

# Narrow Lots & Skinny Lots *or* Land Divisions & Lot Confirmations

Residential Infill Project  
Stakeholder Advisory Committee  
November 17, 2015



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



# Two Processes and Two Lot Types

## Land Division:

Create new lots from larger parcels of land

## Results in:

- Lots
- New Narrow Lots

## Lot Confirmation:

Confirm the legal status of previously created lots

## Results in:

- Lots
- “Skinny Lots”

# OVERVIEW

## Land Divisions

- Background
- Process
- Density applies
- Lot dimensions
- New Narrow Lots

## Lot Confirmations

- Background
- Process
- Density does not apply
- Lot dimensions
- “Skinny” Lots

# LAND DIVISIONS

# SEWICKLY ADDITION.

Situated in the Perry Prettyman D.L.C. in Sec. 6, T.1 S. R.2 E. W.M.  
 Portland, Oregon.

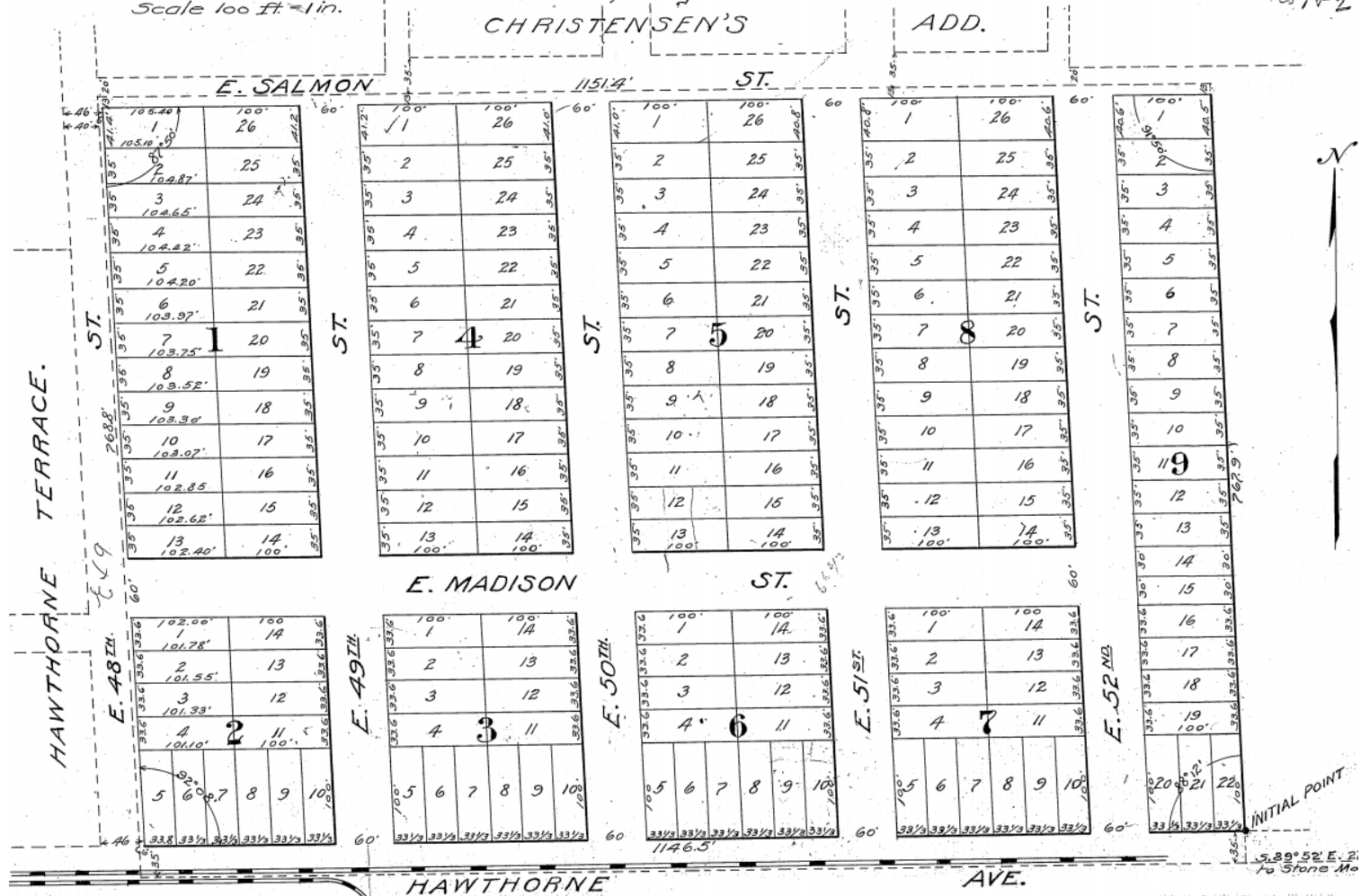
Scale 100 ft. = 1 in.

CHRISTENSEN'S

ADD.

FOR PARTIAL VACATION, SEE BOOK 1  
 FOR PARTIAL VACATION, SEE BOOK 1

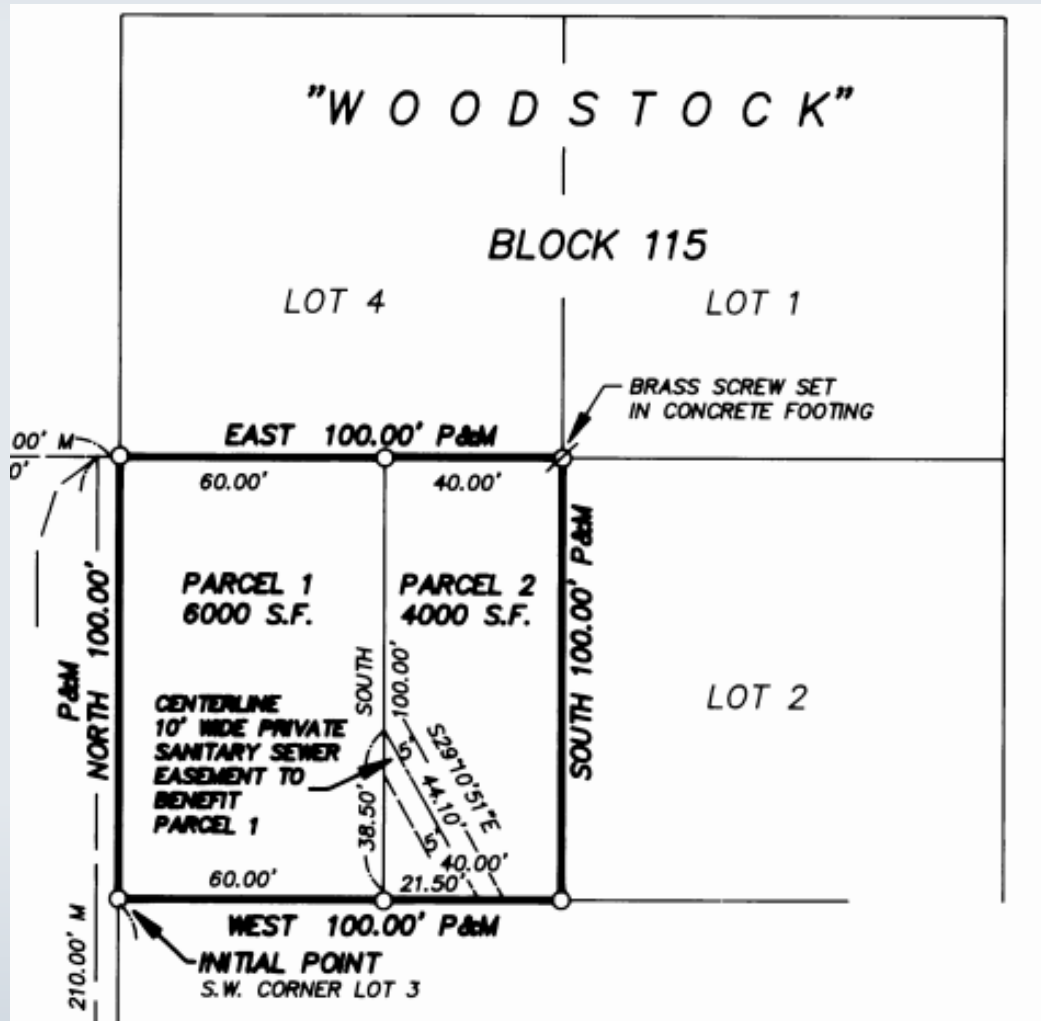
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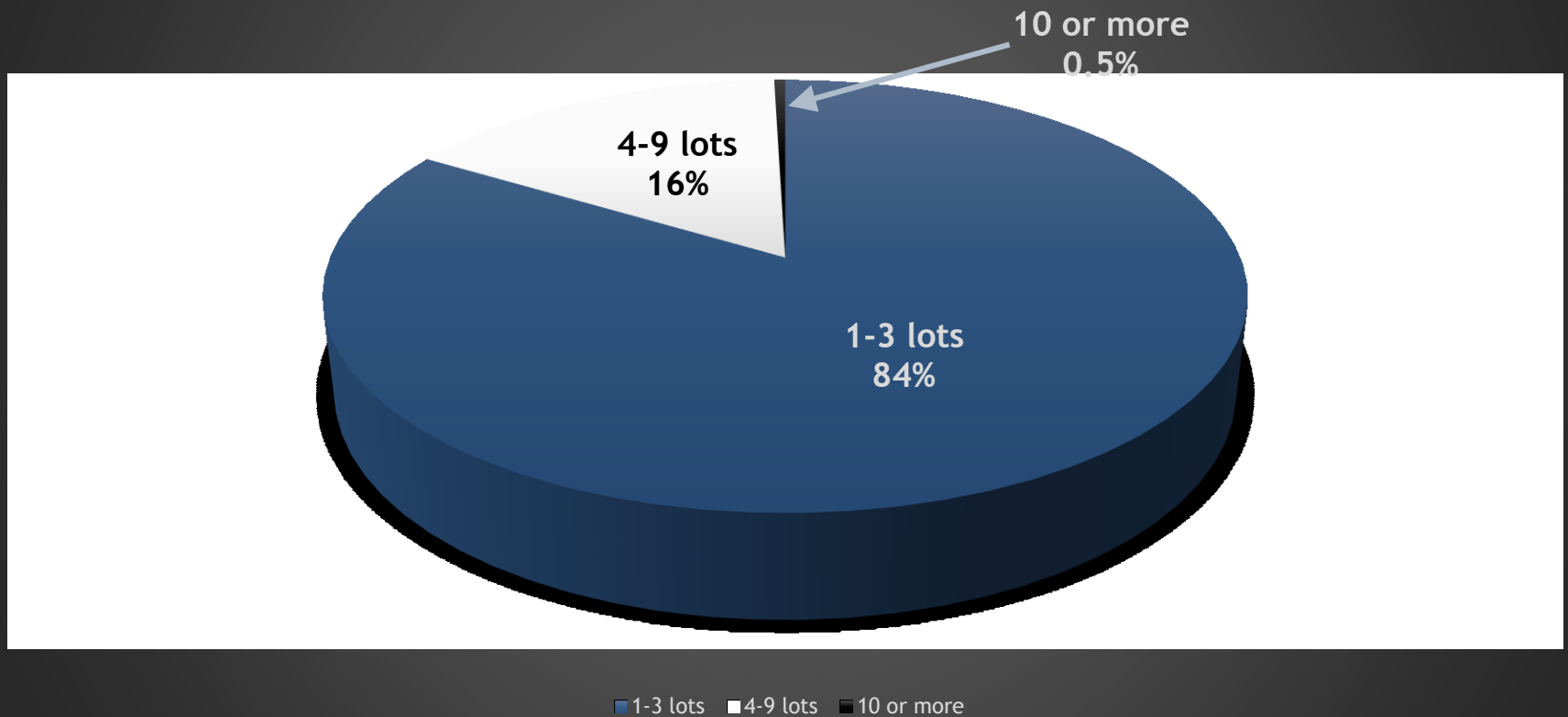


