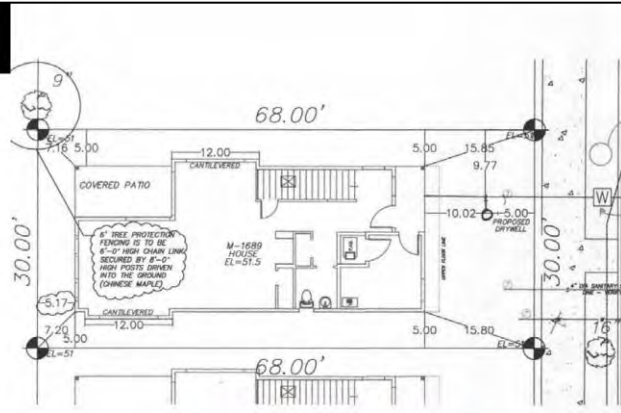
46 of 53

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



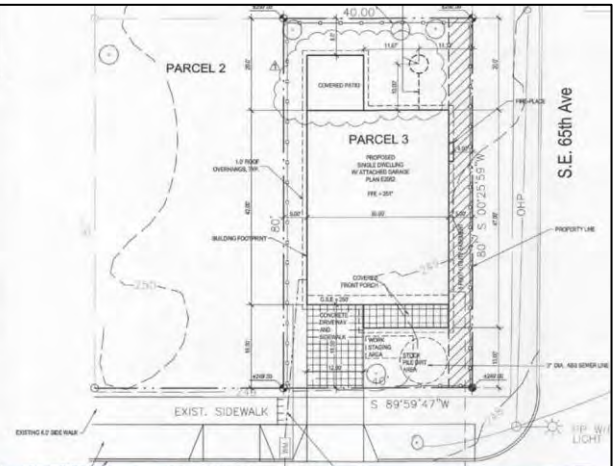
47 of 53

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



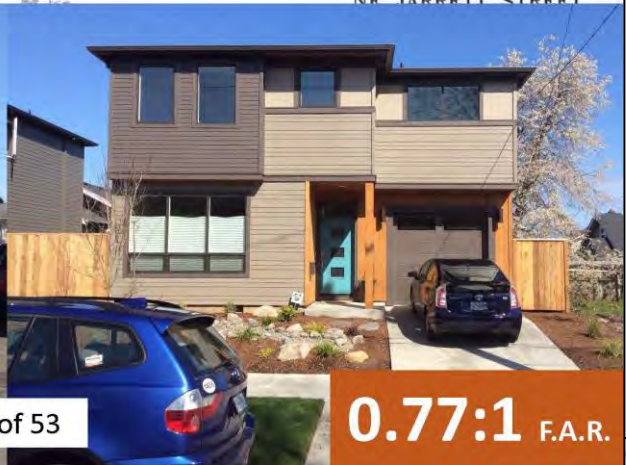
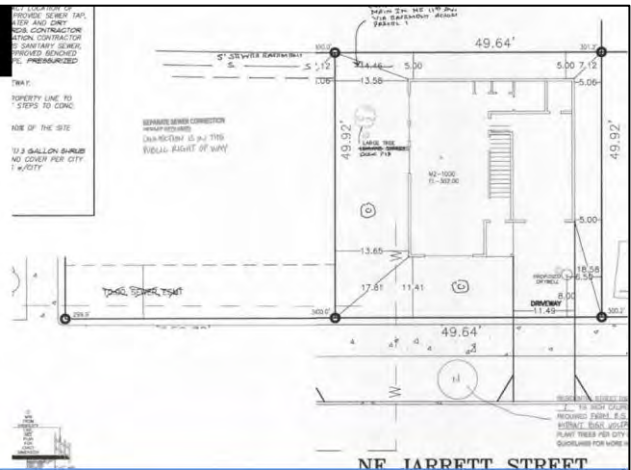
48 of 53

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



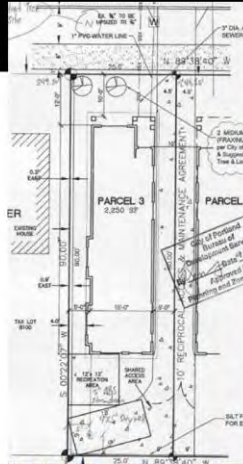
49 of 53

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



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0.75:1 F.A.R.



DATA SUMMARY

Appendix E

“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/1HnPLvD6vVxuRA256nlt7KsytvAN9Y2P4JPqLQQ9tHI/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 Woodson (Woodson 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/visitability/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?nodid=PTIICOOR_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.

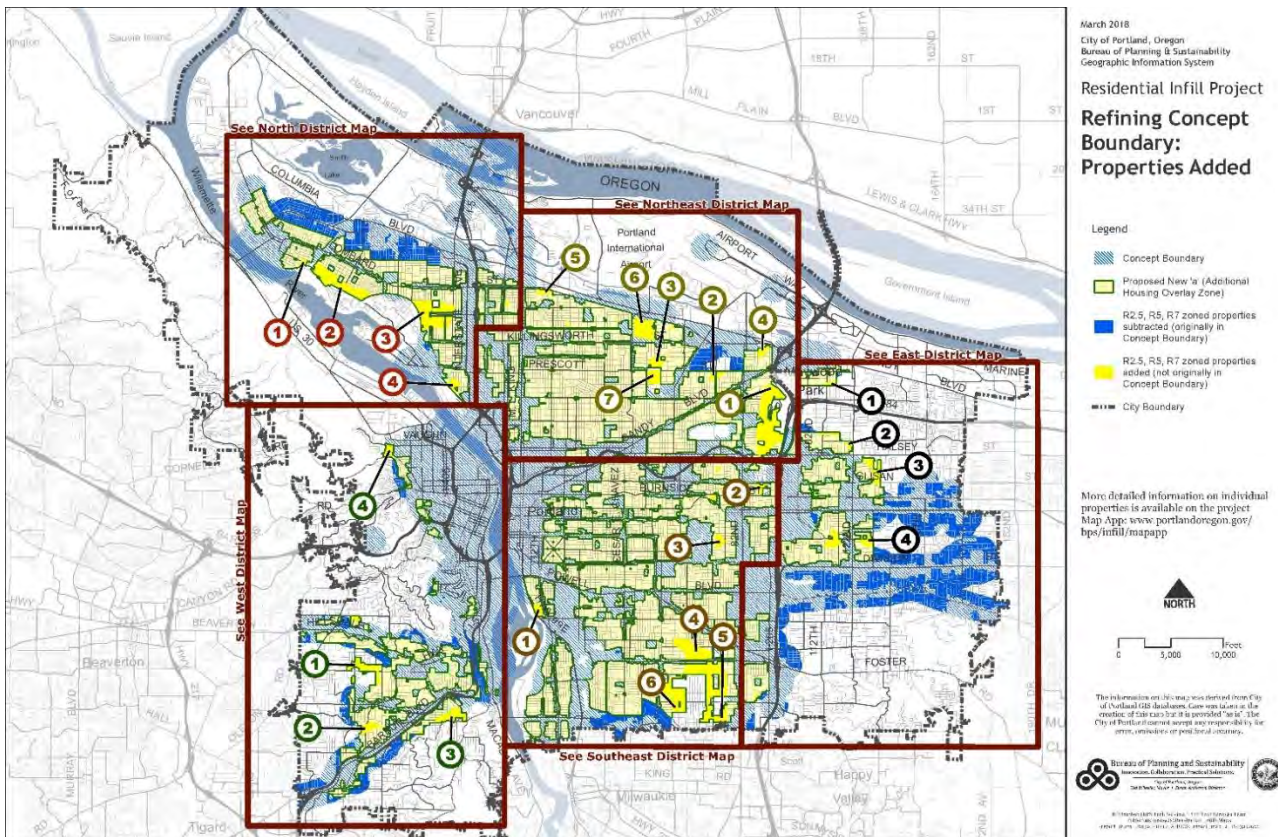
Appendix F

Map Refinements to 'a' Overlay by District

This appendix provides additional information about the decisions to add or subtract areas from the Concept Boundary during the concept phase of the project. It is organized by districts (North, Northeast, Southeast, East and West). Each district includes two detailed maps: one for areas added to the 'a' overlay zone that are not in the Concept Boundary, and one for subtracted areas that were in the Concept Boundary but are not proposed for inclusion in the 'a' overlay zone.

This appendix was prepared for the Discussion Draft in October 2017. The only changes to the 'a' overlay zone in the Proposed Draft include minor revisions too small to be included in this discussion and two areas in the Northeast district. Northeast properties currently zoned R10 with a R5 Comprehensive Plan Map Designation were added so that in the future when these properties are rezoned to R5 they will have the 'a' overlay zone. Another area in Northeast was added for zoning consistency. These areas are number 6 and 7 on the Northeast District Areas Added Map, page 4.

Areas Added to 'a' Overlay by District

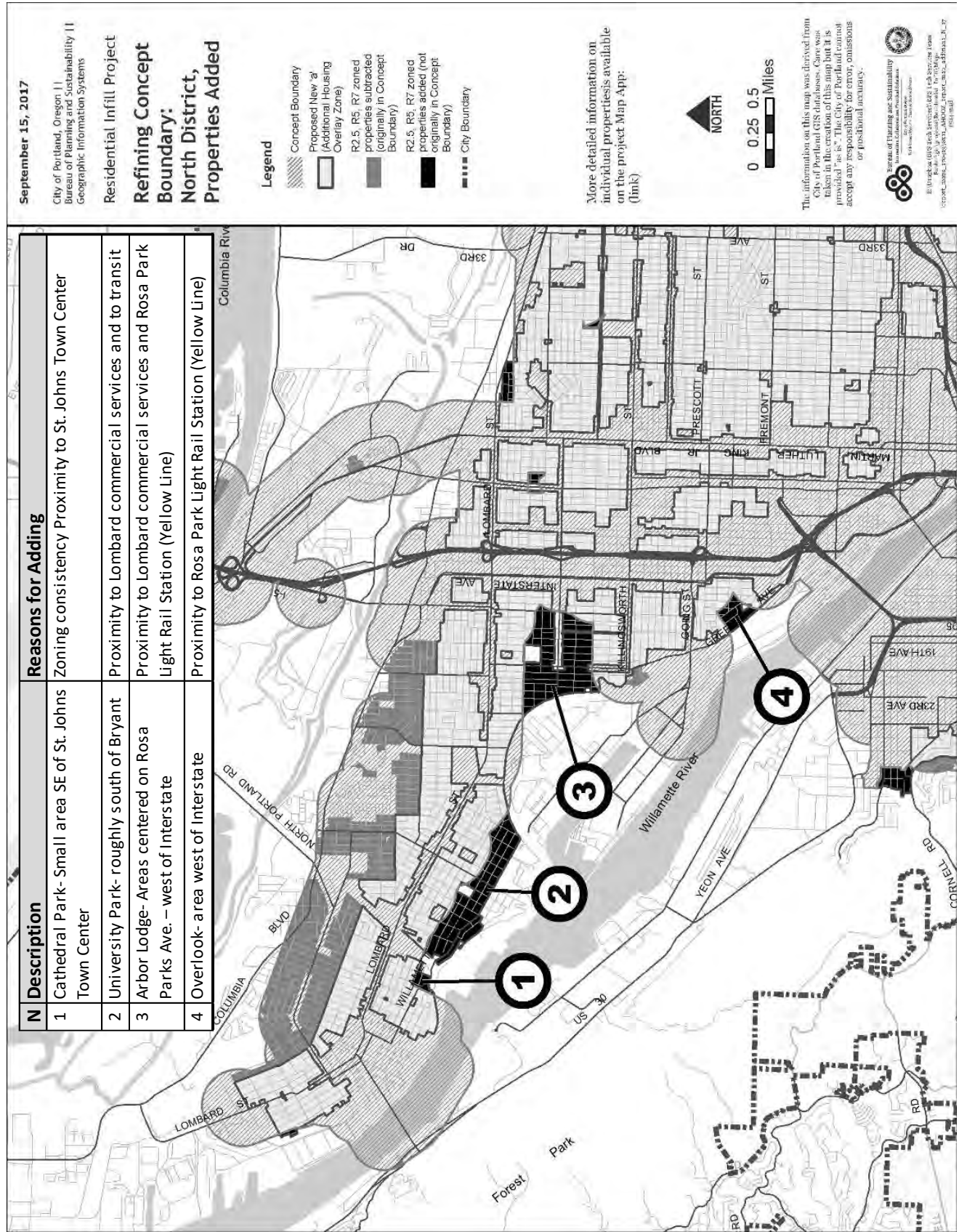


Areas Added by District (continued)

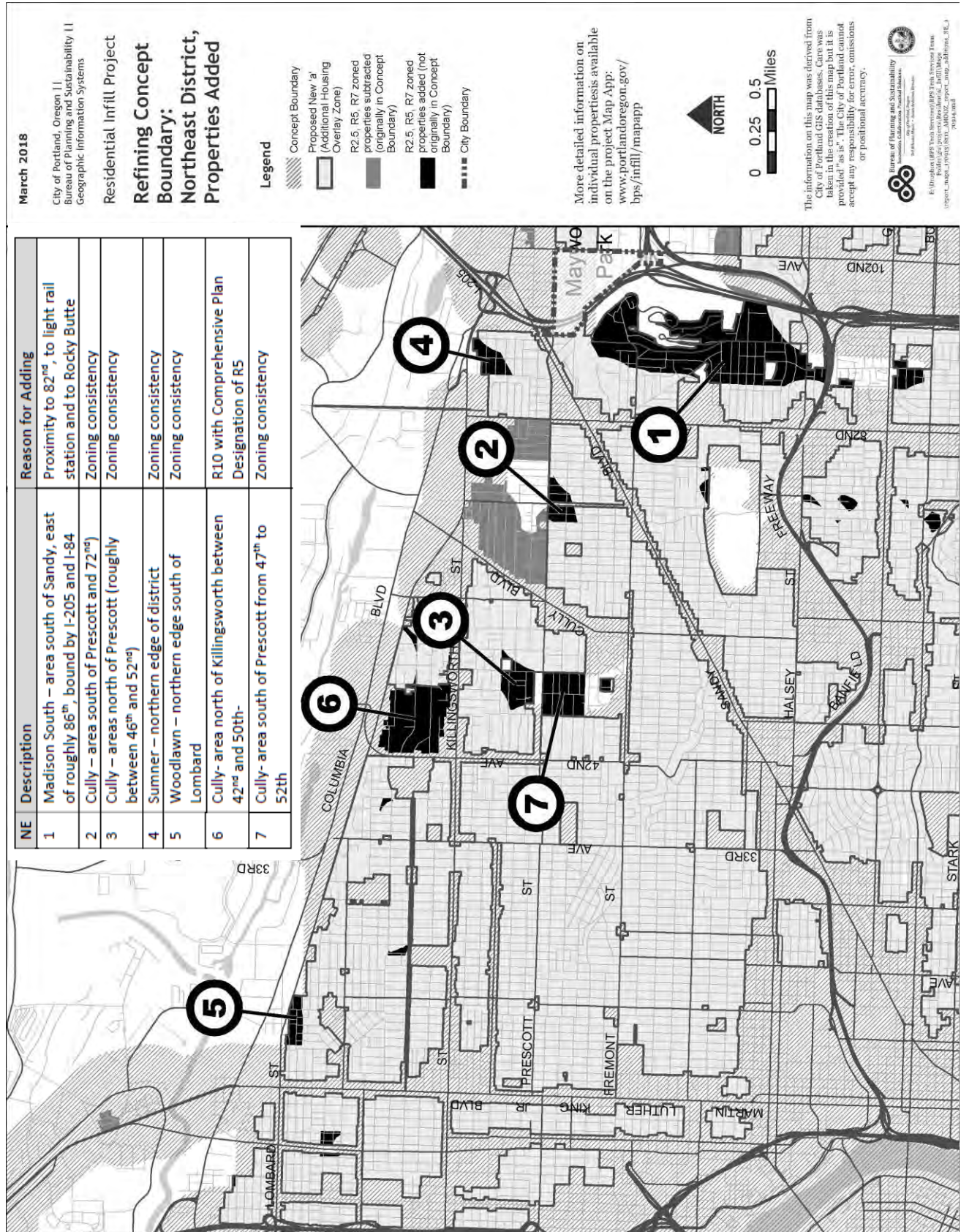
	#	Location
North	1	Cathedral Park – small area southeast of St Johns Town Center
	2	University Park – roughly south of Bryant
	3	Arbor Lodge – areas centered on Rosa Parks – west of Interstate
	4	Overlook – area west of Interstate
Northeast	1	Madison South – area south of Sandy, east of roughly 86 th , 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
	6	Cully- area north of Killingsworth between 42 nd and 50 th *
	7	Cully- area south of Prescott from 47 th to 52 th *
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)
	7	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

