

# Better Housing by Design

AN UPDATE TO PORTLAND'S MULTI-DWELLING ZONING CODE



## Revised Proposed Draft

March 2019

## Volume 1:

## Staff Report



Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon

Ted Wheeler, Mayor • Susan Anderson, Director



**The Better Housing by Design project is updating Portland’s multi-dwelling zoning rules to meet needs of current and future residents:**

**For more information ...**

Visit the project website: [www.portlandoregon.gov/bps/betterhousing](http://www.portlandoregon.gov/bps/betterhousing)

Email the project team: [betterhousing@portlandoregon.gov](mailto:betterhousing@portlandoregon.gov)

Call the helpline: 503-823-0195

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

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## Summary

The **Better Housing by Design Revised Proposed Draft** includes proposals for Zoning Code, Zoning Map, and Comprehensive Plan and Map amendments that will affect how development is regulated in Portland's multi-dwelling zones. The *Revised Proposed Draft* incorporates the Portland Planning and Sustainability Commission's (PSC) requests for changes to the earlier *Proposed Draft*. The *Revised Proposed Draft* will be further considered and revised by the PSC before it becomes the PSC's *Recommended Draft*. PSC's decision on the *Recommended Draft* is anticipated by the end of April 2019.

The major components of the Better Housing by Design proposals include the following:

**Diverse housing options and affordability.** Proposals provide more flexibility for a diverse range of housing options – regulating development intensity by building size instead of numbers of units – and prioritize incentives for affordable housing and physically-accessible units.

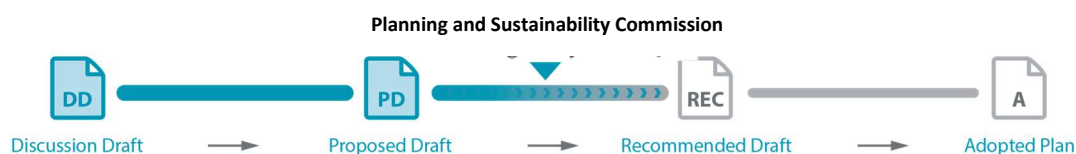
**Outdoor spaces and green elements.** Proposals expand requirements for outdoor spaces for residents, provide more options for innovative green options to meet landscaping requirements, reduce parking requirements, and limit large paved areas.

**Building design and scale.** Proposals include design standards that limit front garages, require entrances oriented to the street, facilitate compact development, and provide new design options for development on major corridors.

**East Portland standards and street connections.** Proposals include standards focused on improving outcomes in East Portland, including approaches to facilitate new street connections.

Other major components that are part of the Revised Proposed Draft include a new array of multi-dwelling zones and related Zoning Map changes, corresponding changes to Comprehensive Plan land use designations, and amendments to commercial/mixed use zone regulations and other Zoning Code chapters to bring consistency with the Better Housing by Design proposals for the multi-dwelling zones.

## Next Steps:



The next draft of the proposal – the *Recommended Draft* – will incorporate the changes the PSC makes to the *Revised Proposed Draft*. The *Recommended Draft* will be forwarded to City Council for additional public testimony and hearings, deliberations, possible amendments and vote. The schedule for when the *Recommended Draft* will be at City Council has not yet been determined.

# Acknowledgments

## City Council

Ted Wheeler, Mayor  
Chloe Eudaly  
Nick Fish  
Amanda Fritz  
Jo Ann Hardesty

## Planning and Sustainability Commission

Katherine Schultz, Chair  
Chris Smith, Vice Chair  
Eli Spevak, Vice Chair  
Jeff Bachrach  
André Baugh  
Ben Bortolazzo  
Mike Houck  
Katie Larsell  
Daisy Quinonez  
Teresa St Martin

## Bureau of Planning and Sustainability (BPS)

Ted Wheeler, Mayor, Commissioner-in-Charge  
Joe Zehnder, Interim Director

## Project Team

Tom Armstrong, Supervising Planner  
Bill Cunningham, Project Manager  
Marc Asnis, City Planner I, Urban Design  
Shannon Buono, Senior Planner  
Jena Hughes, Planning Assistant  
Leslie Lum, City Planner II

## Additional BPS Contributors

Tyler Bump, Senior Economic Planner  
Michele Crim, Sustainability Manager  
Eden Dabbs, Communications  
Nick Kobel, Associate Planner  
Neil Loehlein, GIS Analyst  
Kevin Martin, Growth Modeling  
Carmen Piekarski, GIS Analyst

## Portland Bureau of Transportation

Denver Igarta, Supervising Planner

## Technical Advisory Group

Ted Reid, Metro  
Laura Lehman, BDS  
Stephen Himes, BES  
Jessica Conner, Housing Bureau  
Suzanne Zuniga, Housing Bureau  
Katie Dunham, Parks & Recreation  
Gary Boyles, Portland Fire  
Julie Livingston, Home Forward

## Consultant Team

Otak, Inc., Code Modeling Prototypes  
Economic & Planning Systems, Economic Analysis  
Chip Lazenby, Facilitation  
MultiCultural Collaborative, Facilitation

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## Volume 2 (under separate cover)

**Zoning Code Amendments** *(also includes Comprehensive Plan Amendments)*

## Volume 3 (under separate cover)

### **Additional Zoning Code Amendments**

*(consists of code amendments that provide consistency among zoning code chapters, eliminate redundant regulations, and update references to the multi-dwelling zones)*

## Appendices (under separate covers)

**Appendix A:** Guidance from the Comprehensive Plan

**Appendix B:** Code Modeling – Prototypes

**Appendix C:** Code Modeling – Feasibility Analysis

**Appendix D:** Better Housing by Design – Concept Report

**Appendix E:** Better Housing by Design – Assessment Report

**Appendix F:** Better Housing by Design – Displacement Risk Analysis

**Appendix G:** Connected Centers Street Plan



# Section I: Introduction

**Better Housing by Design: An Update to Portland's Multi-Dwelling Zoning Code** is being led by the City of Portland's Bureau of Planning and Sustainability (BPS). This project is revising Zoning Code development standards in Portland's multi-dwelling zones (R3, R2, R1, and RH) outside the Central City. These medium to high-density residential zones play a key role in providing new housing to meet the needs of a growing Portland. The many types of housing built in these zones include apartment and condominium buildings, fourplexes, rowhouses, and houses.

The project's objective is to revise City regulations to better implement Comprehensive Plan policies that call for:

- Housing opportunities in and around centers and corridors.
- Housing diversity, including affordable and accessible housing.
- Design that supports residents' health and active living.
- Pedestrian-oriented street environments.
- Safe and convenient street and pedestrian connections.
- Design that respects neighborhood context and the distinct characteristics of different parts of Portland.
- Nature and green infrastructure that are integrated into the urban environment.
- Low-impact development that helps limit climate change and urban heat island effects.

This project includes a focus on East Portland to foster more positive development outcomes that reflect the area's distinct characteristics and needs. East Portland, largely located east of 82<sup>nd</sup> Avenue, includes large amounts of multi-dwelling zoning, often in areas that lack good street connections to local destinations and transit. Project staff have coordinated their work with the Portland Bureau of Transportation's (PBOT) Connected Centers Street Plan. PBOT's project is developing new approaches for creating street and pedestrian connections, with an initial focus on East Portland (see **Appendix H**).

## What is in the Revised Proposed Draft?

The ***Better Housing by Design Revised Proposed Draft*** includes proposals for Zoning Code, Zoning Map, and Comprehensive Plan and Map amendments that will affect how development is regulated in Portland's multi-dwelling zones. The Revised Proposed Draft incorporates the Portland Planning and Sustainability Commission's (PSC) requests for changes to the earlier Proposed Draft. The Revised Proposed Draft will be further considered and revised by the PSC before it becomes the PSC's Recommended Draft. PSC's decision on the Recommended Draft is anticipated by the end of April 2019.

The preceding Proposed Draft served as project staff's proposal to the PSC and was informed by public comments received during the Discussion Draft public review period. The Better Housing by Design proposals for code amendments are based on general concepts for code improvements outlined in the **Better Housing by Design Concept Report** (See Appendix D). These concepts were informed by Comprehensive Plan policies, direction from past planning projects, and community input from a series



of Stakeholder Working Group meetings and other public involvement activities (see Public Involvement, page 11). The Concept Report was also informed by the **Better Housing by Design Assessment Report** (see Appendix E), which provided background information on policies, recent construction activity in the multi-dwelling zones, zoning history, development and design issues, case studies, demographics, and housing market conditions.

The Better Housing by Design (BHD) proposals includes the following major components:

- Modified Zoning Map with a new set of multi-dwelling zones.
- Modified Comprehensive Plan and Map with new multi-dwelling land use designations.
- Amendments to the Multi-Dwelling chapter of the Zoning Code (Chapter 33.120).
- Amendments to other Zoning Code chapters that regulate development in the multi-dwelling zones (including chapters 33.258 [Nonconforming Situations], 33.266 [Parking, Loading, And Transportation And Parking Demand Management], 33.612 [Lots in Multi-Dwelling Zones], 33.910 [Definitions], and 33.930 [Measurements]).
- Amendments to other base zone chapters, such as 33.130 (Commercial/Mixed Use Zones), that also allow multi-dwelling development to bring consistency with the BHD code amendments.
- Expansion of the Design (“d”) Overlay Zone to apply to all properties with RH zoning, and removal of the Alternative Design Density (a) overlay zone.

## Why does this project matter?

**Between now and 2035, 80 percent of the roughly 100,000 new housing units developed in Portland will be in multi-dwelling buildings.** Nearly one-quarter of the total growth will be in multi-dwelling zones outside the Central City. Many of those buildings will be along transit corridors and in mixed use centers.

This housing development in and near centers and corridors helps to meet local and regional objectives for locating housing close to services and transit. It also means that a lot more Portlanders will be living in multi-dwelling buildings and that the design of this housing will be important for the quality of living environments for residents and neighborhoods.

The Better Housing by Design project’s draft zoning code amendments are intended to help ensure that new development in the multi-dwelling zones better meets the needs of current and future residents, and contributes to the positive qualities of the places where they are built.





## Key objectives

The proposals in this document address four main topics related to Comprehensive Plan objectives:

- ***Diverse housing options and affordability*** to meet diverse housing needs.
- ***Outdoor spaces and green elements*** to support human and environmental health.
- ***Building design and scale*** that contributes to pedestrian-friendly streets and relates to context.
- ***East Portland standards and street connections*** that respond to the area's distinct characteristics and needs.

Successfully addressing these objectives through these proposals and other efforts will help to make residential living in Portland's multi-dwelling areas healthier, more connected and better designed.

## Addressing equity

**Multi-dwelling zones provide affordable housing opportunities.** A large portion of Portland's new affordable housing is developed in the multi-dwelling zones. These medium- and higher-density zones will continue to play a critical role in providing a broad range of housing to meet the needs of all Portlanders.

**The livability and quality of multi-dwelling housing has a disproportionate impact on the quality of life of people of color and low-income households.** Larger proportions of these populations live in multi-dwelling housing than the general population.

This project has been informed by extensive outreach to people of color, low-income and immigrant households. It continues the work of past projects that focused on healthy housing in multi-dwelling areas. These projects identified the need for *residential open spaces, housing design supportive of healthy living, and better and safer connections to neighborhood destinations* – especially in East Portland.

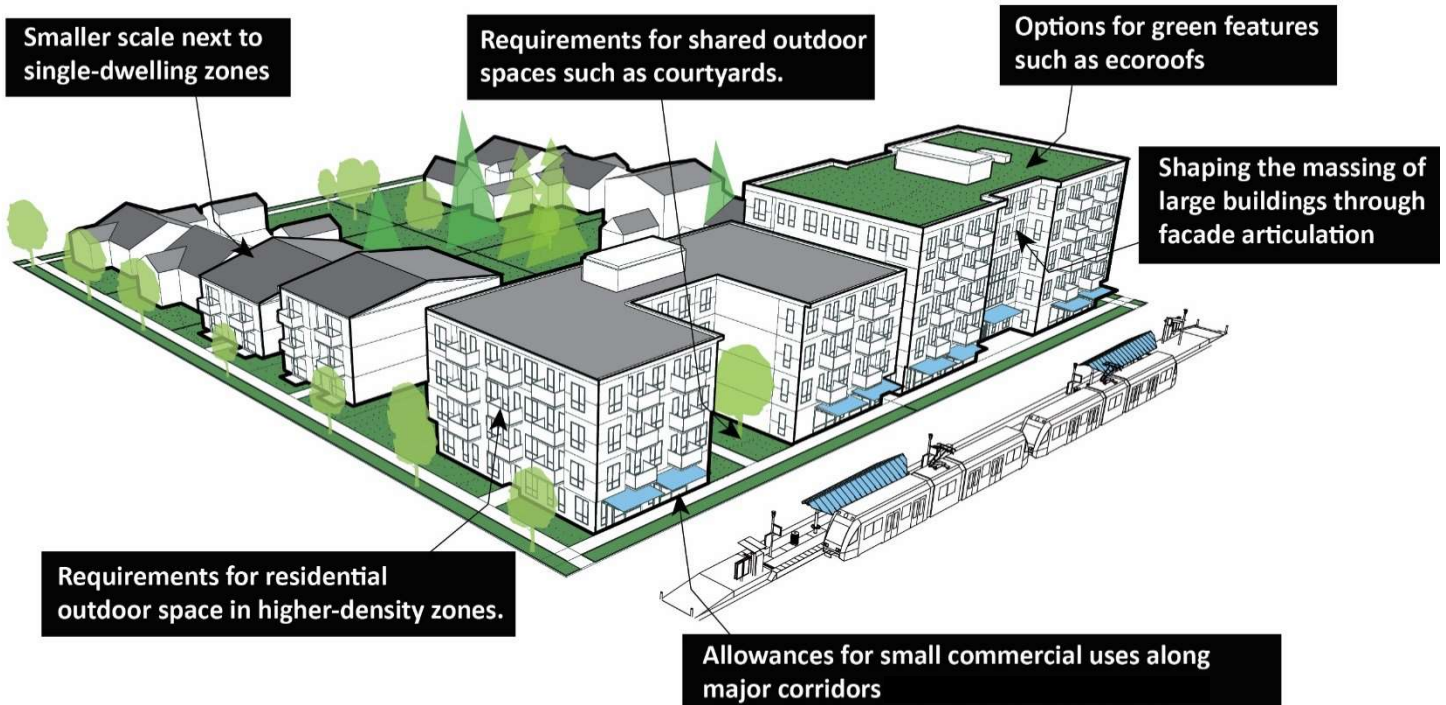


*Examples of the wide range of housing types built in the multi-dwelling zones*

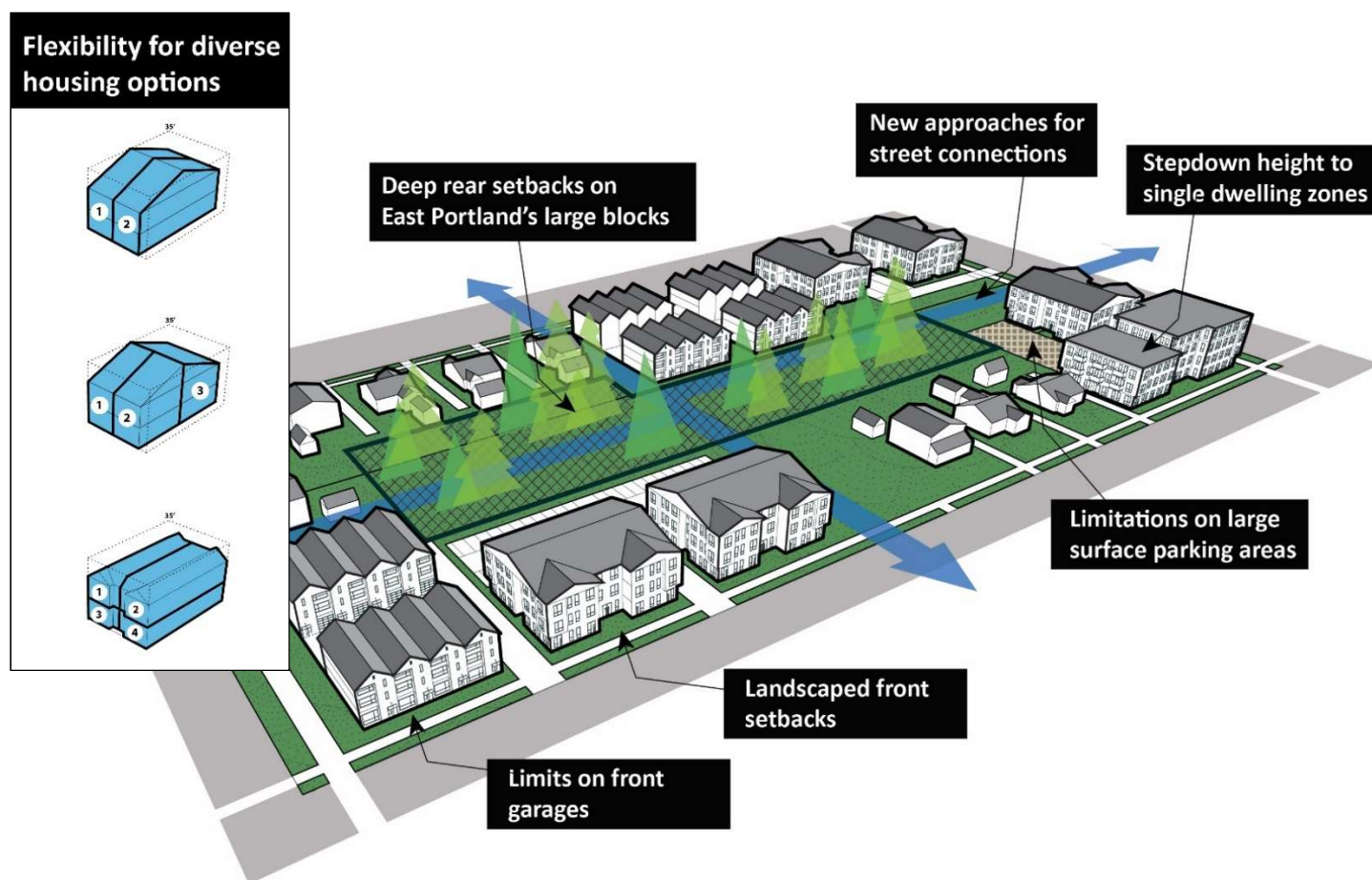
# Major Proposed Changes

The Better Housing by Design proposals include major changes to how the zoning code shapes development in the multi-dwelling zones. The proposals:

- **Provide a revised set of zones that relate to different types of places.** Have smaller scale buildings in zones that transition to single-dwelling zones. Allow larger buildings and small commercial uses along major corridors. The existing R3 and R2 zones are combined into a single new zone (RM1) that limits building height to 35 feet (two- to three-stories) to relate to the scale of single-dwelling zones.
- **Regulate development intensity by building scale (how big the building is) not the number of units in the building.** This provides flexibility for a greater diversity of housing and expands housing options close to services and transit.
- **Add incentives for affordable housing and accessible units.** Use expanded development bonuses and “transfers of development rights” (TDR) to encourage development of new and preservation of existing affordable housing. Also provide a development bonus for projects with physically-accessible units to expand housing options for people of all ages and abilities.
- **Require outdoor spaces.** This includes requirements for courtyards or other shared outdoor areas for projects on large sites and new requirements for outdoor spaces in the higher-density zones.



