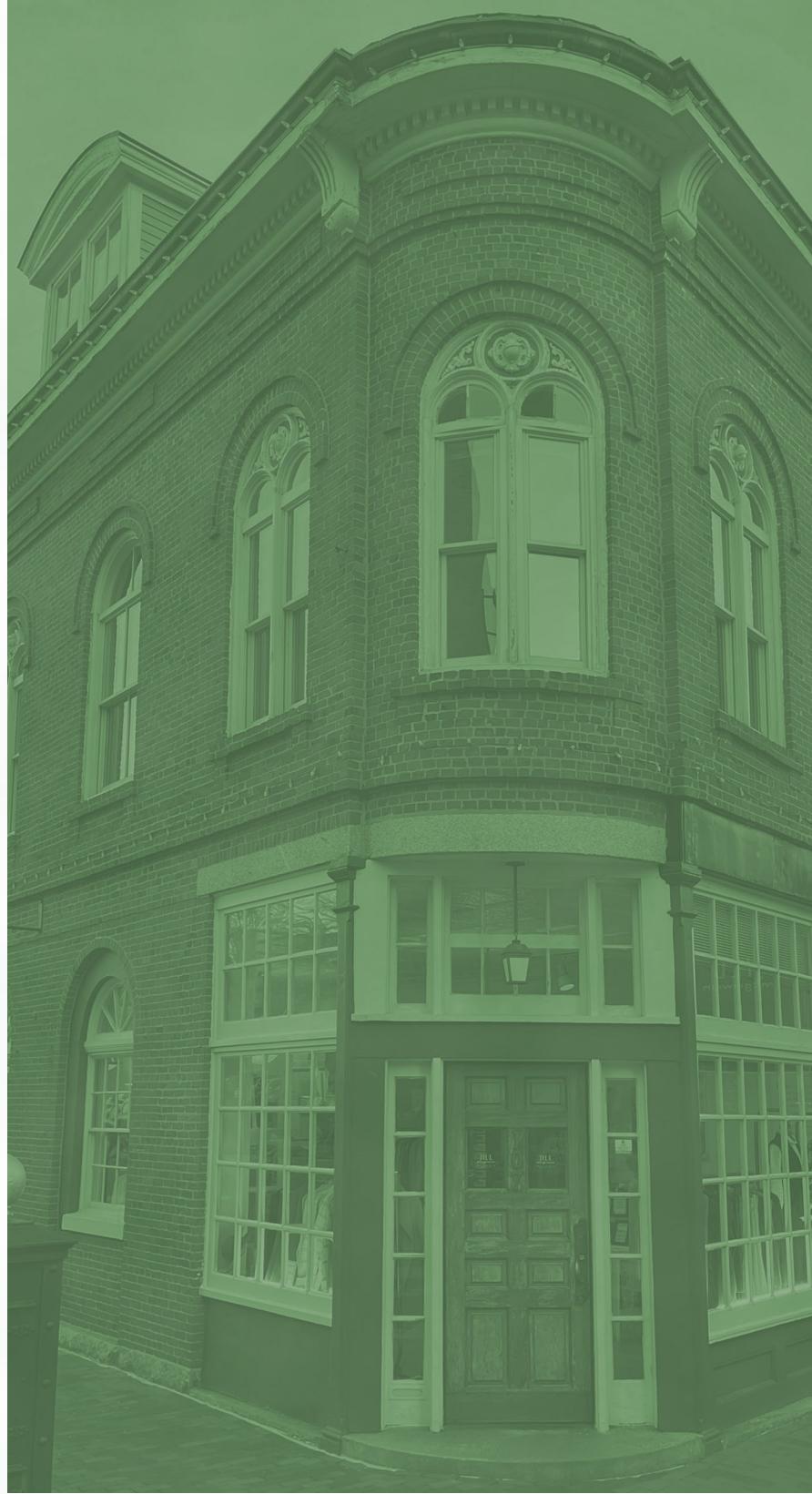




Urbanist Coalition of Portland

2023
Proposal for
ReCode



2023 Proposal for ReCode
Master Reference – 1st Edition
May 2023

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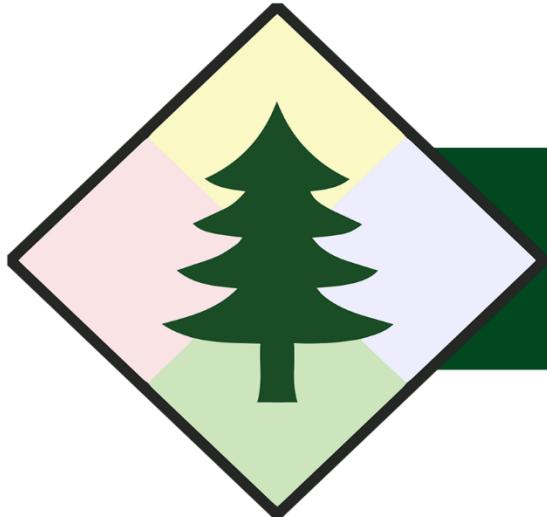


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Our ReCode Proposal

The City of Portland is in the process of rewriting its zoning code. We applaud the ongoing work as well as the work done in Phase One of this ReCode process, which greatly simplified our code, allowed the construction of accessory dwelling units, and took the first step towards transit-oriented development. However, from following the process, we are concerned the proposed changes for ReCode Phase Two will not take full advantage of the rare opportunity we have to improve our city. This is why we have put together our own proposal of code changes.

The intention of these zoning code changes is to allow for more middle-density, mixed-use neighborhoods that are pleasant to live in and move around. These changes make housing more affordable, encourage equity, protect the environment, make the administration of our city services more resilient and efficient, and bring communities closer together. All of these outcomes are goals laid out in Portland's Comprehensive Plan. The recommendations in this document will not stop people from building the types of buildings they build today, they will just give people more options of neighborhoods to build and live in. We are currently in a housing affordability crisis with an environmental crisis on the horizon; the least we can do is allow ourselves to build the kind of city that can rise to face these challenges.



Independence of Recommendations

We feel that in order to get the full benefit of these recommendations, it would be best if they were all accepted. Each recommendation complements and enhances the others – if several are accepted, the overall effect would be greater than the sum of each recommendation alone. However, each recommendation is designed so that it can be accepted independently of any other recommendation. In situations where one recommendation may impact other recommendations, both cases have been listed out and have been highlighted in gray. Our default approach to each recommendation is to make the smallest possible change while carrying forward the intent of the remainder of the existing code given that change. For example: we would like to allow for slightly taller buildings to make room for modern-day insulation and ventilation between each floor. We would also like to allow one additional story in certain zones. Under the first recommendation, we propose slightly increased heights to allow for insulation based on the number of stories currently allowed in each zone by the existing code, without including our desired extra story. We also note what the increased height would be if our recommendation for an additional story were to be accepted as well.

How This Document Was Made

The Urbanist Coalition of Portland has decided to propose our own ReCode recommendations to encourage the City to make the most of this rare opportunity to update our land use code. Many of our members have attended one or more ReCode workshops and felt their process seemed to be gathering support for a specific few proposals that would fall short of allowing the kind of sustainable, affordable housing that our city needs. Our membership consists of Portlanders concerned about stagnancy, financial sustainability, environmental sustainability, climate, green space, transit, equity, social justice, all of whom broadly agree that middle-density, mixed-use, walkable, and bikeable neighborhoods are the qualities that the city should pursue. The recommendations in this document reflect those ideals and are meant to enable these desired outcomes.

To produce this document, our membership first brainstormed ideas, then categorized and combined those ideas based on the emergence of some common themes, and finally voted on which ideas to include in this document. We then drafted this document, with the intent of producing a set of specific land use code amendments with language that could be passed as is. This required a thorough understanding of the land use code and confirming that the language of all amendments was consistent with the current code, changed every relevant element, and was internally consistent. Recommendations were adapted as needed when new information within the code came to our attention. Once the document was written, our membership voted to approve it.