# Infill - Small Land Divisions



# Small Land Divisions

Land Divisions 2010-2013





# Land Division (LD) process

- 2 stages (preliminary plat & final plat)
- Neighborhood Contact (mtg with NA)
- Notice - to property owners
  - 100-150' for most LD cases
  - 400' (more than 10 lots, or E zone)
- Process (typically 6-24 months)
- City fees: \$8,800 (simple 2 lot partition) to \$40,000 (for large subdivisions)
- Standards and criteria apply

# LD Standards and Criteria

- Standards
  - Density
  - Lot size
  - Lot width and depth
  - Streets and infrastructure
- Criteria
  - Tree Preservation
  - Flood/Landslide Hazard
  - New Narrow Lots (when proposed)

# History of Regulations (R5)

Land Division Standards	Pre-2002 Code	Pre-2002 Exceptions	Current Code	Current Code Exceptions
Density	1 lot/5,000 sf	AD or Alt. Dev	1 lot/5,000 sf	Alt. Dev
Lot Size	5,000 sf	Cluster	3,000-8,500 sf	Alt. Dev or PD
Lot Width	50'	Cluster	36'	Narrow Lot or PD
Lot Depth	100'	Cluster	50'	PD

**AD:** Adjustment (like a variance)

**PD:** Planned Development

**Alt. Dev:** Alternative Development Options

- Attached house on corner (1 lot/2,500 s.f.)
- Transition sites (1 additional lot on the site)

# Number of Lots

**Minimum density** - ensures areas are efficiently used for needed housing.

**Maximum density** - ensures the number of lots does not exceed planned intensities of the zones.

R7 = 1 lot per 7,000 sq. ft. of site area

R5 = 1 lot per 5,000 sq. ft. of site area

R2.5 = 1 lot per 2,500 sq. ft. of site area

# Rounding rules

Maximum density calculations are rounded as follows:

# of Lots	Round up at
1-4	.90
>4-10	.75
>10	.50

R5 Example:

$19,550 \text{ s.f.} \div 5,000 \text{ s.f.} = 3.91$  or 4 lots

Average lot size = 4,887 s.f.

# Lot Dimension Requirements

Zone	Minimum Lot Width*	Minimum Lot Depth	Minimum Lot Size	Maximum Lot Size
RF	60'	60'	52,000	151,000
R20	60'	60'	12,000	34,500
R10	50'	60'	6,000	17,000
R7	40'	55'	4,200	12,000
R5	36'	50'	3,000	8,500
R2.5	36'	40'	1,600	none

\* Exceptions to minimum lot width requires meeting  
New Narrow Lot or Planned Development review criteria

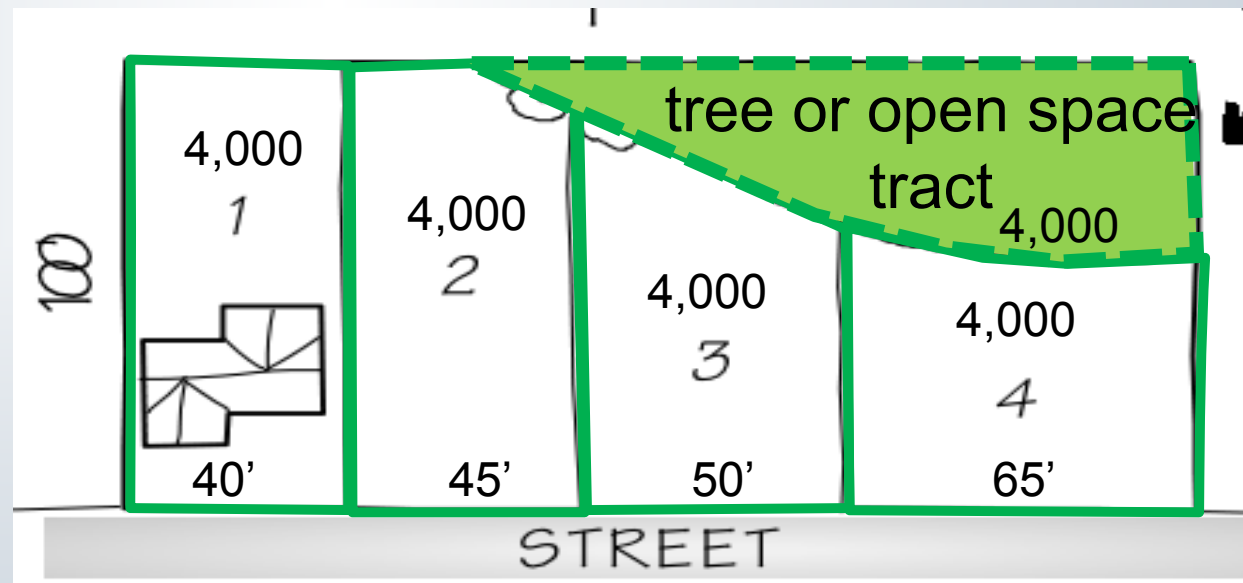
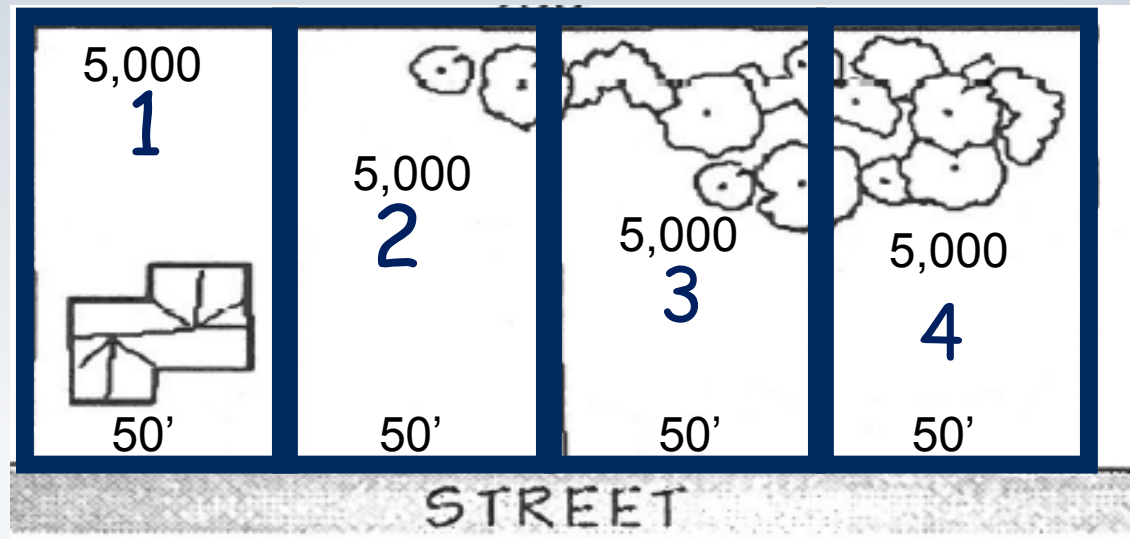
## Preserve existing homes