**these areas have been added since the Discussion Draft. See Northeast District Areas Added Map on page 4.*

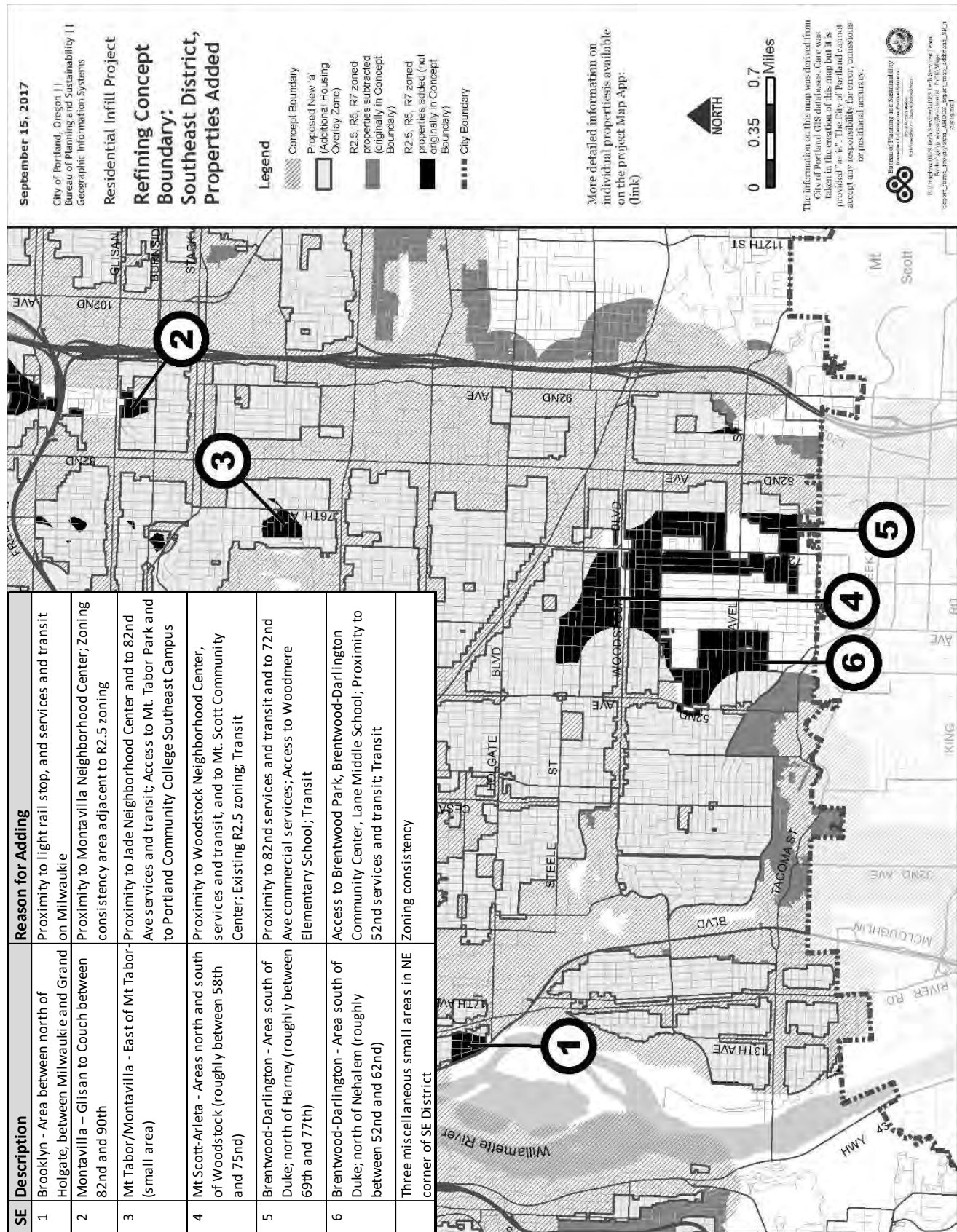
Areas Added – North District



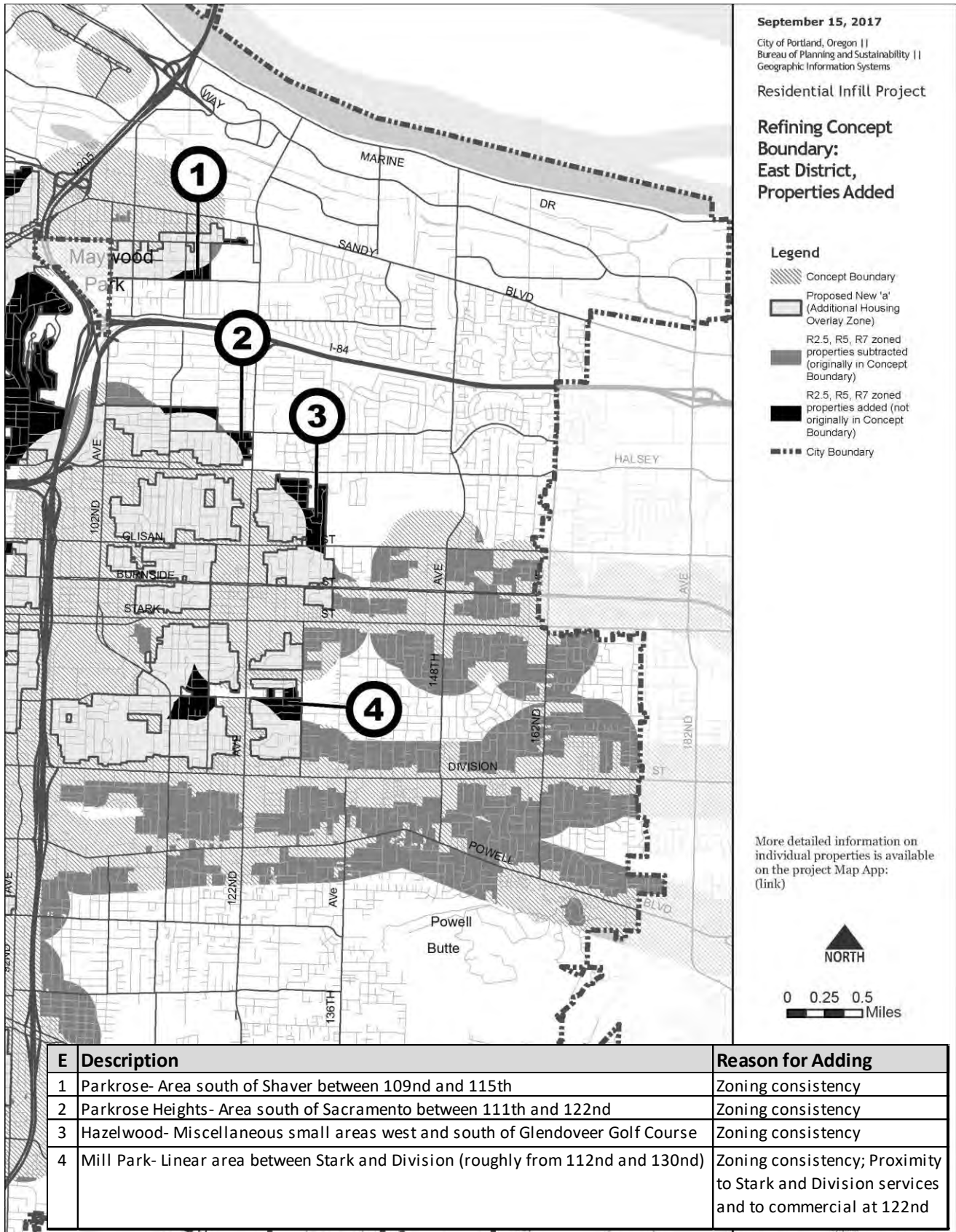
Areas Added – Northeast District



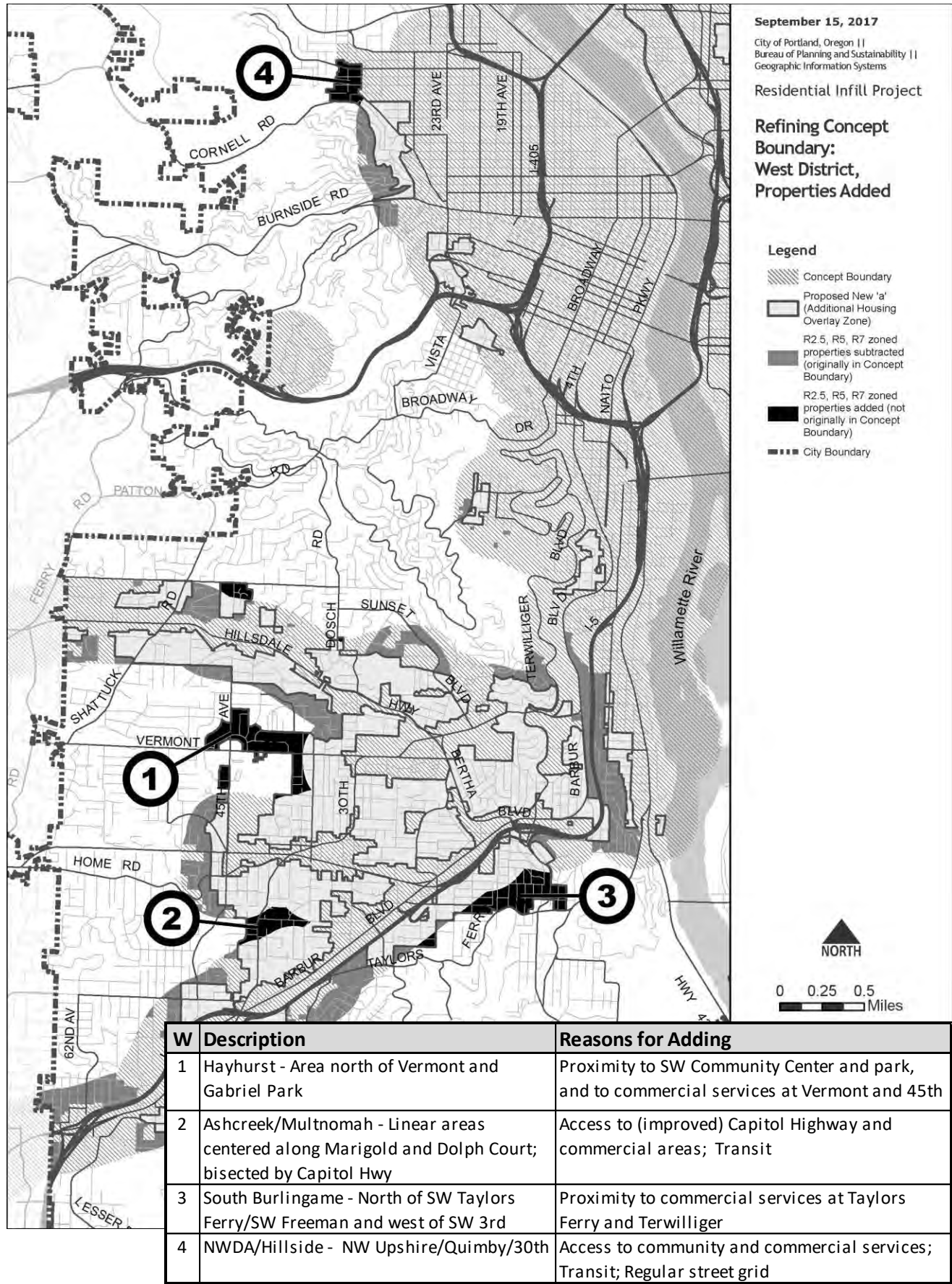
Areas Added – Southeast District



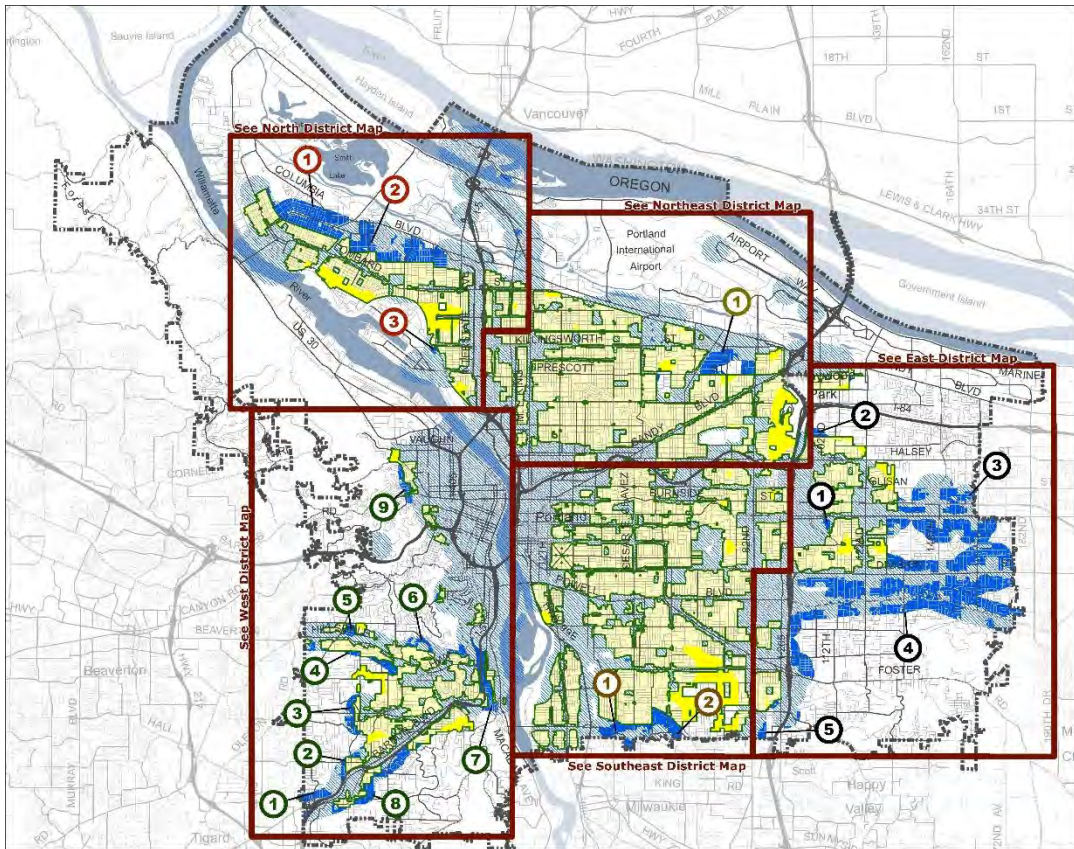
Areas Added – East District



Areas Added – West District

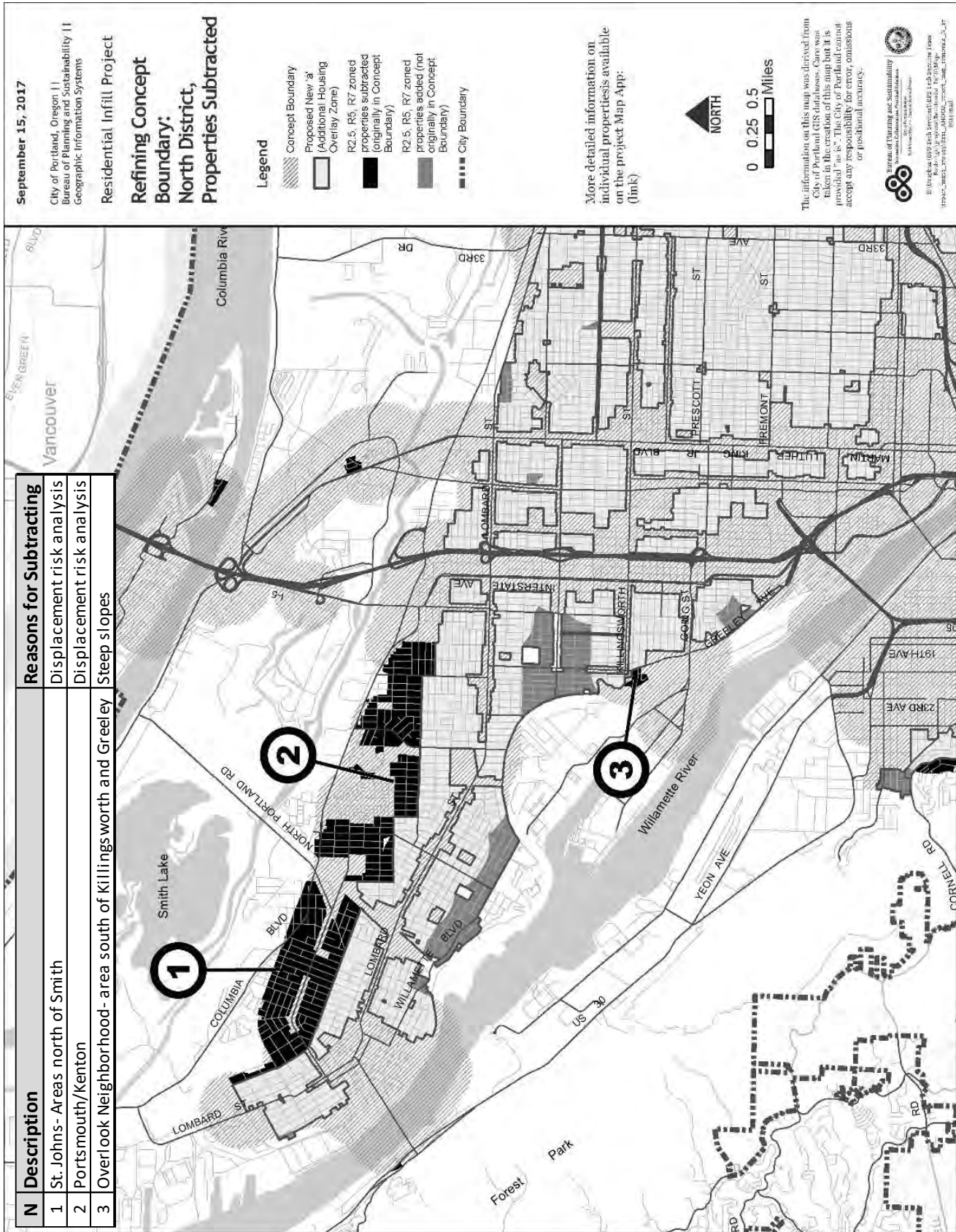


Areas Subtracted from 'a' by District

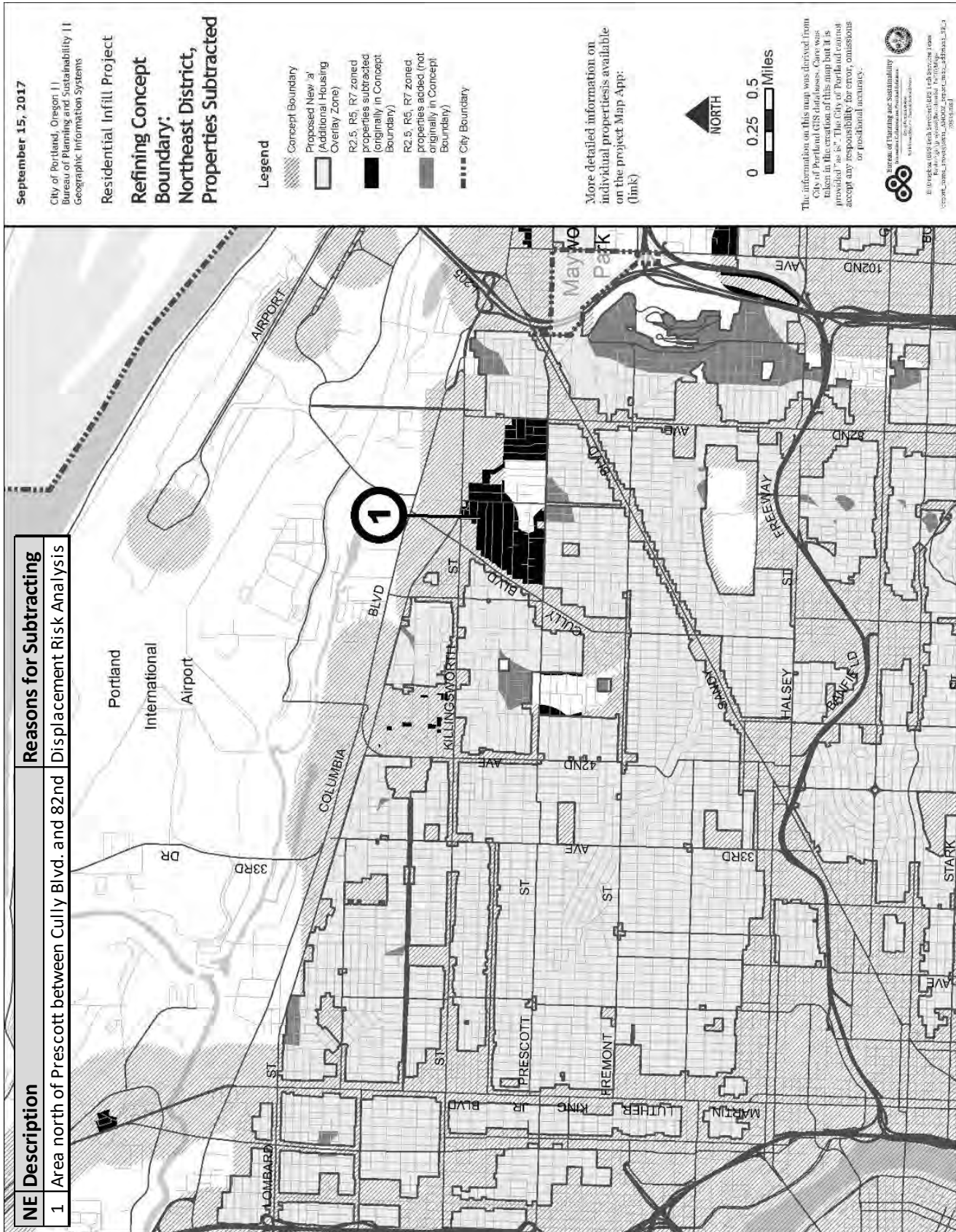


	#	Location
North	1	St Johns – areas north of Smith
	2	Portsmouth/Kenton
	3	Overlook Neighborhood – area south of Killingsworth and Greeley
NE	1	Area north of Prescott between Cully and 82 nd
SE	1	Ardenwald-Johnson Creek/Eastmoreland – area south of Johnson Creek Blvd to Roswell (between 36 th and 39 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