Portland's *Comprehensive Plan*

Portland's Plan is a document that lays out ambitious yet vital goals for our city's future. We believe that our ReCode recommendations are compatible with all of the city's goals, and are essential for achieving some of them. To that point, we provide examples of how our ReCode recommendations will empower Portland to achieve each of the goals outlined in Portland's Plan.

Environment

"Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation."

The best land use policies to promote walkable neighborhoods and multi-modal transportation are policies that allow middle-density housing and mixed-use neighborhoods. In mixed-use neighborhoods, people's homes will be located closer to their shops, restaurants, and businesses, which makes our whole city more walkable and cyclable. With a bit more density, more frequent transit service begins to make sense, resulting in higher quality service for everyone. This will not only reduce carbon emissions but will also improve the local environment. Car brake pads release particles into the air that have been shown to cause respiratory problems, especially in children. By making it easier to drive less, we can protect the planet and breathe easier.

Economy

"Value and nurture Portland-based businesses."

Neighborhood-scale businesses are too small and local for many national chains to bother opening. This is where local businesses shine. If you look at our neighborhood business zones today, you will see almost entirely local businesses. By opening our city up to more businesses like this, we will lower the barrier of entry for Portlanders to open their own business and local businesses will be able to compete where they can win: locally.

Housing

"Increase, preserve, and modify the overall supply of housing City-wide to meet the needs, preferences and financial capabilities of all Portland Households."

Our city is in the midst of a housing crisis and it is clear our housing supply is not meeting the needs of our city's residents. We believe this is, in part, because much of the housing supply is mandated to be one type: single-family homes. Single-family zoning, setbacks, lot coverage maximums, and lot size minimums all add to the cost of housing and limit the amount of housing it's possible to build. This burns the proverbial candle at both ends, reducing both the number of people who are able to afford housing and the total number of homes within our city. The recommendations in this document will not make it easier for big developers to build massive apartment blocks. They will allow for a gentler, middle density of homes that individuals will be able to afford to build, own or rent. Going from covering just 20% of your lot to 40%, or allowing a handful of units where before there could only be one, will put housing – and even home ownership – within reach of many more residents, while keeping our city beautiful and making it more livable. These changes will not end the housing crisis on their own, but for every family that gets a new place to live that could not have been built before, we will have made a world of difference.

Facilities and Services

"Use planning and fiscal management to sustainably maintain a high level of service for existing infrastructure and programs."

Allowing for more density is the best way to provide a high level of service in a financially sustainable way. The larger the tax base is for a given area, the less each person has to pay for road paving, sewers, electric cables, snow clearance, and more. With a small increase in density, our city can afford to offer a higher quality of service at the same cost to our residents. Another benefit of these recommendations is that walking, cycling, and transit are cheaper to facilitate and maintain than car-centric infrastructure. Not only do these modes of transport all use road space more efficiently than personal cars, but the weight of cars and trucks puts exponentially more wear and tear on roads than bikes or feet, requiring more frequent resurfacing.

Transportation

"Promote multi-modal accessibility, enabling residents and visitors of all ages and abilities to participate fully in the social and economic life of the community."

This goal is very similar to the environment goal and is an opportunity where we can improve our environment while increasing convenience and our quality of life. Our recommendations encourage walkable, cyclable, neighborhoods. With mixed-use neighborhoods, people will be located closer to their shops, restaurants, and businesses which makes our whole city more walkable and cyclable. Eliminating the requirement for parking lots where they may not be desired or needed helps use space better, and increasing bike parking enables more people to use alternatives to cars. A bit more density makes more frequent and higher quality transit service financially feasible. With fewer cars on the roads going slower, our streets will also be safer for pedestrians, cyclists, children, and anyone not inside a car.

Equity

"We will remain an open and inclusive City, celebrating diversity and providing a welcoming and safe place for residents and visitors alike."

This is not a goal of the comprehensive plan but a value to be applied throughout. We felt it was crucial to include this value here because our recommendations attempt to undo some of the damage wrought by inequitable zoning practices. Single-family zoning was conceived as a means of racial segregation and has served as an amplifier for the inequities in our society through its entire history and into the present. These reforms will not be enough on their own to undo that damage but we feel they are a step in the right direction.

Future Land Use: Complete Neighborhoods

"Portland's Plan recognizes that strong, complete neighborhoods are fundamental to the City's overall health. Portland's intent for its predominantly residential neighborhoods is one where all residents regardless of age, ability, or income have access to the basic necessities of daily life - high quality and affordable housing, schools and other civic functions, food, open space, other amenities and services - within a walkable, bikeable distance."

If our recommendations could be summarized in two words, they might be "complete neighborhoods". Everything in this document is there to ensure our city's neighborhoods have access to these life necessities close by. Allowing for some more density will provide access to high-quality, affordable housing and leave more room for truly usable open space, preventing sprawl. Allowing mixed uses will provide nearby food and other amenities.

LD2003

Recently, the state of Maine passed [LD2003](#) which allows for two to four units everywhere that housing is currently allowed. This law takes effect July 1, 2023 and our zoning code is not in compliance. If we don't update the code in advance of these changes it can lead to legal ambiguity. These recommendations will bring us into compliance with LD2003.

The Islands

We feel the needs of the islands are different from the needs of the mainland and best addressed by the residents of the islands themselves. We welcome any attempts by the residents of the islands to use the ReCode process to improve their land use code but in this document we have left the land use code of the islands **completely unchanged.**



1

Neighborhood Business

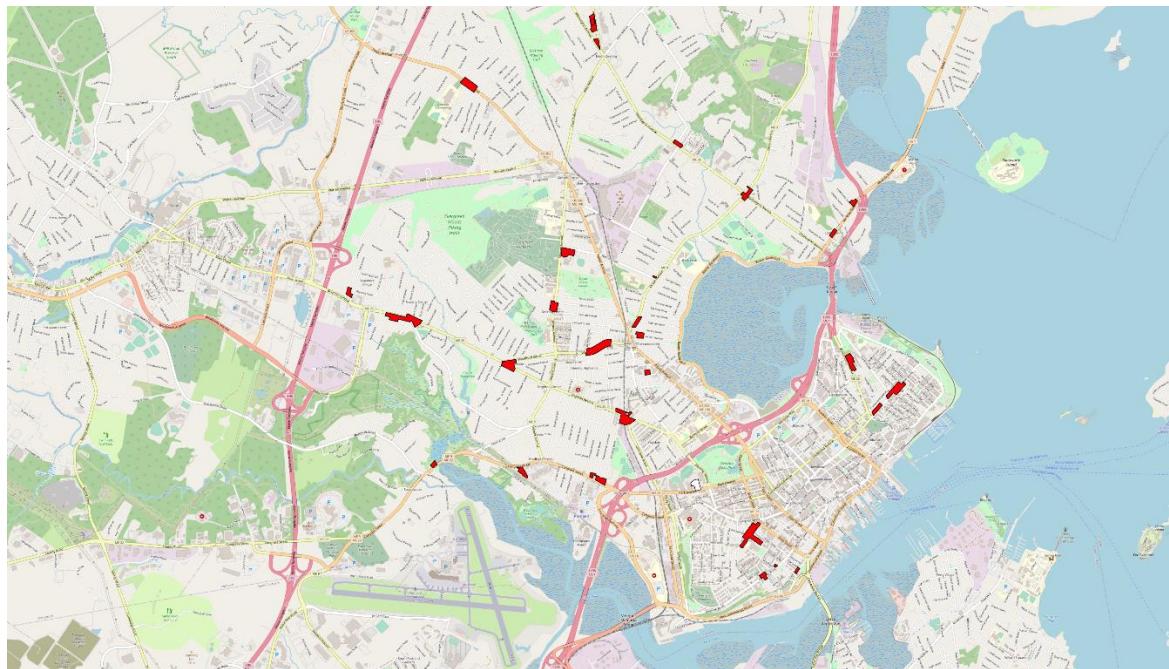
Neighborhood Business

Neighborhood businesses are small, first-floor, low-impact businesses that are incorporated into the fabric of residential neighborhoods. Our land use code already defines these businesses and, where currently allowed, they take the form of small local shops, restaurants, and cafes that are assets to their communities. Unfortunately, the areas where they are allowed are few and far between, and some neighborhoods don't have them at all. The locations of these pockets of neighborhood business – many the size of a single building – were determined over a century ago by what businesses happened to be there when our zones were first defined.