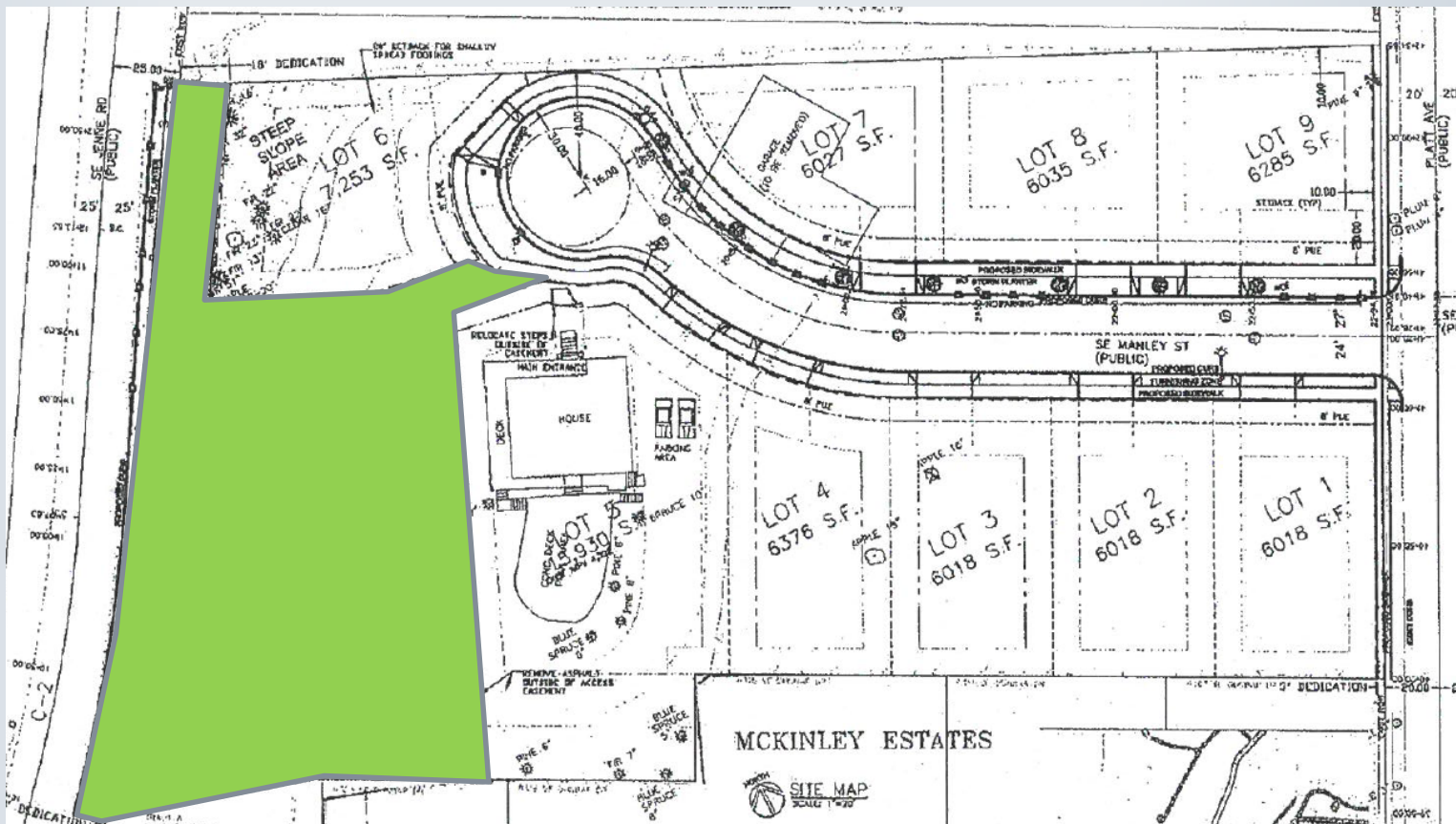


# Lot Dimension Flexibility

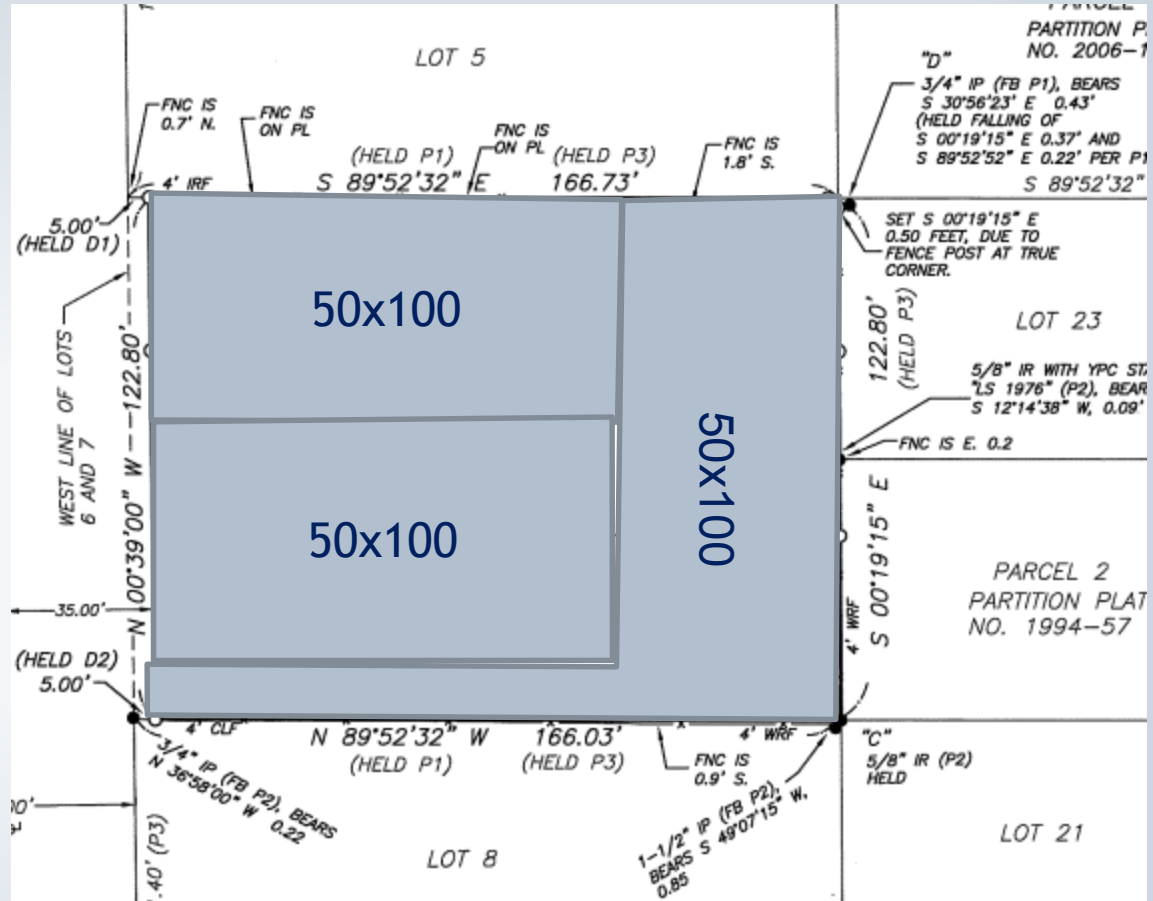
Natural resources



**R10 site, 108,000 s.f.**  
**9 lots ~6,300 s.f.**



# Alternative to flag lots



# New Narrow Lot Criteria

## Lot width may be reduced:

- On balance, lots are consistent with purpose of lot dimension regulations:
  - Room for house, garage and outdoor area
  - Can meet development standards
  - Oriented toward street
  - Compatible with existing lots
- Width can be reduced to 25' for lots that will be developed with detached houses