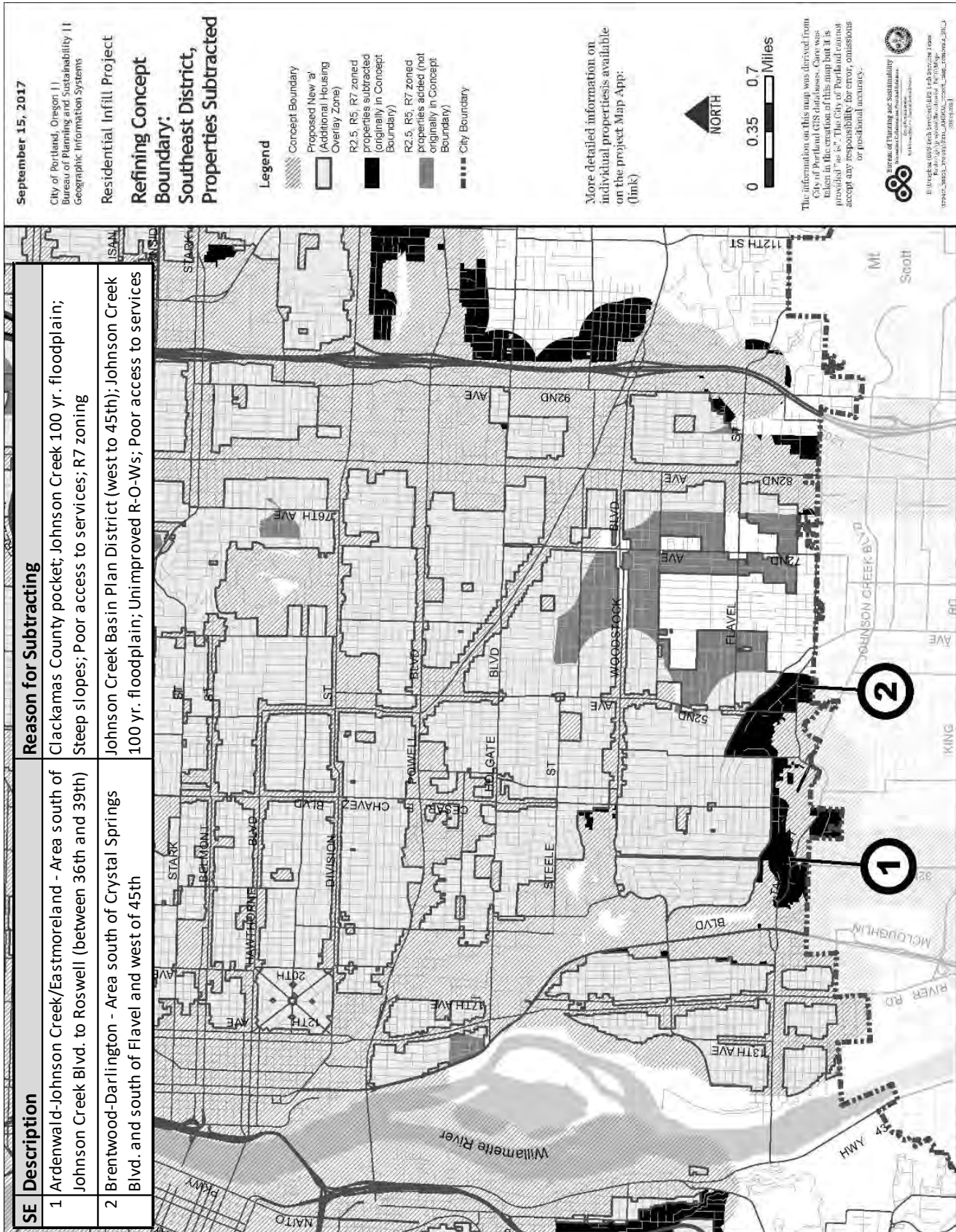


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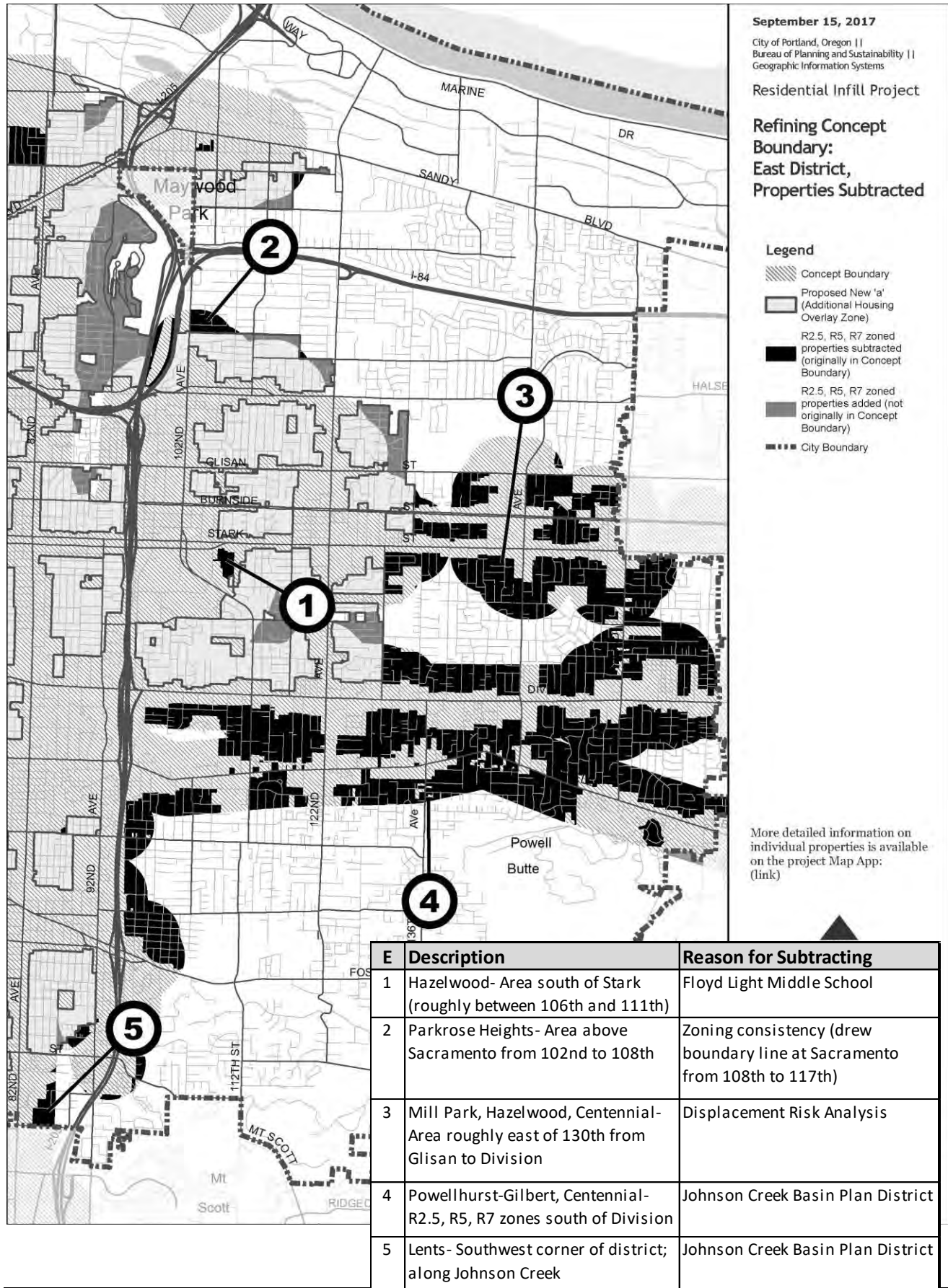
Bureau of Planning and Sustainability
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1220 NE Oregon Street, Suite 300
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503.944.3000

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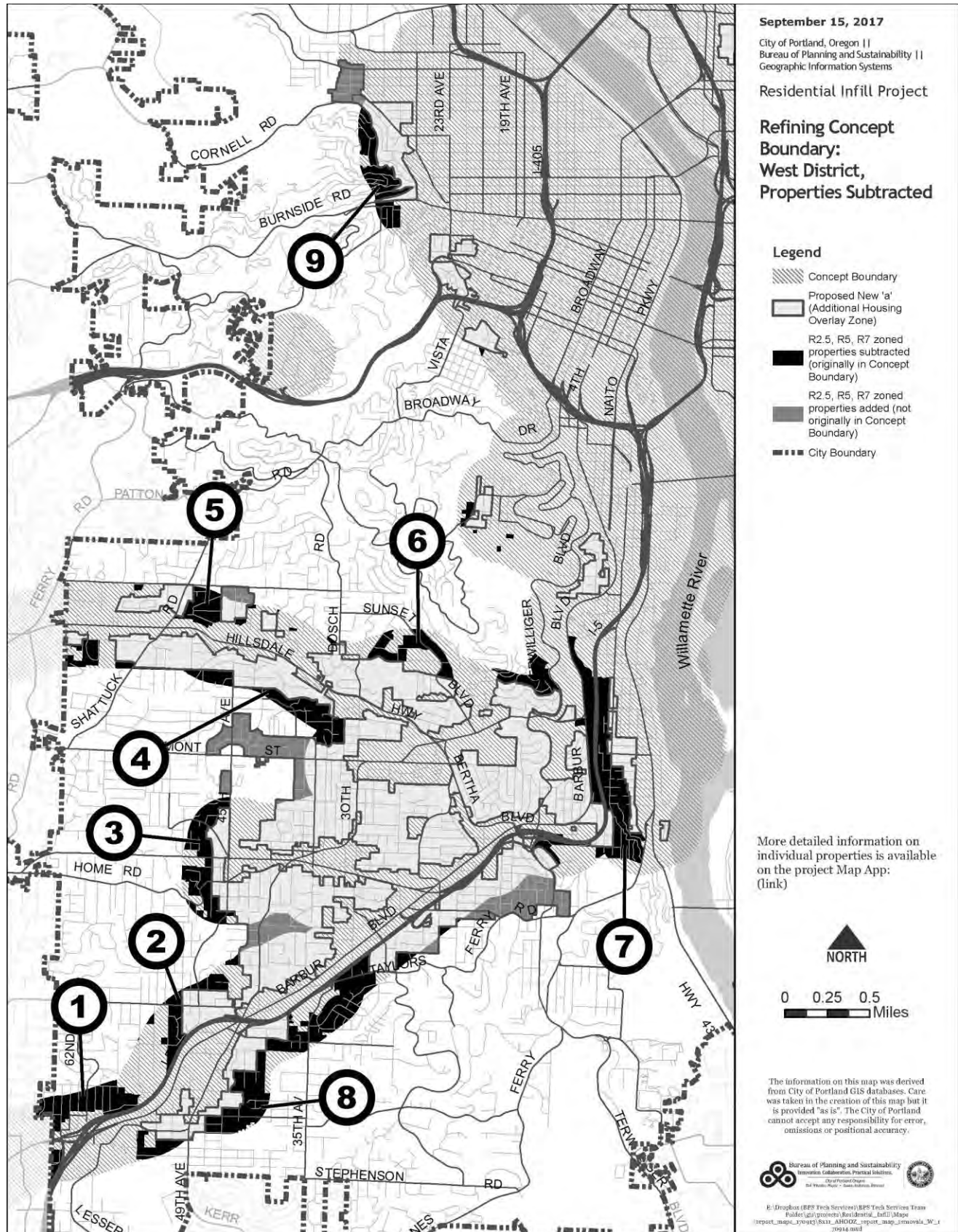
Areas Subtracted – Southeast District



Areas Subtracted – East District



Areas Subtracted – West District



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 G

R2.5 Zone Changes by District

The R2.5 proposed zone changes can be seen in more detail on the Map App:

www.portlandoregon.gov/bps/infill/mapapp

This appendix provides information on the methodology used for the R5 to R2.5 proposed zone changes on historically narrow lots. It is organized by districts (North, Northeast, Southeast, East and West). Citywide there are 30 maps that include areas of R5 to R2.5 zone changes.

Methodology

The following steps were considered for each area that is being proposed for a zone change from R5 to R2.5. (See *Volume 1: Staff Report and Map Amendments*, Section V, C. Rezoning Historically Narrow Lots for more information.)

Historically Narrow Lots in the New ‘a’ Overlay. Only historically narrow lots in the new ‘a’ overlay zone were considered for zone changes.

Existing Zoning Pattern. The proposals create a consistent zoning pattern by extending existing R2.5 zoning and/or creating a transition to a higher-intensity zoning designation such a commercial or multi-dwelling.

Proximity to Centers, Corridors and Neighborhood Amenities. The rezoning proposals are limited to a two- to three-block proximity of at least one of the following:

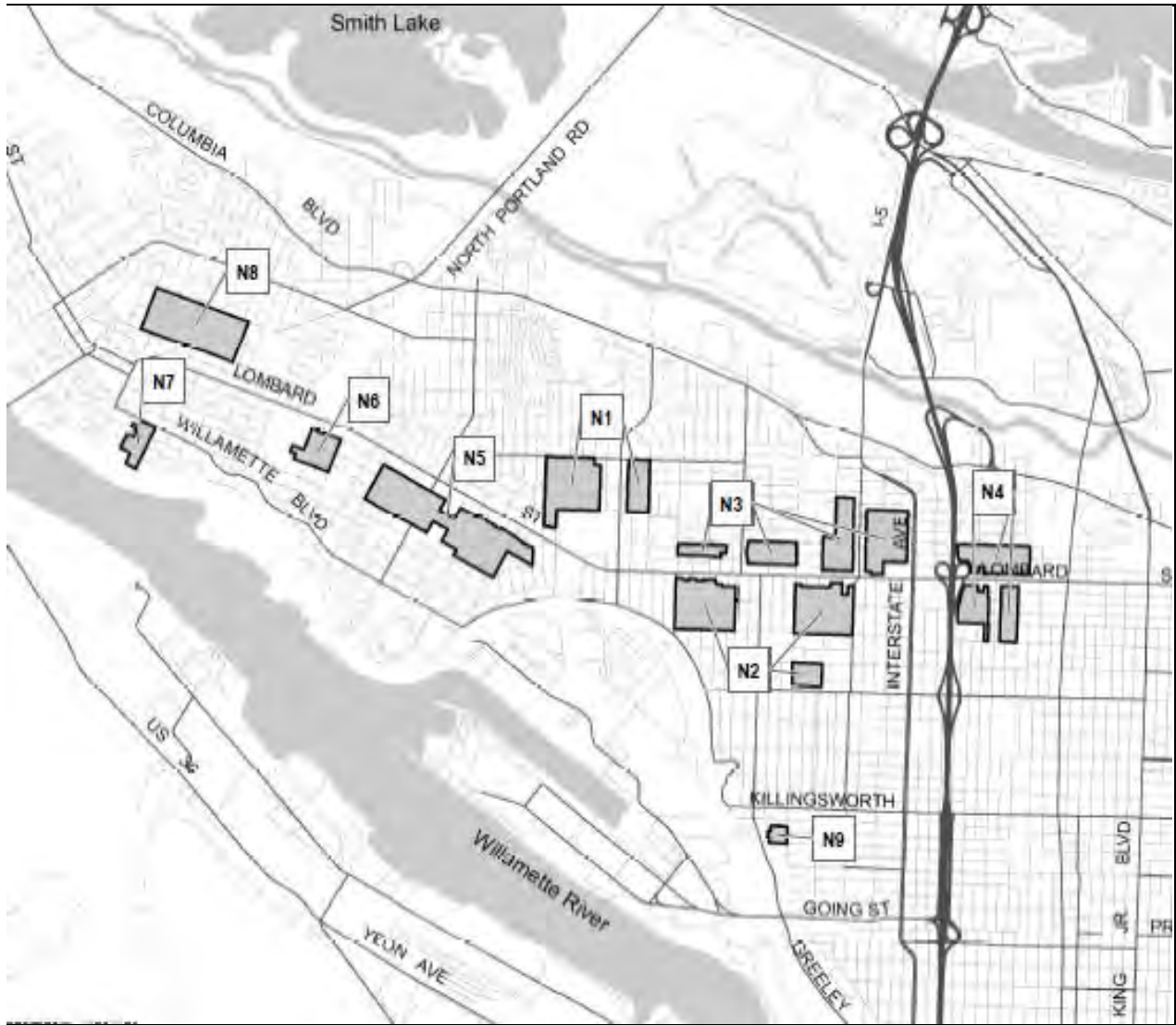
- Gateway Regional Center, Town Centers and Neighborhood Centers
- Frequent bus lines, MAX light rail stations and streetcar stops
- Neighborhood amenities such as parks, community centers and schools
- Commercial zoning and neighborhood commercial uses

Physical Factors. Physical factors such as alley access and the amount of properties in the area that have already been developed with R2.5 densities weighed favorably towards rezoning. Physical factors such as steep slopes, landslide history, stormwater limitations and other development constraints were analyzed as part of the new ‘a’ Overlay Zone.

Equity Lens. The equity analysis described in *Volume 1: Staff Report and Map Amendments*, Section V, C. Rezoning Historically Narrow Lots was applied to the rezoning proposals but did not change the outcome.

R2.5 Zone Change Proposals by District – North

There are nine maps that cover the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the North district.



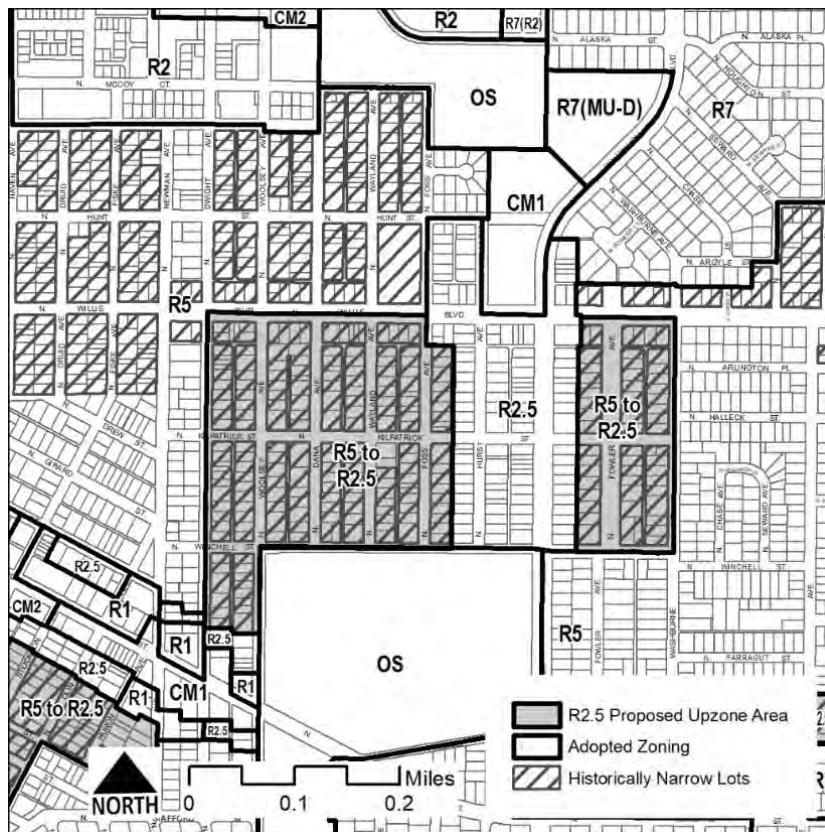
North – 1

Description: R2.5 proposals are located in the area south of N Willis Boulevard and north of Columbia Park between N Dwight Avenue and N Washburne Avenue.