As our city grows and changes it is hard to predict where neighborhoods will form and what their needs will be in advance. By allowing neighborhood businesses everywhere, we can allow our current and future neighborhoods to have small shops and restaurants nearby, while still protecting them from large disruptive stores that could bring in outside traffic. Small, locally-owned, neighborhood businesses like hair dressers or baby clothing stores can also become neighborhood anchors, especially for parents who may not have the time or a car to seek these services elsewhere while caring for young children.



We also recommend expanding neighborhood businesses to low- and medium-impact industrial zones. We know this may sound a bit odd, but recently these zones have become home to many of our local breweries. These breweries have tasting rooms and often host food trucks. Many even have semi-permanent food trucks on site. These establishments are essentially restaurants and have the same impact on their surroundings, but are limited in the services they can provide by our outdated zoning.



A map of the tiny pockets where neighborhood businesses are allowed. Some are the size of a single business.

Recommendation Summary

Allow small, low-impact, first-floor commercial uses in all residential zones as well as low- and medium-impact industrial zones. Some examples of uses that will be allowed, on the ground floor: restaurants, small retail, and clinics. Some examples of what will **not** be allowed: bed and breakfasts, marijuana retail stores, bars, adult business establishments, and auto service stations.

Recommendation In-Depth

1. Update the use standards of all residential zones (R-*) (*Table 6-A*) as well as certain industrial zones (I-L/I-Lb and I-M/I-Mb) (*Table 6-E*) to include this subset of allowed uses from the B-1b Zone (*Table 6-C*) with the footnote “Permitted on the ground floor only”:
 - a. Combined living/working spaces
 - b. Clinics (ground floor) (ground floor)
 - c. Elementary, middle, and secondary schools (ground floor)
 - d. Governmental uses (ground floor)
 - e. Places of assembly (< 10,000 SF) (ground floor)
 - f. Preschool facilities (ground floor)
 - g. General offices (<5,000 SF) (ground floor)
 - h. General services (<5,000 SF) (ground floor)
 - i. Restaurants (ground floor)
 - j. Retail (< 5,000 SF) (ground floor)
 - k. Studios for artists and craftspeople (ground floor)
 - l. Parks and open spaces
 - m. Solar energy system (minor)
 - n. Utility substations
2. The B-1b zone will remain in place so all existing areas zoned B-1b will maintain the same rules. Notably these uses are not applied to all zones:
 - a. Single-family dwellings
 - b. Two-family dwellings
 - c. Multi-family dwellings
 - d. Bed and breakfasts
 - e. Hostels

3. Table 20-F (Allowed Sign Types by Sign District)
 - a. Add footnote: "For commercial uses in residential zones all sign types are allowed except for the following: Marquee Sign, Service Island Canopy Sign, and Pole Sign"
4. Table 20-G: Dimensional Standards for Building-Mounted Signs by Sign District
 - a. Add subsection to row "Residential": "Lots with commercial use in all residential zones"
 - i. Add sub-row "Single-tenant building"
 1. "Total Area for All Signs (per Tenant or Façade)": "All other zones: 1.5 SF per linear foot of building façade where sign is placed; Max. 100 SF"
 2. "Number of Signs (max.)": "1 per street frontage, plus 1 additional"
 - ii. Add sub-row to row "Multi-tenant building"
 1. "Total Area for All Signs (per Tenant or Façade)": "All other zones: 1.5 SF per linear foot of building façade where sign is placed; Max. 150 SF"
 2. "Number of Signs (max.)": "1 per tenant^{5,6}, plus 1 additional for the building."
5. Table 20-R: Dimensional Standards for Freestanding Signs by Sign District
 - a. Add sub-row to row "Residential": "Commercial"
 - i. Area (max.): 32 SF
 - ii. Height (max.): 8 ft.
 - iii. Number of Signs: 1 per lot¹

Draft Amendment Language

Section 1: Update Use Standards in Residential and Industrial Zones

Amend the use standards for all residential zones (R-*) (*Table 6-A*) and specified industrial zones (I-L/I-Lb and I-M/I-Mb) (*Table 6-E*) to incorporate the following permitted uses, with the footnote "Permitted on the ground floor only":

- Combined living/working spaces
- Clinics (ground floor)
- Elementary, middle, and secondary schools (ground floor)
- Governmental uses (ground floor)
- Places of assembly (< 10,000 SF) (ground floor)
- Preschool facilities (ground floor)
- General offices (< 5,000 SF) (ground floor)
- General services (< 5,000 SF) (ground floor)
- Restaurants (ground floor)
- Retail (< 5,000 SF) (ground floor)
- Studios for artists and craftspeople (ground floor)
- Parks and open spaces
- Solar energy system (minor)
- Utility substations

Section 2: Sign Regulations for Commercial Uses in Residential Zones

Amend Table 20-F (Allowed Sign Types by Sign District) with the following footnote: "For commercial uses in residential zones, all sign types are allowed except Marquee Sign, Service Island Canopy Sign, and Pole Sign."

Section 3: Dimensional Standards for Building-Mounted Signs

Amend Table 20-G by adding the following rows under "Residential":

Subsection 3-A: Lots with commercial use in all residential zones

single-tenant building:

Total Area for All Signs (per Tenant or Façade): All other zones: 1.5 SF per linear foot of building façade where sign is placed; Max. 100 SF

Number of Signs (max.): 1 per street frontage, plus 1 additional

Multi-tenant building:

Total Area for All Signs (per Tenant or Façade): All other zones: 1.5 SF per linear foot of building façade where sign is placed; Max. 150 SF

Number of Signs (max.): 1 per tenant, plus 1 additional for the building

Section 4: Dimensional Standards for Freestanding Signs

Amend Table 20-R by adding the following sub-row under "Residential":

Commercial:

Area (max.): 32 SF

Height (max.): 8 ft.

Number of Signs: 1 per lot



2

Multi-Family Housing

Allow Multi-Family Housing

Multi-family housing is a building with more than one housing unit per building. It can mean anything from a duplex, to a triple-decker with apartments on different levels, to apartment buildings. Currently, the construction of new multi-family housing is not allowed in over three quarters of the residential land in Portland, not including the islands, where it is also not allowed. This restriction has nothing to do with the size and shape of buildings; even duplexes of the same height and footprint as a single-family home are prohibited.



This results in sprawling developments of detached single-family homes that are more expensive per unit, excluding people from huge areas of the city, and shrinking our precious green spaces. Conversions to multi-family can also help people age in place by providing a source of income. There are plenty of zoning provisions that will protect our lower-density neighborhoods from experiencing overly intensive development: heights are limited, buildings can't cover too much of their lots, lots need to be a minimum size, etc. We can lift this requirement and provide more housing to more people inside the forms we are already comfortable with.