# Houses on New Narrow Lots

## Additional Development Standards

- Height: 1.2 x width of house (RF-R5 zones)  
1.5 x width of house (R2.5 zone)
- Main entrance: located within 4' of grade
- Access: must be from alley (if available)
- Garage: No attached garage on street facing façade when houses are less than 22' wide (except with a PD)

# Land Division Data

## 2010 - 2013 Lot Totals

Zone	Standard	Flag Lot	Narrow Lot	Corner Att	Total
RF	11	0	0	0	11
R20	5	0	0	0	5
R10	42	2	0	0	44
R7	18	13	0	4	35
R5	91	17	13	28	149
R2.5	48	4	74	16	142
Multi	222	0	0	0	222
<b>Total</b>	<b>437</b>	<b>36</b>	<b>87</b>	<b>48</b>	<b>608</b>



# Planned Developments

Opportunity for innovative and creative development that:

- complements existing neighborhood character
- is well-designed
- can be successfully integrated into the neighborhood



# Planned Development Criteria

- Visually integrate both the natural and built features of the site and surrounding area.
- Orient the site and development to the street
- Preserve natural features on the site
- Complement positive architectural features of surrounding development;
- Mitigate differences in appearance
- Minimize potential negative effects
- Provide adequate open space

# Planned Development Process

- Can be concurrent with Land Division
- Neighborhood Contact (mtg with NA)
- Notice - to property owners w/in 150' - 400' (depending on # of units, housing type)
- Stand alone process (No LD) 4-6 months
- City Fees: \$6,900 (simple review) to \$15,700 (incl. pre-app) - in addition to LD fees
- House design approved PD phase
- Standards and criteria apply

# LOT CONFIRMATIONS

# OVERVIEW

## *Land Divisions*

- Background
- Process
- Density applies
- Lot dimensions
- New Narrow Lots

## *Lot Confirmations*

- Background
- Process
- Density does not apply
- Lot dimensions
- “Skinny” Lots

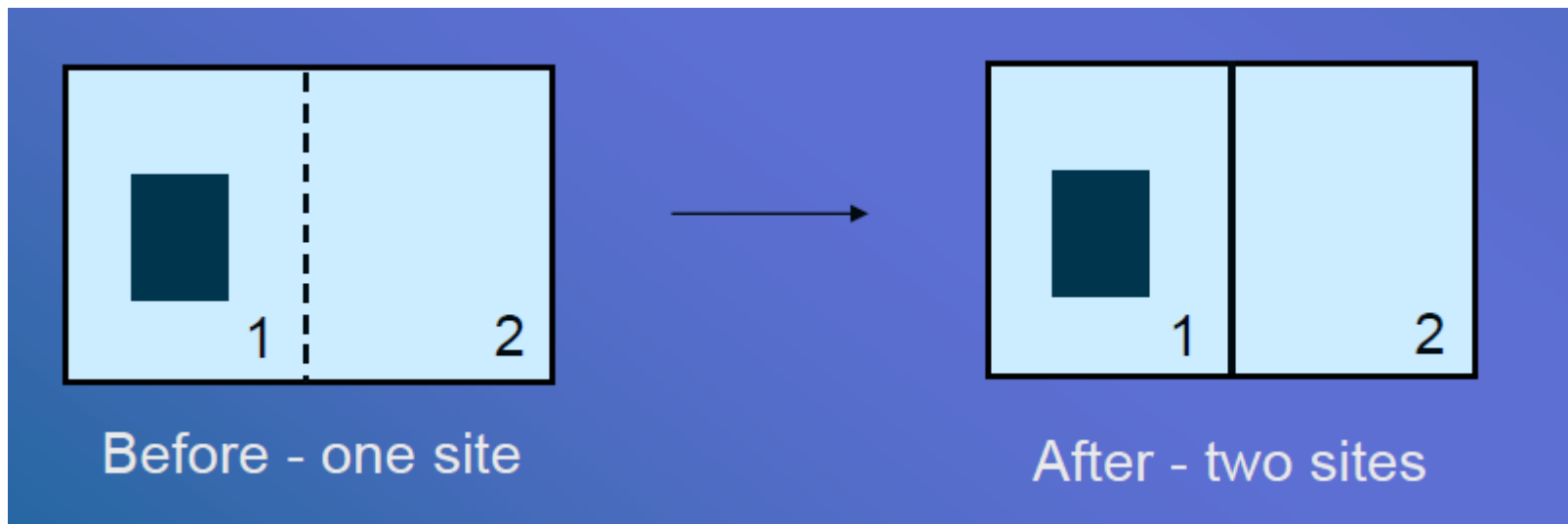
# Background

- Historically, the City has recognized and allowed lawfully created lots to be developed.
- In 1985 the State added language further recognizing the status of legal lots:

**ORS 92.017** “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.”

# Lot Confirmation

- Separates ownership of previously platted lots, or lots of record that were combined under one tax account (tax lot).



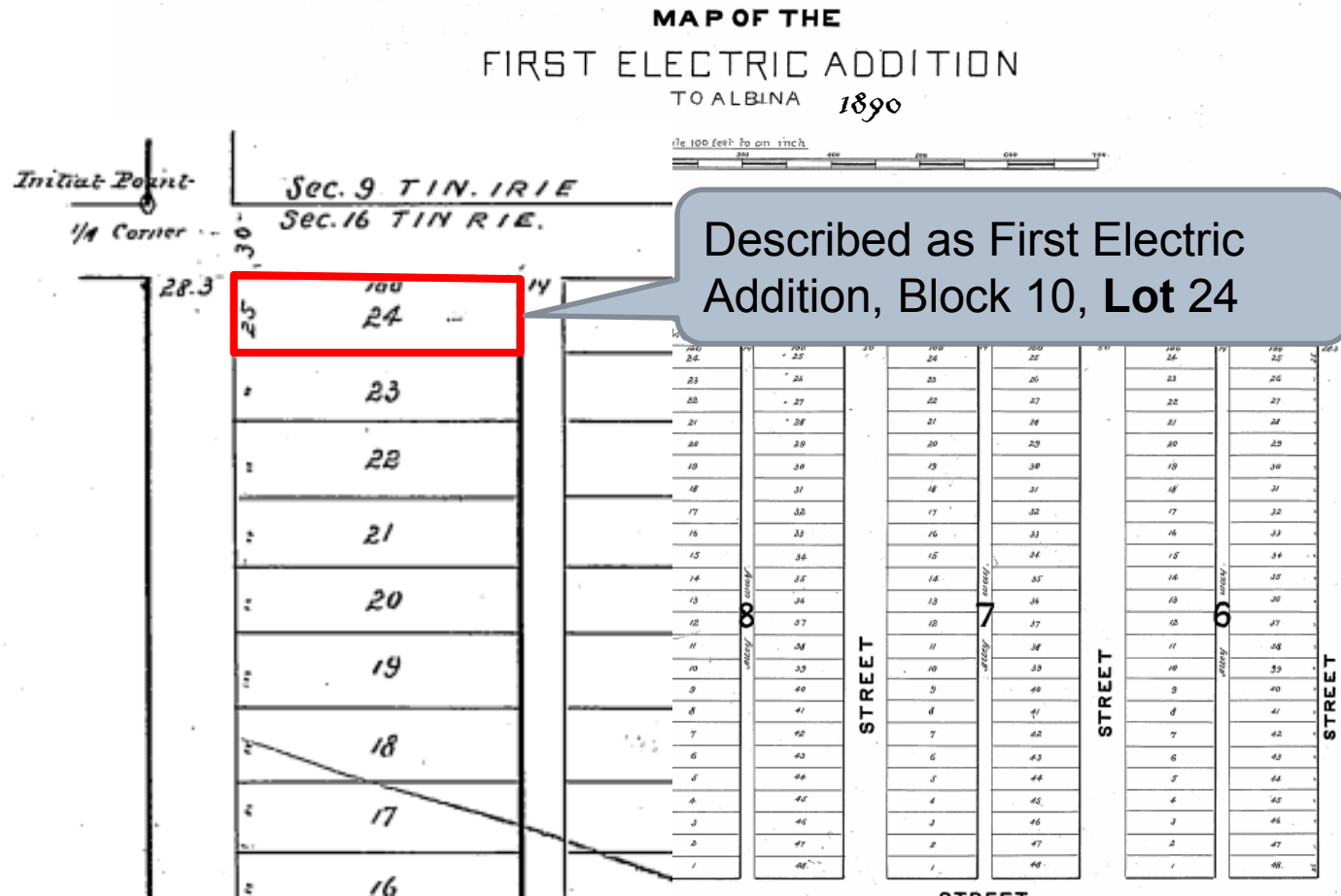
# Helpful Definitions

- Lot
  - Through Lot, Corner Lot, Flag Lot
  - Adjusted Lot (vs Lot Remnant)
  - New Narrow Lot vs. “Skinny Lot”
- Tax Lot
- Lot of Record