Existing Zoning Pattern: There is existing R2.5 zoning between the two sections of proposed R2.5 zoning and north of N Lombard Street.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within two blocks of Columbia Park and transit services on Willis and Chautauqua. Some of the properties are within three blocks of commercial and transit services on Lombard. The properties are in between New Seasons Market on Lombard and Village Market in New Columbia.

Physical Factors: All the proposed rezoned properties have mid-block alleys. A number of lots in these areas have already taken advantage of historically narrow lots to create R2.5-density development.



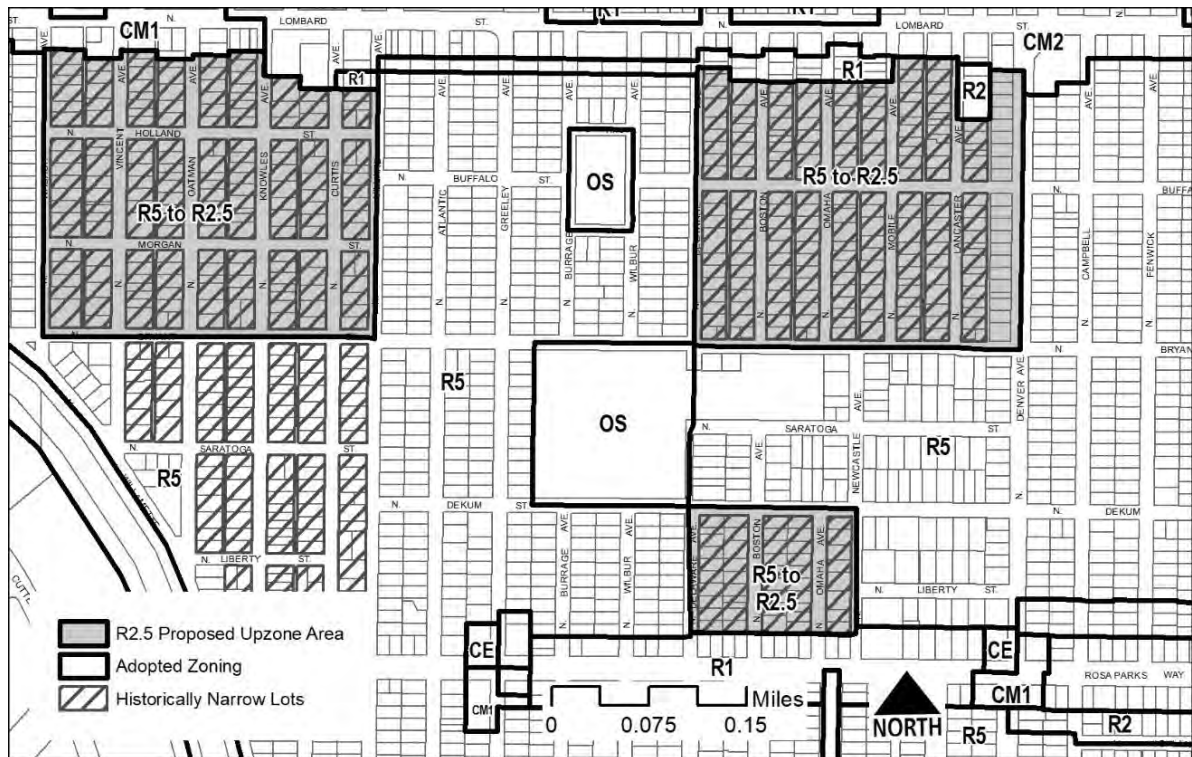
North – 2

Description: R2.5 proposals are located in the area south of N Lombard Street and north of N Rosa Parks Way between N Wabash Avenue and N Denver Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition to the R1 and mixed-use zoning south of Lombard and the R1 north of Rosa Parks.

Proximity to Centers, Corridors and Neighborhood Amenities: Most of the proposed rezoned properties are within three blocks of commercial and transit services on Lombard. The properties have good access to Gammans City Park, Arbor Lodge Park and Chief Joseph Elementary School. This area is immediately to the west of the MAX Yellow Line on N Interstate Avenue and the station at Rosa Parks. There is bus service on Lombard and Rosa Parks. New Seasons Market is located at Rosa Parks and Interstate.

Physical Factors: All the northern properties proposed for rezoning have mid-block alleys. A number of lots in these areas have already taken advantage of historically narrow lots to create R2.5 density development.



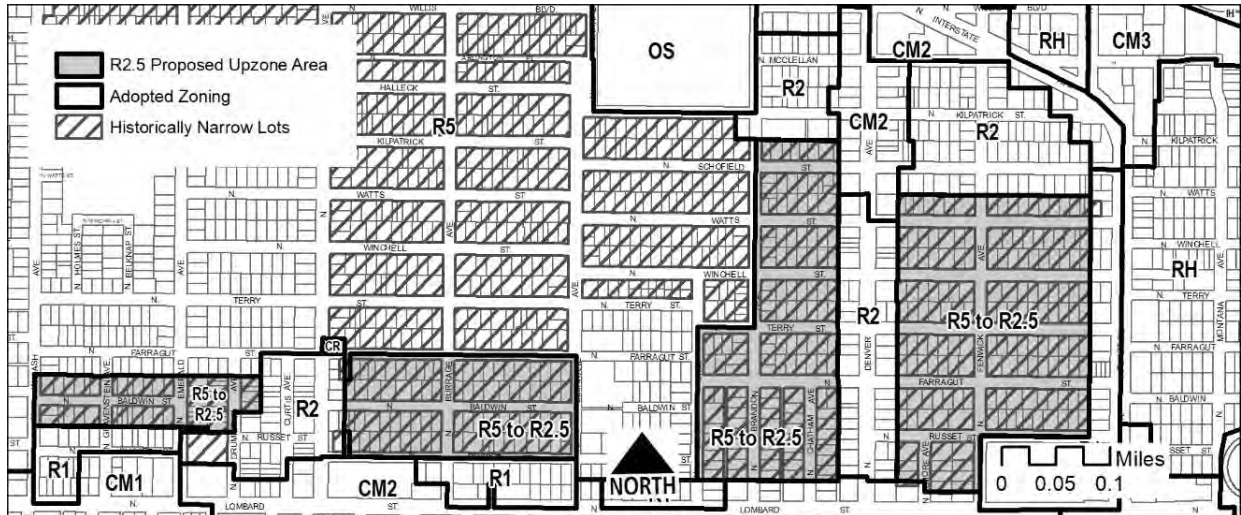
North – 3

Description: R2.5 proposals are located in the area north of N Lombard Street from N Wabash Avenue to N Interstate Avenue and along N Denver Avenue from N Omaha Avenue to Interstate.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition to the R1 and mixed-use zoning along Lombard and Interstate and the R2 zoning along Denver and north of Lombard between N Drummond Avenue and N Peninsular Avenue.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within three blocks of commercial and transit services on Lombard, Denver, and Interstate. Many of the properties are within one to 10 blocks of the MAX Yellow Line Lombard and Kenton stations. There are two nearby schools: Peninsula Elementary and De La Salle North Catholic High School. Kenton Park is located to the north of the proposed rezoned properties. Additionally, Fred Meyer is also within one to 10 blocks of the area. For automobile users, the I-5 freeway is in close proximity.

Physical Factors: There are mid-block alleys in two and one-half of the blocks near Lombard from Omaha east to the R2 zoning along Denver. A number of lots in this area have already taken advantage of historically narrow lots to create R2.5-density development.



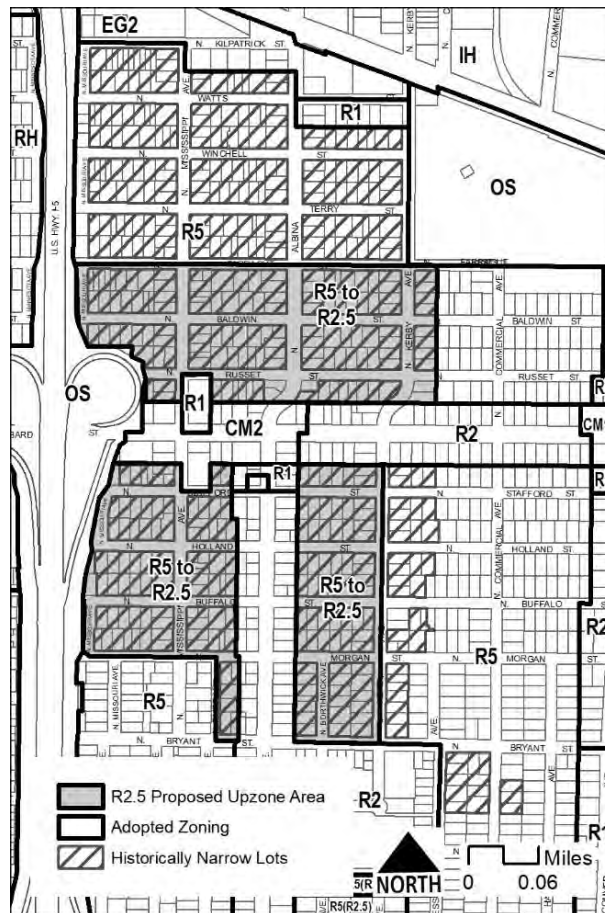
North – 4

Description: R2.5 proposals are located in the area north of N Bryant Street and south of N Farragut Street from I-5 east to N Congress Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition to the R2, R1 and mixed-use zoning along N Lombard Street and the R2 zoning along N Albina Avenue.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within three blocks of commercial and transit services along Lombard. The MAX Yellow Line Lombard station is directly across I-5. The area is served by two parks – to the north is Farragut Park and to the south is Peninsula Park and Community Center. There are two nearby schools: Holy Redeemer Catholic High School and De La Salle North Catholic High School. For automobile users, the I-5 freeway is in close proximity.

Physical Factors: A number of lots have already taken advantage of historically narrow lots to create R2.5-density development in this area.



North – 5

Description: R2.5 proposals are located in the area south of N Bowdoin Street and north of N Butler Street from N McKenna Avenue east to N Olin Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition from the commercial zoning along N Lombard Street to the R5 zoning to the south by expanding the half-block R2.5 zoning south of Lombard to three blocks.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within three blocks of commercial and transit services along Lombard. Portsmouth Park is in the rezoned area, with McKenna Park nearby. Astor Elementary is one block south and Holy Cross Catholic School is adjacent to the proposed rezoned area. University of Portland is located five blocks south, with additional amenities available. New Seasons Market is within two to 11 blocks.

Physical Factors: Most of the proposed rezoned properties have mid-block alleys. A number of lots have already taken advantage of historically narrow lots to create R2.5-density development in this area.



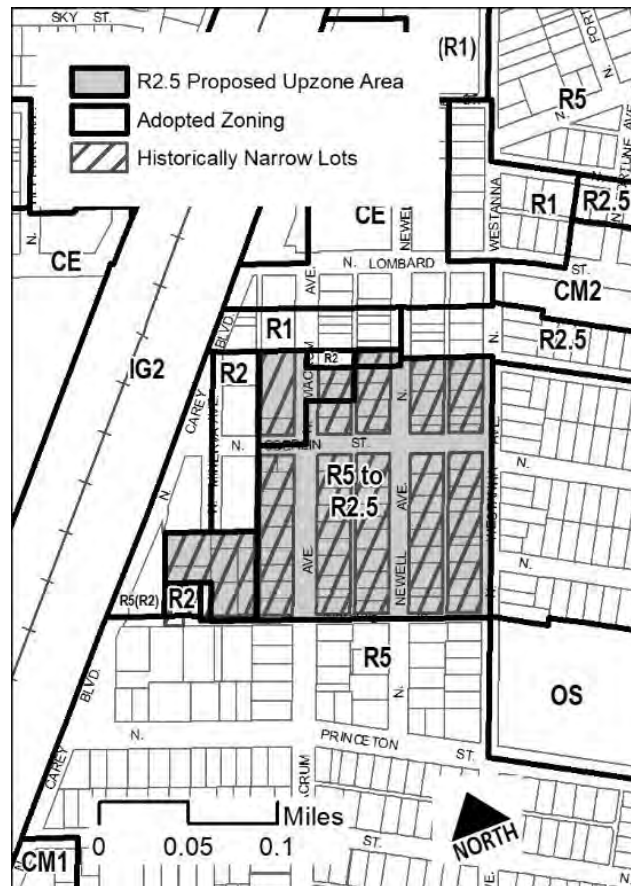
North – 6

Description: R2.5 proposals are located in the area south of N Lombard Street and north of N Syracuse Street from N Carey Boulevard east to N Westanna Ave.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition to the R2 to the east and R1 and R2.5 south of Lombard.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within three blocks of commercial and transit services along Lombard. This area is served by two parks – McKenna Park directly southeast of the proposed rezone area and Farragut Park further east. Southeast of the proposed rezoned area are Astor Elementary and the University of Portland. New Seasons Market is within one to six blocks.

Physical Factors: Most of the proposed rezoned properties have mid-block alleys. A number of lots have already taken advantage of historically narrow lots to create R2.5-density development in this area.



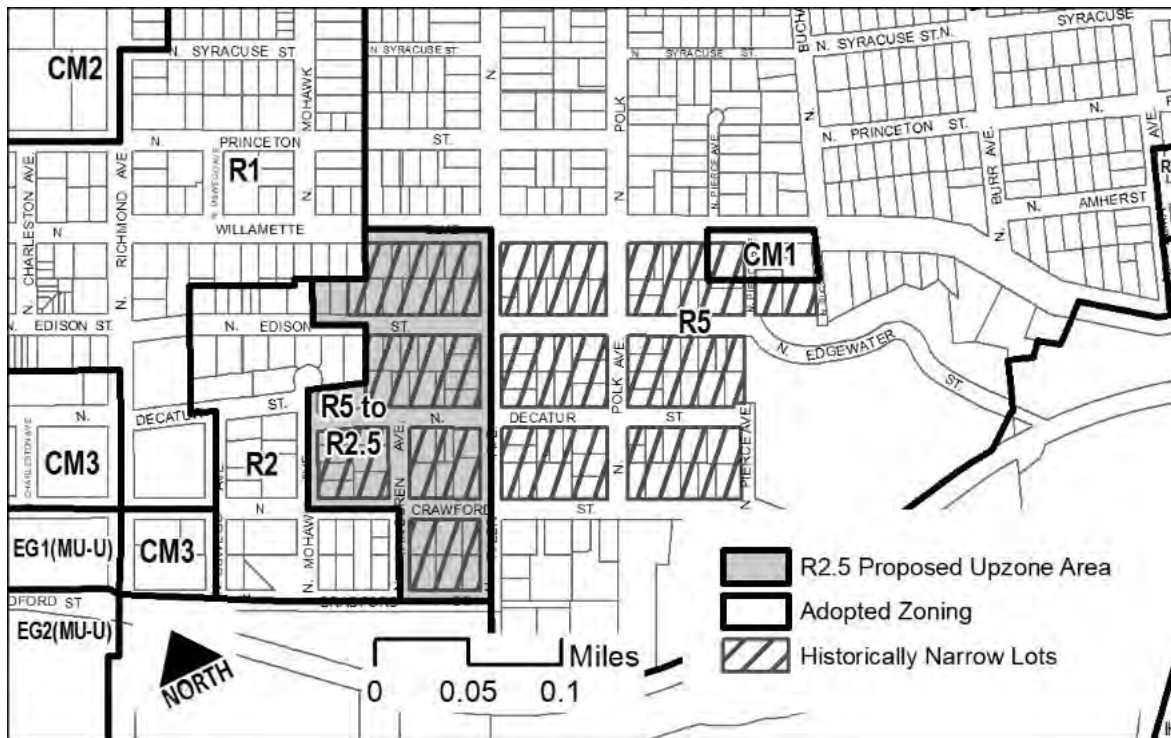
North – 7

Description: R2.5 proposals are located in the area from N Willamette Boulevard south to the bluff and from N Mohawk Avenue east to N Tyler Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition between R5 and multi-dwelling zones nearby.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within three blocks of a transit line on Willamette. Cathedral Park and the Willamette River are directly to the west. Grocery Outlet and other assorted retail services are within easy reach on N Lombard Street, with additional services on N Ivanhoe Street. The Willamette River is accessible and the striking St. Johns Bridge is also within easy view to the west.

Physical Factors: Most of the proposed rezoned properties have mid-block alleys. A number of lots have already taken advantage of historically narrow lots to create R2.5-density development in this area.



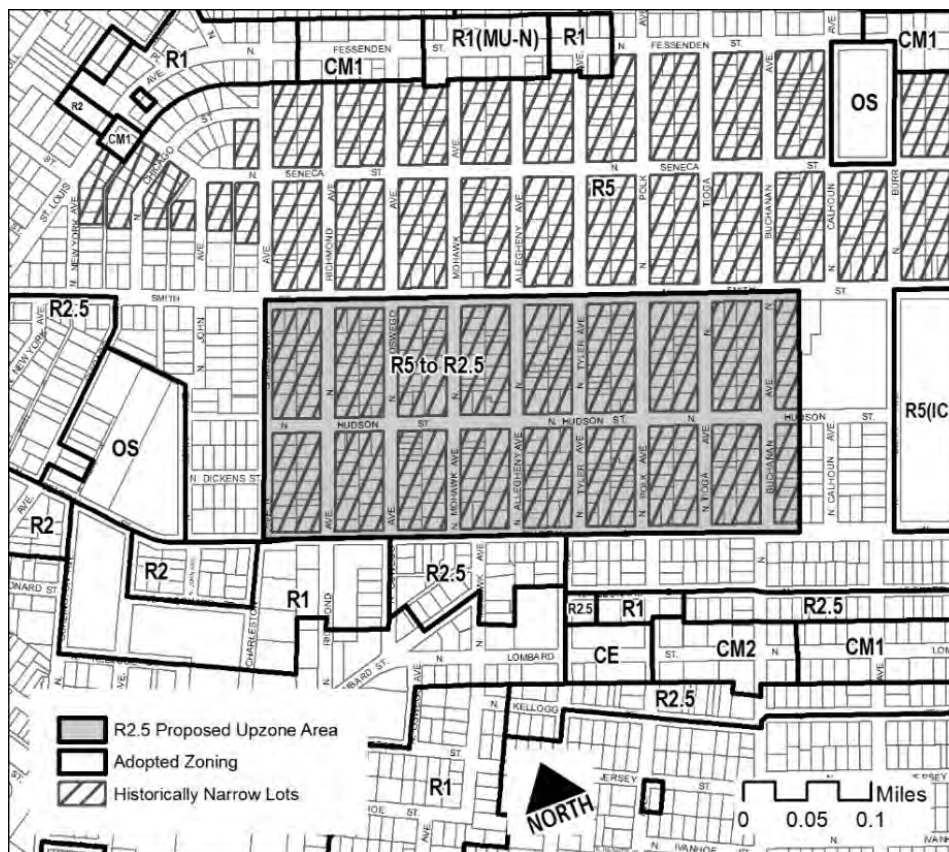
North – 8

Description: The R2.5 proposal is located between N Fessenden Street to the north and N Lombard Street to the south from N Charleston Avenue east to N Buchanan Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition between multi-dwelling zoning to the south and R5 zoning to the north.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within two to three blocks of commercial and transit services along Fessenden and Lombard. The area is served by two parks – George Park to the east and St. Johns City Park and Community Center to the west. The Regional Pier Park is also to the northwest. James John Elementary School, George Middle School and Roosevelt High School are nearby. This area is close to both the Willamette and Columbia Rivers.