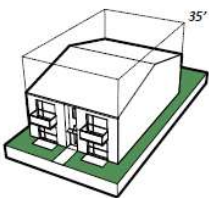
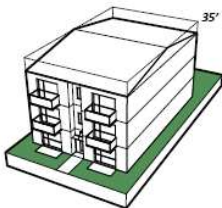


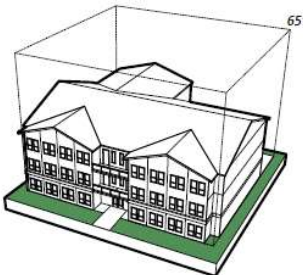

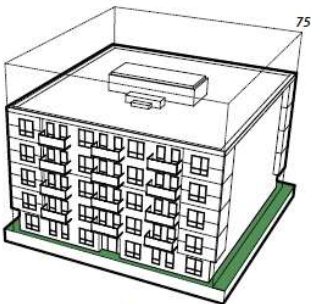
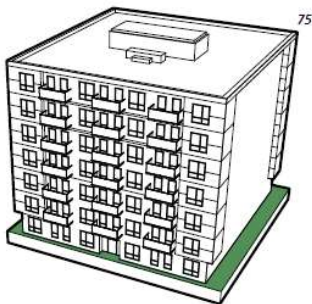
- **Encourage innovative green features and tree preservation.** Allow eco roofs and raised courtyards to meet landscaping requirements, and offer a TDR allowance for projects that preserve large trees.
- **Limit front garages and surface parking.** These changes, coupled with less required parking, reduce the prominence of paving and vehicle areas and create more pedestrian-oriented places.
- **Require landscaped front setbacks.** This will help integrate higher-density development with the green street frontages typical of Portland's residential areas.
- **Shape the scale and design of large buildings.** Require facades of larger buildings to be divided into smaller components and for buildings to step down in height when next to single-dwelling zones.
- **Expand the design review overlay zone to all the high-density residential zones (RH – to become RM3 and RM4).**
- **Apply standards specific to East Portland for better design suited to the area's characteristics.** Require deeper rear setbacks so the centers of the area's large blocks are greener and less built up. Require narrow sites to be combined into larger sites for better site design. Change regulations to make it easier to include street connections with new development.





# Summary of the Proposed Multi-Dwelling Zones

The proposed framework for the multi-dwelling zones includes four new zones that are based on existing zones, but have been refined to relate to different types of places, varying by scale and other development standards. The intensity of development in each zone is regulated by floor area ratio or “FAR” (an FAR of 1 to 1 means 5,000 square feet of building floor area is allowed on a site with 5,000 square feet of land). Each zone includes a base FAR that will apply to most development, as well as a bonus FAR for projects that provide community benefits, such as affordable housing.

	Base FAR	Bonus FAR
<p><b>New Zone: RM1</b>  <b>Former Zones: R2 and R3</b>            This is a low-scale zone that provides a transition to lower-density residential areas, often located edges of centers or along neighborhood corridors, or other areas intended to provide continuity with the scale of established residential areas.  <b>Maximum Height: 35 feet</b>  <b>Maximum Building Coverage: 50%</b></p>	 <p><b>1 to 1</b></p>	 <p><b>1.5 to 1</b></p>
<p><b>New Zone: RM2</b>  <b>Former Zones: R1</b>            This zone is applied in and around a variety of centers and corridors and is intended to contribute to the intended urban scale of these locations, while providing transitions in scale and characteristics to lower-scale residential neighborhoods.  <b>Maximum Height: 45 feet</b>  <b>Maximum Building Coverage: 60%</b></p>	 <p><b>1.5 to 1</b></p>	 <p><b>2.25 to 1</b></p>
<p><b>New Zone: RM3</b>  <b>Former Zones: RH [2:1 FAR]</b>            This is a high-density zone applied in locations close to the Central City and in centers and major corridors. It allows for a mid-rise scale of buildings (up to six stories), and calls for landscaped front setbacks to integrate with established residential neighborhoods.  <b>Maximum Height: 65 feet</b>  <b>Maximum Building Coverage: 85%</b></p>	 <p><b>2 to 1</b></p>	 <p><b>3 to 1</b></p>
<p><b>New Zone: RM4</b>  <b>Former Zones: RH [4:1 FAR]</b>            This is a high-density, more intensely urban zone applied in locations close to the Central City and in centers and major corridors. It is intended to provide a more intensely urban mid-rise or high-rise scale of up to seven or more stories.  <b>Maximum Height: 75 - 100 feet</b>  <b>Maximum Building Coverage: 85%</b></p>	 <p><b>4 to 1</b></p>	 <p><b>6 to 1</b></p>

The RX zone is not included here because its development standards are described and regulated in large part by the Central City and Gateway plan districts.

## Section 2: Direction from the Comprehensive Plan

Portland's Comprehensive Plan provides policy direction regarding development in the multi-dwelling zones. The 2035 Comprehensive Plan guides how and where land is developed to prepare for and respond to population and job growth. The Better Housing by Design project is proposing amendments to some of the Comprehensive Plan's most important implementation tools – the Zoning Code and Zoning Map.

Project staff developed the proposed amendments to be consistent with the Comprehensive Plan's guiding principles, goals, and policies. The following summarizes how these amendments will help implement the guiding principles and summarizes major policy direction relevant to development in the multi-dwelling zones. More detail on Comprehensive Plan policy direction is provided in **Appendix A: Guidance from the Comprehensive Plan**.

### Guiding Principles

The 2035 Comprehensive Plan includes five guiding principles to ensure that implementation of the plan is balanced, integrated and multi-disciplinary. The Better Housing by Design project helps advance the five guiding principles in the following ways (more detail is provided in the Proposal and Analysis section of this report):

#### 1. Economic Prosperity

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

This project supports this principle by expanding opportunities for commercial uses in multi-dwelling zones along corridors and near transit stations, and by expanding housing options in locations where residents can be served by and support commercial services. The proposed amendments contribute to more equitably distributed household prosperity with incentives for the creation of affordable housing. They also do this by supporting the development of compact housing close to services, which helps people spend less on transportation and utilities, and by expanding allowances in East Portland for “live-work” arrangements in which households can have a small home-based business.

#### 2. Human Health

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

This project furthers this principle by increasing opportunities for the housing people need to live secure and healthy lives. The proposals also contribute to human health by ensuring new housing includes residential outdoor spaces that support healthy living and social interaction, through limiting large paved areas that contribute to urban heat island impacts, by facilitating active mobility by allowing more people to live close to services, and by supporting the development of a wide range of housing that can meet the diverse needs, abilities, and economic conditions of Portlanders.

### **3. Environmental Health**

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

This project helps implement this principle by providing incentives for tree preservation, requiring outdoors spaces that expand opportunities for trees and other green elements, limiting paved surfaces, supporting the use of eco roofs and other green infrastructure, and by expanding options for the development of energy-efficient compact housing in locations supportive of low-carbon transportation options (such as transit, walking, and bicycling).

### **4. Equity**

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

This project advances this principle by providing incentives for the creation of new affordable housing and for preserving existing affordable housing. The proposals also contribute to equity through development bonuses for “visitable” housing that is physically-accessible to people with a range of abilities, through provisions that address the need for street connections and outdoor spaces in East Portland, by increasing opportunities for home-based businesses and services along East Portland's corridors, and through focused engagement with low-income renters and other historically under-represented populations to help shape the project's proposals.

### **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.*

The project's proposals support this principle by helping to focus growth in and around centers and corridors to avoid sensitive natural areas and hazards, contributing to complete neighborhoods that support neighborhood resilience and a low-carbon economy, supporting a diversity of housing options responsive to changing demographics and household needs, and limiting urban heat islands that will be an increasing threat in a warming climate.

## Comprehensive Plan Policies Related to the Multi-Dwelling Zone

A wide range of Comprehensive Plan policies provide guidance regarding development and intended outcomes in the multi-dwelling zones. These policies played a major role in shaping the Better Housing by Design project proposals and are listed in detail in Appendix A. In summary, policies especially relevant to the multi-dwelling zones call for development to:

- Accommodate housing growth, especially in and around centers, corridors, and transit station areas.
- Contribute to providing a diversity of housing types, including an adequate supply of affordable housing and physically-accessible housing.
- Provide healthy and safe environments for residents, with design that supports active living.
- Provide pedestrian-oriented environments that are accessible to people of all ages and abilities.
- Contribute to a network of safe and accessible street and pedestrian connections, especially around centers and transit stations.
- Use design that responds to and enhances the positive qualities of context, including the distinct characteristics of Portland's five neighborhood pattern areas.
- Integrate nature and green infrastructure into the urban environment, avoid environmental impacts, and reduce impervious surfaces and urban heat island effects.
- Use resource-efficient design and development approaches.

The Proposal and Analysis section of this report provides a summary of the policy basis for each of the proposals.





## Section 3: Public Involvement

The concepts for multi-dwelling zone code improvements that were a basis for the Better Housing by Design proposals were informed by a range of public involvement activities.

### Stakeholder Working Group Meetings

A series of five Stakeholder Working Group (SWG) meetings were held from March through May 2017. These meetings included participants with a range of perspectives and experience, including community group representatives, development professionals, tenant advocates, neighborhood residents, affordable housing providers and age-friendly advocates.

These meetings served as a forum for discussing issues and potential solutions, and to help inform project staff as they developed concepts. Each meeting covered a different set of topics; three of the meetings focused on development and street connectivity issues in Eastern Portland. Participants in the SWG meetings were not appointed, and meetings were open to any interested community members. This approach provided flexibility for a variety of participants with interest and experience in the specific topics and geographies for each meeting.



### Community Walks in the Jade District and Rosewood Neighborhood Centers

Walks with community stakeholders were held in the Jade District and Rosewood neighborhood centers during October and November 2016. Participants shared perspectives on multi-dwelling development and street connectivity issues in these areas, which served as study areas for both the Better Housing by Design project and PBOT's Connected Centers Street Plan project.

### Roundtable Discussions with Development Professionals

Three roundtable discussions were held with affordable housing providers, designers, and builders and developers in January and February 2017. These discussions allowed staff to hear from development professionals about what is working or not working well with Portland's multi-dwelling regulations and how they can be improved. Staff also solicited feedback on potential new directions and implementation ideas.

### Initial Public Workshop

Project staff held a public workshop on February 25, 2017, to introduce the project to the broader public and provide an initial opportunity to discuss issues related to multi-dwelling development and street connectivity. The event was held at PCC Southeast at SE 82<sup>nd</sup> and Division to accommodate community members who live in Eastern Portland.

## Public Open Houses on Draft Concepts

On June 1 and June 3, 2017, staff held public open houses to present the draft code concepts and hear initial public input prior to the release of the Concept Report. Again, one of the open houses was held at PCC Southeast for the convenience of East Portlanders.

## Meetings with Community Groups

Project staff met with a range of community groups to introduce project issues and potential solutions, and to receive feedback, including:

- Neighborhood district coalitions
- Jade District/APANO
- The Rosewood Initiative
- Anti-displacement PDX
- Urban League
- East Portland Action Plan Housing Subcommittee

## Ongoing Communication

Regular communications about the Better Housing by Design project were made available through the project website, monthly e-mail updates to the project mailing list, Bureau of Planning and Sustainability newsletters, social media sites (Facebook, NextDoor and Twitter) and media releases.

## WHAT STAFF HEARD

Among the many issues raised by community members during the concept development phase were:

- Participants in SWG meetings emphasized the need to address Portland's housing challenges by **prioritizing affordable housing and expanding housing opportunities**. Other important priorities were having development contribute to **pedestrian-friendly streets and usable outdoor space** for residents. Points of contention in these meetings and other community meetings included differing perspectives on off-street parking and compatibility with neighborhood characteristics.
- East Portland community members emphasized the importance of including **areas for play and gathering** as part of multi-dwelling development, especially given the many families living in apartments in the area and the lack of parks. They also emphasized the need for **designing pedestrian connections for safety**.
- Development professionals emphasized the need for **predictable regulations and allowing development flexibility**. Some indicated that development and density standards in the multi-dwelling zones complicated development; that it was easier to do multi-dwelling development in commercial zones than in the multi-dwelling zones. Many also indicated that it was important to reduce the cost of creating new streets because providing street connections affected the feasibility of projects and housing affordability.

More complete information on public input, including summary notes and submitted comments from the project's public events, are included in the *Concept Report Appendices*.

## DISCUSSION DRAFT

The Discussion Draft, published on January 22, 2018, served as the first opportunity for the public to review and comment on draft zoning code regulations, which were developed by staff based on ideas for code improvements in the project's Concept Report. The public review period for the Discussion Draft was from January 22 through March 19, 2018. During this period, staff used a variety of approaches for community members to learn about the Discussion Draft proposals and provide comments, including:

- **Two public open house events**, held on January 31 and February 8, 2018. The first event was held in central Portland, while the latter was held in the Gateway District for the convenience of East Portlanders.
- **A Stakeholder Working Group meeting** was held on February 22, 2018 to review and discuss the Discussion Draft proposals.
- **An East Portland Residential Outdoor Spaces workshop** was held on March 14, 2018, to provide an opportunity for East Portland community members to have an in-depth discussion on proposals for deep rear setbacks and outdoor spaces in East Portland.
- **A display in the lobby of the 1900 SW Fourth Avenue Building** was set up from March 7 through March 20, 2018 to publicize the Discussion Draft proposals and opportunities to provide comments.
- A **news blog post** was featured on the Better Housing by Design project website.
- **E-mail updates** were sent to the project mailing list.
- **An online questionnaire** provided a convenient way to comment on specific Discussion Draft proposals.
- **Presentations and discussions were held at 20 meetings** of community groups and other organizations.

More than 350 attendees participated in public events and meetings where the Discussion Draft proposals were presented and discussed. Staff received 76 comment submittals from individuals and organizations.

## PROPOSED DRAFT

Comments received during the Discussion Draft public review period informed the Proposed Draft, which served as staff's proposal to the Planning and Sustainability Commission (PSC). The Proposed Draft was posted on the project website on May 11, 2018—32 days before the PSC's public hearing on June 12, 2018. As part of the Proposed Draft publication and legislative process requirements, the following legal notices were sent:

- **Form 1 Notice**  
State notice sent to the Oregon Department of Land Conservation and Development.
- **Legislative Notice** (344 notices)  
City notice sent to interested parties, recognized organizations, affected bureaus, TriMet, Metro and ODOT.
- **Measure 56 Notice** (33,630 notices)  
State Ballot Measure 56 notice sent to owners of each 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 was featured in blog posts on the project website, e-updates to project mailing list, and media releases and posts by BPS on Twitter and Facebook.

The PSC received 270 pieces of testimony on the Proposed Draft from individuals, organizations, and neighborhood associations through the Map App, mail, email, and verbally. Over 30 people testified in person during public hearing held on June 12, 2018.

After the Planning and Sustainability Commission considered public testimony, they held a series of work sessions to consider and deliberate over suggested changes to the Proposed Draft. During these work sessions, the Commission gave staff direction to develop revised code and map proposals to reflect the changes they discussed. This Revised Proposed Draft incorporates those changes and will be reviewed by the PSC to ensure that the direction they provided staff through their work sessions has been effectively incorporated into the proposal. Additional amendments may be introduced by the PSC before their final vote on a formal recommendation to City Council.

#### **Draft code amendments in the Revised Proposed Draft**

Code refinements requested by the PSC and incorporated into the Revised Proposed Draft include the following:

- Allow all FAR bonuses and transfer allowances to be used in historic and conservation districts, in both multi-dwelling and commercial/mixed use zones (the Proposed Draft excluded some bonuses and all FAR transfer allowances from being used in historic districts).
- Change the visitability standards into a bonus (instead of a requirement) providing 25 percent additional FAR when at least 25 percent of units meet visitability standards.
- In the RM2, RM3, and RM4 zones, change the step-down height across local service streets from single-dwelling zones to 45 feet (instead of 35 feet).
- Retain the existing 100-foot building height allowance in the RM4 zone within 1,000 feet of transit stations and expand this height allowance to also apply within 500 feet of frequent transit lines (outside historic districts).
- In the Inner Pattern Area, allow for zero side setbacks in multi-dwelling zones along Civic and Neighborhood corridors when abutting mixed use zoning or other multi-dwelling zone properties.
- Modify the garage and structured parking limitation standards to be similar to proposed single-dwelling zone standards.
- Allow detached accessory structures in required setbacks, regardless of housing type or site size.
- Increase the small site threshold from 7,500 square feet to 10,000 square feet. Applies to exceptions to setback landscaping, requirements for alley access, as well as to exceptions to minimum parking requirements in the multi-dwelling and mixed use zones.