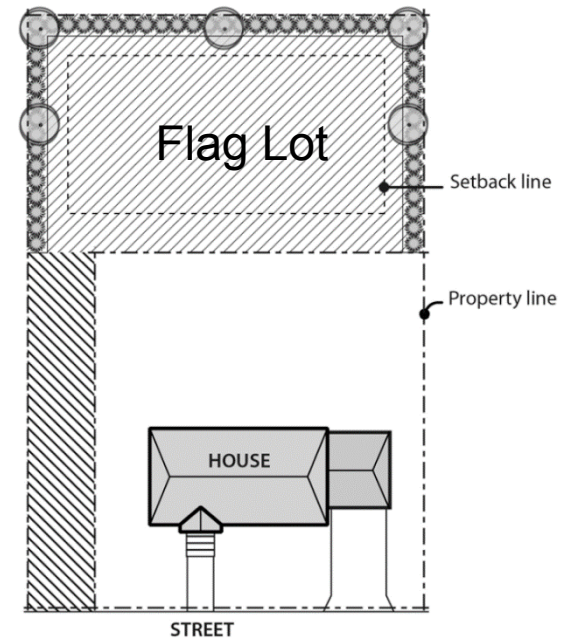
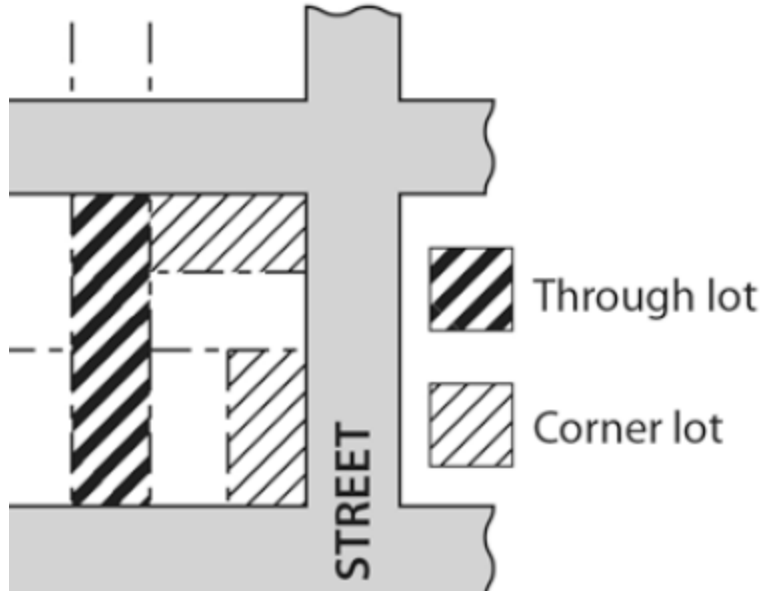


# Lot

A lot is a legally defined piece of land other than a tract that is the result of a land division.

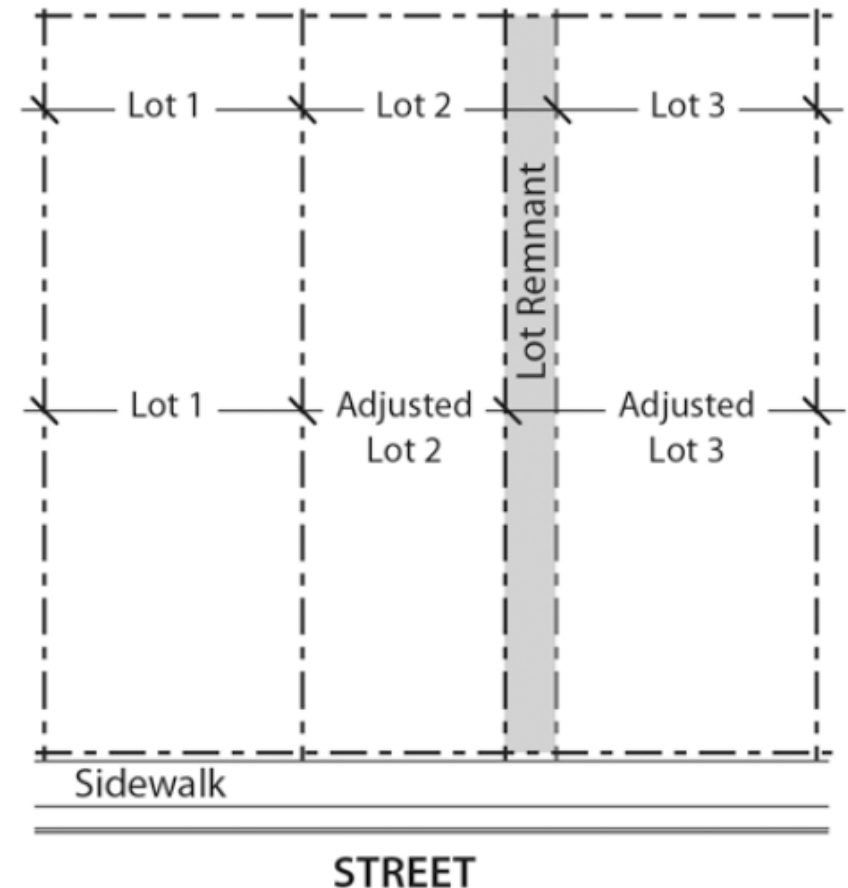


# Through, Corner, and Flag Lots

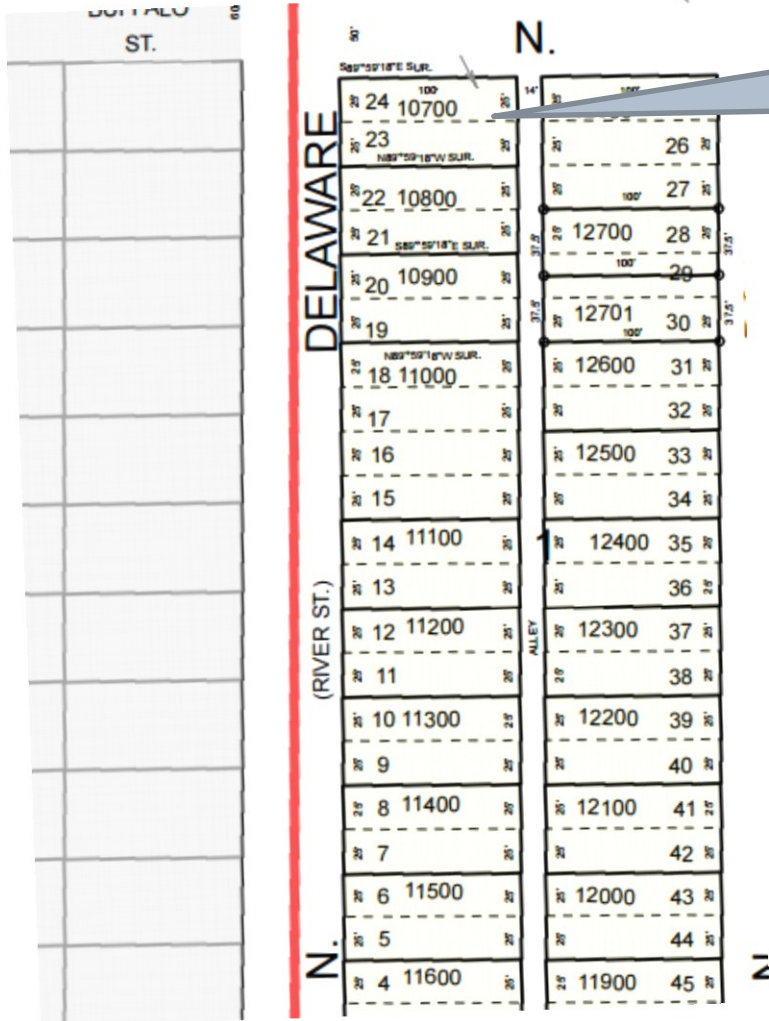


# Adjusted Lot vs. Lot Remnant

- An **Adjusted Lot** is a lot that was altered through a property line adjustment prior to July 26, 1979.
- A **Lot Remnant** is a portion of a lot with 50% or less of the original lot area.