Recommendation Summary

Combine multi-family, multiplex, two-family, and single-family dwelling uses into a single use (dwellings) and allow that new use anywhere the old uses were allowed, with the exception of island zones. For the island zones, create a new use “Island Dwellings” which are limited to single-family dwellings and apply them wherever single-family dwellings were allowed in island zones to preserve existing standards.

Recommendation In-Depth

1. Section 3 Definitions

- a. Page 3-3: here the following terms are defined: “Dwelling, single-family”, “Dwelling, two-family”, “Dwelling, multi-family”. These definitions will be removed and replaced with two new definitions:
 - “Dwelling: A building or portion thereof containing one or more dwelling unit”
 - “Island Dwelling: A single building containing one dwelling unit, located on an island”
- b. Page 3-9: Remove definitions “Multi-family development” and “Multiplex”
- c. Page 3-10: update the definition of “Place of assembly”, replace “... not including the permanent residents of a single-family dwelling...” with “not including the permanent residents of a single dwelling unit (if permanent residents of multiple dwelling units are present only permanent residents of the dwelling unit with the most permanent residents present will not be included)...”
- d. Page 3-10: update the definition of Planned unit development. Change from “A development consisting of either detached or attached single-family dwelling units...” to “A development consisting of island dwellings...”

- e. Page 3-12: update the definition of Small-scale marijuana caregiver, replace "...no more than: 1) 250 square feet of plant canopy where located in a single-family dwelling or commercial space; or 2) 125 square feet of plant canopy where located in a dwelling unit within a two-family or multi-family building." with "...no more than: 1) 250 square feet of plant canopy where located in a commercial space or a building containing only one dwelling unit; or 2) 125 square feet of plant canopy where located in a dwelling unit within a building containing more than one dwelling unit."
- 2. Table 5-B (Residential Zone Purpose Statements):
 - a. R-1: Replace "To provide for lower density residential development characterized by single-family homes on individual lots in outlying areas of the city and along traffic corridors with limited additional traffic capacity." with "To provide for residential development in outlying areas of the city and along traffic corridors with limited additional traffic capacity." (If recommendation 11 A is approved remove this purpose statement)
 - b. R-2: Same as above
 - c. R-3: replace "To provide for medium-density residential development characterized by single-family homes on individual lots and also to provide for planned residential unit developments on substantially sized parcels." with "R-3: "To provide for residential development and also to provide for planned residential unit developments on substantially sized parcels."
 - d. R-4: replace "To preserve the unique character of the Western Promenade area of the city by controlling residential conversions and by allowing the continued mix of single-family, two-family, and low-rise multi-family dwellings and other compatible development at medium densities." with "To preserve the unique character of the Western Promenade area of the city by allowing dwellings and other compatible development." (If recommendation 11 B is approved this purpose statement will be removed)

- e. R-5: replace "To provide appropriate areas of the city for medium-density residential development characterized by single-family, two-family and low-intensity multifamily dwellings on individual lots; to ensure the stability of established medium-density neighborhoods by controlling residential conversions; and to provide for planned residential unit development on substantially-sized parcels." with "To provide appropriate areas of the city for residential development of a wide range of housing for different types of households." (If recommendation 11 C is approved this purpose statement will be removed)
 - f. R-6: replace "To set aside areas on the peninsula for housing characterized primarily by multi-family dwellings at a high density providing a wide range of housing for differing types of households; to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses; and to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula." with "To set aside areas on the peninsula for housing providing a wide range of housing for differing types of households; to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses; and to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula."
3. Table 6-A (Permitted and Conditional Uses in Residential Zones):
- a. Remove rows: "Single-family dwellings", "Two-family dwellings", "Multi-family dwellings", "Multiplex"
 - b. Add new row: "Dwellings" allowed as a use in all zones
 - c. Footnote 3: replace "Conversions of existing two-family or multiplex structures..." with "Conversions of existing dwellings..."
4. Table 6-B (Permitted and Conditional Uses in Island Zones)
- a. Rename row "Single family dwellings" to "Island dwellings"

- b. Remove row "Two-family dwellings"
 - c. Rename row "Multi-family dwellings" to "Dwellings"
 - d. Update footnote 2 from: "Single-family attached permitted provided that new construction shall be limited to no more than six attached dwellings per building." to "Island dwellings may be attached provided that new construction shall be limited to no more than six attached dwellings per building."
5. Table 6-C (Permitted and Conditional Uses in Mixed-Use Zones)
 - a. Remove rows: "Single-family dwellings" and "Two-family dwellings"
 - b. Rename row: "Multi-family dwellings" to "Dwellings"
 - Within row, remove footnote 1 from B-1/B-1b
 - c. Remove footnote 1
 6. Section 6.4.1 (In General) B Item 2:
 - a. Remove "The provisions of this paragraph (2) shall not apply to the erection of any single-family dwelling on any lot where the owner of the lot establishes that he or she was the owner of that same lot on November 19, 1984, and at all times thereafter, and states his or her intention under oath to make the structure his or her personal residence."
 7. Section 6.4.12 (Multiplexes): Remove entirely
 8. Section 6.5.6 (Supplemental use-specific conditional use standards) G (Multi-family)
 - a. Rename to: "Dwellings with more than one unit on the Islands"
 - b. Remove item 1
 - c. Update item 2 (which becomes the new item 1)
 - Update item a from "Multi-family buildings shall have a maximum of four units." to "Dwellings shall have a maximum of four units"
9. Table 7-A (Residential Zone Dimensional Standards)
 - a. Remove row: "Multiplex"

- b. Remove row "Lot area per multiplex unit (min.)" unless recommendation 3 is approved in which case this will already be removed
 - c. Update row: "Lot width (min.)", column "R-5", remove "90 ft. for multiplex" (If recommendation 11 C is approved this column will be removed and this item is not necessary)
 - d. Update footnote 3: replace "Single-family homes" with "Dwellings"
 - e. Update footnote 4: replace "For R-5a, PRUD standards shall apply to PRUDs, multi-family development of 4 or more units, ..." with "For R-5a, PRUD standards shall apply to PRUDs, developments of 4 or more units," (If recommendation 11 C is approved this footnote will be removed and this item is not necessary)
 - f. Update footnote 5: replace "Applies to 1-, 2-, and 3-family dwellings only." with "Applies to dwellings with fewer than four units only."
 - g. Update footnote 6: replace "Alterations to single-family, two-family, and multi-family dwellings..." with "Alterations to dwellings..."
10. Table 7-B (PRUD Dimensional Standards)
- a. Update footnote 3: replace "...multi-family development of 4 or more units..." "...developments of 4 or more units"
 - b. Update footnote 4: replace "...multi-family development of 4 or more units." with "...developments of 4 or more units."
11. Table 7-C (R-5 Small Residential Lot Development Dimensional Standards) (If recommendation 11 C is approved this column table will be removed and this item is not necessary)
- a. Update footnote 1: replace "Single-family homes..." with "Dwellings..."
12. Table 7-E (Mixed-use Zone Dimensional Standards)
- a. Update footnote 3: replace "...multi-family buildings..." with "...dwellings..."