- Other amendments to Chapter 33.130 (Commercial/Mixed Use Zones) to provide constancy with proposed regulations in the multi-dwelling zones, including:
  - Allow historic preservation FAR transfers citywide (instead of current two-mile maximum distance).
  - Modify the commercial/mixed use zones parking standards to require 1 space for every 2 units for larger sites outside frequent transit buffers.
  - In the CM2 and CM3 zones, change the step-down height across local service streets from single dwelling zones to 45 feet (instead of 35 feet). Also, eliminate requirements for height step downs in the CM3 zone in locations adjacent to the RM2 zone.
  - In the Inner Pattern Area, allow for zero setbacks from property lines abutting properties with multi-dwelling zoning along Civic and Neighborhood corridors.

### ***Recommended Draft to City Council***

After the PSC approves their Recommended Draft, the proposal will move on to City Council for public hearings and council deliberation. The public will be invited to testify on the PSC's proposals at that time. The dates for the City Council public hearings on the Recommended Draft have not yet been determined.





## Section 4: Proposal and Analysis

This section summarizes major Zoning Code and Zoning Map amendments proposed by the Better Housing by Design project. This section briefly describes each proposal and provides an explanation of the problems and policy issues the proposal is intended to help address. The proposed regulatory changes are intended to better implement Comprehensive Plan policies and to improve development outcomes in the multi-dwelling zones.

Following an overview of the proposed framework of multi-dwelling zones and Zoning Map amendments, the Zoning Code proposals in this section are organized by the following major topics and implementing approaches:

### **Diverse Housing Options and Affordability** to meet diverse housing needs.

1. Regulate by building scale instead of unit density.
2. Prioritize affordable housing by increasing inclusionary housing development bonuses and through a family housing bonus.
3. Promote physically-accessible housing through a visitable units bonus.
4. Provide incentives for preserving trees and existing affordable housing through transfers of development rights.
5. Allow small-scale commercial uses on major corridors.



### **Outdoor spaces and green elements** that support human and environmental health.

6. Require residential outdoor areas in high density zones.
7. Require shared common areas for large sites.
8. Allow alternatives to conventional landscaping.
9. Limit large surface parking lots and asphalt paving.
10. Reduce parking requirements, especially on small sites.



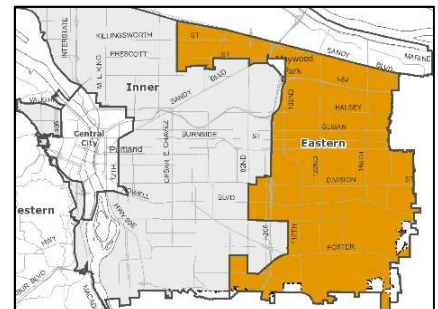
### **Building design and scale** that contributes to pedestrian-friendly streets and relates to context.

11. Limit front garages and parking along street frontages.
12. Require building entrances to be oriented to streets or to courtyards.
13. Require front setbacks that reflect neighborhood patterns and provide privacy.
14. Simplify side setback regulations to reduce barriers to compact development.
15. Require building height transitions to single-dwelling zones.
16. Require large building facades to be divided into smaller components.
17. Provide design options that support urban development along major corridors.



### **East Portland standards and street connections** that respond to the area's distinct characteristics and needs.

18. Continue East Portland mid-block open areas through requirements for deep rear setbacks.
19. Require street frontages wide enough for quality site design and to provide space for new street connections in East Portland centers.
20. Calculate development allowances prior to street dedication to facilitate street connections.



## New Zoning Framework

The Better Housing by Design proposals include new names for the multi-dwelling zones to reflect proposed changes to the zones. The most significant change from current regulations is a proposal to move from regulating development intensity by **unit density** to an approach that regulates by **building scale** – primarily floor area ratios [FAR] in combination with building height limits and other development standards. FAR is the relationship of allowed building floor area to the size of the site – an FAR of 1 to 1 means that 10,000 square feet of building floor area is allowed on a site that is 10,000 square feet in area. This change primarily affects the smaller-scale zones (R3, R2, R1) and will bring consistency with the FAR-based approach already used in the other multi-dwelling zones and in the commercial/mixed use zones. See pages 26 – 27 regarding the proposed scale-based approach.

The current zone names for the smaller scale zones are based on unit density (e.g., R2 – “Residential 2,000” corresponds to a maximum density of 1 unit per 2,000 sq. ft. of site area), which will be less relevant with the proposal to regulate by development scale/FAR. The new approach uses zone names that are consistent with the naming convention used for the commercial/mixed use zones, in which larger zone name numbers correspond to allowances for larger-scale development. The new approach also divides the current RH zone into two separate zones (RM3 and RM4) that reflect the different FARs and development standards that apply within the RH zone (which includes two separate levels of FAR: 2 to 1 and 4 to 1). The proposed zones and their general characteristics and locations are as follows:

**The RM1 zone**, which combines the former R3 and R2 zones, is a low-scale zone that provides a transition to single-dwelling residential areas, often located at the edges of centers or along neighborhood corridors, or other areas intended to provide continuity with the scale of established residential areas.

**The RM2 zone**, formerly the R1 zone, is a medium-scale zone applied in and around a variety of centers and corridors and has similar allowed building height (up to four stories) as the predominant commercial/mixed use zones in these areas. Proposals allow for additional building coverage (up to 70 percent) for properties adjacent to civic or neighborhood corridors.

**The RM3 zone**, formerly the RH zone (2 to 1 FAR), is a high density, mid-rise zone applied in locations close to the Central City and in centers and major corridors, and includes requirements for front landscaping to integrate with established residential neighborhoods.


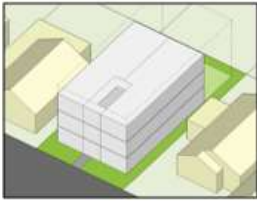

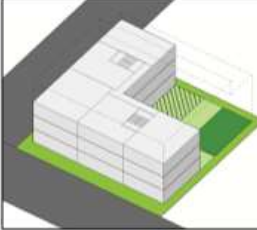

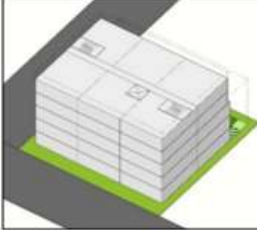

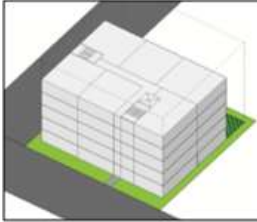

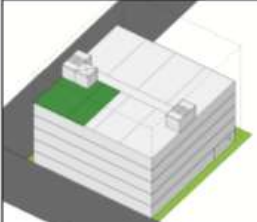


**The RM4 zone**, formerly RH zoning mapped for an FAR of 4 to 1, is an intensely urban, mid- to high-rise zone applied in locations close to the Central City and in centers and major corridors.

**The RX zone** is the most intensely urban residential zone and is applied within the Central City and the Gateway Regional Center.

**The RMP zone** is applied to manufactured dwelling parks. No changes are proposed to the names and development standards of the RX and RMP zones (not shown on Proposed Multi-Dwelling Zones table).

The new zones continue most of the current zones’ basic development parameters, such as building height, coverage, and landscaping (see page 53 for a comparison of current and proposed development standards). The most fundamental changes are the new FAR approach for the smaller-scale zones and the merging of the R3 and R2 zones into the new RM1 zone (see page 21). Another significant change involves refinements to the additional scale (FAR) allowed through development bonuses for projects that provide affordable housing, family-sized units (three bedrooms), visitable units, or through transfers of development rights.

## Summary of the Proposed Multi-Dwelling Zones

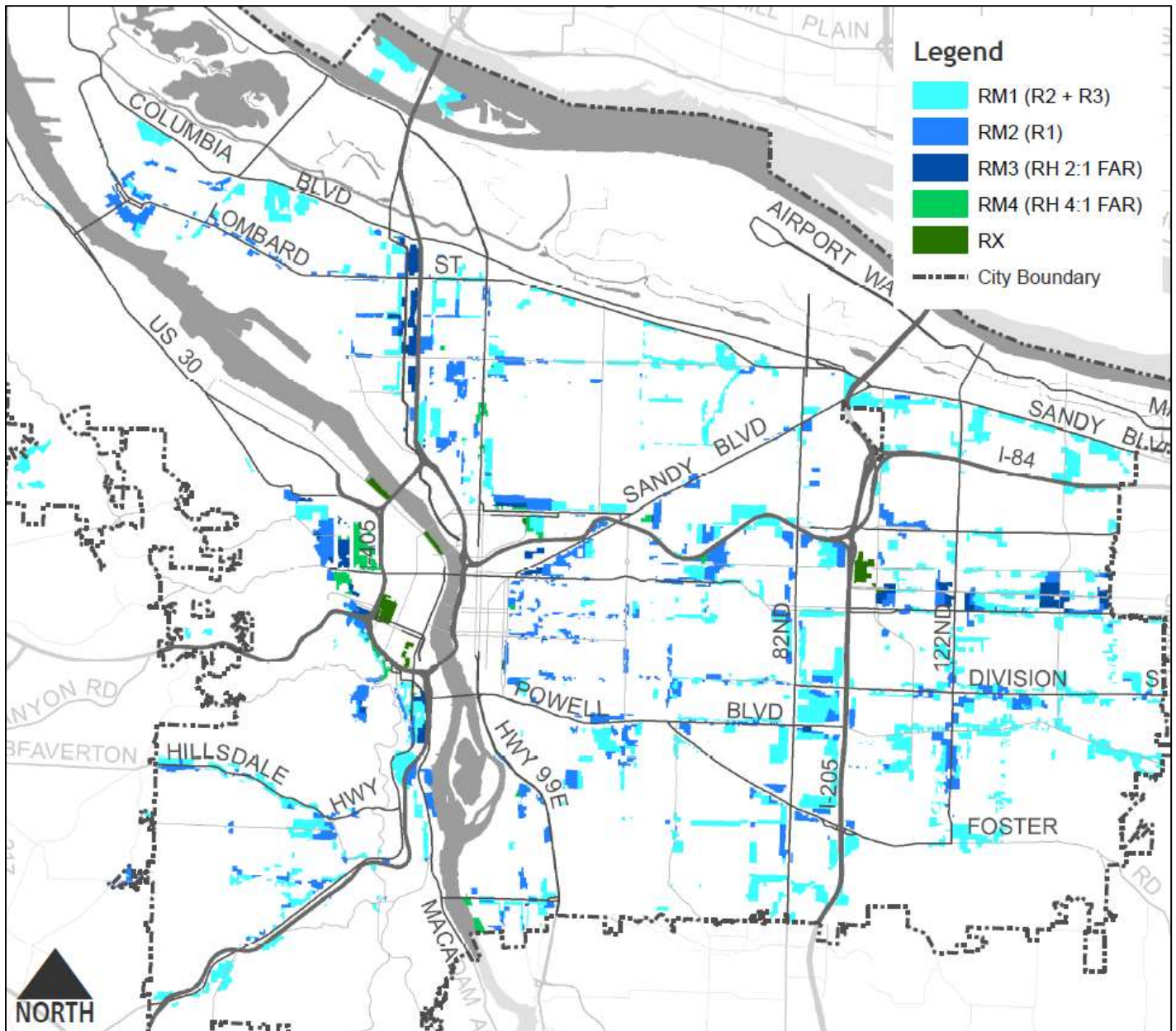
New Zone	Existing Zone	Max. Height	Max. Building Coverage & Landscaping	Base FAR	Bonus FAR	Special Bonus for Deeper Housing Affordability
RM1	R2 & R3	35 ft.	50% Coverage  30% Minimum Landscaping	1 to 1 	1.5 to 1 	2 to 1 FAR 
RM2	R1	45 ft.	60% Coverage  20% Minimum Landscaping	1.5 to 1 	2.25 to 1 	3 to 1 FAR 
RM3	RH	65 ft.	85% Coverage  15% Minimum Landscaping	2 to 1 	3 to 1 	4 to 1 FAR 
RM4	RH	75/100 ft.	85% Coverage  15% Minimum Landscaping	4 to 1 	6 to 1 	7 to 1 FAR 

### Notes on Base and Bonus FAR

- The **base FARs** represent the maximum FAR that projects could achieve “by right” (staff anticipate that the majority of smaller projects will be built within the base FAR). The base FAR limits do not allow for the full building height and site coverage to be utilized. This allows for additional scale to be provided through FAR bonuses and density transfers for projects that provide affordable housing or other community benefits.
- The **bonus FARs** are equivalent to a 50 percent increase beyond the base FAR. They can be achieved by projects providing affordable units, either voluntarily or through mandatory inclusionary housing (required for buildings with 20 or more units – see page 29). For projects with fewer than 20 units, this bonus can also be achieved through transfers of development rights from sites where historic resources, trees, or existing affordable housing are being preserved; or can be achieved in part by bonuses for moderate income family-sized units and for visitable units (see pages 28 - 33).
- The **special bonus for deeper housing affordability** will be available to projects with at least 50 percent of units affordable to those earning no more than 60 percent of MFI (see page 29). Besides the larger amount of bonus FAR, projects will be eligible for 10 feet of additional height and an additional 10 percent of site coverage. Staff anticipate this bonus will primarily be used by non-profit affordable housing developers.



## Zoning Map Amendments: Proposed Base Zones



This shows draft amendments to the Zoning Map based on the proposed zoning framework, including the new zone names. The map changes only involve areas that already have multi-dwelling zoning. There are no expansions or other changes to where multi-dwelling zones are mapped. These Zoning Map changes and the new zoning framework also require corresponding amendments to the Comprehensive Plan and Map (see page 24).

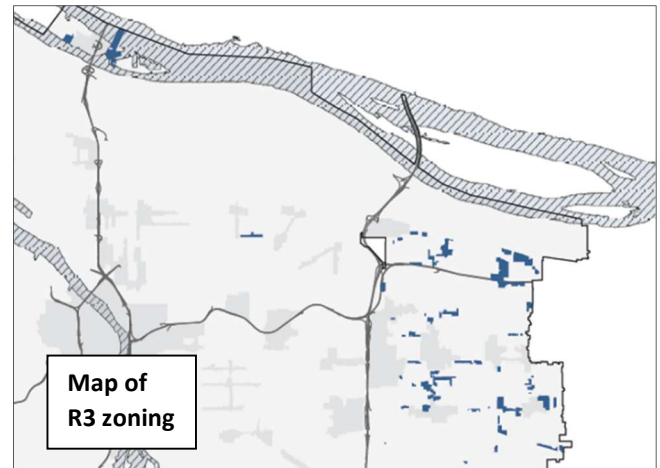
See the online Map App ( [www.Portlandmaps.com/bps/mapapp](http://www.Portlandmaps.com/bps/mapapp) ) and select **Better Housing by Design** to view how the proposed Zoning Map changes affect individual properties.

# Zoning Map Amendments: Merging of R3 and R2 Zones

The R3 and R2 zones are being combined into the new RM1 zone for a variety of reasons:

- The R3 and R2 zones allow a similar scale of development and both are intended for development compatible in scale with single-family housing. The allowed building height for the new zone will be 35 feet, which is the same as the R3 zone and a slight reduction from the 40-foot height allowed in the R2 zone. 35 feet of building height is sufficient for the two- to three-story scale intended for the new zone and will allow for a wide range of middle-housing types (such as duplexes, fourplexes, and courtyard apartments) that historically were located among single-family houses. This height is also consistent with maximum heights in the R2.5 single-dwelling zone and the CM1 mixed-use zone, which are similarly intended to be compatible with the scale of single-dwelling residential neighborhoods.
- Other development standards – such as building coverage, setbacks, outdoor area and landscaping – vary little between the two zones (see box).
- The R3 zone (a remnant of Multnomah County zoning) applies in a relatively small amount of area (517 acres out of the 5,160 acres of multi-dwelling zoning), primarily in East Portland and East Hayden Island.
- The R3 zone has produced only a small amount of new residential units over the past 10 years. 180 units were built in that zone during this period, compared to the total amount of 8,730 units built in all of the multi-dwelling zones.
- The R3 zone, as currently regulated, allows less density than the R2.5 single-dwelling zone. The R3 zone currently allows up to one unit per 3,000 square feet of site area, while the R2.5 zone allows one unit per 2,500 square feet of site area. This means that on a 5,000-square foot lot, the R3 zone allows only one unit, while the R2.5 zone allows two units on the same size lot. This lesser density for the R3 zone compared to single-dwelling zones would be increased by the Residential Infill Project, which proposes new a-overlay regulations that would allow a duplex on a 5,000-square foot lot in the R5 zone, and a triplex on a corner lot.
- R3 zoning in East Portland is often located along Civic Corridors (such as SE Stark, SE Division, and 122<sup>nd</sup> Avenue), identified by the Comprehensive Plan as areas for higher-density housing.
- As part of the shift to a scale/FAR-based approach, staff considered an FAR of .75 to 1 for the R3 zone. Code modeling (see Appendix B) showed little difference in development scale with the 1 to 1 FAR proposed for the R2 zone. This .75 to 1 FAR is also nearly the same as the .7 to 1 FAR proposed for the R2.5 single-dwelling zone by the Residential Infill Project.
- Recent development in the R3 zone has been similar to what has been built in the R2 zone, with the majority of development in both zones consisting of clusters of detached houses, townhouses, duplexes, and small apartment buildings.