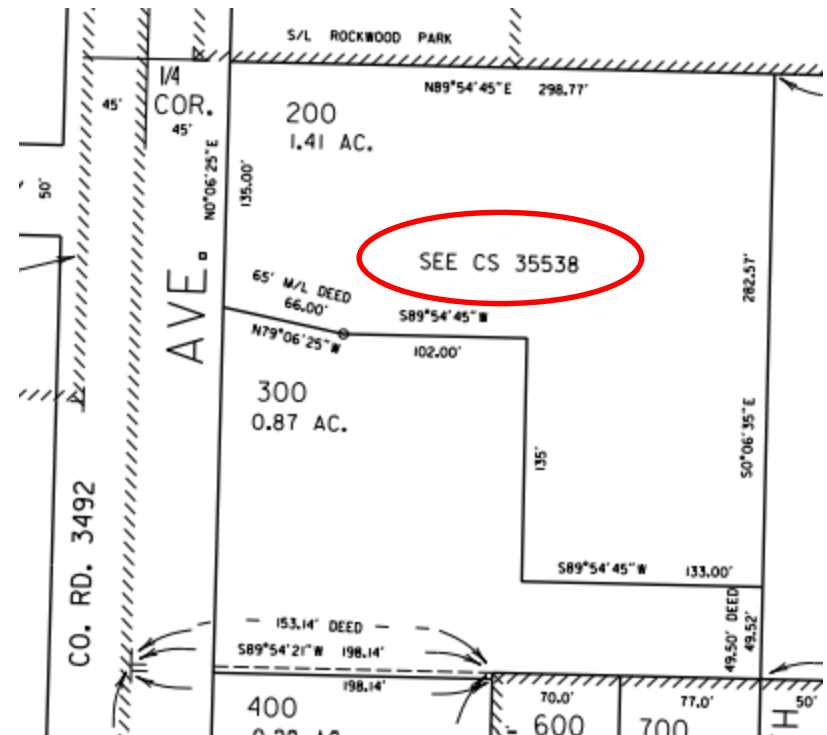


# Tax Lot



# Lot of Record

- A **lot of record** is a plot of land not created through a land division; but rather through a deed or other instrument dividing the land, recorded before July 26, 1979.





# New Narrow Lot / Skinny Lot

- **New Narrow Lot.** A lot that was created by a land division submitted after June 30, 2002 and does not meet the minimum lot width standards.
- **Skinny Lot** – Not a true zoning term. Results from lot confirmations and is a lot that is less than the minimum lot size and width and is not a new narrow lot.



# Lot Confirmation Process

- No notice or neighborhood contact
- Process (6-10 weeks)
- Fees: <\$1,000
- Staff reviews application (and supporting deed info) to confirm lots meet dimensional requirements and other qualifications
- No standards or criteria, except for replacement parking

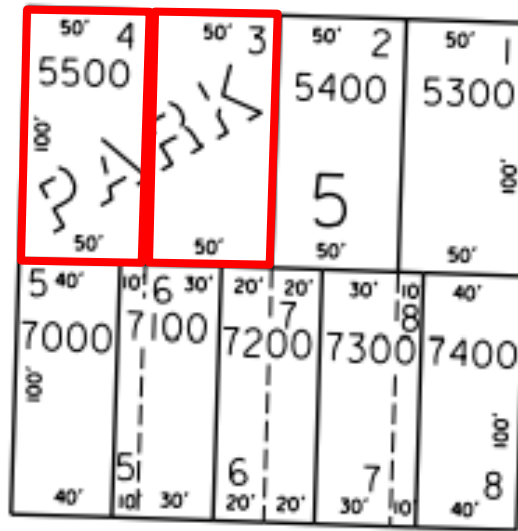
Process time and fees increase if there is an associated property line adjustment

# Density

- Lot confirmation requests are not reviewed to determine compliance with underlying zone density.
- If the lot was lawfully established, the State requires that it be treated as a discrete lot.
- The City retains the zoning authority to determine when primary structures may be built.

# Lot Dimension Requirements

- Not all lot confirmations result in substandard lots.



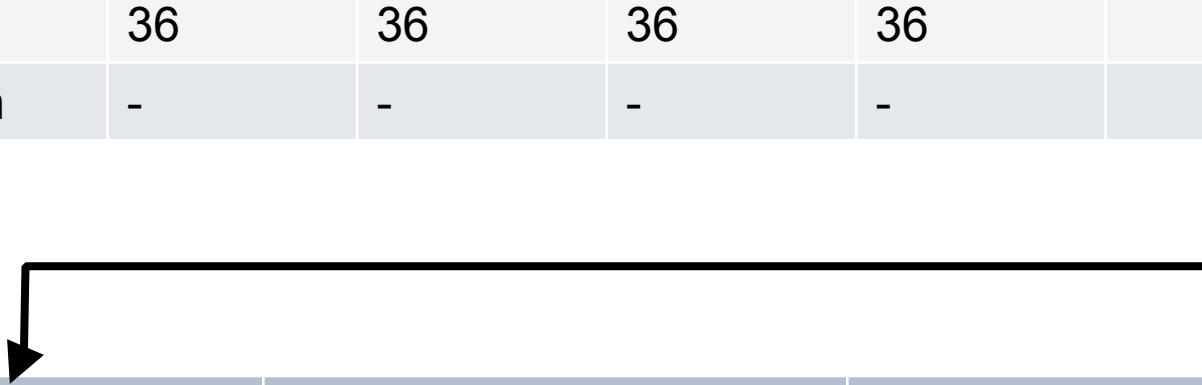
- Substandard lots are not a new issue in the zoning code.

# History of pre-existing lot codes

- 1959 Code
  - 4 zones (R10, R7, R5, A2.5)
  - Pre existing lots: 4,000 s.f. min, 40x80'
- 1983 Code
  - Added RF and R20 zones
  - Pre existing lots: Differentiated size and dimensions by zone, but all below standards
- 1991 – 2002 Code
  - Created substandard lot review
  - Removed size requirements for R5 or R2.5

# Current Code

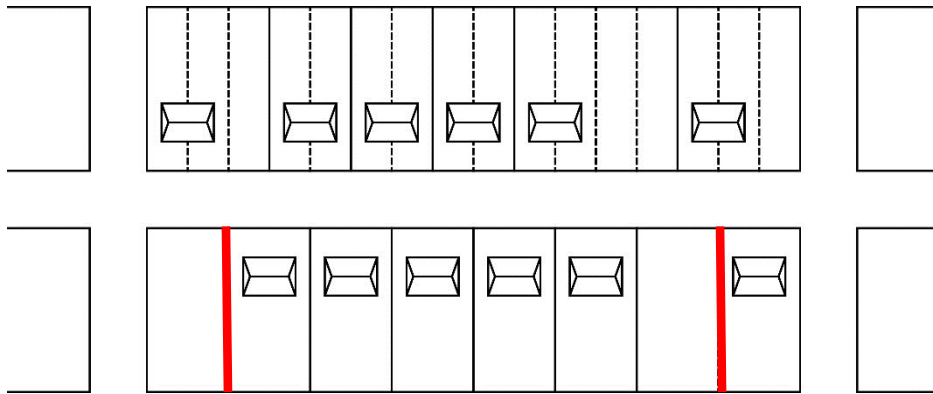
Current Code	RF	R20	R10	R7	R5	R2.5
Size	52,000	12,000	6,000	4,200		1,600
Width	36	36	36	36		-
Depth	-	-	-	-		-



R5 Zone		Min. Size / Min. Width
Lots, including adjusted lots	Not vacant or in e-zone	3,000 s.f. / 36 ft. wide
	Vacant and not in e-zone	2,400 s.f. / 25 ft. wide
	Corner lot PLA	1,600 s.f. / 36 ft. wide
Lot Remnants		3,000 s.f. / 36 ft. wide
Lots of Record		3,000 s.f. / 36 ft. wide

# R5 Lot Confirmation Scenario 1

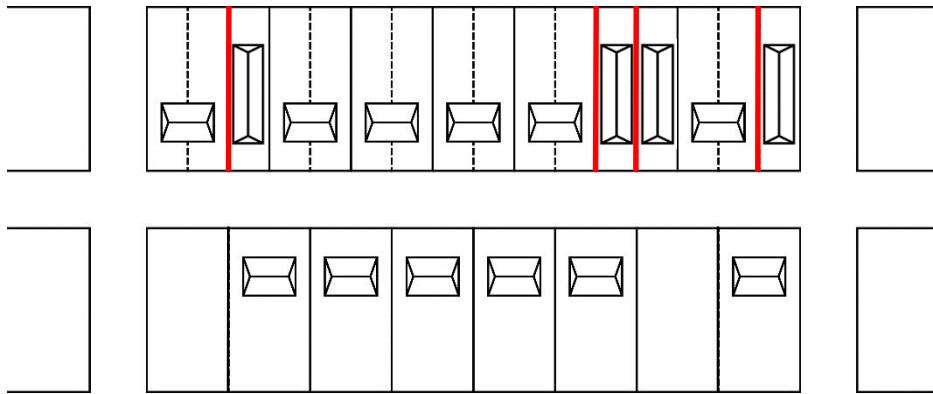
- Conforming Lots (3,000 s.f. and >36' wide)



✓ No special requirements

# R5 Lot Confirmation Scenario 2

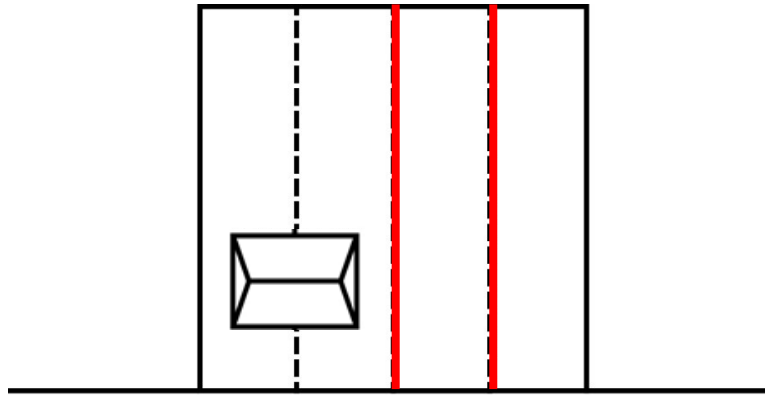
- Skinny Lots (2,400 s.f. and/or <36' wide)