13. Table 8-C: Permitted Uses
 - a. Replace "Multi-family Housing for Healthcare Staff and Students" with "Housing for Healthcare Staff and Students"
14. 8.1 "Compact Urban Residential Overlay" 1: replace "moderate- to high- density multi-family housing" with "moderate- to high- density housing"
15. 8.1.4 B: replace "Primary ground floor residential entries to multi- family buildings must orient to street, not to interior blocks or parking lots. Secondary and upper-floor entries from the interior of a block are acceptable. The front door to single-family homes, duplexes, and townhouses must be visible from the street." with "Primary ground floor residential entries to dwellings must orient to street, not to interior blocks or parking lots. Secondary and upper-floor entries from the interior of a block are acceptable."
16. 9.1.8 A: remove "single-family,"
17. Table 14-A: (Site Plan Classifications)
 - a. Update row "New construction or additions"
 - Replace "Single- or two-family structures" with "Structures with 6 or fewer dwelling units"
 - Replace "Multi-family development of 3 or more units" with "Structures with more than 6 dwelling units"
 - b. Update footnote 3: replace "...3 or more dwelling units..." with "...more than 6 dwelling units..."
 - c. Update footnote 4: replace "..one or two units..." with "fewer than six units"
18. 14.3.2 (Master development plan) A:
 - a. Remove "multi-family,"
19. 14.6.4 (Site design standards) I (Design standards) e
 - a. ii. Update, remove "and multiplex"
 - b. iii: Update, remove "of single-family homes"
 - c. v: Update, remove "two-family and multiple family"

- 20.14.11.3 (Performance and defect guarantees) C (Minor residential development.): replace "...shall be defined as single- or two-family development..." "...shall be defined as residential development of buildings with four or fewer units..."
21. Table 16-A (Parks & Recreation and Transportation Impact Fee Schedule)
- Remove columns "Single-family/Two-family" to "Dwellings, fewer than three units"
 - Rename column "Multi-family" to "Dwellings, three or more units"
22. 18.2.2 (Reduction of fees) C.2: replace "...single-family or multi-family dwelling..." with "... dwelling .."
23. Table 18-C (Bonuses for Eligible Projects)
- Footnote 1: remove "In R-P zones, multifamily is permitted with a "base" no less than 1 unit per 1,500 SF. of land area."
24. 19.1.4 (Shared use vehicles) remove "multi-family"
25. Table 19-A (Off-Street Parking Minimums): Rename row, "Single-, two-, or multi-family units" to "Dwelling units"
26. Table 19-B (Categorical Exceptions to Off-Street Parking Minimums): rename column "Multi-family housing" to "Housing"
27. 19.1.8 (Location of vehicular parking) A (In general) 2: replace "...single- or two-family dwellings..." with "...dwellings with fewer than three units..."
28. 20.7.3 (Sign illumination) A (Sign illumination by sign district) 1: replace "...single-family residences or duplexes..." with "... dwellings with fewer than three units ..."
29. Table 20-G: Dimensional Standards for Building-Mounted Signs by Sign District
- Rename row: "PRUDs, multi-family lots" to "Dwelling lots"
30. Table 20-R: Dimensional Standards for Freestanding Signs by Sign District
- Remove row: "Single-family lots"

- b. Rename row: "PRUDs, multi-family lots" to "Dwelling lots"
- Update "Number of Signs": 1 per lot or 1 per major vehicular entrance, whichever is larger



3

Gentle Density

Allow Gentle Density

Even if your building is under the height requirement, your units are large enough, you aren't using too much of your lot, and you use separate structures, you are still limited by the lot area per dwelling unit minimum requirement. This requirement limits density regardless of circumstances. This restriction is very similar to the restriction on multi-family housing but it applies even to separate structures. There are plenty of zoning provisions that will protect our lower-density neighborhoods from experiencing overly intensive development: heights are limited, buildings can't cover too much of their lots, lots need to be a minimum size, etc. Housing more people in the same space is a good thing – what we want is to mitigate the negative effects of density, like overly small units or lack of light and green space. Lifting this restriction will provide more potential for housing while keeping these effects under control.



Recommendations Summary

Eliminate Lot area per dwelling unit and lot area per rooming unit dimensional standards.

Recommendations In-Depth

I. Eliminate all instances of minimum lot area per dwelling unit requirements

a. Table 7-A (Residential Zone Dimensional Standards)

- i. Remove rows "Lot area per dwelling unit (min.)", "Lot area per rooming unit (min.)", "Lot area per multiplex unit (min.)" (note: if recommendation 2 is approved this removal is redundant), and "Lot area per SNIDU (min.)"
- ii. Remove footnotes 1 and 9
- iii. In footnote 7 remove the sentence "The applicable minimum lot area per dwelling shall apply to each lot."

b. Table 7-B (PRUD Dimensional Standards)

- i. Remove row "Net land area per dwelling unit (min.)"
- ii. Remove footnote 5

c. Table 7-E (Mixed-Use Zone Dimensional Standards)

- i. Remove rows "Lot area per dwelling unit (min.)" and "Lot area per rooming unit (min.)" as well as all sub-rows
- ii. Remove footnote 3

d. Table 8-A (R-7 Dimensional Standards)

- i. Remove row "Lot area per dwelling unit (min.)"
- e. 6.6.2 (Standards for specific accessory uses) A (Accessory Dwelling Units (ADUs)) 8.a
 - ii. Replace "Lot coverage and lot area per dwelling unit requirements." with "Lot coverage requirements."

f. 6.5.6 (supplemental use-specific conditional use standards) G
(Multi-family) item 1: remove item B, unless recommendation 2
is approved in which case all of item 1 here will be removed

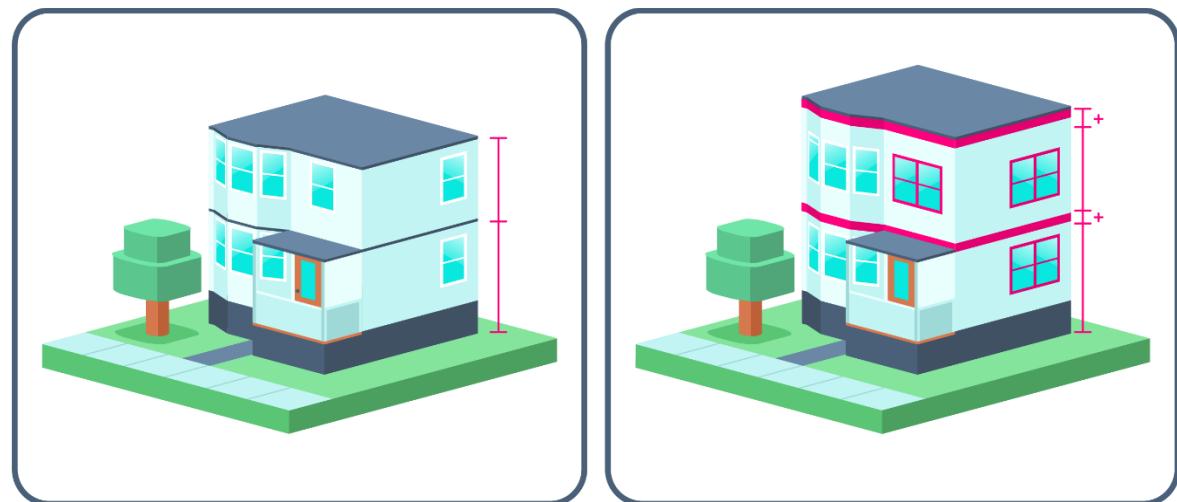


4

Higher Quality
Floors

Allow Higher Quality Floors

Current height allowances are out-of-date with today's construction methods and don't consider the extra depth needed for higher insulation values, sound proofing between floors and homes, required floor-to-ceiling heights that allow more daylight into homes within multi-home buildings, mechanical air ventilation needed in tight envelope buildings, and larger open spans to allow future reconfiguration of units. These features are essential to keeping buildings relevant for 200+ years, avoiding demolitions, and promoting re-use. By allowing just a little bit more height per floor we can make room for this without being noticeable from the outside.



Recommendation Summary

Allow a little bit more height per floor by looking at all height standards, calculating the number of allowed floors. Based on the allowed number of floors add slightly more height per floor to allow for more insulation between floors.