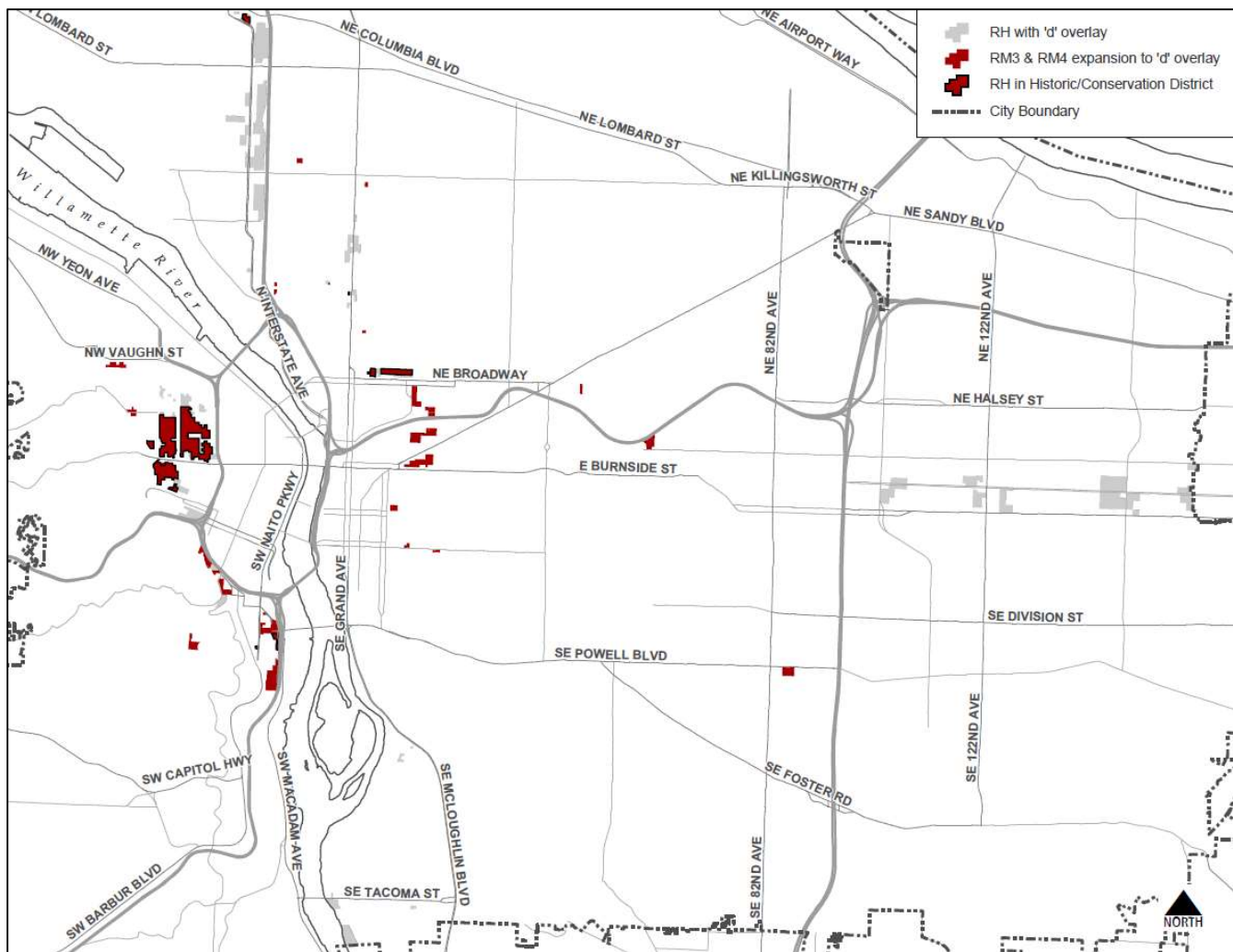
	R3	R2
Maximum Height	35'	40'
Max. lot coverage	45%	50%
Min. front setback	10'	10'
Required outdoor area	48 SF/unit	48 SF/unit
Landscaping	35%	30%



## Zoning Map Amendments: Design Overlay Zone Expansion

The Better Housing by Design project proposes expanding the design (“d”) overlay zone to apply to all RH zoning (new RM3 and RM4 zones). The majority (84 percent) of the RH zone is already within the design overlay or in historic districts (such the Alphabet Historic District in Northwest Portland). As part of the d-overlay expansion, the d-overlay will be applied to properties with RM3 and RM4 zoning located in historic and conservation districts, although properties in these districts will continue to be subject to historic resources review instead of design review.

Portland applies the design overlay to zones that allow large-scale development. This helps manage the design of significant amounts of change and to ensure that high-profile, larger-scale development is well designed. Most RH zoning is mapped in locations close to the Central City, in centers, or near light rail stations, places intended for significant housing density. The RH (RM3 and RM4) zoning allows buildings 65 to 100 feet tall, which matches or exceeds scale allowed in mixed use zones (EX and CM3) where the design overlay is always applied. The RM3 and RM4 zones will be among the zones where the d-overlay is always applied (along with the EX, RX, CX and CM3 zones). For most development outside the Central City, the design overlay zone provides projects with options to either go through a discretionary design review process or to use clear and objective design standards.



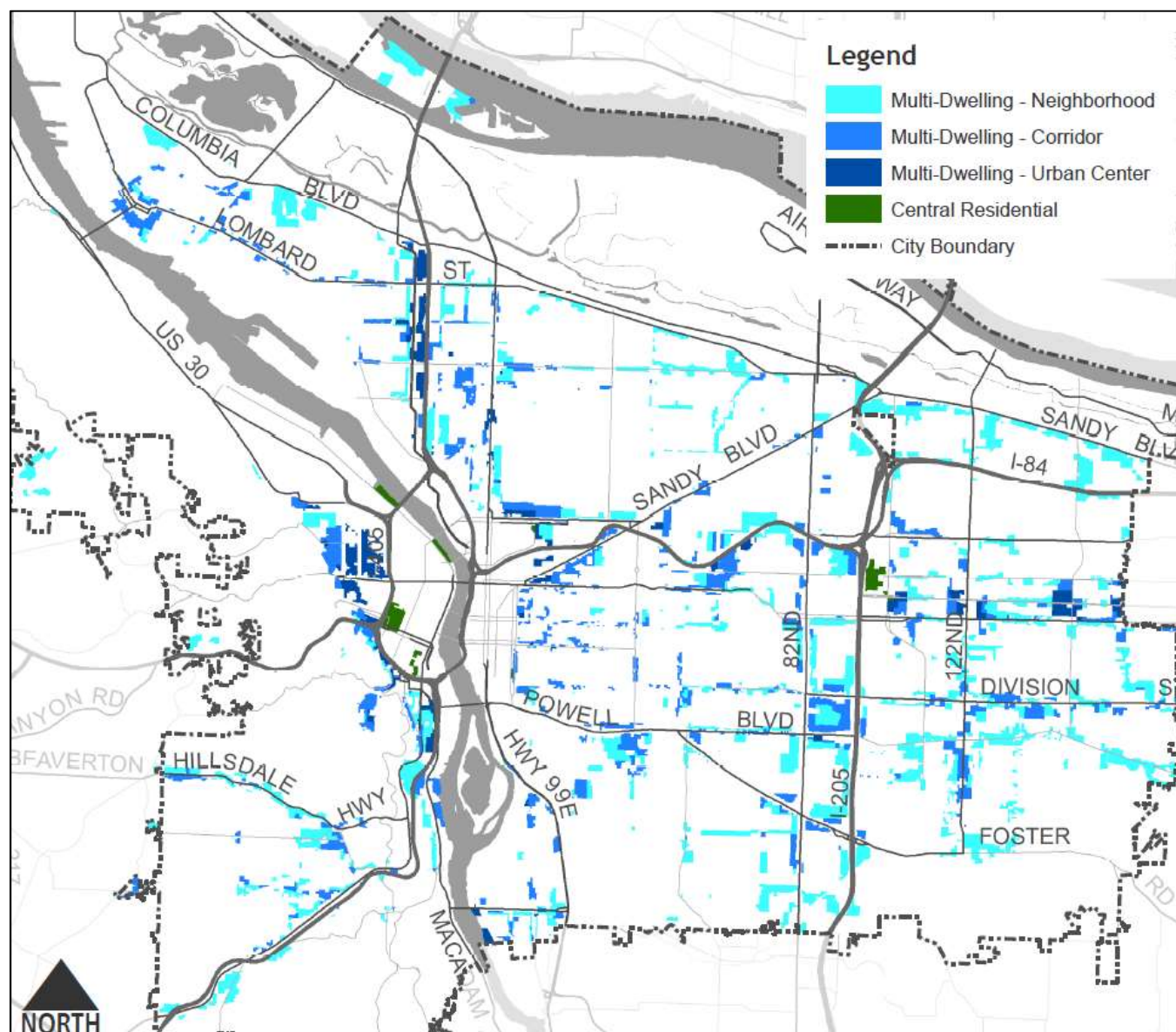
*This map shows areas where the design overlay zone is proposed for expansion (dark red), as well as areas with RH zoning that are already within the design overlay (light shading).*







## Comprehensive Plan Map: Proposed Amendments



The Proposed Draft includes changes to Comprehensive Plan land use designations and the Comprehensive Plan Map to correspond to the proposed new multi-dwelling zones and the shift to regulating development intensity by FAR (instead of unit density). The new Comprehensive Plan multi-dwelling designations use location-related names, similar to the approach used for the mixed use designations (See Volume 2 for complete Comprehensive Plan amendments). The proposed Comprehensive Plan Map amendments assign to each property the new designation that corresponds to existing designations (see below).

Current Comp Plan Name (and zone)	New Comp Plan Name	Corresponding New Zones
Multi-Dwelling – 3,000 (R3)	Multi-Dwelling – Neighborhood	RM1
Multi-Dwelling – 2,000 (R2)		
Multi-Dwelling – 1,000 (R1)	Multi-Dwelling – Corridor	RM2
High-Density Multi-Dwelling (RH)	Multi-Dwelling – Urban Center	RM3, RM4
Central Residential	Central Residential	RX

# Amendments to Zoning Code Regulations

The proposals for Zoning Code amendments on the following pages are organized as follows:

- **Topic:** The major topic associated with the proposals (from topics listed on page 13).
- **Proposals:** Brief listing of the proposals.
- **Issues Addressed:** Issues and policies being addressed by the proposals.
- **Proposal Approach:** Information on the proposed regulatory approach and intended outcomes.

**Note regarding zone names.** Text about the current zones uses current zone names. Text regarding the proposals uses the new zone names, accompanied by the corresponding current zone names in parentheses – such as RM1 (R2/R3).

## Relationship to Proposed Draft Volume 2 and Volume 3

The Staff Report proposals on the following pages are summaries and do not include the full Zoning Code language and regulatory details. **Volume 2** of the Proposed Draft includes the full regulatory details of these and other code amendments, along with staff commentary. For the convenience of reviewers, Volume 2 includes an index that cross references the proposals in the Staff Report and the Volume 2 code sections, indicating the page numbers where the specific Zoning Code text and commentary can be found.

**Volume 3** includes additional Zoning Code amendments needed to provide consistency among similar regulations located in different Zoning Code chapters, including amendments to the commercial/mixed use zones. Volume 3 also includes amendments to plan district regulations made redundant by the proposed multi-dwelling regulations updates references to the names of multi-dwelling zones.

## Other Documents with Information Related to the Zoning Code Amendments

### Appendix B: Code Modeling – Prototypes

This document includes code modeling of the physical outcomes of the draft base and bonus FARs and other development standards for each of the multi-dwelling zones. This modeling indicates that the base and bonus FARs can be achieved within the parameters set by other proposed development standards, such as maximum building heights, site coverage limits, setbacks, and outdoor space and landscaping requirements.

### Appendix C: Code Modeling – Feasibility Analysis

This document summarizes an economic analysis of the economic feasibility of the proposed base and bonus FARs.

### Appendix F: Displacement Risk Analysis

This analysis investigates the extent to which the proposed zoning changes might increase the likelihood of the redevelopment of existing multi-dwelling housing.

# Diverse Housing Options and Affordability

## Proposals

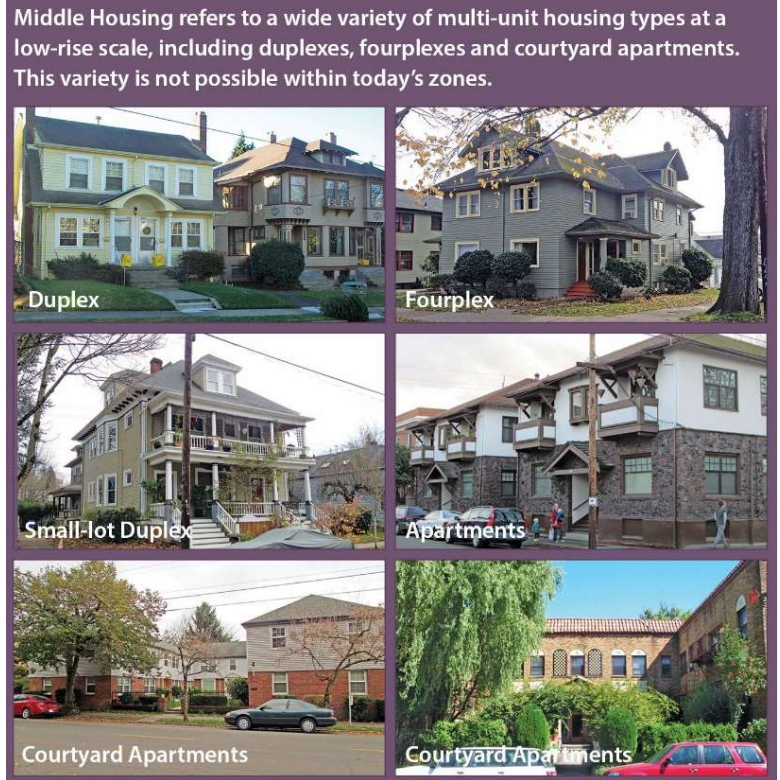
### 1. Regulate by building scale/FAR instead of unit density – RM1 and RM2 zones.

#### Issues Addressed

Comprehensive Plan policies call for a broad range of housing options, with more intense development in centers and corridors.

Low-rise multi-dwelling zones, such as the R2 zone, often provide transitions in scale between higher-density areas and single-family residential areas. Historically, low-rise, multi-dwelling areas provided a diversity of “middle housing” types, such as duplexes, fourplexes, townhouses and courtyard apartments. These two- to three-story housing types provide housing density at a scale not much taller than single-family houses. Many of these, however, could not be built today in Portland’s most common multi-dwelling zone, R2, because they exceed unit density limits. Other issues in the medium-density zones (R3, R2 and R1) include:

- Density-based regulations often result in large townhouse-type units whose multiple levels and stairs are not accessible to people with mobility limitations.
- The lack of housing unit variety also limits the range of affordability levels.
- In the R1 zone, often located along transit corridors and allowing four-story buildings, density regulations similarly limit housing options, even in transit-rich locations.



#### R1 zone development

*Old and new buildings along transit corridors. Similar scale, but the older apartments accommodate more households. The 2015 example was built to the maximum allowed density of the R1 zone.*



**1920s** – 34 units on a 10,000 square-foot site



**2015** – 18 units on an 18,000 square-foot site



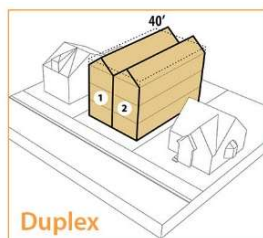
## Proposal Approach

### 1. Regulate by building scale/FAR instead of unit density – RM1 and RM2 zones.

#### RM1 (R2/R3)

##### Current approach (R2):

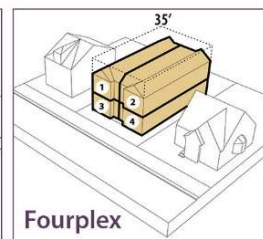
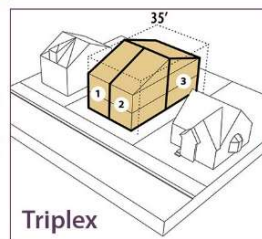
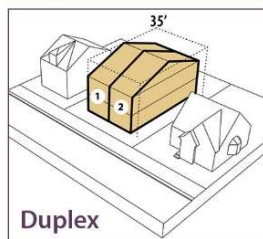
- ▶ 40-foot height limit.
- ▶ Density limited to one unit per 2,000 square feet of site area (two units on a 5,000-square foot site).
- ▶ Often results in large townhouse units.



The proposal for the R2 (new RM1) zone would allow greater flexibility within a smaller building envelope. This would create options for more and different types of housing units.

##### Proposed approach:

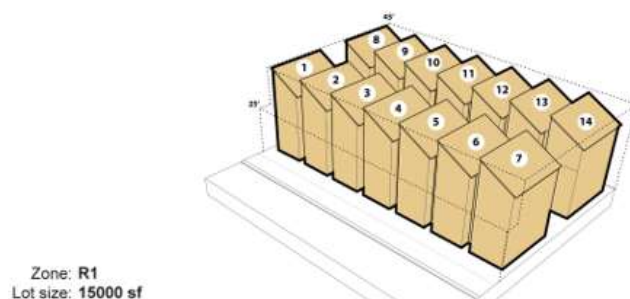
- ▶ Reduce allowed height to 35 feet.
- ▶ Provide flexibility for what happens inside the allowed building scale (FAR of 1 to 1). Graphics show 2-4 units, but more units would also be allowed within the same building scale.