Physical Factors: A number of lots in this area have already taken advantage of historically narrow lots to create R2.5-density development.



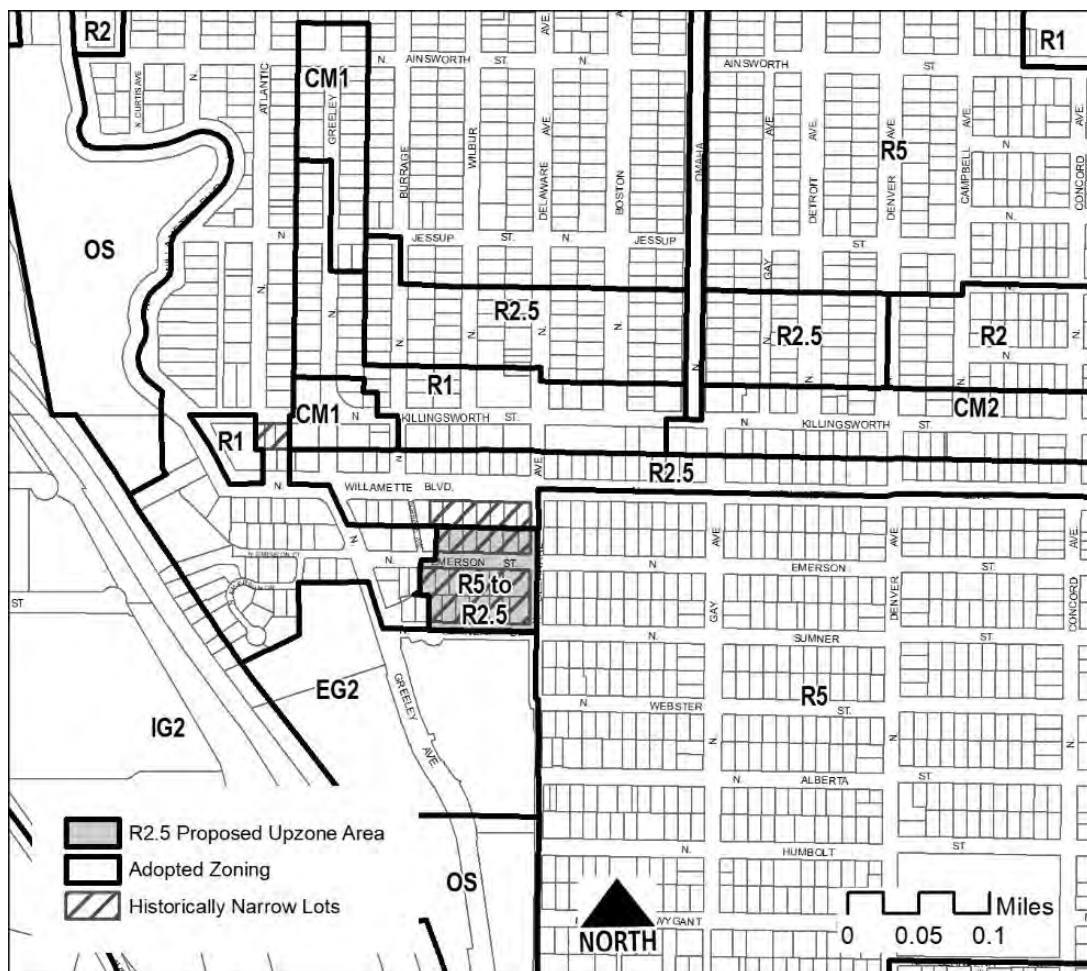
North – 9

Description: R2.5 proposals are located in the area south of N Willamette Boulevard and north of N Sumner Street from N Greeley Avenue to N Delaware Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the existing R2.5 zoning along Willamette and provides a transition to EG2 zoning to the south.

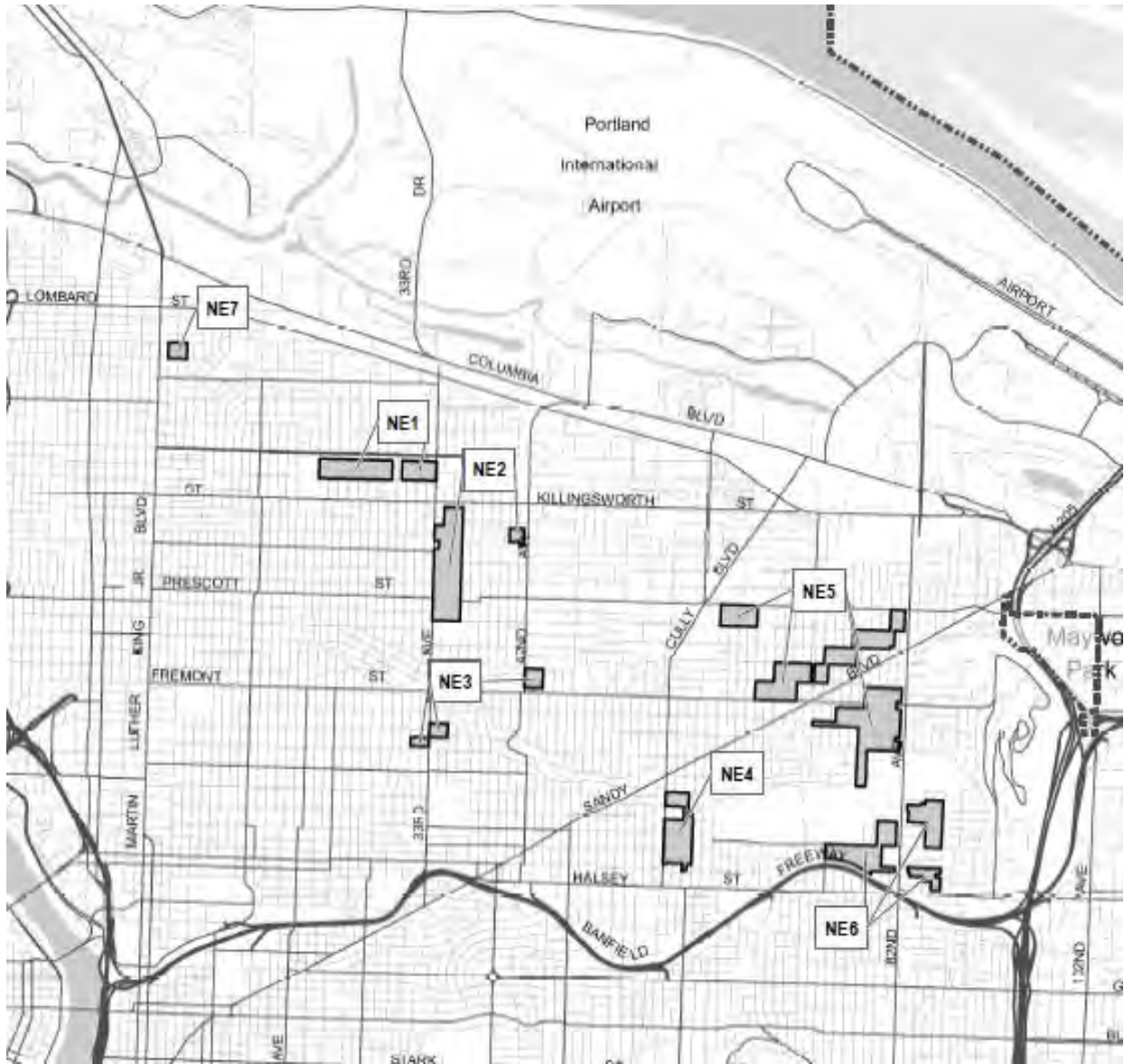
Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties have transit service along Greeley and Killingsworth. The MAX Yellow Line Killingsworth station is four blocks directly east of the area. Madonna Park is directly south and Beach Elementary School is five blocks southeast of the area.

Physical Factors: A number of lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.



R2.5 Zone Change Proposals by District – Northeast

There are seven maps that cover the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the Northeast district.



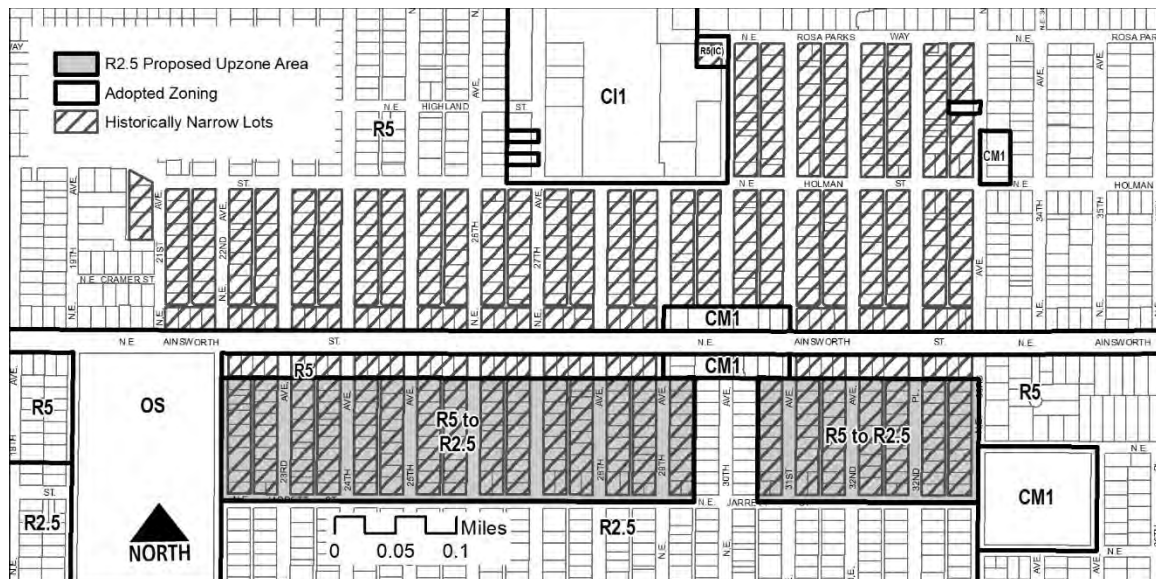
Northeast – 1

Description: R2.5 proposals are located in the area south of NE Ainsworth Street and north of NE Jarrett Street from NE 22nd Avenue to NE 33rd Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the area of existing R2.5 zoning south to NE Killingsworth Street. The proposed R2.5 zoning does not include the lots fronting Ainsworth to maintain consistent R5 zoning along the park blocks on this section of Ainsworth.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties have access to transit service along Killingsworth, NE 27th Avenue and 33rd. Scattered neighborhood commercial services on 33rd include New Seasons Market and Walgreens, and a small commercial node exists at NE 30th Avenue and Killingsworth. Alberta Park is directly east of the proposed rezoned area. Vestal Elementary is one block to the south, Faubion Elementary School is three blocks to the north and Concordia University is one block to the north.

Physical Factors: All the proposed rezoned properties have mid-block alleys. A number of lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.



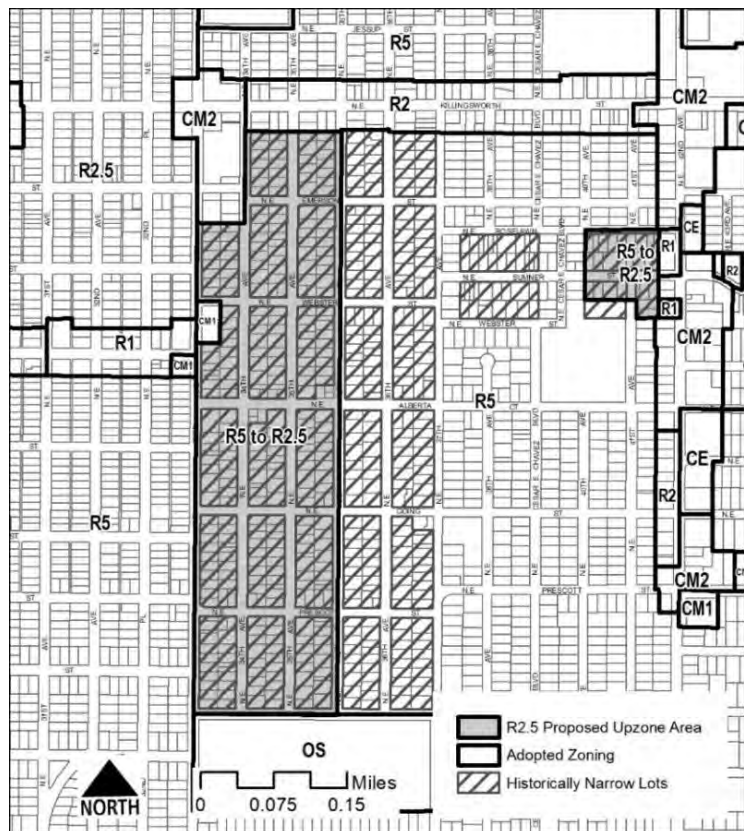
Northeast – 2

Description: Most of the proposed R2.5 properties are located south of NE Killingsworth Street and north of NE Skidmore Street from NE 33rd Avenue to NE 37th Avenue. To the east, a smaller area of R2.5 is proposed south of NE Roselawn Street and north of NE Webster Street just to the west of NE 42nd Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the pattern of existing R2.5 zoning south of Killingsworth to the west and extends R2.5 zoning down the east side of 33rd, a commercial street served by transit.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within three blocks of commercial and transit services along 33rd, Killingsworth, 42nd and NE Alberta Street. New Seasons Market is in the proposed rezone area at NE Emerson Street and 33rd. Wilshire Park is directly south of the area along 33rd, and Fernhill Park is to the north across Killingsworth. There are neighborhood commercial uses along NE 42nd Avenue, and the Portland Community College Workforce Training Center is on Killingsworth.

Physical Factors: Several lots in the area for proposed rezoning have already taken advantage of historically narrow lots to create R2.5-density development.



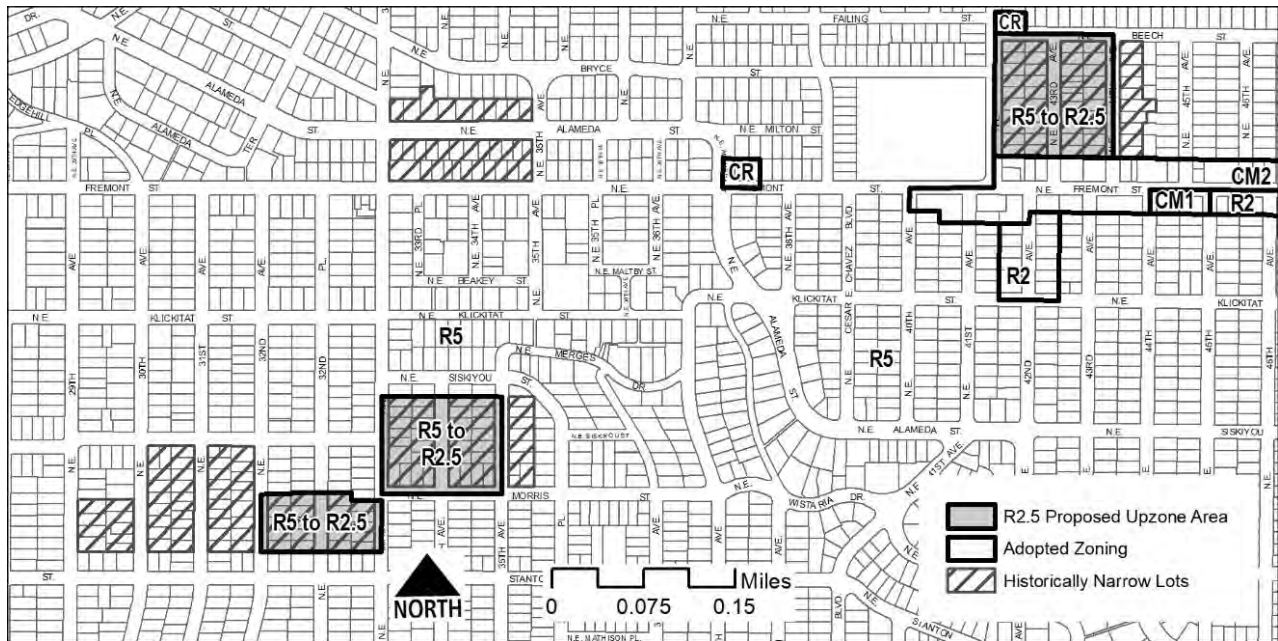
Northeast – 3

Description: This map shows three areas of proposed R2.5 rezoning near NE Fremont Street. The area north of Fremont is located between Fremont and NE Beech Street from NE 42nd Avenue to NE 44th Avenue. One area south of Fremont is bound by NE 33rd Avenue, NE 35th Avenue, NE Siskiyou Street and NE Morris Street, and another is bound by 33rd, NE 32nd Avenue and NE Stanton Street near NE Morris Street.

Existing Zoning Pattern: The northern area provides a transition to the CM2 zoning along the north side of Fremont and the surrounding R5-zoned areas to the north and west.

Proximity to Centers, Corridors and Neighborhood Amenities: The northern area is within one block of commercial and transit services along Fremont as well as transit service along 42nd. Rose City Cemetery is three blocks to the east, Wilshire Park is six blocks to the northwest and Beaumont Middle School is across 42nd to the west. The southern areas have transit access along 33rd and are two blocks north of Grant Park and Grant High School.

Physical Factors: In all areas, a number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



Northeast – 4

Description: R2.5 proposals are south of NE Braze Street and north of NE Broadway from NE 57th Avenue to NE 60th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning adjacent to R1 zoning to the northwest, with R5 zoning surrounding the rest of the area.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties have access to transit service along NE Halsey Street and 57th. Neighborhood commercial services exist to the north on NE Sandy Boulevard and at the 57th/Halsey node. Rose City Park and Normandale Park, Rose City Park Elementary and Frazer School are nearby.

Physical Features: Several lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.