Recommendation In-Depth

1. Table 7-A

- a. Update row "Structure Height (max.)" (not sub-row "Detached accessory")
 - i. R-1: 40 ft. (If recommendation 11 A is approved this column will be removed)
 - ii. R-2: 40 ft.
 - iii. R-3: 40 ft.
 - iv. R-4: 40 ft. (If recommendation 11 B is approved this column will be removed)
 - v. R-5: Depends on whether or not recommendation 10 is approved (If recommendation 11 C is approved this column will be removed)
 1. If so: 40 ft.
 2. If not: 50 ft.
 - vi. R-5a: Depends on whether or not recommendation 10 is approved (If recommendation 11 C is approved this column will be removed)
 1. If so: 40 ft.
 2. If not: 50 ft.
 - vii. R-6: 50 ft.
 - viii. R-6a unchanged (65 ft.)

2. Table 7-B

- a. Update row "Structure Height (max.)"
 - i. R-3: 40 ft.
 - ii. R-5: 40 ft. (If recommendation 11 C is approved this column will be removed)
 - iii. R-5a: 64 ft. (If recommendation 11 C is approved this column will be removed)

3. Table 7-E

- a. Update row "Structure height (max.)"
 - i. B-1/B-1b (Off-peninsula section is eliminated): 50 ft., except 55 ft. if commercial first floor and residential above
 - ii. B-2/B-2b/B-2c: 50 ft., except 55 ft. if first floor is in commercial use and residential above, 76 ft. in B-2 and B-2c on lots >5 ac. if required side and rear setbacks are increased by 1 foot for each foot of height over 45 ft., or as otherwise governed by the Bayside Height Overlay Map
 1. Apply footnote 2
 - iii. B-3/B-3b/B-3c unchanged
 - iv. B-4 unchanged
 - v. B-5: unchanged (65 ft. with other restrictions)
 - vi. B-6: unchanged (65 ft. with other restrictions)
 - vii. B-7: unchanged
 - b. Modify footnote 2: replace "The commercial first floor uses shall utilize at least 75 % of the first-floor frontage along Congress Street and shall have an average depth of at least 20 ft." with "The commercial first floor uses shall utilize at least 75 % of the first-floor frontage and shall have an average depth of at least 20 ft."
4. Table 8-A (R-7 Dimensional Standards)
- a. Replace row "Structure height (max.)" with "55 ft."



5

Measuring Height from Sidewalks

Measure Heights from Sidewalks

Currently, height is measured as average grade from the corners or multiple points along the foundation of the proposed building. This method has several drawbacks that harms the ability of the City to harness the full value of significant portions of land and prevents hundreds of additional homes being built in proposed buildings. This method penalizes land that slopes downward from the adjacent sidewalk and rewards land that slopes upward from the adjacent sidewalk without achieving any consistency in managing actual height of buildings or taking into consideration the effects on the quality of the buildings being built in terms of design aesthetics, livability, performance, fit-to-purpose, and flexibility for re-use.



By measuring height from the sidewalk adjacent to the building entrance, we can clarify this rule and standardize height allowances in our more hilly neighborhoods.

Recommendation Summary

If a building is on a hill where one side is at sidewalk level, allow height to be measured from that sidewalk instead of the average height of the lot.

Recommendation In-Depth

1. Section 7.2: update "Height" from "The vertical measurement from grade, or the pre-development grade on the islands, to the highest point of a structure. ..." to "The vertical measurement from the highest sidewalk or curb height (elevation measured ASL) along the perimeter of a property, or the pre-development grade on the islands, to the highest point of a structure. For buildings with 3 or more dwelling units, measurement may begin from average grade at the corners of the foundation of the proposed structure if such a building is being built on upward sloping lots with grades equal or greater than 4% grade (4' elevation rise over 100'), and this alternative start is lower than the height highest sidewalk or curb. ..."



6

Reducing Setback Requirements

Reduce Setback Requirements

Setback requirements require you to build structures far away from the edge of your property. This gives people fewer options on how to build their homes. For example, if you prefer a bigger back yard that is more private than your front yard, you may not be able to have it – if there is a 25-foot front setback minimum, you will have to use that 25 feet for your front yard instead. Side setbacks prevent the construction of row homes. There is already another type of requirement – maximum lot area coverage – which prevents people from covering too much of their lot. Reducing these setback requirements will provide people with these options without reducing the total amount of green spaces.



Recommendation Summary

Make small reductions to front and side setbacks in all residential zones.

Recommendation In-Depth

1. Table 7-A (Residential Zone Dimensional Standards)
 - a. Update row "Side setback (min.)"
 - i. R-1 (If recommendation 11 A is approved this column will be removed)
 - b. Update row "Front setback (min.)" (maintain "Or average depth of adjacent front yards")
 - i. R-1: 15 ft. (If recommendation 11 A is approved this column will be removed)
 - ii. R-2: 15 ft.
 - iii. R-3: 10 ft.
 - iv. R-4: 5 ft. (If recommendation 11 B is approved this column will be removed)
 - v. R-5: 5 ft. (If recommendation 11 C is approved this column will be removed)
 - vi. R-5a: 5 ft. (If recommendation 11 C is approved this column will be removed)
 - vii. R-6: remove
 - viii. R-6a: unchanged
 - c. Update row "Side setback (min.)"
 - i. Update sub-row "<1.5 stories to 1.5 stories"
 1. R-1: 8 ft. (If recommendation 11 A is approved this column will be removed)
 2. R-2: 8ft.
 3. R-3: 6ft.
 4. R-4: 5 ft. (with footnote 10) (If recommendation 11 B is approved this column will be removed)
 5. R-5: 5 ft. (with footnote 10) (If recommendation 11 C is approved this column will be removed)

6. R-5a: 5 ft. (with footnote 10) (If recommendation 11 C is approved this column will be removed)
 7. R-6: unchanged
 8. R-6a: unchanged.
- ii. Update sub-row "2 stories"
1. R-1: 10 ft. (If recommendation 11 A is approved this column will be removed)
 2. R-2: 10 ft.
 3. R-3 8ft.
 4. R-4: 5ft. (with footnote 10) (If recommendation 11 B is approved this column will be removed)
 5. R-5: 5 ft. (with footnote 10) (If recommendation 11 C is approved this column will be removed)
 6. R-5a: 5 ft. (with footnote 10) (If recommendation 11 C is approved this column will be removed)
 7. R-6: unchanged
 8. R-6a: unchanged
- iii. Update sub-row "2.5 stories"
1. R-1: 12 ft. (If recommendation 11 A is approved this column will be removed)
 2. R-2: 12 ft
 3. R-3: 10 ft.
 4. R-4: 5 ft. (with footnote 10) (If recommendation 11 B is approved this column will be removed)
 5. R-5: 5 ft. (with footnote 10) (If recommendation 11 C is approved this column will be removed)
 6. R-5a: 5 ft. (with footnote 10) (If recommendation 11 C is approved this column will be removed)
 7. R-6: unchanged
 8. R-6a: unchanged

- iv. Update sub-row "On side street (min.)" keep "Or depth of front yard directly abutting the lot."
1. R-1: 10 ft. (If recommendation 11 A is approved this column will be removed)
 2. R-2: 10ft.
 3. R-3: 10ft.
 4. R-4: None (If recommendation 11 B is approved this column will be removed)
 5. R-5: None (If recommendation 11 C is approved this column will be removed)
 6. R-5a: None (If recommendation 11 C is approved this column will be removed)
 7. R-6: unchanged
 8. R-6a: unchanged
- d. Apply footnote 7 "Subdivisions consisting of horizontally attached dwellings on individual lots are not required to have side yards between such dwellings where a party wall condition will exist. Horizontally attached dwellings located within a single lot shall be required to meet the applicable side setback requirements at the external lot boundaries of the subdivision and internal lot boundaries between such dwellings that are not attached to each other. No minimum lot size width shall be required for individual lots underlying townhouse (horizontally attached) dwelling types. **The applicable minimum lot area per dwelling shall apply to each lot.**" to column R-4, R-5, and R-5a. The final sentence (in bold) will be omitted if recommendation 2 is approved. If recommendation 11 B is approved R-4 column will be removed, if recommendation 11 C is approved columns R-5 and R-5a will be removed, if both 11 B and 11 C are approved this whole item is no longer necessary.
- e. Update footnote 10, replace "Except that a side setback in the R-6 zone..." with "Except that a side setback in the R-4, R-5, R-5a, and R-6 zones..." and apply it to columns R-4, R-5, R-5a on all sub-rows of row "Side setback (min.)" except the "On side

street (min.)" sub-row If recommendation 11 B is approved R-4 column will be removed, if recommendation 11 C is approved columns R-5 and R-5a will be removed, if both 11 B and 11 C are approved this whole item is no longer necessary.