- ✓ Lot must be vacant for at least 5 years
- ✓ Additional development standards apply to house

# R5 Lot Confirmation Scenario 2

- Skinny Lots (2,400 s.f. and/or <36' wide)  
5 year vacancy rule:

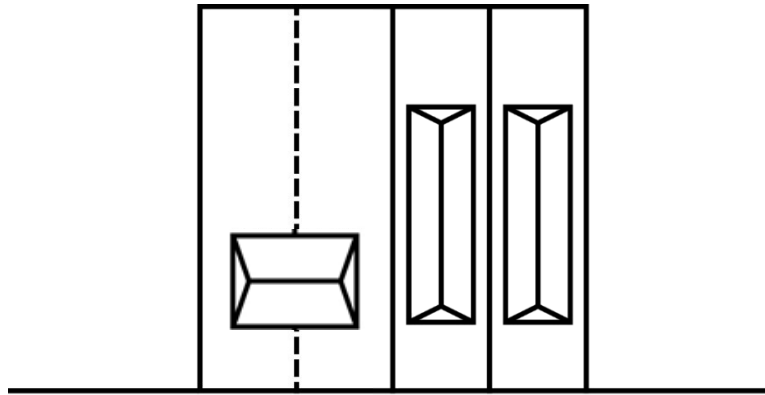


1. Vacant skinny lots are confirmed



# R5 Lot Confirmation Scenario 2

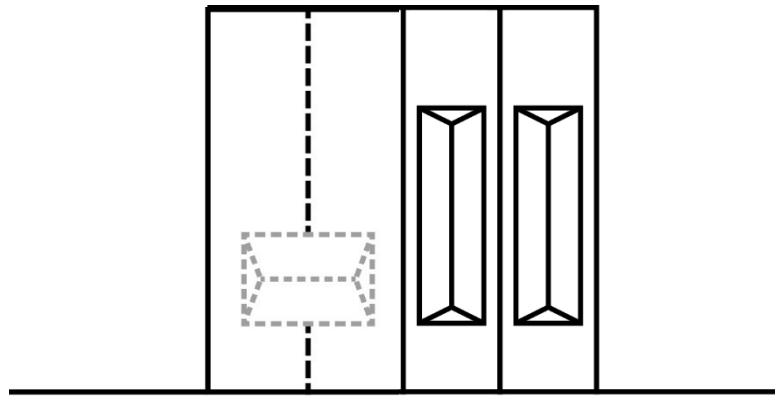
- Skinny Lots (2,400 s.f. and/or <36' wide)  
5 year vacancy rule:



2. Houses are built on confirmed lots

# R5 Lot Confirmation Scenario 2

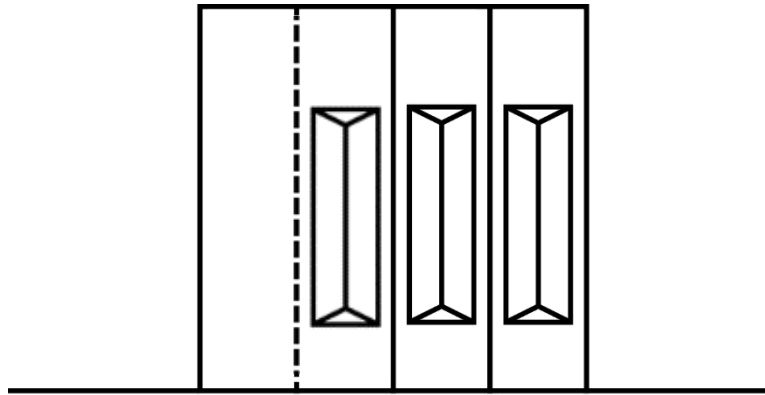
- Skinny Lots (2,400 s.f. and/or <36' wide)  
5 year vacancy rule:



3. House is demolished on remaining lots

# R5 Lot Confirmation Scenario 2

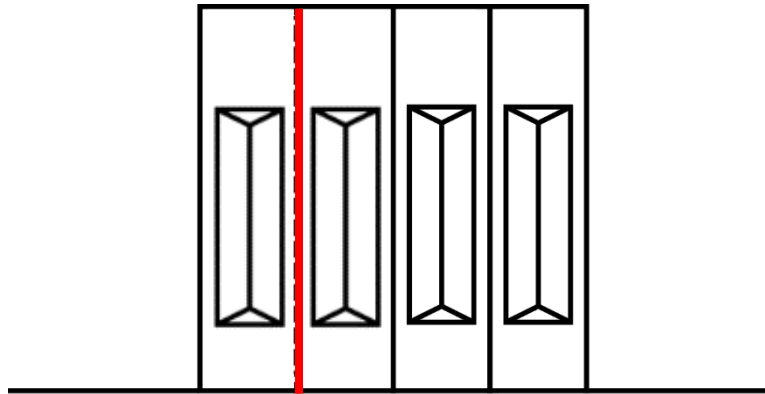
- Skinny Lots (2,400 s.f. and/or <36' wide)  
5 year vacancy rule:



4. New house is built on  $\frac{1}{2}$  of remaining lots

# R5 Lot Confirmation Scenario 2

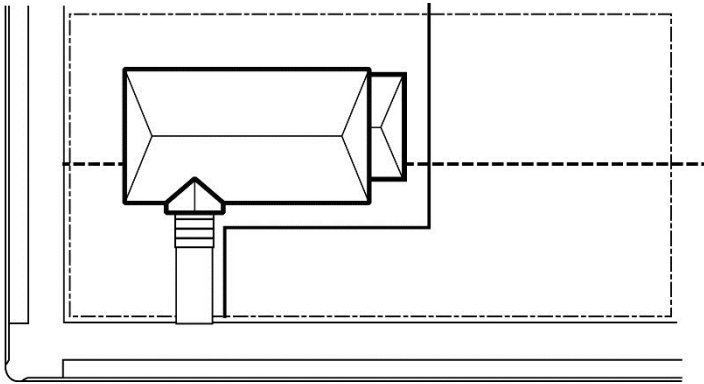
- Skinny Lots (2,400 s.f. and/or <36' wide)  
5 year vacancy rule:



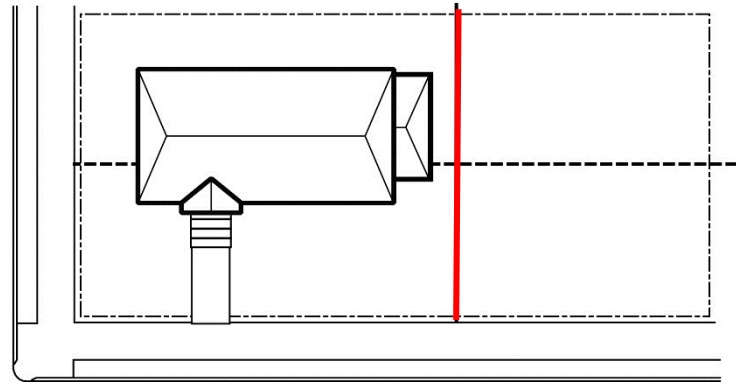
5. Five years later, final house is built on last confirmed lot

# R5 Lot Confirmation Scenario 3

## Corner Lot Property Line Adjustment



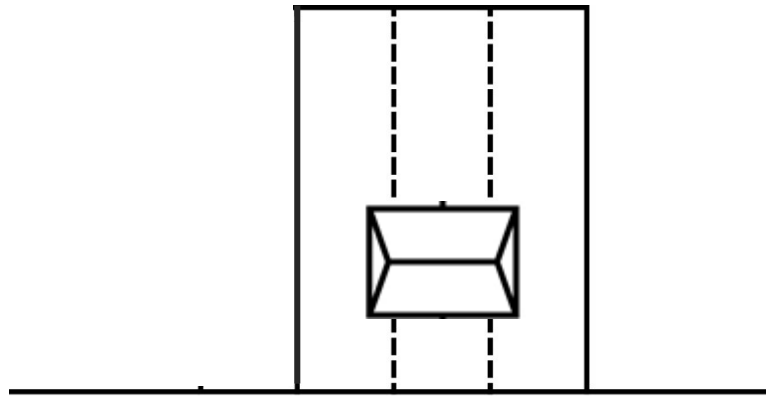
Pre 2010 – lots  
had to be same  
size as original lots



Current Code – lot may be  
1,600 s.f. if at least 36 feet  
wide and the lot line is  
perpendicular to street