#### RM2 (R1)

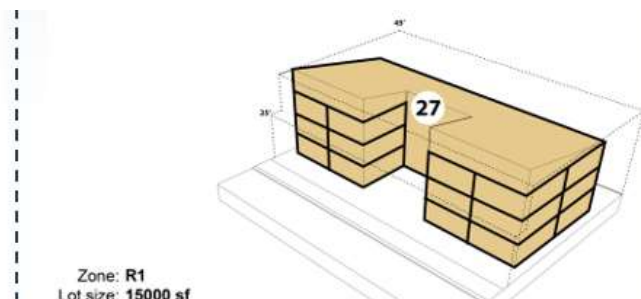
##### Current approach:

- ▶ 45-foot height limit.
- ▶ Density limited to one unit per 1,000 square feet of site area.
- ▶ Often results in townhouse units.



##### Proposed approach:

- ▶ 45-foot height limit (unchanged)
- ▶ Provide flexibility for what happens inside the building (FAR of 1.5 to 1).



The RM3 and RM4 zones (current RH) already are regulated by FAR, rather than by unit density. No change to the base FARs of the RH zone (2 to 1 or 4 to 1) is proposed.

The RM1-RM4 zones are also provided with bonus FAR allowances (see next pages and page 19).

The RMP zone, applied to manufactured dwelling parks, will be the only multi-dwelling zone not regulated by FAR. Unit density remains a more practical way of regulating the types of detached structures found in manufactured dwelling parks.

## Diverse Housing Options and Affordability

### Proposals

2. **Prioritize affordable housing by increasing inclusionary housing development bonuses and through a family housing bonus.**
  - A. **Increase the inclusionary housing development bonus to 50 percent beyond the base FAR.**
  - B. **Provide a higher-level of FAR bonus for projects providing deeper housing affordability.**
  - C. **Provide an FAR bonus of 25 percent for projects with three-bedroom units.**

### Issues Addressed

Comprehensive Plan policies call for a diverse supply of affordable housing that can accommodate the housing needs of a broad range of households and income ranges, but there is currently a shortage of housing affordable to low- and moderate-income households. In Better Housing by Design project community discussions, participants identified affordable housing as the greatest priority for development bonuses.

Currently, through a system of development bonuses, buildings can be larger or include more units if they provide specific amenities or affordable units (see table below). The existing amenity bonuses can be combined to provide up to 50 percent more development than usually allowed. Projects do not have to include any affordable housing to achieve this increase.

In the multi-dwelling zones, the amount of development bonus for projects providing affordable units through the new inclusionary housing regulations is currently limited to 25 percent (compared to more than 60 percent in the mixed use zones). This limits the ability to provide an attractive incentive for affordable housing, especially for buildings with fewer than 20 units that are not required to provide affordable units. Mandatory inclusionary housing applies to buildings with 20 or more units and requires a minimum of 20 percent of units to be affordable to households earning no more than 80 percent of median family income (MFI).

Existing Development Bonuses	Proposed Approach
<b>Affordable housing</b> (inclusionary housing)	Prioritize by increasing amount of development bonus to 50 percent additional FAR.
<b>Three bedroom units</b>	Continue, in order to provide an incentive for family-sized units.
<b>Outdoor recreation facilities</b>	Remove as development bonuses, but address through new requirements for shared outdoor spaces (see pages 34 - 35).
<b>Play areas for children</b>	
<b>Large outdoor areas</b>	
<b>Storage areas</b>	Remove as development bonuses. <i>(In stakeholder discussions, community members felt these were lesser priorities than other outcomes, especially affordable housing)</i>
<b>Sound insulation</b>	
<b>Crime prevention</b>	
<b>Solar water heating</b>	
<b>Tree preservation</b>	Remove as a development bonus, but address through a new transfer of development rights allowance for tree preservation (see pages 30 - 31).

## Proposal Approach

### **2A. Increase the inclusionary housing development bonus to 50 percent beyond the base FAR.**

This amount of FAR increase would be made available to projects providing affordable housing units through either voluntary or mandatory inclusionary housing provisions. The 50 percent bonus would bring greater consistency with the inclusionary housing bonus provided in the mixed use zones and would increase the feasibility of projects that include affordable housing. Projects using this bonus would need to meet recently adopted inclusionary housing requirements for 20 percent of units to be affordable to those earning no more than 80 percent of MFI, or 10 percent of units affordable at 60 percent of MFI. The 50 percent increase in FAR for qualifying projects would be available in all the multi-dwelling zones and is illustrated on page 19 of this report.

### **2B. Provide a higher-level of development bonus for projects providing deeper housing affordability.**

This new voluntary provision would provide a development bonus allowing 100 percent additional FAR. It would also allow 10 feet of additional height and an additional 10 percent of building coverage for qualifying projects (see illustration on page 19). To qualify, projects will need to have at least 50 percent of on-site units affordable to households earning no more than 60 percent of MFI, a significantly greater amount and level of affordability than required by inclusionary housing.

Staff anticipate that this bonus will primarily be used by non-profit affordable housing developers, rather than the larger number of profit-dependent development projects. The minimum required percentage of 50 percent would allow developments to include some market-rate units to help offset the costs of the affordable units and allow for income diversity. Both this bonus and the standard inclusionary housing bonus will involve the Housing Bureau in administration and would require units to remain affordable for a term of 99 years.

### **2C. Provide a development bonus of 25 percent for projects with three-bedroom units.**

This development bonus is a refinement of the existing bonus for three-bedroom units. It would provide 25 percent additional FAR for projects in which at least 50 percent of units have three bedrooms and are affordable to households earning no more than 100 percent of MFI. This affordability level is intended to encourage moderate-income family housing, a segment of the housing spectrum not addressed by the other affordable housing development bonuses. The existing three-bedroom bonus has no income restrictions, which does not address the current shortage of family-sized units affordable to low- and moderate-income households, especially in areas close to services.

The term of affordability for this bonus would be for a shorter period than the other bonuses (minimum of 10 years). This responds to affordable housing developers' concerns that this bonus would not work for their ownership housing projects if it is for permanent or long-term affordability. A goal of some affordable ownership housing programs is to provide opportunities for minority and lower-income households to gain equity through homeownership. The Housing Bureau would be involved in certifying projects as qualifying for this development bonus.

**Other existing development bonuses are being discontinued** to prioritize affordable housing as a development outcome. Also, the proposal to regulate development intensity by FAR provides much of the density flexibility that was offered by the amenity bonuses, while the existing development bonuses for outdoor spaces and tree preservation are being replaced by new proposed approaches (see table on page 28).

## Diverse Housing Options and Affordability

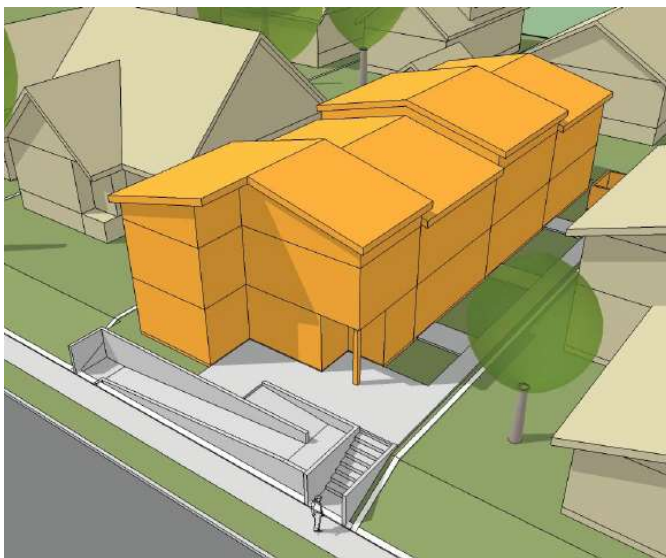
### Proposals

#### 3. Promote physically-accessible housing through a visitable units bonus.

##### Issues Addressed

Comprehensive Plan polices call for fostering a built environment that works for people of all ages and abilities. Also in support of this, housing policies call for a diverse supply of accessible housing to meet the needs of older adults and people with disabilities, especially in and around centers and corridors where residents can live close to transit and services. Increasing the supply of housing that works for people of all abilities will become increasingly important, given that Metro projects growth by over 100 percent in the numbers of residents aged 65 and older in the Portland area over the next 20 years.

Portland's multi-dwelling zoning, located as it is in and around centers and corridors, play an important role in helping to meet these policy objectives for physically-accessible housing. Multifamily buildings with four or more units, built under the commercial building code, are generally required to provide some physically accessible or adaptable units when buildings have single-level units or elevators. However, in the current R2 zone (proposed RM1), which accounts for more than half of Portland's multi-dwelling zoning, more than 75 percent of new units built over the past 10 years have been residential building code structures, such as houses, duplexes, attached houses, and townhouses, for which the residential building code has no requirements for physically-accessible units.



**The visitable units bonus provides incentives for projects with units designed for improved access for people of all abilities. The bonus provides additional floor area to accommodate the larger spaces needed for accessible design, as well as to help defray the added costs involved (providing an accessible ramp on a lot raised 3 feet above sidewalk level can cost more than \$30,000).**



## Proposal Approach

**Visitable Units Bonus.** This voluntary bonus would provide 25 percent additional scale (FAR) for projects in which at least 25 percent of units meet standards for visitable or accessible units. The level of physical accessibility for units to qualify for this bonus vary by housing type.

**For residential building code types of housing** not usually subject to requirements for accessibility, such as houses, duplexes, attached houses, and townhouses, units would need have the following features to accommodate people with mobility limitations on the same level as the unit’s entrance:

- No step, barrier free access to the unit.
- A bathroom with a sink and toilet (with wall reinforcement for grab bars).
- Living area of at least 70 square feet.
- Doorway clearances of 31¾ inches.
- Lighting controls at an accessible level (no higher than 4 feet).

*(The standards are for Type C visitable units in ICC A117.1)*

**Single-level units in multi-dwelling structures** (typically built under the commercial building code) would need to meet building code standards for Type A units to qualify for this bonus. Standards for Type A units require a higher level of accessibility than the Type B units that the building code mandates for multifamily buildings with single-level units. Type B unit standards accommodate access for people with mobility limitations but do not have requirements for larger clearances that work better for people in wheelchairs. Standards for Type A units include requirements for a higher-level of accessibility, with greater clearances and accessibility features to accommodate wheelchair users in bathrooms and kitchens (the building code only requires 2 percent of units on sites with more than 20 units to be Type A units). Linking qualification for this bonus to Type A units provides an incentive for multi-dwelling projects to include greater numbers of the more accessible Type A units.

Using references to building code standards to qualify for this bonus facilitates efficient implementation, as it allows Bureau of Development Services building code staff – already familiar with such standards – to use their expertise to review proposals.

FAR Bonus and Transfer Options			
Base FAR	+50%		+100%
	Base FAR	Bonus FAR Up to 50% above base	Bonus FAR 100% above base
<p><i>This table summarizes the range of proposed FAR bonus and transfer options. Only the inclusionary housing bonus (for affordable units) would achieve the full amount of the standard FAR bonus of a 50 percent increase. Other bonuses would need to be combined to achieve this amount. Also intended to prioritize affordable housing, the only bonus allowing more than a 50 percent increase in FAR is the deeper housing affordability bonus.</i></p>	<ul style="list-style-type: none"> <li>▪ Allowed by right</li> <li>▪ Varies by zone</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Inclusionary housing: full 50% bonus</b></li> <li>▪ <b>Moderate income family housing: 25% bonus</b> (at least half of units must have 3 bedrooms affordable at 100% of MFI)</li> <li>▪ <b>Visitable units: 25% bonus</b> (at least 25% of units must meet visitability standards)</li> <li>▪ <b>FAR transfers from sites preserving:</b> <ul style="list-style-type: none"> <li>▪ Existing affordable housing</li> <li>▪ Trees</li> <li>▪ Historic resources</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Special bonus for deeper housing affordability</b> (At least half of units must be affordable at 60% MFI)</li> </ul>

## Diverse Housing Options and Affordability

### Proposals

4. **Provide allowances for unused development capacity to be transferred to other sites from properties where trees or existing affordable housing are being preserved.**

### Issues Addressed

Current regulations allow for unused development capacity to be transferred from sites with historic landmarks to other sites in multi-dwelling zones within two-miles. This acts as an incentive for historic preservation, allowing value to be obtained from the unused development capacity. Current regulations also allow for density to be transferred to other sites within the same block or across a street, with no relationship to a specific preservation outcome. Staff propose to discontinue this option in order to prioritize preservation of historic resources, trees, and affordable housing.

Besides historic preservation, other types of preservation supported by Comprehensive Plan policies include preservation of trees and preservation of existing affordable housing. Current multi-dwelling regulations include a tree preservation development bonus, which allows for additional housing density on the same site where trees are preserved. However, this bonus has rarely been used (only twice over the past 10 years), because it can be difficult to both preserve trees and fit additional units on the same site.

Tree preservation is a significant concern in East Portland, where Douglas fir groves are a valued part of the area's character and are often located on properties with multi-dwelling zoning. While Title 11 of the City Code requires tree preservation, in the multi-dwelling zones developers often choose to instead pay into the Tree Planting and Preservation Fund, to avoid the complexity of building around existing trees, especially with higher-density projects.

There is no existing allowance for development potential to be transferred to another site in exchange for preserving existing affordable housing units, although the loss of existing affordable housing is a significant community concern and contributes to displacement of residents.

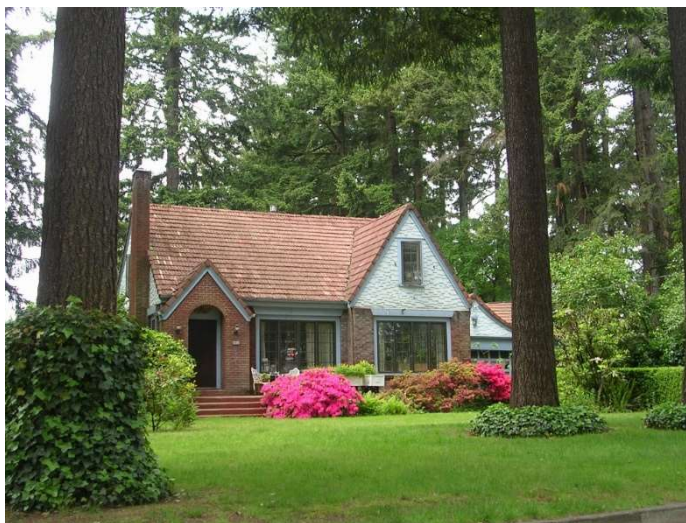
## Proposal Approach

- **Tree preservation.** Allow for unused development capacity to be transferred to other sites with multi-dwelling zoning in exchange for preserving large trees (12 inches or more in diameter). The amount of development potential (floor area) that could be transferred would be related to the size and number of preserved trees and the allowed density of the site where the trees are being preserved.
- **Affordable housing preservation.** Allow for unused development capacity to be transferred to other sites with multi-dwelling zoning in exchange for preservation of existing affordable housing units. The existing affordable housing units would need to remain affordable for households earning no more than 60 percent of MFI. The Housing Bureau would be involved in certifying compliance (the details of the term of affordability will be determined by the Housing Bureau, but will be for a minimum of 30 years).
- **Historic preservation.** Expand eligibility for transfers of development rights from individual historic landmarks to also apply to sites that are contributing resources in Historic or Conservation districts (consistent with the approach in the commercial/mixed use zones).

All these options would allow for FAR to be transferred to a receiving site with multi-dwelling zoning citywide (except the Central City – which has separate provisions for FAR transfers). This is a change from existing regulations for FAR transfers, which are currently limited to a two-mile transfer distance. This is being done to increase the feasibility of FAR transfers by increasing the numbers of potential receiving sites. Staff anticipate that FAR transfers will only be used by relatively small projects, since buildings with 20 or more units qualify for inclusionary housing development bonuses and will not be able to receive additional FAR from transfers.

### Maximum increase from transfers and development bonuses.

The proposal would limit the total amount of FAR that could be added to a site, from both transfers and from development bonuses, to 50 percent beyond the base FAR. An exception would be provided for projects using the special bonus for deeper housing affordability, which could receive up to a 100 percent increase in FAR.



*Historic house and Douglas fir trees in East Portland.*

## Diverse Housing Options and Affordability

### Proposals

5. Allow small-scale commercial uses and daycare uses on sites adjacent to Civic or Neighborhood corridors.

### Issues Addressed

Currently, commercial uses are prohibited in most multi-dwelling zones, and are conditional uses (subject to a discretionary review process) near light rail stations in the RH zone. Along busy corridors, allowing limited ground-floor commercial uses could help address the negative impacts from traffic to residents of housing, such as in the multi-dwelling zones located along East Portland's multi-lane corridors. In these locations, the livability of ground-level residential living spaces located along busy street frontages is compromised by traffic noise and privacy impacts. Allowances for small commercial uses in these locations would provide opportunities for ground-level businesses that could benefit from being located along busy, high-visibility street frontages.

These allowances would also allow more opportunities for neighborhood commercial services and daycare facilities in areas that lack walkable access to services and that could benefit from additional small businesses and local services, such as East Portland. Allowances for small commercial uses would also provide opportunities for “live-work” arrangements, which can support household prosperity by allowing additional opportunities for home-based businesses.



*This proposal would allow small commercial uses in multi-dwelling zones along major corridors, such as outer SE Division (left) and major streets near light rail stations, such as the 148<sup>th</sup> Avenue light rail station (right).*



## Proposal Approach

### 5. Allow small-scale commercial uses and daycare uses on sites adjacent to Civic or Neighborhood corridors.

In the RM1 and RM2 (R3/R2, R1) zones, allow ground floor retail or offices uses up to an FAR of .25 to 1 per site. This would allow up to 2,500 square feet of commercial use floor area on a 10,000-square foot site. Each commercial use would be limited to 1,000 square feet (enough for a small retail space, café, or office).