- f. 18.2.4 (Density and dimensional bonuses and reductions) B. (Planned Residential Unit Developments (PRUDs).) 1: replace "Minimum building setbacks may be reduced to 10 feet." with "Minimum building setbacks may be reduced to 5 feet."

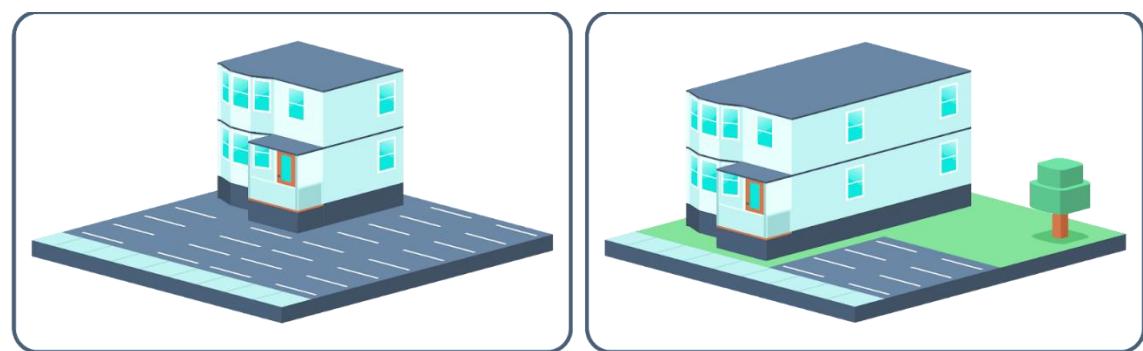


7

Parking Maximums

Establish Parking Maximums

The peninsula is becoming increasingly developed. There are quite a few large-scale projects planned in the next few years and there will undoubtedly be more coming. We need to decide if we want our downtown to be for people or for cars. Around a fifth of our downtown land is already dedicated to parking. The more parking we have, the more people will drive downtown and the worse traffic will be. Air quality will suffer, biking will become less pleasant, and buses will be stuck in traffic. We can protect our downtown by creating parking maximums on new developments to keep our downtown pleasant for everybody – even drivers will appreciate less traffic.



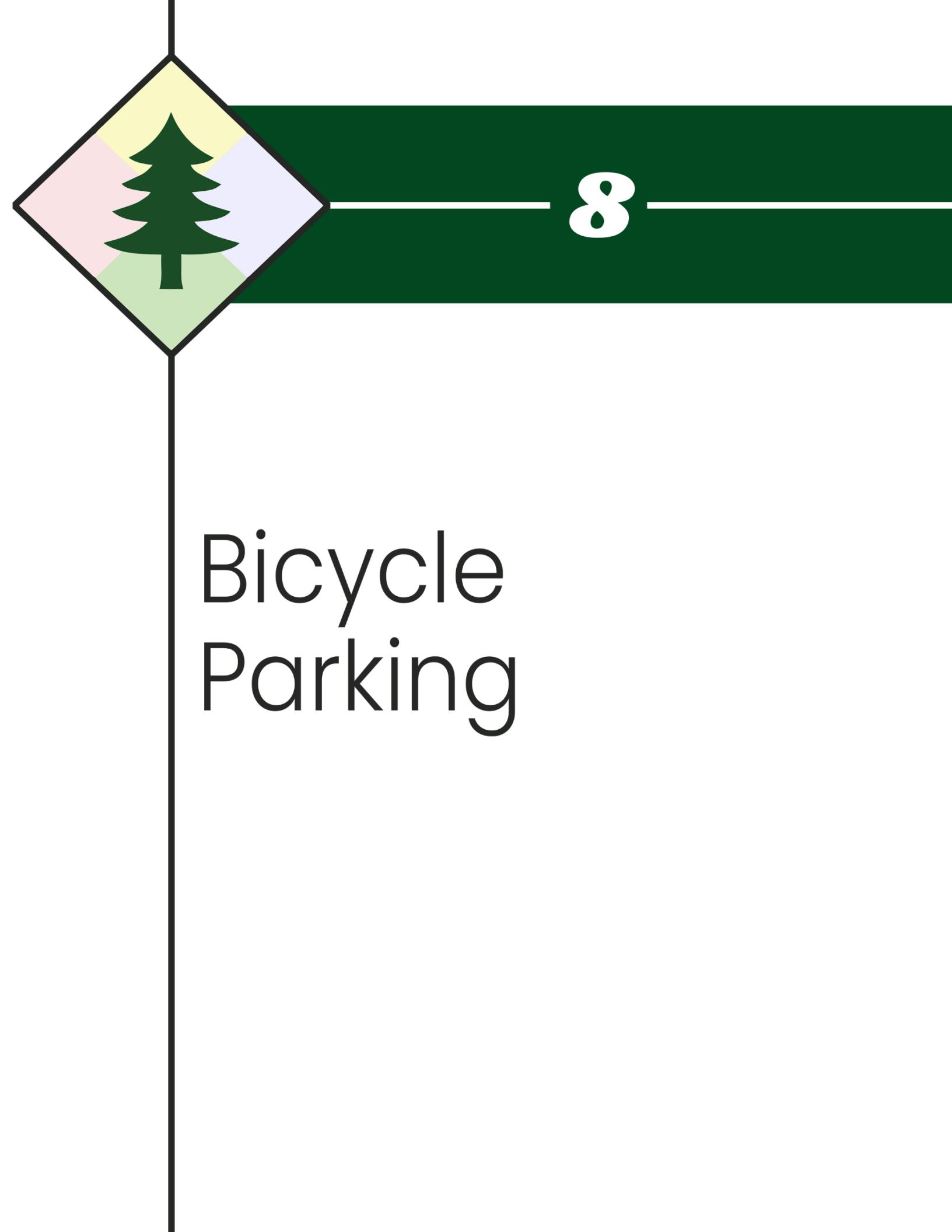
Recommendation Summary

In peninsula zones the city should set parking maximums to the current parking minimums, with a few exceptions where the minimums are low like lodging houses and congregate care facilities.