# R5 Lot Confirmation Scenario 4

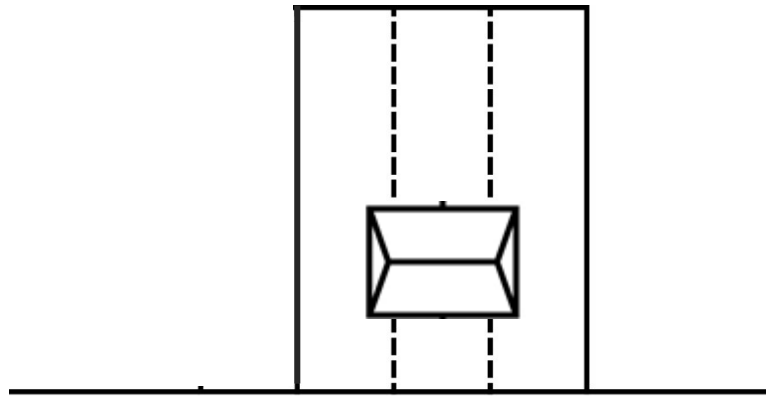
Using a PLA to make conforming lots



1. Existing house sits on three 25x100' lots. None are confirmable individually as they have not been vacant for 5 years

# R5 Lot Confirmation Scenario 4

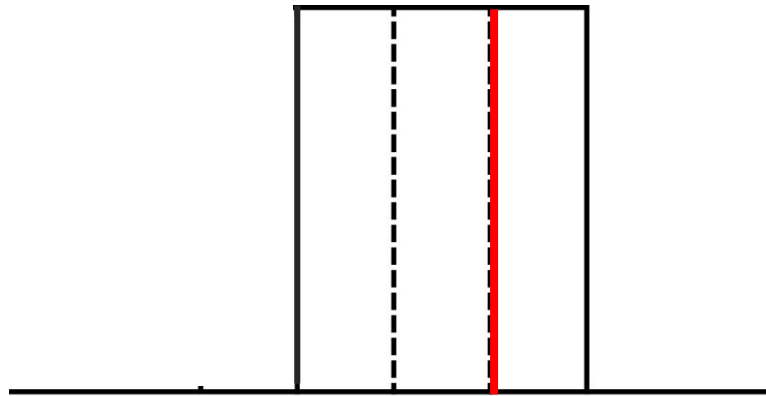
Using a PLA to make conforming lots



2. The existing house is demolished.

# R5 Lot Confirmation Scenario 4

Using a PLA to make conforming lots

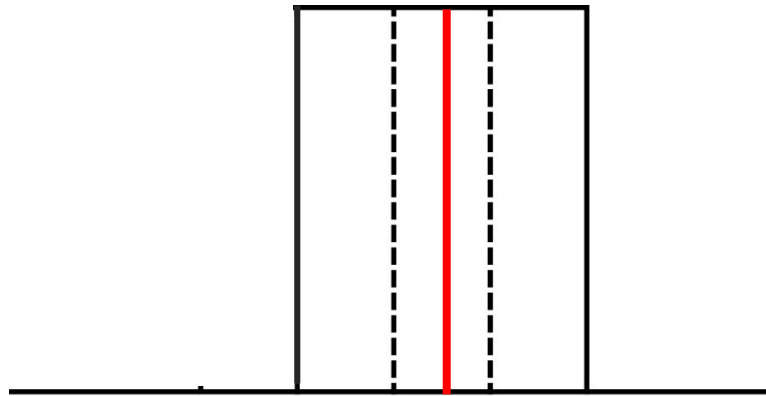


3. One of the three 25x100 foot lots can be confirmed, in conjunction with a property line adjustment...



# R5 Lot Confirmation Scenario 4


Using a PLA to make conforming lots



4. Two 37.5' wide lots result. Since they are both wider than 36 feet and more than 3,000 s.f., both adjusted lots can have houses.

# Lot Confirmation Data - 2009-2013

Zone	Lot Conf.	Conf. w/PLA	Total	Conforming	Below min	5-yr no build	Corner PLA
R5	425	343	768	531	222	7	8
R2.5	110	89	199	117	33	0	49
Other	177	138	315	291	4	0	20
<b>Total</b>	<b>712</b>	<b>570</b>	<b>1282</b>	<b>939</b>	<b>259</b>	<b>7</b>	<b>77</b>



Zone	Historic Platted Lot Dimensions			
	25x100	40x100	50x100	other
R5	109	52	102	162
R2.5	10	24	15	61
Other	22	6	22	127

# Skinny Lots

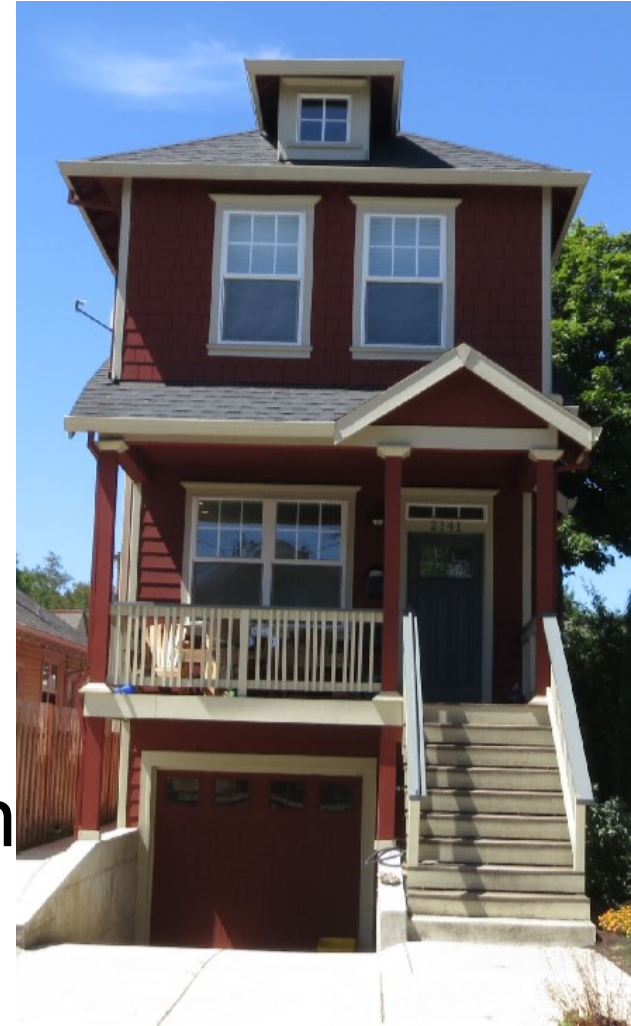
## Additional Development Standards

- Flexibility:
  - Attached houses (2) are allowed
  - No Parking required
- Bulk limitation:
  - Reduced height (1.5 x width)
  - Reduced building coverage (40%)

# Skinny Lots

## Additional Development Standards

- Design elements:
  - Main entrance (4' from grade)
  - Max 8' wide garage door
  - Required exterior finish materials, eaves and trim
- Modifications to standards or setbacks only allowed through Design Review



# Differences Between Houses on New Narrow Lots and Skinny Lots

## New Narrow Lots

- Main entrance w/in 4' of grade (attached houses)
- Attached garage allowed only with PD review
- 50% building coverage
- Height limited to 1.2x width of house in R5
- Height limited to 1.5x width of house in R2.5
- Mostly in R2.5

## Skinny Lots

- Main entrance w/in 4' of grade (all houses)
- 12' wide garage allowed (but not required)
- 40% building coverage
- Height limited to 1.5x width of house in R5
- Height limited to 1.5x width of house in R2.5
- Mostly in R5

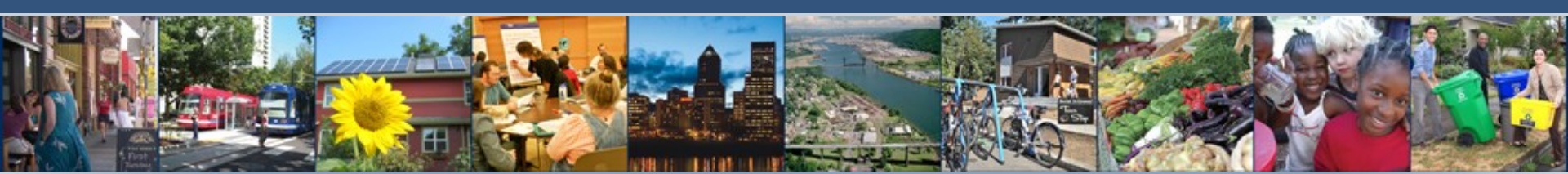
# Differences Between Houses on New Narrow Lots and Skinny Lots

## New Narrow Lots

- Created through Land Division process with additional criteria
- Exceptions to standards require PD review (not Adjustments)

## Skinny Lots

- Reestablished through Lot Confirmation process on vacant lots.
- Exceptions to standards require design review (not Adjustments)



# Additional Questions?



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