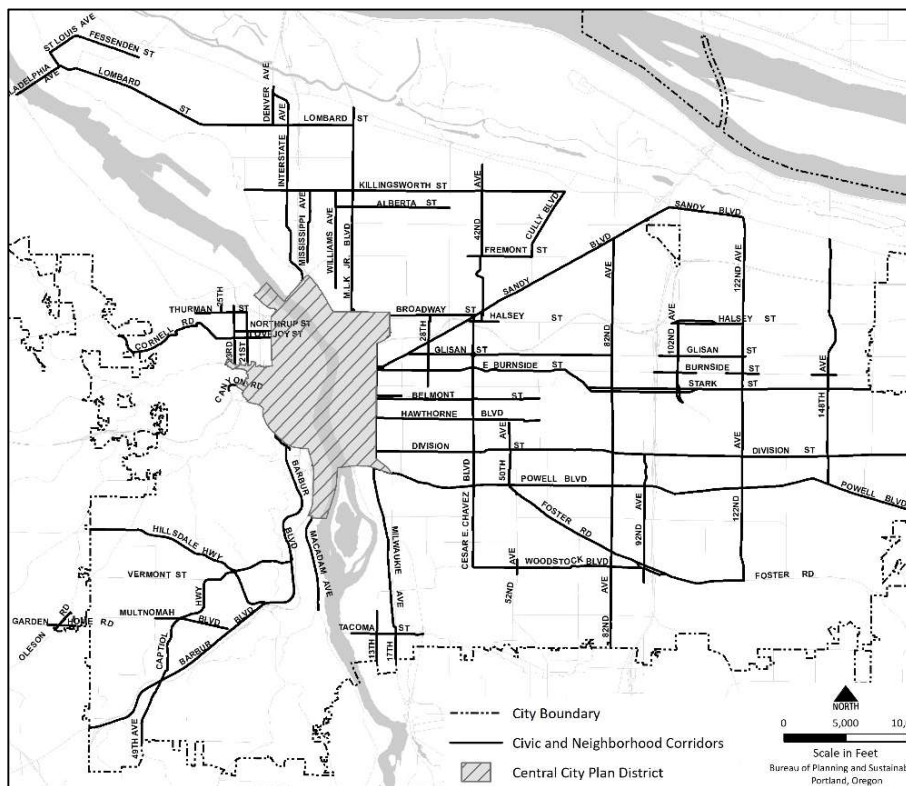
In the RM3 and RM4 (RH) zones, allow ground floor retail or offices uses up to an FAR of .4 to 1 per site. This would allow up to 4,000 square feet of floor area on a 10,000-square foot site. The commercial use allowances are more generous than for the lower-scale zones to reflect the more intensely urban character of the RM3 and RM4 zones. Each commercial use would be limited to 2,000 square feet.

In all these multi-dwelling zones on sites abutting Civic or Neighborhood corridors, daycare facilities would be allowed by right up to a size of 3,000 square feet (larger facilities and other locations can be approved through a conditional use approval process).

Projects using these allowances would need to meet the minimum residential unit densities of their zone, which would prevent purely commercial projects. Exterior commercial activities would not be allowed, except for outdoor seating. The proposals would remove existing conditional use allowances in the RH zone for commercial uses within 1,000 feet of a transit station in order to prioritize corridors as appropriate locations for commercial uses (rather than local service streets). However, the proposed allowances would facilitate small commercial uses in multi-dwelling zones along corridors near light rail stations (for example, near the 148<sup>th</sup> Avenue light rail station in East Portland, the proposal would allow commercial uses in multi-dwelling zones along 148<sup>th</sup> Avenue and portions of Burnside).



*Small commercial uses at the ground levels of rowhouses along busy corridors.*



## Outdoor Spaces and Green Elements

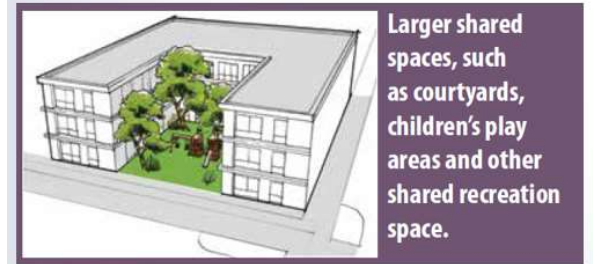
### Proposals

6. Require 48 square feet of outdoor area per unit (36 square feet for small sites up to 20,000 square feet) in the RM3 and RM4 (RH) zones.
7. Require shared common areas, such as courtyards, for large sites more than 20,000 square feet.

### Issues Addressed

Comprehensive Plan policies call for housing to include features that support healthy living, such as usable outdoor spaces for recreation, gardening and other activities. Currently, most of the multi-dwelling zones require outdoor space (48 square feet per unit), which can be private spaces or combined into larger shared spaces, such as courtyards.

However, the high-density residential zone (RH) requires no outdoor spaces. In some situations, such as in East Portland where the RH zone is located close to light rail stations and where many families live, parking lots are the only places for children to play.



*Types of residential outdoor areas*



**Shared common areas.** Apartment residents have identified the need for larger outdoor areas for activities such as children's play and growing food, which are difficult to fit into private outdoor spaces such as balconies. Currently, shared common areas that are large enough to provide these opportunities are not required and often not provided with new multi-dwelling development.

Apartment residents have also identified the need for indoor community spaces, which can offer activity space during poor weather, for gatherings, or after school study. There are no existing allowances for indoor community spaces to count toward requirements related to recreational spaces or common areas.





## Proposal Approach

### 6. Require 48 square feet of outdoor area per unit (36 square feet for small sites up to 20,000 square feet) in the RM3 and RM4 (RH) zones.

This requirement is consistent with standards for similar development in mixed-use zones. The smaller required amount for small sites is intended to be responsive to the complexities of including outdoor spaces with high-density development on compact sites. The outdoor space can be in the form of private outdoor areas or combined into shared common areas, such as courtyards or play areas.

**Indoor community facilities.** Proposed amendments will also allow indoor community spaces, such as indoor recreation facilities or community rooms, to be used to meet outdoor area requirements in all the multi-dwelling zones.



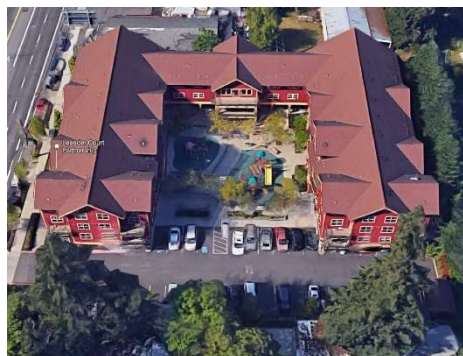
*Examples of private and shared outdoor areas included in development typical of the RH zone.*

### 7. Require shared common areas, such as courtyards, for large sites more than 20,000 square feet.

This requirement will apply to all the multi-dwelling zones, except for RMP and RX (this zone is only located in the Central City and Gateway and is subject to special plan district regulations). The proposal will require common areas equivalent in size to 10 percent of total site area, with a minimum width of 20 feet to ensure they are a usable size. The required common area will count toward meeting the per-unit outdoor space requirements.

This requirement will only apply to larger sites, which can more easily accommodate shared outdoor area than can smaller sites. The proposal provides flexibility by allowing the required common area to be at ground level or in the form of a raised courtyard or shared rooftop deck. Up to half of the required common area may also be in the form of indoor common areas. An exemption is provided for street-oriented housing types, such as townhouses, when larger individual outdoor space (at least 200 square feet) is provided for each unit.

**Related proposals** change maximum setback standards to provide flexibility for courtyards open to the street, which are prevented in some situations by requirements for 100 percent of building frontages to be located close to the street.



*Historic and contemporary examples of multi-dwelling housing with courtyards that are approximately 10 percent of site area.*



## Outdoor Spaces and Green Elements

### Proposals

8. Allow alternatives to conventional landscaping.
9. Limit large surface parking lots and asphalt paving.
10. Reduce parking requirements, especially on small sites.

### Issues Addressed

Comprehensive Plan policies call for integrating green elements, such as eco roofs and vegetated stormwater facilities, into the urban environment. Policies also call for limiting impervious surfaces (e.g., concrete, asphalt paving) and reducing urban heat island effects, which can be caused by large amounts of paved surfaces.

**Lack of allowances for innovative green site design.** Current regulations require multi-dwelling development to include landscaped areas. However, these regulations do not allow many innovative types of green features to count toward meeting required landscaping, which must be at ground level. For instance, eco roofs, raised landscaped courtyards and raised stormwater planters do not meet these requirements.

**Large paved areas and urban heat islands.** Due to climate change, Portland is expected to experience hotter, drier summers with more high-heat days. This can result in heat-related health problems, especially in locations with large amounts of pavement, which can cause urban heat islands. Modeling of urban heat island effects indicates that development with large amounts of asphalt paving can be more than five degrees hotter than comparable development with more landscaping (see Concept Report Appendices). This modeling shows that other surfaces with higher levels of reflectivity, such as concrete, also increase temperatures, but to a lesser amount (modeling showed that concrete increased temperature by approximately three degrees).

While the multi-dwelling zones limit the amount of building coverage, there is not a similar limit on the amount of paved surfaces, such as parking lots. Multi-dwelling development with large amounts of surface parking are a common development type in East Portland.

Contributing to the large amounts of surface parking in some areas is that 40 percent of multi-dwelling zoning is outside the 500-foot distance from frequent transit that qualifies projects for reduced parking requirements, and must provide at least one parking space for each unit. At higher densities, this results in large amounts of paving when provided in the form of surface parking (which is less costly than structured parking). This parking makes it difficult to include other features, such as outdoor area for residents.



*Building with eco roof and raised courtyard*

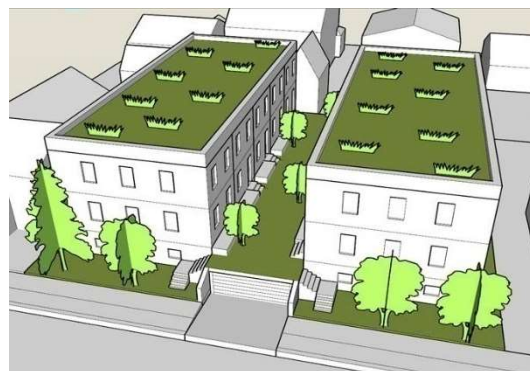


*Apartment development in East Portland providing parking at the current required ratio of one space for each unit, resulting in 37 percent of the site paved for parking.*

## Proposal Approach

### 8. Allow alternatives to conventional landscaping.

Proposed amendments would allow eco roofs, raised courtyards and raised stormwater planters to be used to meet up to 50 percent of required landscaping. The other 50 percent of required landscaping would need to be at ground level to better accommodate required trees.



### 9. Limit large surface parking lots and asphalt paving.

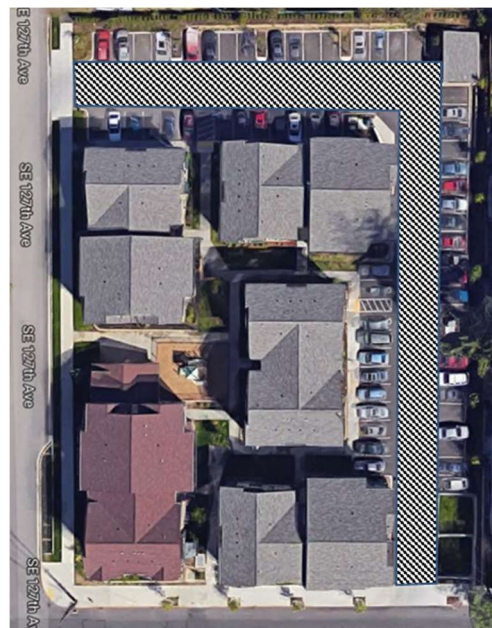
Proposed amendments would limit surface parking areas to 30 percent of a site. Because of the greater heat impacts of asphalt, asphalt paving would be limited to 15 percent of total site area. For a project seeking to maximize the amount of surface vehicle areas and fully utilize the 30 percent coverage, half of this area could be paved with asphalt and the rest could be paved with concrete, paving blocks, or other materials. Another option would be to tuck parking under buildings.

### 10. Reduce parking requirements, especially on small sites.

#### **For small sites (up to 7,500 square feet) do not require parking.**

This will facilitate small multi-dwelling structures, such as triplexes and fourplexes, that can more readily be integrated into neighborhood patterns when no off-street parking is required (including parking with multi-dwelling structures on small sites often results in garages occupying much of the ground level). This will also allow small-lot development, such as attached houses, to not include off-street parking, facilitating pedestrian-oriented buildings not dominated by front garages.

**For larger sites, reduce the minimum required parking ratio to 1 parking space per every 2 units.** This parking ratio already applies to the RH (RM3 and RM4) zone, and would now also apply to the other multi-dwelling zones. The existing reduced parking requirements for projects located close to frequent transit would continue to apply. Most multi-dwelling zoning, when not located adjacent to transit corridors, is within a quarter-mile walking distance of the commercial services and transit located in centers or corridors.



*Site with 30 percent of area used for surface parking. The hatched area shows the maximum 15 percent of site area that could be paved with asphalt.*



*Recent five-plex project with no off-street parking, allowing it to fit into neighborhood context.*



## Building Design and Scale

### Proposals

11. Limit front garages and parking along street frontages.
  - a. Limit front garages and parking structures to 50 percent of building street frontages.
  - b. Disallow parking from being located between buildings and streets.
12. Require building entrances oriented to streets or to courtyards.

### Issues Addressed

Comprehensive Plan policies call for development to contribute to pedestrian-friendly street frontages and respond to neighborhood context. However, current regulations in the multi-dwelling zones have few limits on front garages and, in some cases, no requirements for front entrances. This can negatively affect the pedestrian environment of streets.

Existing regulations limit front garages from occupying more than 50 percent of the width of detached houses, but provide an exemption that allows houses to always have a 12-foot wide garage. This means that there is not an effective limit on front garages for the narrow-lot houses common in some of the multi-dwelling zones. Currently, there are also no limits on the front garages of attached houses or any multi-dwelling housing types.

*Multi-unit buildings especially should contribute to the street.*



*Plans, policies, and design guidelines call for street frontages that enhance neighborhood context.*



*Front entrances oriented to streets are currently required for houses and attached houses, but are not required for apartment buildings and other multi-dwelling housing types.*



*Front garages are currently allowed to occupy the majority of the street frontage of buildings, compromising the pedestrian environment of streets and neighborhood context, and resulting in driveways and curb cuts that reduce opportunities for street trees and on-street parking.*

## Proposal Approach

### 11a. Limit front garages and parking structures to 50 percent of building street frontages.

The proposed amendments would limit garages and structured parking from occupying more than half of the street-facing facades of all housing types. This would promote arrangement such as:



*Rear parking or options with no off-street parking*



*Front garages taking up less than half of street frontages*



*The limitation would also apply to ground-level parking structures*



For attached houses, the limit would apply to the combined frontage of attached units, allowing for a mix of units with and without front garages, and preserving some on-street parking (as in image at lower right). Exceptions to the front garage limitation would be provided for structured parking that is partially underground and along secondary street frontages.

### 11b. Disallow parking from being located between buildings and streets.

Proposed amendments would prevent vehicle parking from being located in front of buildings. Off-street surface parking would need to be located to the rear or to the side of buildings in most situations. Related proposals require parking to be accessed from alleys where they exist (applicable to small sites up to 10,000 square feet), and would limit surface vehicle areas from occupying more than 40 percent of street frontages (a reduction from the current 50 percent allowance).

### 12. Require building entrances oriented to streets or to courtyards connected to streets.

This would apply to all types of development in the multi-dwelling zones.





## Building Design and Scale

### Proposals

13. Require front setbacks that reflect neighborhood patterns and limit privacy impacts.
14. Simplify side and rear setback regulations and reduce barriers to development on small sites.
15. Require building height transitions to single-dwelling zones.
16. Require large building facades to be divided into smaller components.

### Issues Addressed

Comprehensive Plan policies encourage compact development that integrates with neighborhood patterns and transitions in scale to lower density zones.

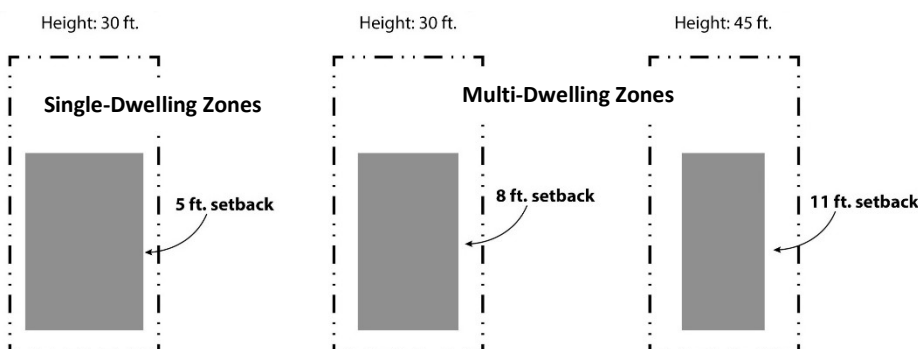


#### Front setbacks and building scale

Lack of front setback requirements in the higher density zones (R1 and RH) sometimes result in abrupt changes from the green street frontages of residential neighborhoods, and can impact residents' privacy.

Also creating abrupt transitions, buildings of four or more stories can be built next to properties with single-dwelling zoning.

Recent amendments to the commercial/mixed use zones added requirements for height step downs to lower-scale zones and requirements for large facades to be divided into smaller components, but these do not apply in the multi-dwelling zones.



#### Barriers to small-site development

Existing regulations in the multi-dwelling zones require side and rear setbacks ranging from 5 to 14 feet (depending on building size), which complicates compact development on small sites. The graphics compare the 5-foot setback that applies in single-dwelling zones to the greater setbacks required in the multi-dwelling zones, even for similar-scale buildings, leaving less space for housing or central courtyards.