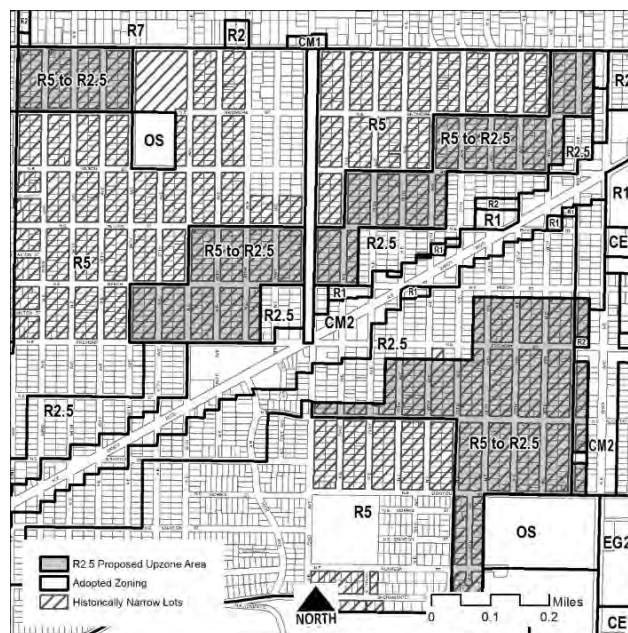
Northeast – 5

Description: R2.5 proposals are located in three areas: north of NE Sandy Boulevard between NE 66th Avenue and NE 82nd Avenue, south of NE Prescott Street between NE 62nd Avenue and 66th, and an area that includes NE Beech Street to NE Siskiyou Street between NE 78th Avenue and NE 81st Avenue as well as properties along NE 77th Avenue between Siskiyou and NE Sacramento Street.

Existing Zoning Pattern: The proposed R2.5 zoning extends the area of existing R2.5 zoning. On the north side of Sandy, the proposed R2.5 area extends the R2.5 zone one block north of the current R2.5 zone that is adjacent to mixed use zoning along Sandy. South of Sandy, the proposed R2.5 area extends the R2.5 zone adjacent to mixed use zoning along Sandy by one to three blocks.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed areas for rezoning have access to frequent transit service along the major corridors of NE 82nd Avenue and Sandy. Neighborhood commercial services exist on both streets, with the Comprehensive Plan-designated Neighborhood Center extending from NE 72nd Avenue to 82nd. This area includes Madison High School, Glenhaven Park, Roseway Heights Elementary School and Rose City Golf Course all within three to six blocks. The five-block area between 62nd and 66th south of Prescott is in close proximity to Harvey Scott School, Wellington Park and the commercial area at NE Cully Boulevard and Prescott. Transit is available on Prescott connecting to Cully and 82nd.

Physical Factors: A number of lots in these areas for proposed rezoning have already taken advantage of historically narrow lots to create R2.5-density development.



Northeast – 7

Description: R2.5 proposals are located from NE Morgan Street south to NE Bryant Street from NE Grand Avenue east to NE 7th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the area of existing R2.5 zoning north one block. This one-by-two-block proposal abuts medium-density residential (R1) zoning to the west.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties have access to transit service along Grand and NE Martin Luther King, Jr. Boulevard (MLK) and NE Dekum Street. Neighborhood commercial services exist on Dekum and MLK. Woodlawn Park is east of the proposed rezoned area, with Woodlawn Elementary School and various childcare facilities nearby.

Physical Factors: Several lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.



R2.5 Zone Change Proposals by District – Southeast

There are 11 maps that cover the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the Southeast district.



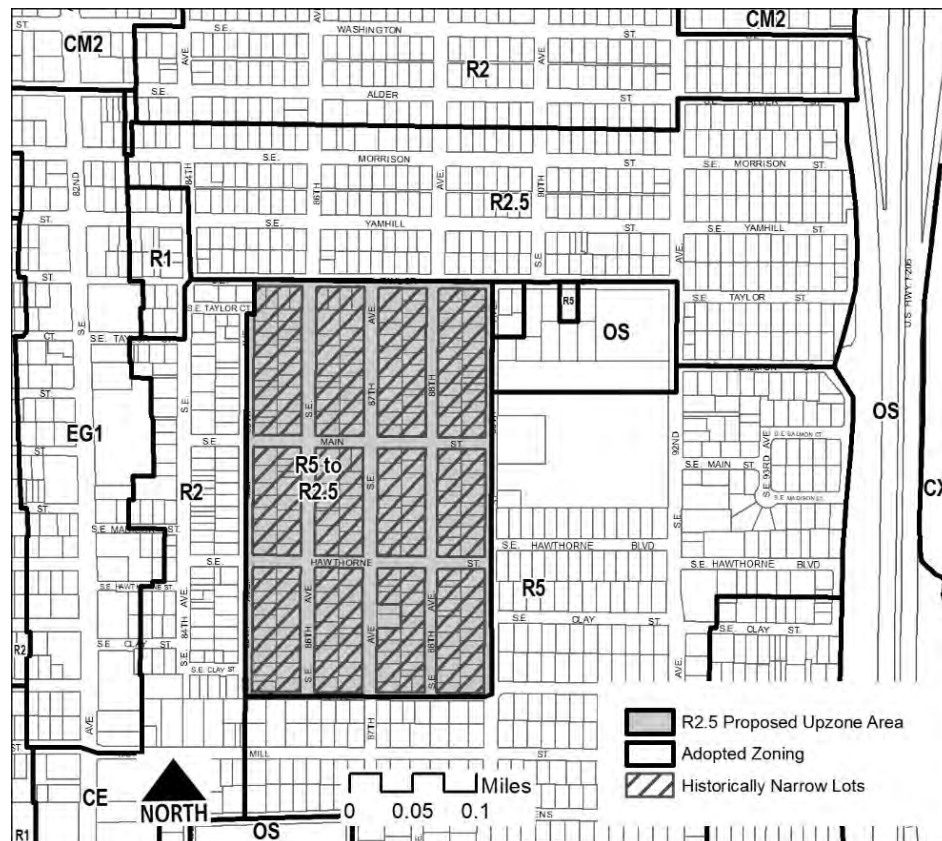
Southeast – 1

Description: R2.5 proposals are located in the area from SE Taylor Street south to SE Market Street from SE 85th Avenue to SE 89th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides transition from the R2 zoning along SE 82nd Avenue and the R5 zoning to the east. R2.5 zoning currently exists north of Taylor.

Proximity to Centers, Corridors and Neighborhood Amenities: Most of the proposed rezoned properties are within three blocks of commercial and transit services along 82nd, as well as transit service to the north along SE Washington Street and SE Alder Street and to the south along SE Division Street. The area is directly west of Berrydale Park and the Creative Science School at Clark. Harrison Park and Harrison Park Elementary School are two blocks south of this area.

Physical Factors: A number of lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.



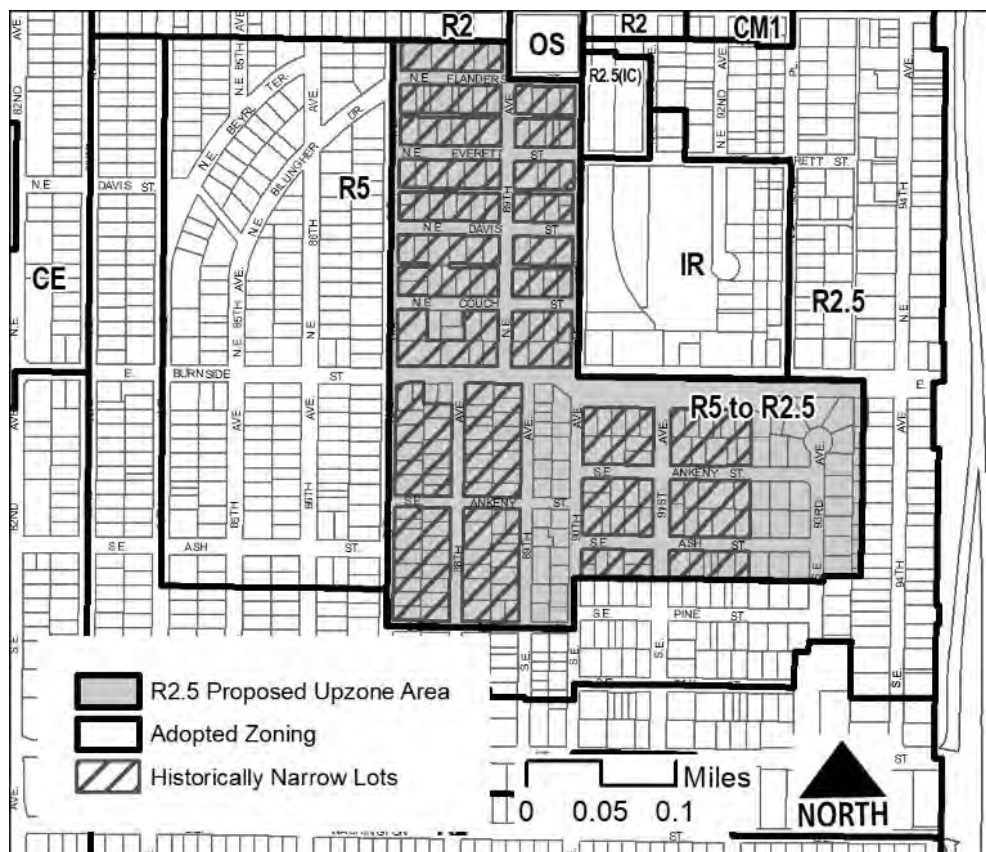
Southeast – 2

Description: R2.5 proposals are located in the area from NE Glisan Street south to SE Pine Street from 87th Avenue to SE 93rd Avenue.

Existing Zoning Pattern: This area is surrounded to the east and south with R2.5 zoning.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within five blocks of commercial and transit services along 82nd Avenue. Transit service to the north along Glisan connects to the Gateway Transit Center and to the south along SE Washington Street and SE Alder Street. The area is directly west and south of Columbia Christian School. Montavilla Park and Multnomah University are two blocks north of this area.

Physical Factors: A number of lots in the area have already taken advantage of historically narrow lots to create R2.5-density development. Properties north of NE Couch Street have mid-block alleys.



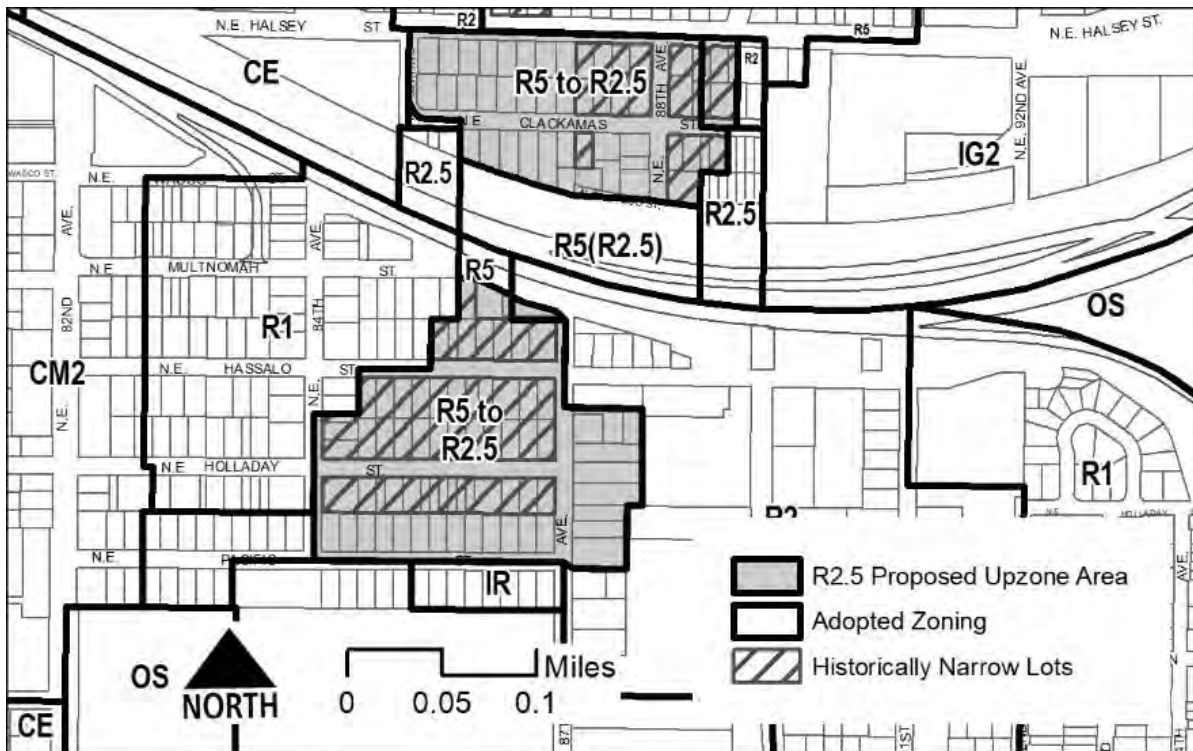
Southeast – 3

Description: R2.5 proposals straddle I-84 south of NE Halsey Street and north of NE Pacific Street from NE 84th Avenue to NE 90th Avenue.

Existing Zoning Pattern: North of I-84, this area is east of CE zoning and west of IG2 zoning. South of I-84, this area is east of R1 zoning and west of R2 zoning.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed rezoned properties are within one to two blocks of commercial and transit services along NE 82nd Avenue that connects to the MAX Light Rail 82nd Avenue station. The area is directly north of Montavilla Park and Multnomah University.

Physical Factors: A number of lots in the area along NE Clackamas Street and NE Holladay Street have already taken advantage of historically narrow lots to create R2.5-density development.



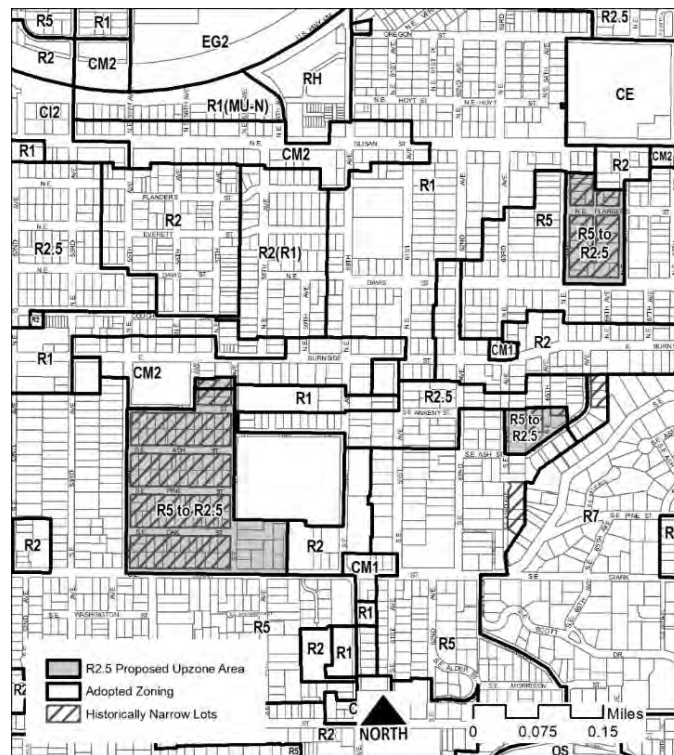
Southeast – 5

Description: Most of the properties proposed for R2.5 zoning are located in the area from East Burnside Street south to SE Stark Street between SE 55th Avenue and SE 66th Avenue. To the north a smaller area of R2.5 is proposed between NE Glisan Street and NE Davis Street from NE 65th Avenue to 66th.

Existing Zoning Pattern: The proposed R2.5 zoning reflects existing application of the R2.5 zoning in the area. The two areas of proposed R2.5 to the south of Burnside are connected by existing R2.5 zoning.

Proximity to Centers, Corridors and Neighborhood Amenities: Most of the proposed properties south of Burnside are within three blocks of commercial services, including a QFC grocery store, and transit service along Burnside. All proposed rezoned areas have good access to MAX Light Rail service along Burnside. The northern properties are within three blocks of commercial and transit services along Glisan. Schools in the area include Mt. Tabor Middle School and Glencoe Elementary School.

Physical Factors: A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



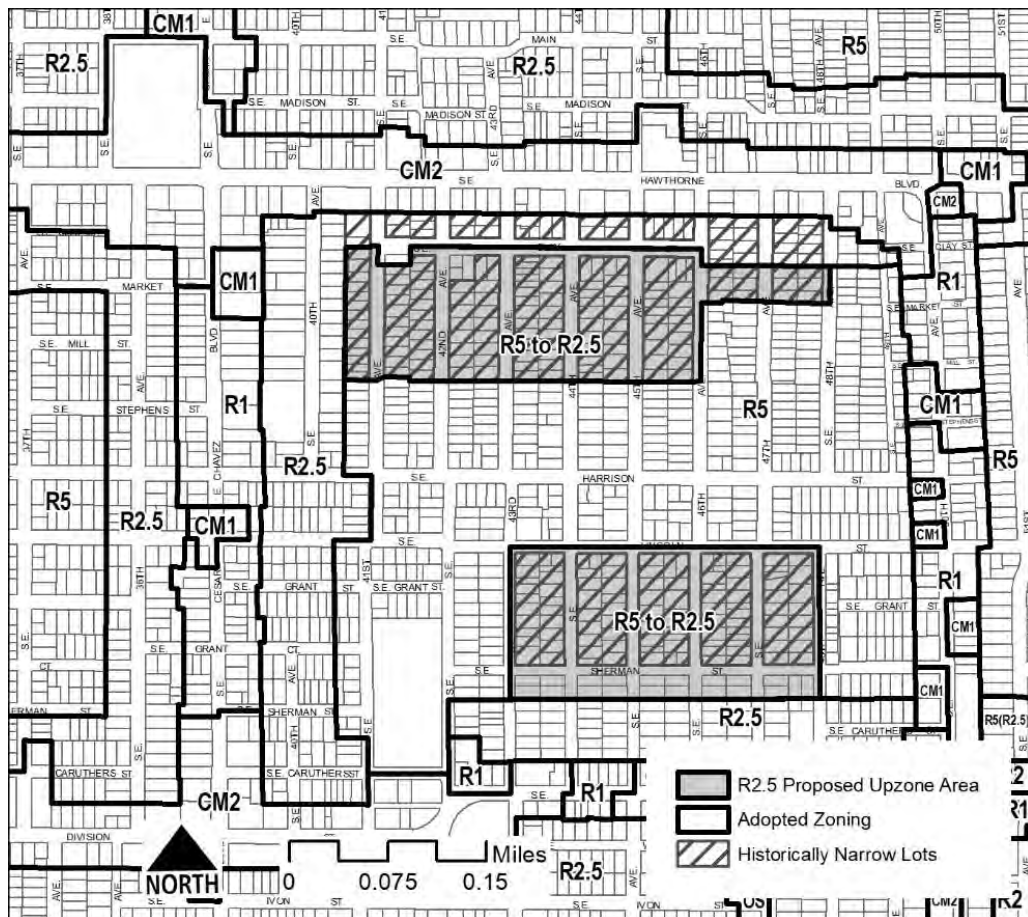
Southeast – 6

Description: The northern properties proposed for R2.5 zoning are located from SE Clay Street south one half-block from SE 40th Avenue to SE 48th Avenue. The southern properties are located from SE Division Street north to SE Lincoln Street from SE 43rd Avenue to 48th.

Existing Zoning Pattern: In both areas, the proposed R2.5 zoning extends the existing pattern of R2.5 zoning along SE Hawthorne Boulevard, Division and SE Cesar E. Chavez Boulevard.

Proximity to Centers, Corridors and Neighborhood Amenities: All the proposed properties are within three blocks of commercial and transit services along Hawthorne and Division. The area is bound by frequent bus service on Hawthorne, Division, Cesar E. Chavez and SE 50th Avenue. Richmond Elementary School is located within five blocks of the R2.5 proposals.

Physical Factors: A number of lots have taken advantage of historically narrow lots to create R2.5-density development.



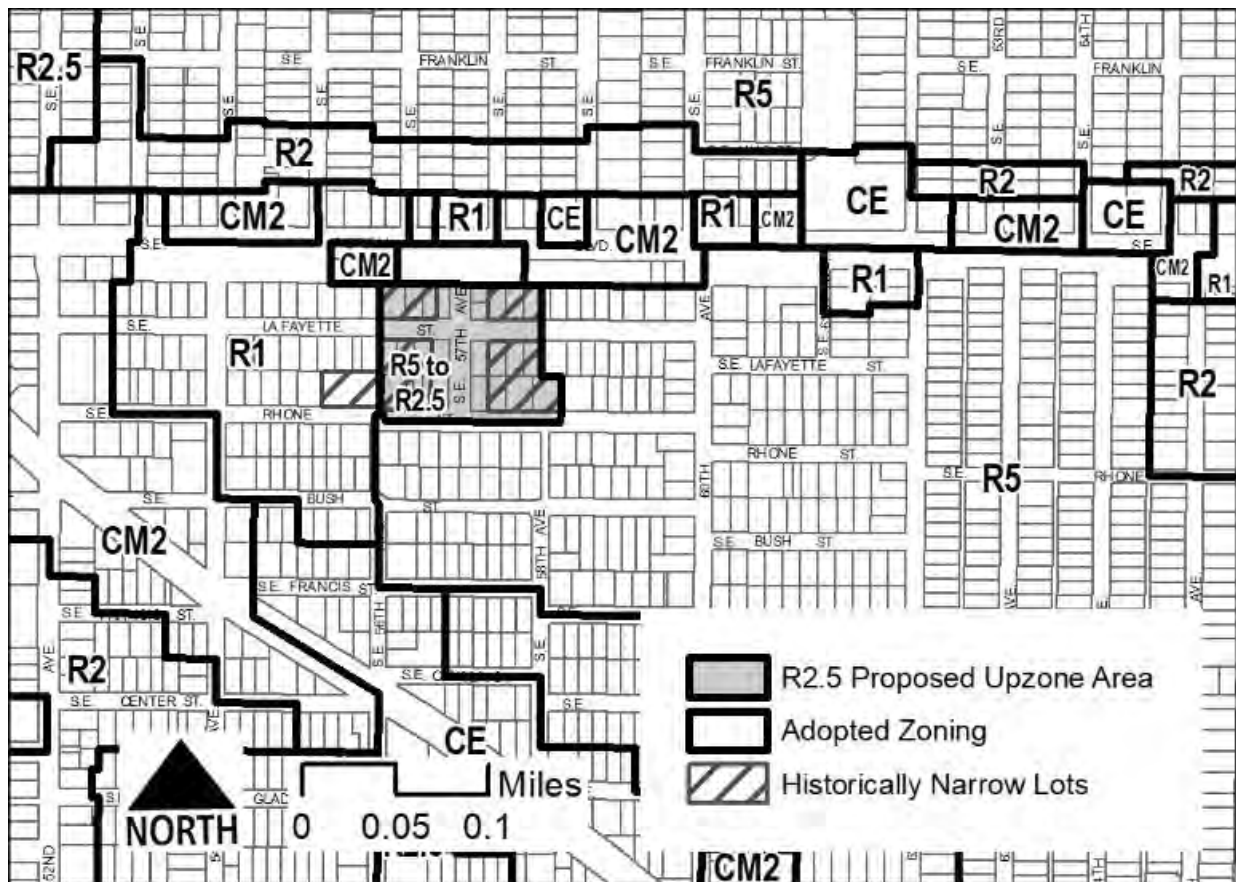
Southeast – 7

Description: The R2.5 proposals are several lots deep east and west of SE 57th Avenue south of SE Powell Boulevard and north of SE Rhone Street.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition to the CM2 and row of off-street parking south of Powell, as well as between the R1 zoning east of SE 52nd Avenue and the surrounding R5 zoning. R2.5 zoning of similar depth exists along SE Foster Road.

Proximity to Centers, Corridors and Neighborhood Amenities: All the proposed rezoned properties are within three blocks of commercial and transit services along Powell. The area is four blocks north of commercial and transit services on Foster. Creston Park and Creston Elementary School are located four blocks to the west. Franklin High School is located four blocks to the north.

Physical Factors: A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



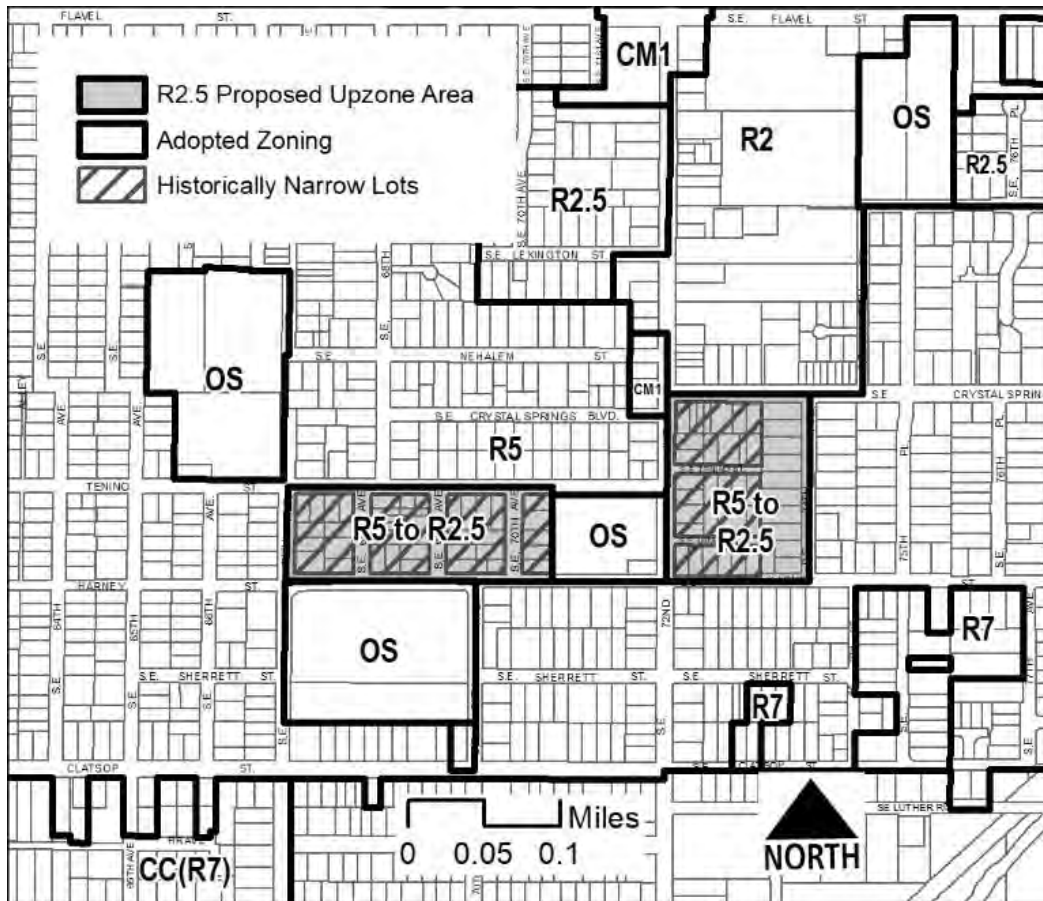
Southeast – 8

Description: The R2.5 proposals are in the area from SE Harney Street north to SE Crystal Springs Boulevard between SE 67th Avenue and SE 74th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning provides a transition between the R2 zoning north of Crystal Springs and the OS zoning on the nearby parks and cemetery. R2.5 zoning currently exists north of the proposals.

Proximity to Centers, Corridors and Neighborhood Amenities: Most of the proposed rezoned properties are within three blocks of transit service along SE 72nd Avenue. The area is surrounded by open spaces including Harvey Park to the south, Mount Hood Little League and a cemetery. Whitman Elementary School is located to the north.

Physical Factors: A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



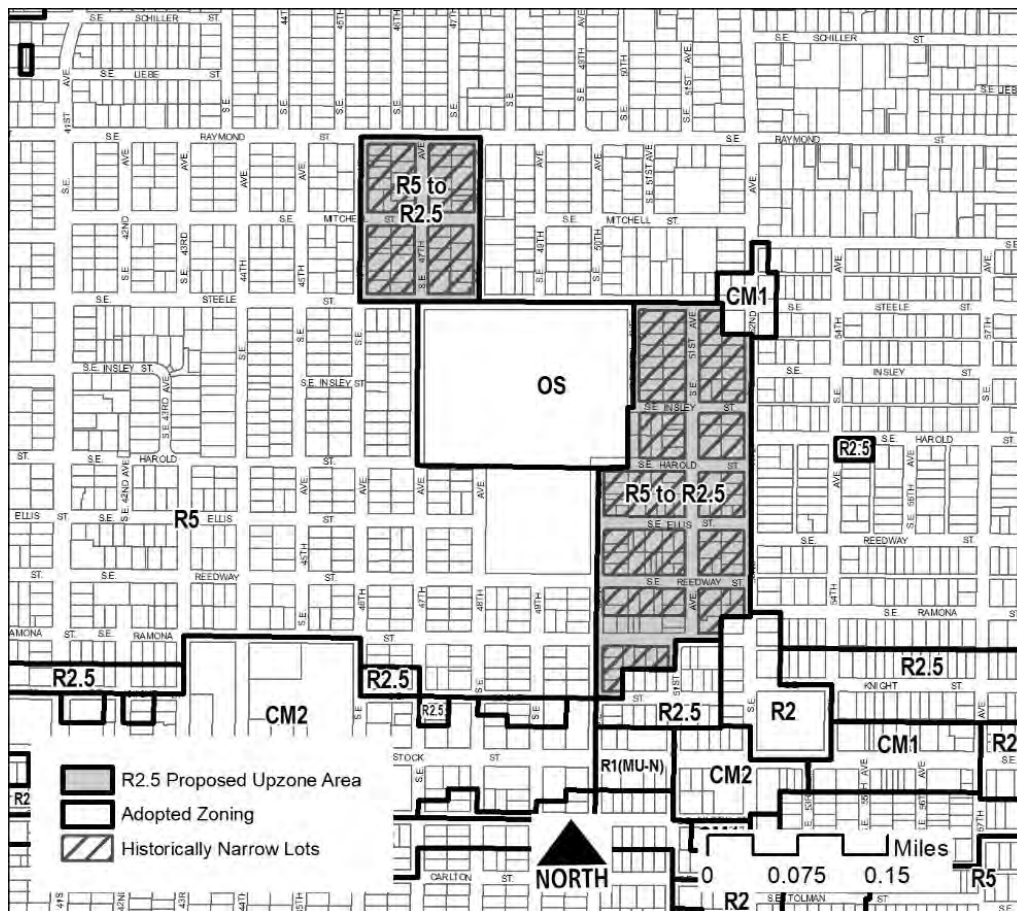
Southeast – 9

Description: The northern properties proposed for R2.5 zoning are located from SE Steele Street north to SE Raymond Street between SE 46th Avenue and SE 48th Avenue. The southern properties are located from SE Knight Street north to SE Steele Street between SE 50th Avenue and SE 52nd Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning in the southern properties extends the R2.5 zoning that currently existing along SE Woodstock Boulevard.

Proximity to Centers, Corridors and Neighborhood Amenities: Some of the southern properties are within three blocks of commercial and transit services along Woodstock. Both areas have access to transit along 52nd and Steele. Both areas are adjacent to Woodstock Park, and Woodstock Elementary School is located to the south of the park.

Physical Factors: A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



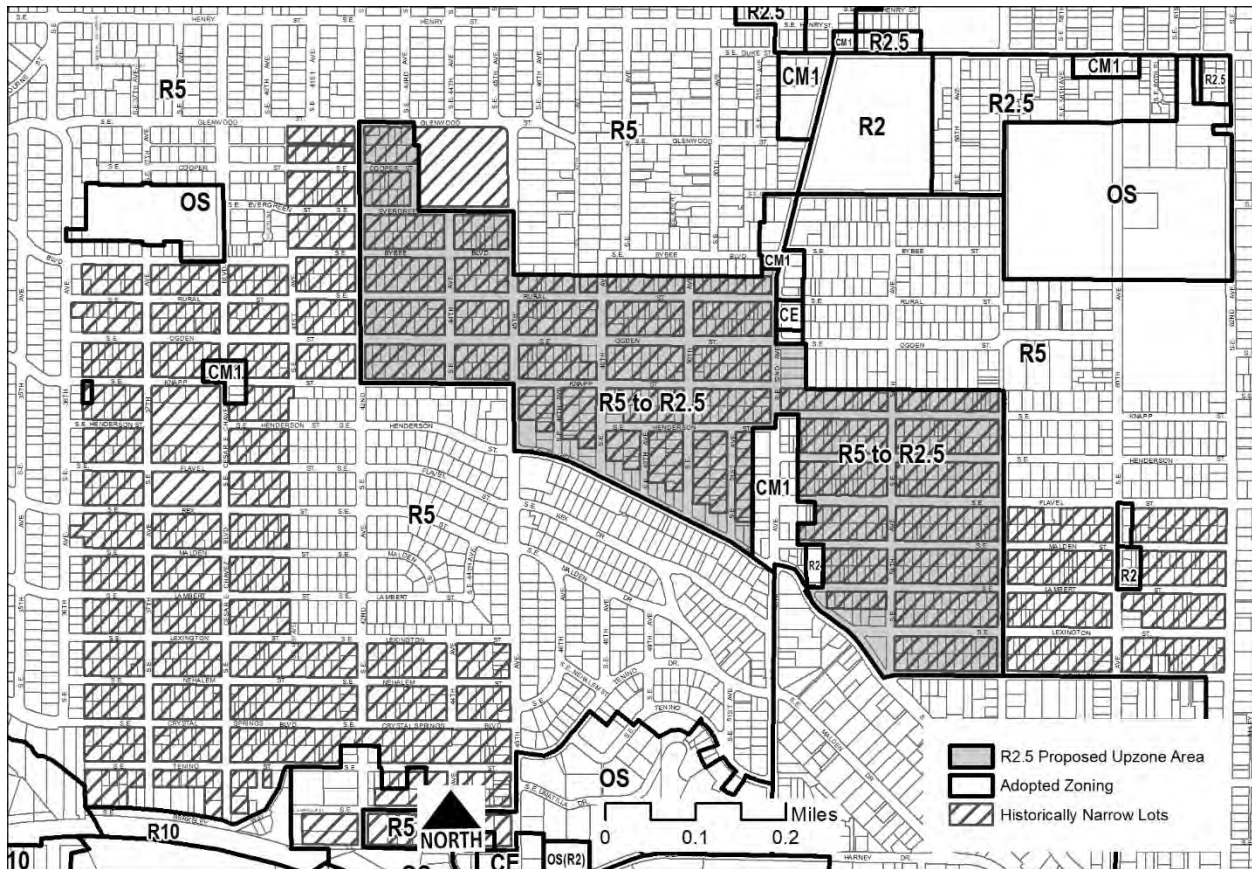
Southeast – 10

Description: The R2.5 proposals generally follow SE Flavel Drive and extend 6.5 to 3.5 blocks to the north between SE 42nd Avenue and SE 57th Avenue.

Existing Zoning Pattern: R2.5 zoning exists to the north along Duke and Woodstock.

Proximity to Centers, Corridors and Neighborhood Amenities: Most of the properties proposed for R2.5 zoning are within three blocks of commercial and transit services along SE 52nd Avenue. There is also transit service on SE 45th Avenue and Flavel. There are three nearby parks: Brentwood Park to the east, Errol Heights Park to the south and Berkeley Park to the west. The northwest portion of the area is adjacent to Lewis Elementary School, and Lane Middle School is one block to the east.

Physical Factors: A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



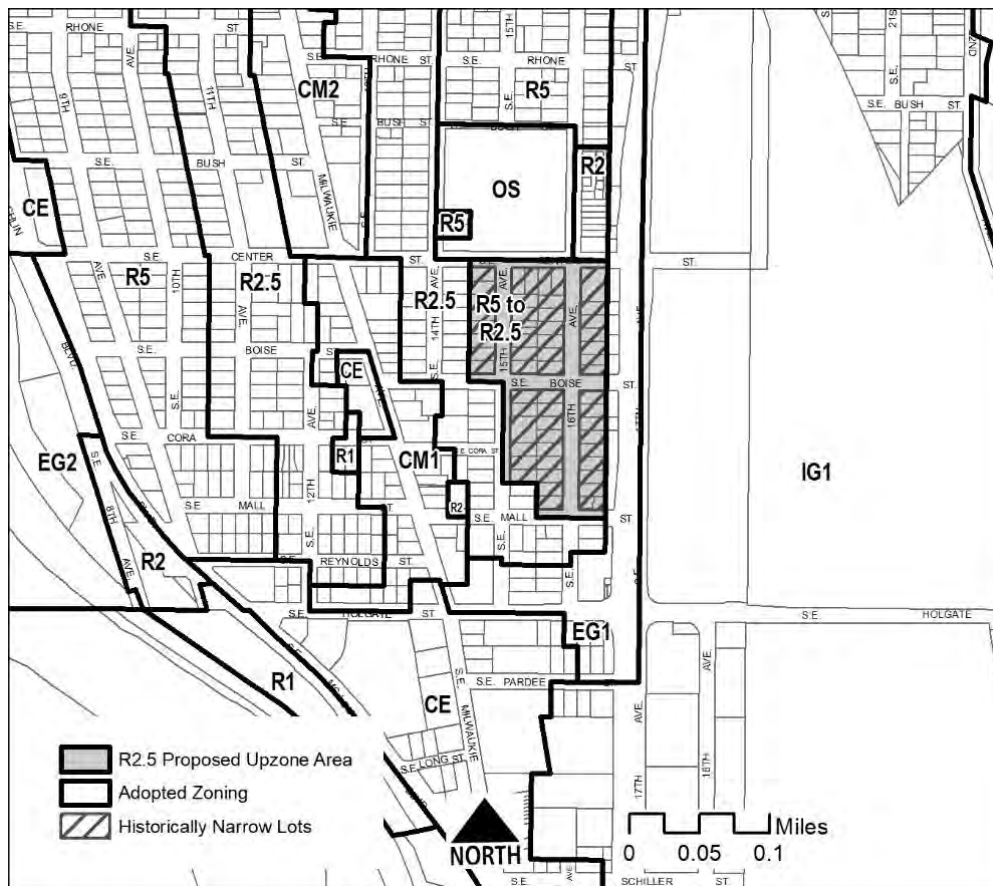
Southeast – 11

Description: The R2.5 proposals are located from SE Center Street south to SE Mall Street between SE 15th Avenue and SE 17th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the existing R2.5 zoning located behind the CM and EG zoning along SE Milwaukie Avenue to the entire area south of Center and west of 17th.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed properties are within three blocks of commercial and transit services along Milwaukie. The area is adjacent to the MAX Orange Line station at 17th and SE Holgate Boulevard. Directly north are Brooklyn School Park and Winterhaven Elementary School.