*Examples of historic multi-dwelling buildings on small lots. Current side setback requirements make similar development difficult to build today.*



## Proposal Approach

### 13. Require front setbacks that reflect neighborhood patterns and limit privacy impacts.

In the RM2 and RM3 (R1 and RH) zones, this proposal would require 10-foot front setbacks. This will help integrate new development with established residential neighborhood patterns. This setback also provides space for small trees that contribute to greener street environments and help limit urban heat islands. Context-responsive-exceptions would be provided for:

- Smaller setbacks to match adjacent existing buildings.
- Buildings with ground-floor commercial uses (no setback).
- Reduced front setback (5-feet less than usual requirement) when residential units are raised 2 feet above sidewalk level to limit privacy impacts.
- Buildings with landscaped courtyards facing the street can have building wings with reduced front setbacks.

### 14. Simplify side and rear setback regulations and reduce barriers to development on small sites.

Require 5-foot minimum side and rear setbacks to facilitate development on small sites in the multi-dwelling zones and provide space for more usable open areas, such as central courtyards. For buildings more than 55-feet tall in the RM3 and RM4 (RH) zones, a 10-foot setback would be required to limit impacts of bigger buildings.

**Related proposals** to facilitate development on small sites include allowances for small accessory structures (such as storage sheds) to be located in setbacks, more flexible landscaping requirements, and reduced off-street parking requirements (see page 39).

### 15. Require building height transitions to single-dwelling zones.

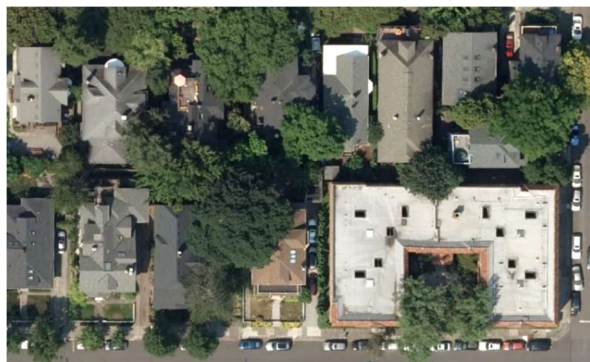
In the RM2, RM3, and RM4 (R1 and RH) zones, this proposal will require taller buildings to step down in scale when located next to single-dwelling zones, with building heights limited to 35 feet (three stories) within 25 feet of properties with single-dwelling zoning.

### 16. Require large building facades to be divided into smaller components.

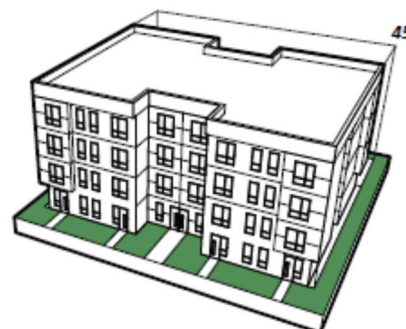
This proposal will require at least 25 percent of large building facades to be offset. This would apply to building over three stories tall in the RM2 (R1) zone and over four stories in the RM3 and RM4 (RH) zones.



*Landscaped front setbacks can help continue established neighborhood patterns, even with higher-density developments.*



*Small side setbacks allow for the diversity of housing on small sites shown on this block – a mix of small apartment buildings, houses, and a courtyard apartment building.*



# Building Design and Scale

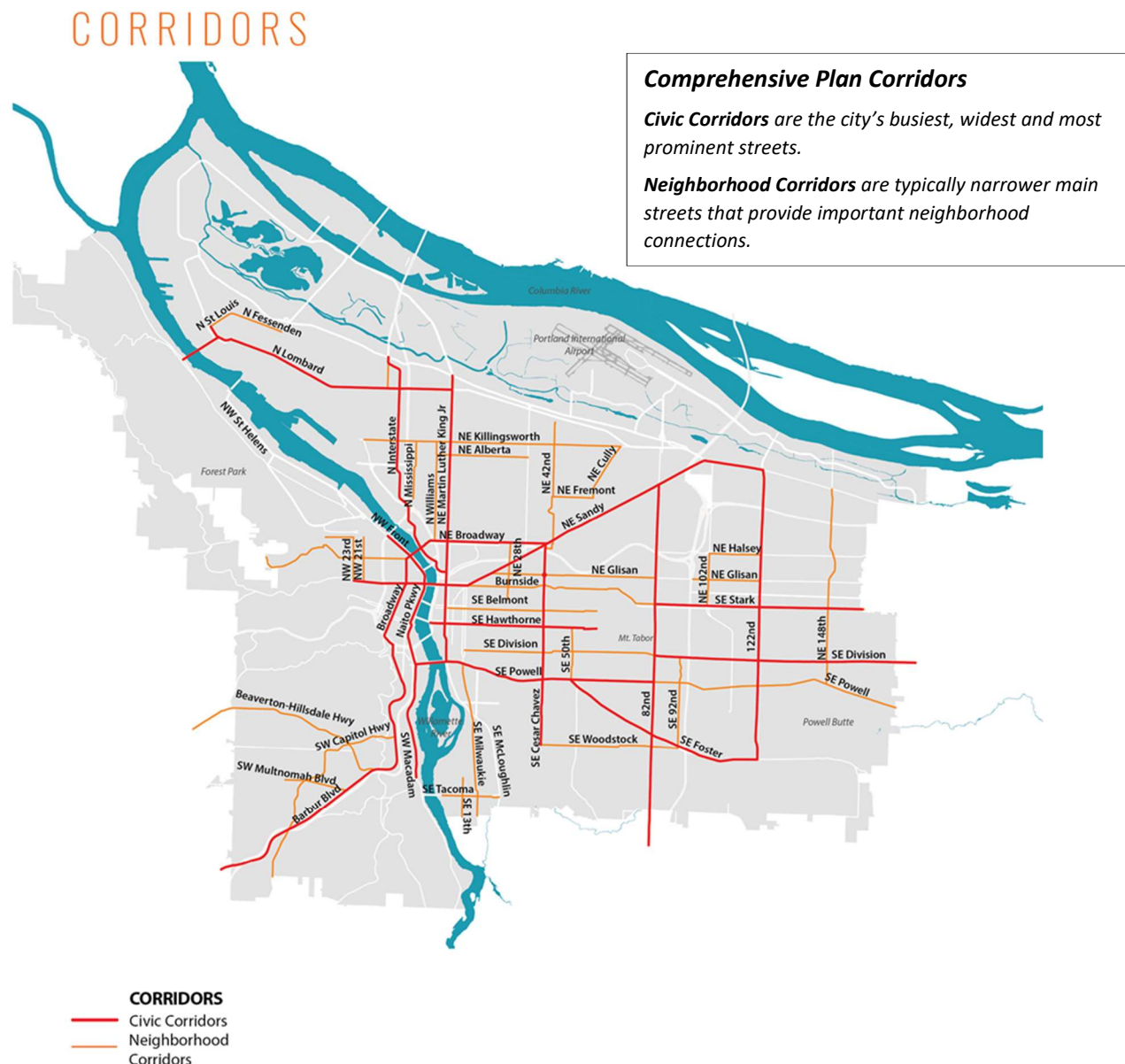
## Proposals

17. Provide design options that support urban development along major corridors.

- a. Allow for a continuous frontage of buildings along major corridors with no requirements for setbacks between properties along corridors.
- b. Allow buildings up to 100-feet tall in the RM4 zone close to frequent transit lines.

## Issues Addressed

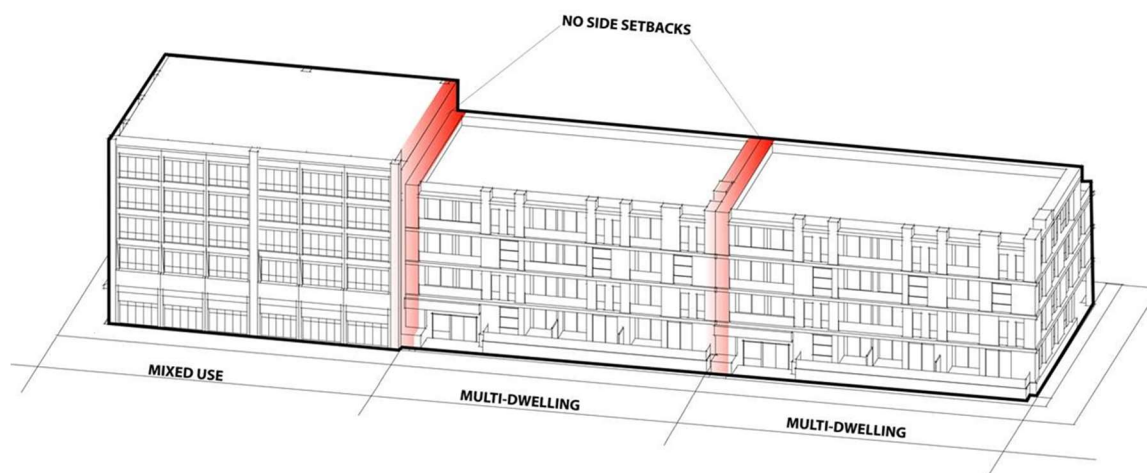
Comprehensive Plan policies call for fostering Civic and Neighborhood corridors as distinctive urban places that have transit-supportive densities of housing (as well as commercial services and employment). However, current regulations in the multi-dwelling zones apply the same way regardless of whether sites are located along these corridors or on neighborhood side streets.



## Proposal Approach

### 17a. Allow for a continuous frontage of buildings along major corridors with no requirements for setbacks between properties along corridors.

In the RM2, RM3, and RM4 zones in inner neighborhoods, proposed amendments would allow for no setbacks between properties located along Civic or Neighborhood corridors. This allowance will only apply in the Inner Pattern Area (see map on next page), which has an established pattern of zero side setbacks between buildings along traditional main streets. This will allow for a continuous frontage of buildings in both commercial and most multi-dwelling zones along Civic and Neighborhood corridors. In the RM2 zone, the most predominant multi-dwelling zoning along corridors, proposals also allow for greater building coverage along these corridors than in other locations (70 percent of a property can be covered by buildings, instead of the usual 60 percent limitation). Properties in the RM1 zone are not included in this no setback allowance, because this lower-scale zone is intended to continue characteristics of single-dwelling neighborhoods.



*Allowances in the Inner Pattern Area allow for zero setbacks between properties along Civic and Neighborhood corridors to provide for a more continuous frontage of buildings along these important corridors, which are typically well served by transit and commercial services.*

### 17b. Allow buildings up to 100-feet tall in the RM4 zone close to frequent transit lines.

In the RM4 zone, which is the largest scale multi-dwelling zone outside the Central City, current regulations allow buildings up to 100 feet tall (ten stories) in locations within 1,000 feet of light rail stations (outside these locations the height limit is 75 feet). Proposed amendments would expand this 100-foot height allowance to also apply within 500-feet of frequent transit lines (where buses come at least every 20 minutes during peak hours). This height allowance along frequent transit lines will not be provided in historic or conservation districts (where this height is only provided close to light rail stations). The additional height is not accompanied by increased FAR, which will provide opportunities for buildings to be taller and less boxy than buildings limited to 75-foot height when built to the proposed RM4 base and bonus FARs of 4 to 1 and 6 to 1. The expanded allowance for 100-foot height will increase the amount of land area where this height is allowed from the current 25 acres to a total of 78 acres. Design review will be required for development of this scale.



*1960s high rise buildings in the RM4 zone. Except near light rail stations, current base zones outside the Central City (including this location) provide no options for such development today.*



# East Portland Standards and Street Connections

## Proposals

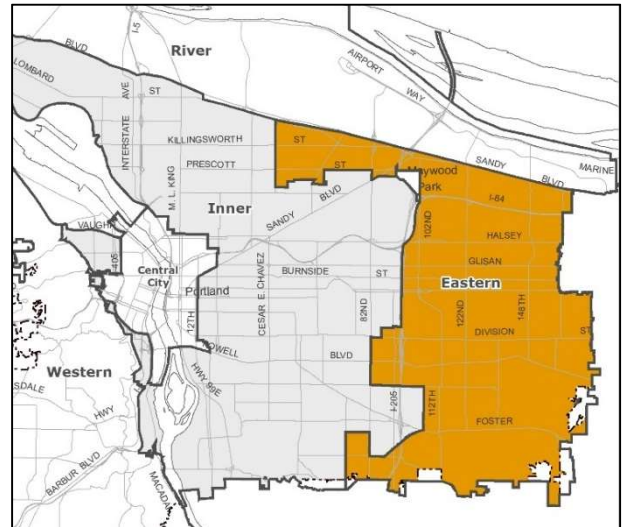
**18. Continue East Portland mid-block open areas through requirements for deep rear setbacks.**

## Issues Addressed

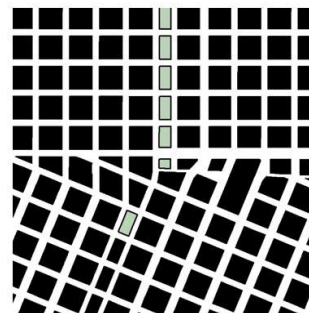
Comprehensive Plan policies call for development to be responsive to the characteristics and needs of different parts of Portland, with their distinct built and natural patterns. For the Eastern Portland pattern area, policies call for respecting the area's stands of Douglas firs and the positive aspects of its large blocks. Policies also recognize the need for more street connections to make it easier for people to get to community destinations.

New multi-dwelling development in Eastern Portland has contributed to meeting housing needs. But it has not always met expectations in terms of design, and few new street connections have been created.

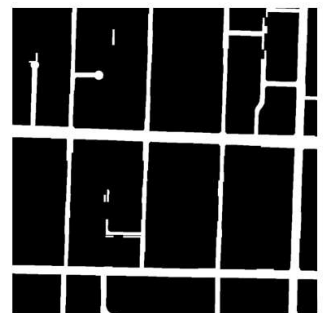
A distinct feature of the area is its large blocks (often 400 to 600 feet wide at their narrow dimension, compared to 200-feet wide in Inner neighborhoods, and sometimes more than 1,000 feet in length). Properties in the multi-dwelling zones are frequently 200 to 300 feet in depth. This results in poor street connectivity, but these blocks sometimes feature groves of Douglas firs and green mid-block areas that are valued by community members.



Downtown



East Portland



Ten blocks in downtown Portland can fit into one large East Portland block.



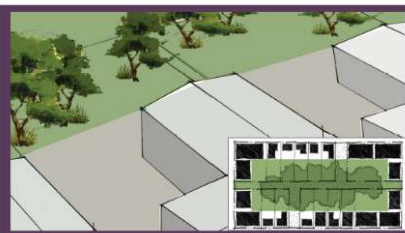
Common open space areas



Space for large trees



Landscaped front setbacks



Mid-block open space



New multi-dwelling development on the area's deep lots often leaves little unbuilt or unpaved space.

Site elements that East Portland residents say are important to include with multi-dwelling development. These are addressed by various proposals included in the Discussion Draft.

## Proposal Approach

### 18. Continue East Portland mid-block open areas through requirements for deep rear setbacks.

This proposal would apply only to sites with multi-dwelling zoning in Eastern Portland (map on previous page). It would require a rear setback equal to 25 percent of the site depth. This is responsive to the area's large blocks and community interest in continuing some of the area's mid-block characteristics, such as rear yards and tree groves. Keeping mid-block areas more open could also help leave space for connections through the area's large blocks to help improve connectivity. Exceptions to this requirement would include:

- Sites no more than 100 feet deep and corner sites would be exempt from this special setback (sites where a new street connection is being proposed would typically be exempt).
- Buildings serving as indoor community space could be located within the setback.
- Parking areas could occupy up to half the setback area. This is intended to work in conjunction with other regulations that discourage parking from being located toward the front of sites.
- Sites providing large common areas (minimum of 10 percent of sites area) elsewhere on the site would be exempt.



*Large blocks with multi-dwelling zoning in East Portland, with Douglas fir groves located at the centers of the blocks.*



**Current approach**

*Development extends to rear of lots*



**Proposed approach**

*Development arranged to provide mid-block outdoor area at rear of site (same housing unit sizes and density as current approach example)*

This proposal is a significant change from current regulatory approaches. However, code modeling of this proposal indicates that this requirement would not prevent the scale of development intended for multi-dwelling zones in East Portland (see **Appendix B**). Project staff held a workshop on March 14, 2018, with East Portland community members to discuss this proposal. Workshop participants strongly supported the proposal, but requested an exception for projects that provide common areas or courtyards that are more central to units (see page 50). Staff incorporated this exception into the Better Housing by Design proposals.



## East Portland Standards and Street Connections

### Proposals

19. Require street frontages wide enough for quality site design and to provide space for new street connections in East Portland centers.
20. Calculate development allowances prior to street dedication to facilitate street connections.

### Issues Addressed

Comprehensive Plan policies call for centers to become well-connected places where it is easy to get around by foot or bicycle. Centers in East Portland have deficient street connectivity, making it difficult for residents to access local destinations and transit.

New development provides opportunities for creating new street connections. However, the narrow sites common in East Portland are often too narrow to fit even a partial street connection, resulting in no new connections when development occurs on these sites. Also, when new street connections are provided, current regulations reduce the amount of housing units that can be built, which creates a disincentive to providing street connections.

Properties in the multi-dwelling zones in East Portland are often both narrow and very deep (sites 60-feet wide and 200-feet or more in depth are common), making it difficult to achieve quality site design. In recognition of some of the design challenges related to development on East Portland's narrow sites, Comprehensive Plan Policy 3.94 calls for land in Eastern Portland to be combined into larger sites before development occurs.

Some of the problems with East Portland's narrow sites are:

- Driveways and other vehicle areas often occupy a large proportion of site area (20-foot wide driveways are typically required for deep sites).
- Lack of space for street connections (38 feet is typically need for a half-street connection).
- Little opportunity for buildings to be oriented to public streets.
- Limited room for usable outdoor spaces or for trees.
- Lack of efficiencies of scale and infrastructure.



*60-foot wide by 300-foot deep site in the R1 zone in East Portland.*



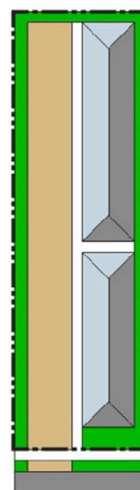
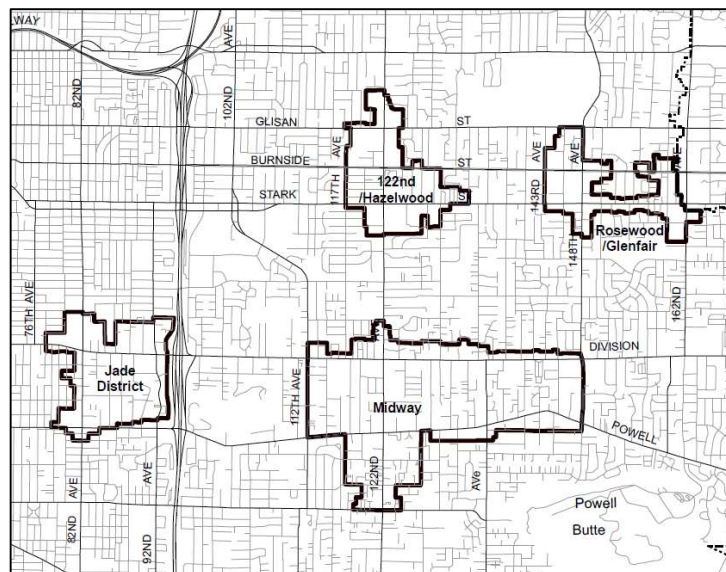
*Full street connections are too wide to fit into many lots in Eastern Neighborhoods (50-foot wide street shown).*

## Proposal Approach

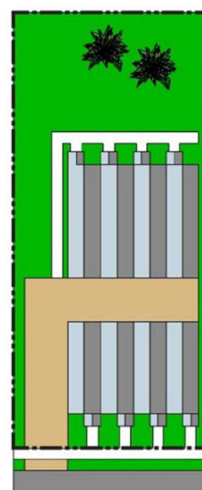
### 19. Require street frontages wide enough for quality site design and to provide space for new street connections in East Portland centers.

This proposal would apply to sites with multi-dwelling zoning located in the Jade District, 122<sup>nd</sup>/Hazelwood, Rosewood/Glenfair neighborhood centers and in and around the Midway town center (see map). Within these areas, for multi-dwelling zone sites more than 160-feet deep, the proposal would require a minimum street frontage of 90 feet for development of new units to take place. Exceptions would be provided for projects approved through a Planned Development Review or that are surrounded by fully-developed properties.

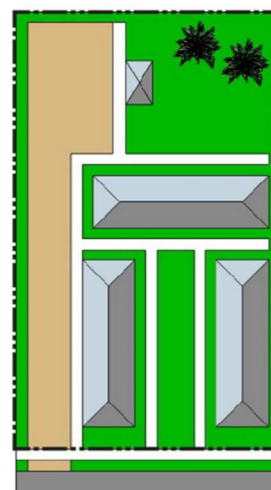
This minimum street frontage width would provide enough space for a variety of site configurations, more efficient site design and partial street connections (if needed), as well as allow for driveways to take up less than a quarter of the site width. While there are many benefits to larger sites, a tradeoff is that requiring narrow sites to be combined adds time, cost, and complexity to development.



60'-wide site



90'-wide site

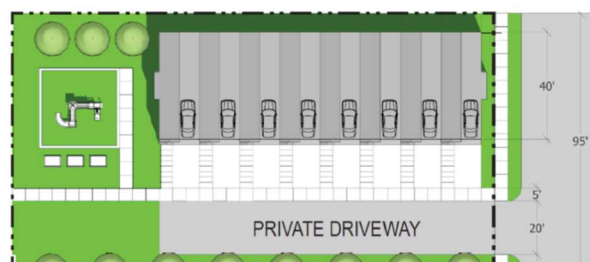


120'-wide site

### 20. Calculate development allowances prior to street dedication to facilitate street connections.

**This proposal would apply citywide.** It would allow FAR to be calculated before street right-of-way is dedicated, to reduce disincentives to providing street connections.

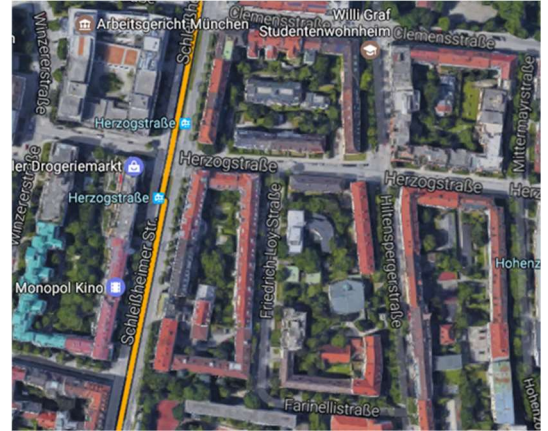
*Currently, development that provides a public street connection loses development allowances (above), while a development that only includes a private driveway (below) has no such penalty.*



## East Portland Standards and Street Connections

In combination, the proposed East Portland standards would set new direction for the form of development in the area that could accommodate multi-dwelling housing in ways that include outdoor spaces and new street and pedestrian connections. PBOT's Connected Centers Street Plan (see **Appendix G**) works in conjunction with these zoning code amendments by proposing new types of narrower street connections that will expand possibilities for fitting street connections into constrained sites.

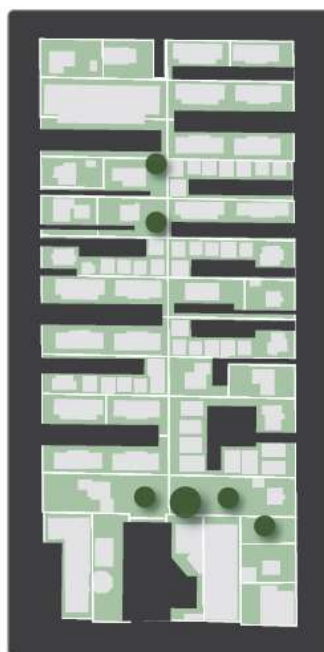
There are many precedents around the world for blocks with high-density housing that incorporate mid-block outdoor space along with urban housing (see image to right). These precedents often have blocks that are substantially larger than inner Portland's 200-foot deep blocks, but these configurations may be possible over time on East Portland's large blocks.



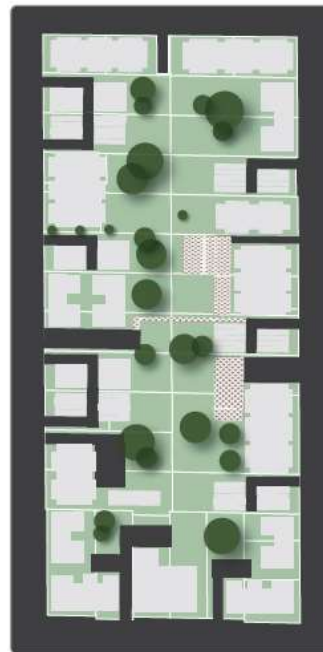
### East Portland Block – Future Possibilities



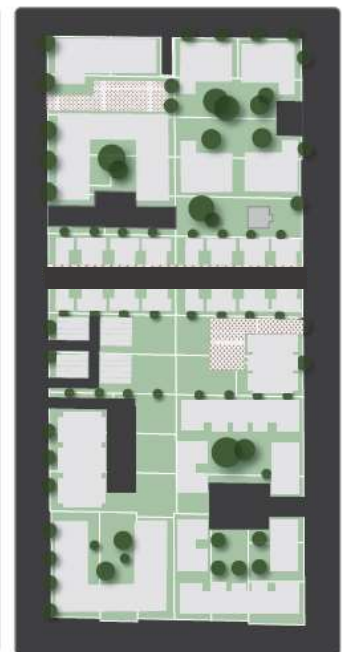
Existing



Continuation of current trends



Mid-block open areas



Mix of mid-block open areas and central courtyards

*These graphics show potential long-term outcomes for East Portland blocks. The second graphic shows a continuation of current trends, with development – often on narrow sites – built to the rear of each site. The third illustrates the deep rear setback approach, which over time could result in a substantial contiguous area of mid-block outdoor spaces. The fourth graphic shows a potential outcome of the proposed regulations, which would generally require deep rear setbacks, but provides exceptions for projects with centralized common areas or street connections.*



## Other Major Proposed Amendments

### 21. Strengthen minimum density requirements.

Currently, regulations allow units to be added to existing development without having to meet the minimum density requirements. This is proposed to be changed so that most development of new residential units (with the exception of accessory dwelling units and the addition of units within existing buildings) must meet minimum density requirements.

This will help ensure that new construction meets the intended development intensities of the multi-dwelling zones. It would prevent a situation common on deep sites in East Portland, where an existing house is preserved and multiple new houses added to the rear of a site, sometimes significantly underbuilding the intended densities of multi-dwelling zones.

This amendment would continue to exempt properties with historic resources from minimum density requirements and provide reduced minimum densities for sites where trees are being preserved. It would also add exemptions for sites in flood or landslide hazard areas.

### 22. Require Transportation and Parking Demand Management approaches in the multi-dwelling zones.

This proposal would add Transportation and Parking Demand Management (TDM) requirements to the multi-dwelling zones. TDM strategies are intended to help reduce drive-alone trips and to limit transportation impacts of new development, while providing people with incentives to ride transit, walk, bike, and carpool.

TDM requirements were previously adopted for the commercial/mixed use zones, and would now also apply to the new multi-dwelling zones (RM1, RM2, RM3, and RM4), which allow a similar scale of residential development. TDM requirements would only apply to sites that are close to frequent transit service (e.g., within 500 feet from frequent bus lines), in recognition of the more limited transportation options outside of these areas.

Where the requirement applies, a TDM plan will be required for projects that include buildings with 10 or more new residential units. The TDM requirements allow an applicant/building manager to adopt a pre-approved “off the shelf” TDM plan. As an alternative, an applicant may choose to develop a custom TDM plan through a Transportation Impact Review.

Pre-approved TDM plans will consist of the following components:

- **Multimodal financial incentives:** One-time multimodal financial incentives, equivalent in value to an annual TriMet pass (currently \$1,100), will be required for each residential unit (affordable units will be exempt through 2020, and then would have reduced fees). Options will be provided for the use of these funds to be applied toward TriMet passes for residents, bike share memberships, or car share programs.
- **Education and Information:** Print materials about walking, bicycling, transit, and other transportation options will be made available to building tenants and employees and displayed in building common areas.
- **Surveys:** Building operators will be required to participate in an annual transportation options survey.

## Other Major Proposed Amendments

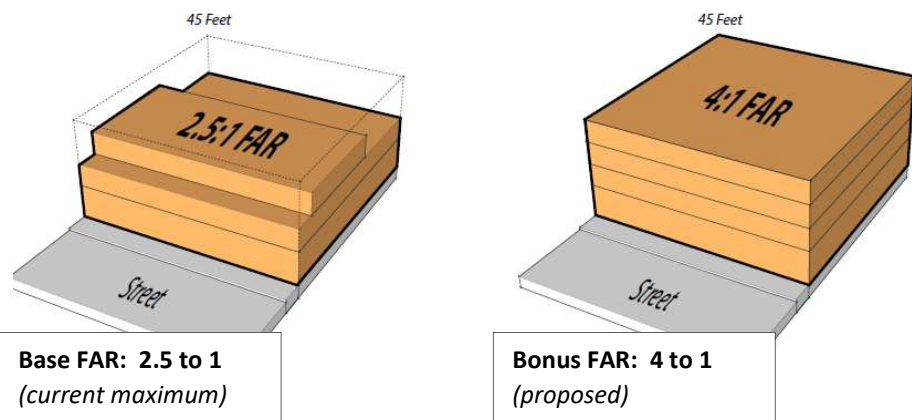
### 23. Amend commercial/mixed use zone regulations to be consistent those in the multi-dwelling zones.

Zones in both the commercial/mixed use zones (Chapter 33.130) and in the multi-dwelling zones (Chapter 33.120) allow similar types and sizes of multi-dwelling buildings, such as multi-story apartments buildings. To provide consistency in the regulations across these two types of zones, the Better Housing by Design proposals include amendments to commercial/mixed use zone regulations that correspond to regulations in the multi-dwelling zones. Proposed amendments to the Chapter 33.130 commercial/mixed use zone regulations (see Volume 3) include:

- **Allow FAR bonuses and transfer allowances to be used in Historic and Conservation districts.** In the CM2 zone, the predominant commercial/mixed use zone in historic districts, this would allow projects to exceed the base FAR of 2.5 to 1 (equivalent to a three-story building covering most of a lot) and obtain a bonus FAR of up to 4 to 1, primarily through providing affordable house units (via the inclusionary housing bonus). The maximum building height in historic districts would remain at 45 feet (four stories). Currently, buildings with 20 or more units are required to provide affordable units, but do not receive any bonus FAR (which is intended to help offset the costs of providing affordable units) when located in historic districts.
- **Allow historic preservation FAR transfers citywide,** instead of current two-mile maximum distance. Sites receiving FAR transfers in the commercial/mixed use zones would still be subject to existing limits on how much additional FAR can be received. In the CM2 zone, for instance, the maximum total FAR that can be achieved through FAR transfers is 3.25 to 1.
- **Modify the commercial/mixed use zones parking standards** to require 1 space for every 2 units for larger sites outside frequent transit buffers. Also, these zones would be subject to the same reduced parking requirements for small sites up to 10,000 square feet in size (instead of the current threshold of 7,500 square feet) as are proposed for the multi-dwelling zones (on these small sites, no off-street parking would be required for projects with up to 30 units).
- **In the CM2 and CM3 zones, change the step-down height across local service streets from single dwelling zones to 45 feet** (instead of 35 feet). Also, eliminate requirements for height step downs in the CM3 zone in locations adjacent to the RM2 zone.
- **In the Inner Pattern Area, allow for zero setbacks from property lines abutting properties with multi-dwelling zoning along Civic and Neighborhood corridors.**
- **Amendments to standards for outdoor common areas, pedestrian connections, and attached house garages** to correspond to amendments to similar standards in the multi-dwelling zones.

#### CM2 zone in historic districts

*Building massing of current maximum FAR and proposed bonus FAR. The maximum bonus scale of four stories is similar to historic buildings in some historic districts.*





## Comparison of Current and Proposed Development Standards

This table provides a comparison of development standards that apply in the current zones (shaded) and those proposed for the new zones. This table is a summary and does not include all development standards and details (see Volume 2 for details on existing and proposed development standards). The table includes only one column for the RX zone and does not include the RMP zone, as these zones are retaining their current names and are not proposed for significant changes.

Standard	R3	R2	RM1	R1	RM2	RH	RM3	RM4	RX
Maximum Density/FAR	1 unit per 3,000 sq. ft. of site area	1 unit per 2,000 sq. ft. of site area	FAR of 1 to 1	1 unit per 1,000 sq. ft. of site area	FAR of 1.5 to 1	FAR of 2 to 1 or 4 to 1	FAR of 2 to 1	FAR of 4 to 1	FAR of 4 to 1
Minimum Density	1 unit per 3,750 sq. ft. of site area	1 unit per 2,500 sq. ft. of site area	1 unit per 2,500 sq. ft. of site area	1 unit per 1,450 sq. ft. of site area	1 unit per 1,450 sq. ft. of site area	1 unit per 1,000 sq. ft. of site area	1 unit per 1,000 sq. ft. of site area	1 unit per 1,000 sq. ft. of site area	1 unit per 500 sq. ft. of site area
Maximum Height	35 ft.	40 ft.	35 ft.	45 ft.	45 ft.	65 ft. or 75/100 ft.	65 ft.	75/100 ft.	100 ft.
Step-Down Height (25' from SFR zone)	--	--	35 ft.	--	35 ft.	--	35 ft.	35 ft.	35 ft.
Minimum Front Setback	10 ft.	10 ft.	10 ft.	3 ft.	5/10 ft. <sup>1</sup>	0 ft.	5/10 ft. <sup>1</sup>	0/5 ft. <sup>1</sup>	0 ft.
Minimum Side/Rear Setback <sup>3</sup>	5-14 ft.	5-14 ft.	5 ft.	5-14 ft.	5 ft.	5-14 ft.	5/10 ft. <sup>2</sup>	5/10 ft. <sup>2</sup>	0 ft.
Maximum Building Coverage	45%	50%	50%	60%	60% 70% <sup>4</sup>	85%	85%	85%	100%
Minimum Landscaped Area	35%	30%	30%	20%	20%	15%	15%	15%	none
Required outdoor area per unit	48 sq. ft.	48 sq. ft.	48 sq. ft.	48 sq. ft.	48 sq. ft.	none	36/48 sq. ft. <sup>5</sup>	36/48 sq. ft. <sup>5</sup>	none

<sup>1</sup>The larger setback is the general standard. The smaller setback applies when ground floors are raised 2 feet above sidewalk level (to limit privacy impacts). Exemptions to required front setbacks apply for ground floor commercial uses, courtyard arrangements, and allow setbacks to match those of buildings on adjacent properties.

<sup>2</sup>Side and rear setbacks are 5 feet for buildings up to 55-feet high, and 10 feet for buildings taller than this.

<sup>3</sup>In the Eastern Pattern area, required rear setbacks are equal to 25 percent of the depth of the site.

<sup>4</sup>70% building coverage applies to properties that abut Civic or Neighborhood corridors.

<sup>5</sup>Required outdoor space is 36 square feet per unit for sites up to 20,000 square feet in total area, and 48 square feet per unit for sites larger than this.