Physical Factors: A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



R2.5 Zone Change Proposals by District – East

There are two maps that cover the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the East district.



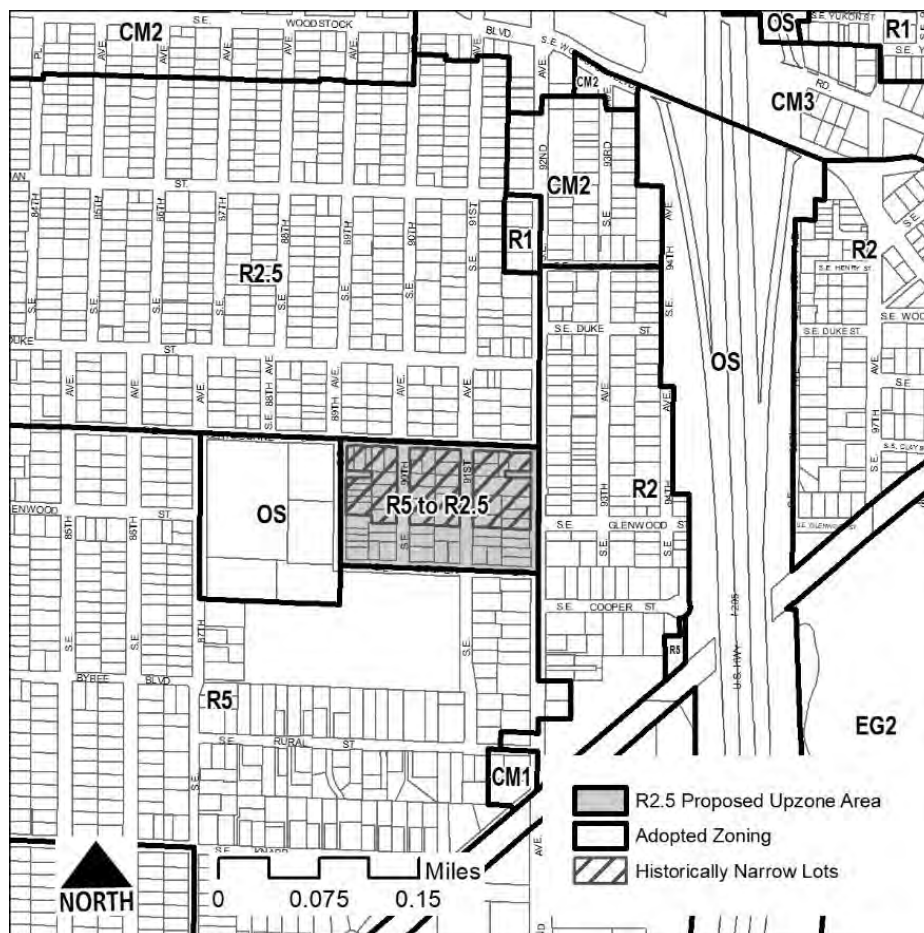
East – 1

Description: The R2.5 proposals are located from SE Claybourne Street south to SE Cooper Street between SE 89th Avenue and SE 91st Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the existing R2.5 zoning north, with R2 zoning directly to the east and R5 zoning directly to the south.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed properties are near commercial and transit services on SE 82nd Avenue, MAX Light Rail along the I-205 freeway and the Springwater Corridor Trail. The area is adjacent to Kelly Center Headstart, Kelly Street Elementary and Glenwood City Park.

Physical Factors: A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



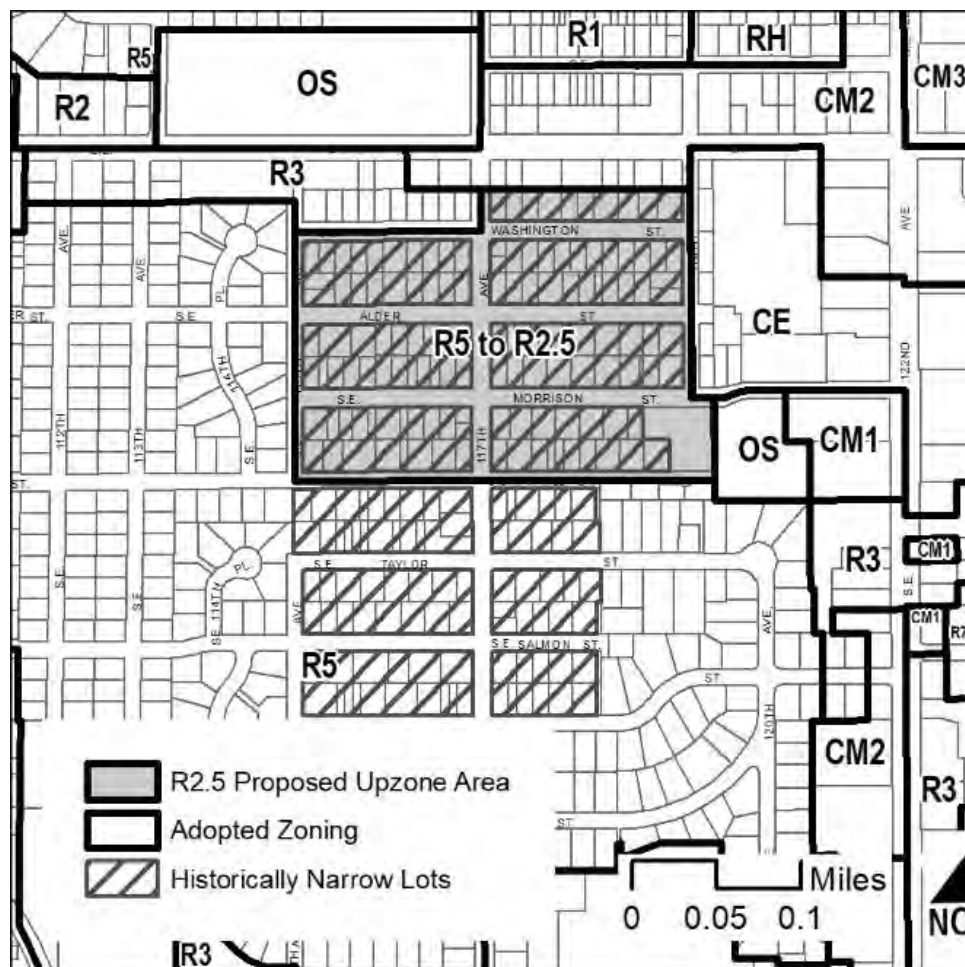
East – 2

Description: The R2.5 proposals are located from SE Washington Street south to SE Yamhill Street between SE 115th Avenue and SE 119th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning is immediately south of commercial zoning on SE Stark Street and provides a transition to R5 zoning to the south.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed properties are within one block of commercial and transit services along Stark and within three blocks of commercial and transit services on SE 122nd Avenue. Ventura Park, Midland City Park and Midland Library are adjacent.

Physical Factors: A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



R2.5 Zone Change Proposals by District – West

There is one map that covers the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the West district.



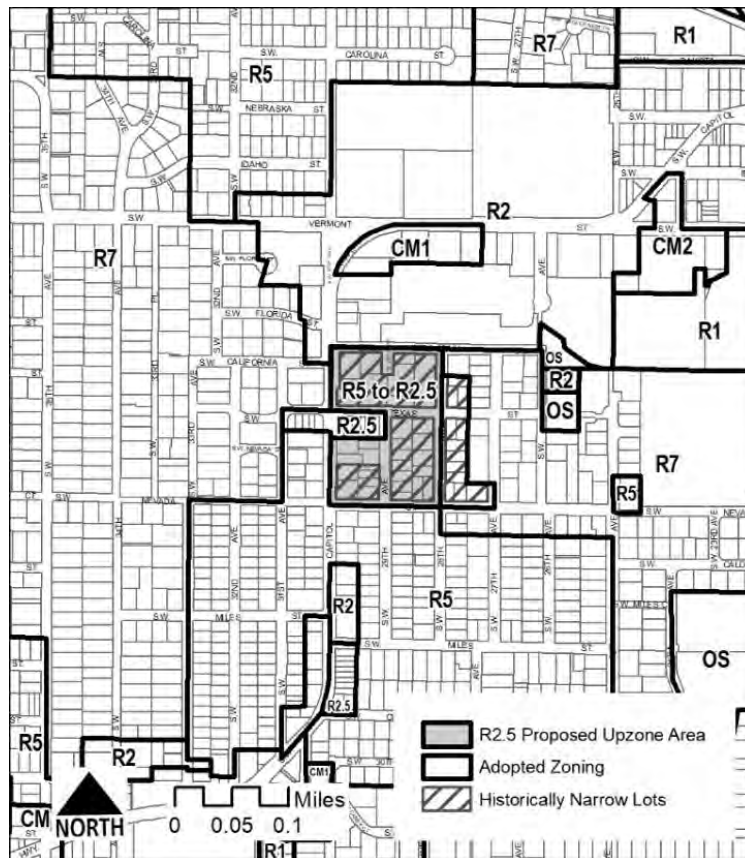
West – 1

Description: The proposed area for R2.5 rezoning covers roughly two blocks bound by SW California Street, SW Nevada Street, SW Capitol Highway and SW 28th Avenue.

Existing Zoning Pattern: The proposed R2.5 zoning extends the existing R2.5 zoning located on SW Texas Street between SW 30th Avenue and SW 29th Avenue roughly one additional block to the north, south and east. The proposed R2.5 zoning provides a transition between the commercial and R2 zoning to the north and the surrounding lower-density R5- and R7-zoned areas.

Proximity to Centers, Corridors and Neighborhood Amenities: The proposed R2.5 properties are two to four blocks from commercial and transit services both to the north and south along SW Capitol Highway.

Physical Factors: While some of these blocks slope downward to the east from SW Capitol Highway, there are no features that would preclude R2.5-zoning development. Streets in this proposed four-block R2.5 area are developed to City standards and most, except SW Nevada Street, have curbs and sidewalks on at least one side.



Appendix H

Portland's 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.

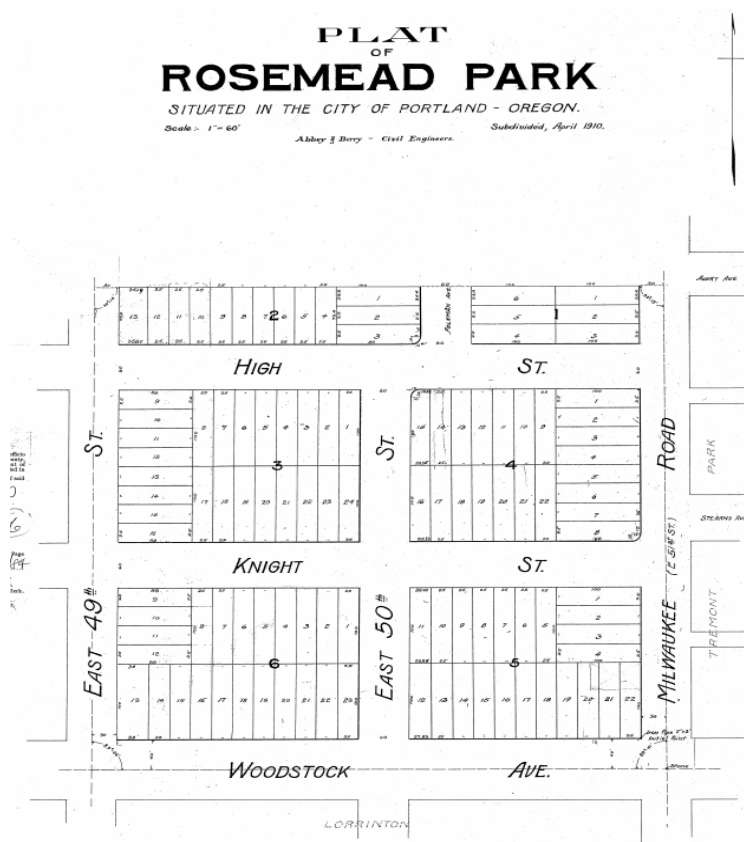


Figure 1: Plat for Rosemead Park, filed 1910. The lots in this plat are 25 feet wide, with varying depths.

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.

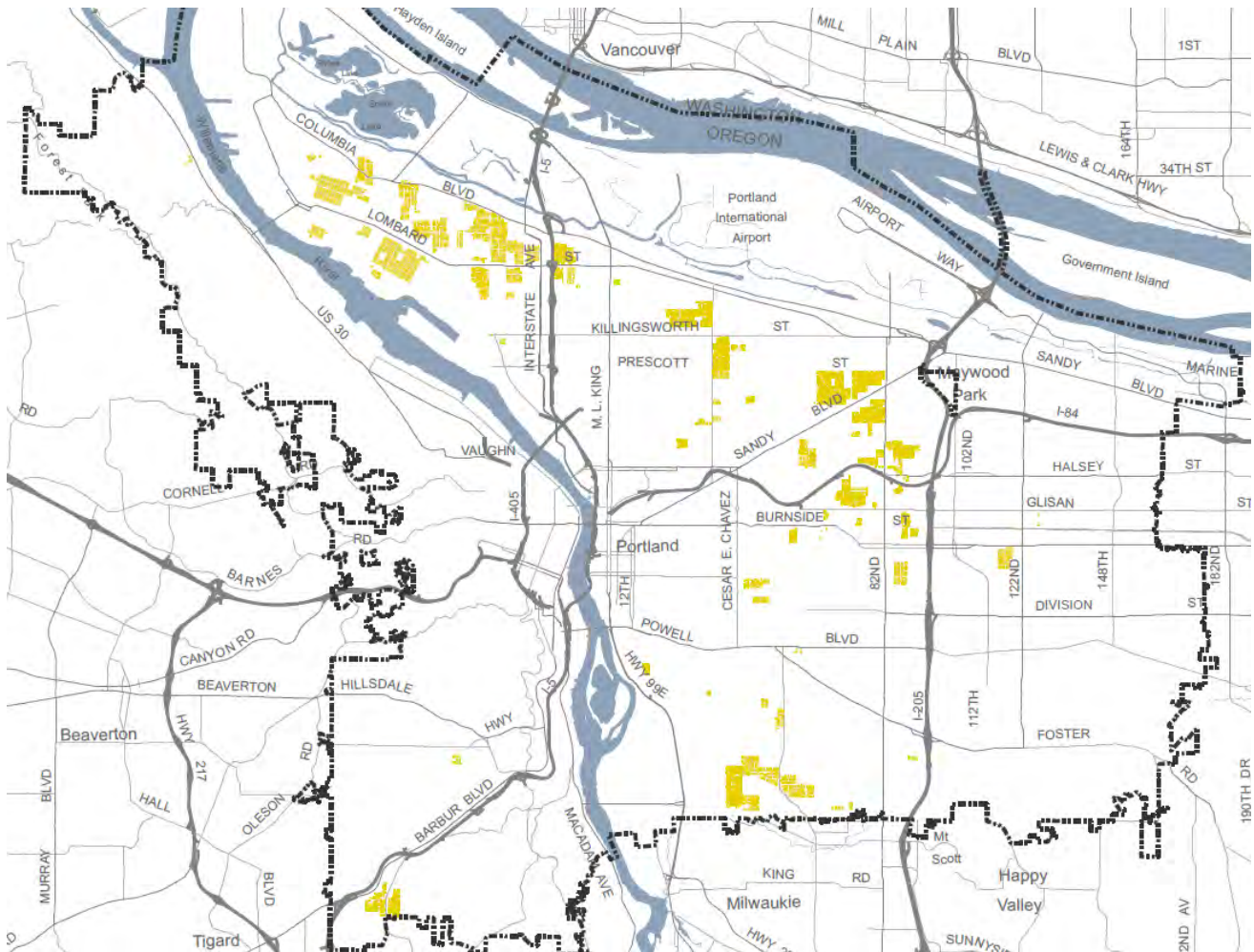


Figure 3: Map showing locations of plats with historically narrow lots in Portland.

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).

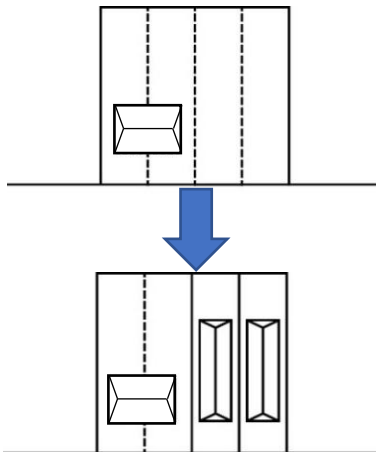


Figure 4 – Already vacant lots can develop with skinny houses.

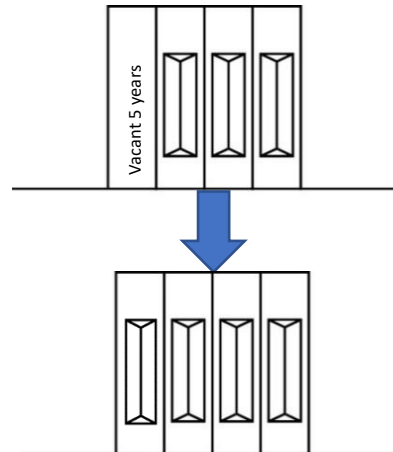


Figure 5 – Houses may be demolished and one lot can be built today, and the other 5 years later.

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).

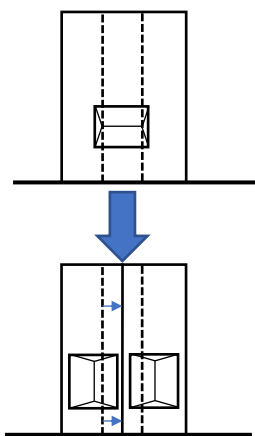


Figure 6 – By using a property line adjustment, historically narrow lots are no longer “substandard” and are not required to be vacant for 5 years.

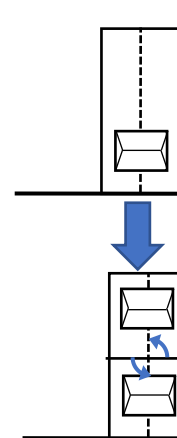


Figure 7 – Property line adjustment can also be used to rotate the lot line on a corner lot. The vacant lot provision applies to the reconfigured lot.

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.

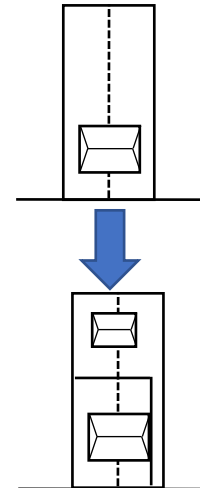


Figure 8 – Concept for allowing property line adjustments to form flag lots when retaining an existing house.

	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”.