Recommendation In-Depth

1. Re-number Table 19-B (Categorical Exceptions to Off-Street Parking Minimums) to 19-C and create a new table 19-B called Off-Street Parking Maximums
2. This table will have two columns, the first unlabeled to specify the use, the second will be "Vehicular". The values will be:
 - a. If recommendation 2 is approved "Dwelling units" - otherwise "Single-, two-, or multi-family units": 1 space/dwelling unit
 - b. Lodging house: 1 space/rooming unit
 - c. Special needs independent dwelling unit: 1 space/dwelling unit, plus 1 space/staff member normally present at any one time
 - d. Sheltered care group home: 1 space/1 employee
 - e. Congregate care facilities: 1 space/1 dwelling unit
 - f. Emergency shelters: 1 space/1 employee
 - g. Long-term, extended care, and intermediate care facilities: 1 space/5 beds, plus 1 space/employee normally present, during weekday morning shift
 - h. Governmental uses: 1 space/400 SF of floor area
 - i. Hospitals and clinics: 1 space/500 SF of floor area
 - j. Places of assembly: 1 space/150 SF of floor area used for assembly purposes
 - k. Preschool facilities: 1 space/staff member normally present at any one time
 - l. Schools:
 - i. For students up to 15 years: 1 space/room used for instruction purposes
 - ii. For students 16 years and older: 1 space/10 seats used for instruction purposes or, if no fixed seats, 1 space/100 SF used for instruction purposes

- m. Bed and breakfasts: 1 space/2 guest rooms for first 4 guest rooms, plus 1 space/additional room thereafter
 - n. General offices: 1 space/400 SF of floor area
 - o. Hostels: 1 space/8 beds
 - p. Hotels: 1 space/4 guest rooms
 - q. Retail: 1 space/200 SF of first floor area in excess of 2,000 SF, plus 1 space/700 SF for each floor above
 - r. Restaurants and bars: 1 space/150 SF of floor area
 - s. Theaters, performance halls, funeral homes: 1 space/5 seats or, if no fixed seats, 1 space/100 SF of assembly space
 - t. Industrial uses: 1 space/200 SF of floor area or lot area, whichever is larger
3. Create a footnote and apply it to the “Vehicular” column: “Only in zones: R-6, R-4, India Street Form Based Zone, B-7, B-6, B-5b, B-5, B-3c, B-3, B-2b, B-2, B-1B, B-1, Eastern Waterfront Port, Waterfront Central, Waterfront Port Development, and I-Lb” – If recommendation 11 B is approved remove R-4 from this list.
4. Create a footnote to apply to “Industrial uses”: “Except for Intermodal transportation facilities”



Bicycle
Parking

Expand Bicycle Parking

Our city has bicycle parking minimums in place already, which is great! The only issue is they require half the capacity of car parking even though bikes already take up far less space. Bicycle parking minimums can be made equal to the minimums for cars without taking up too much space.



Recommendation Summary

Require as much bicycle parking as we do car parking.

Recommendation In-Depth

1. Table 19-A (Off-Street Parking Minimums), Update column “Bicycle”:
 - a. If recommendation 2 is approved “Dwelling units” otherwise “Single-, two-, or multi-family units”: 1 space/dwelling unit
 - b. Lodging house: 1 space/5 rooming units
 - c. Special needs independent dwelling unit: 1 space/4 dwelling units, plus 1 space/staff member normally present at any one time
 - d. Sheltered care group home: 1 space/2 employees
 - e. Congregate care facilities: 1 space/3 dwelling units
 - f. Emergency shelters: 1 space/2 employees

- g. Long-term, extended care, and intermediate care facilities: 1 space/5 beds, plus 1 space/employee normally present, during weekday morning shift
- h. Governmental uses: 1 space/400 SF of floor area
- i. Hospitals and clinics: 1 space/500 SF of floor area
- j. Places of assembly: 1 space/150 SF of floor area used for assembly purposes
- k. Preschool facilities: 1 space/staff member normally present at any one time
- l. Schools: 1 space/10 seats used for instruction purposes or, if no fixed seats, 1 space/100 SF used for instruction purposes
- m. Bed and breakfasts: 1 space/2 guest rooms for first 4 guest rooms, plus 1 space/additional room thereafter
- n. General offices: 1 space/400 SF of floor area
- o. Hostels: 1 space/8 beds
- p. Hotels: 1 space/4 guest rooms
- q. Retail: 1 space/200 SF of first floor area in excess of 2,000 SF, plus 1 space/700 SF for each floor above
- r. Restaurants and bars: 1 space/150 SF of floor area
- s. Theaters, performance halls, funeral homes: 1 space/5 seats or, if no fixed seats, 1 space/100 SF of assembly space
- t. Industrial uses: 1 space/1,000 SF of floor area in excess of 3,000 SF not including area catering to retail

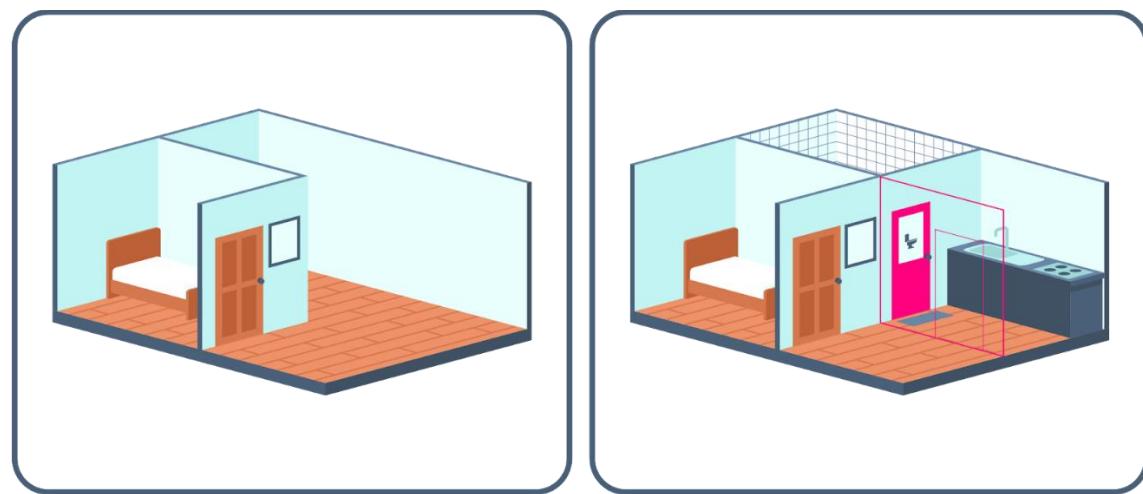


9

Renting Rooms
with New
Kitchens and
Bathrooms

Allow Renting Rooms with New Kitchens and Bathrooms

Wherever you live in Portland, you are allowed to rent out up to two rooms in your home. These sorts of rentals are a great way to provide low cost housing and help people afford to stay in their homes and age in place. Unfortunately, there is a strange limitation where you can't rent out a room of your home if you added a bathroom or kitchen within the last two years. This is an arbitrary limitation that only serves to prevent people from providing amenities to their tenants or discourage them from opening up housing at all. This rule change will not help facilitate short term rentals – not only do all short-term rental restrictions still apply, but this rule only applies to rooms within a single housing unit which means this won't help people take housing out of the long-term housing supply and move it to the short-term market.



Recommendation Summary

Remove the ban on renting out a room in your house if you've added a new bathroom or kitchen in the last two years.

Recommendation In-Depth

1. Section 6.6 (Accessory Uses) 2 (Standards for specific accessory uses) G (Letting of rooms)
 - a. Remove item 3 "There shall be no increase in the bathroom and/or kitchen facilities in the dwelling, and no such facility shall have been constructed in the immediately preceding two years."



10

Four-Story
Buildings

Allow More Four-Story Buildings

Right now, only one of our main residential zones allows four-story buildings (about four percent of the city). The rest of the residential zones in the city allow only three stories. The neighborhoods that allow these four-story buildings are Munjoy Hill and the West End. These neighborhoods are beautiful and livable. Adding that one additional story can provide more housing, or a larger housing unit, while maintaining a desirable neighborhood with plenty of light and green space. A four-story building is not even considered mid-rise. We can provide more housing by allowing this extra story in our next most dense zone (about 10 percent of the city).



Recommendation Summary

Increase height minimums in R-5, R-5a, and R-3 zones to allow for four stories instead of three.

Recommendation In-Depth

1. Table 7-A (Residential Zone Dimensional Standards)
 - a. Update row "Structure height (max.)"
 - i. R-5: If recommendation 4 is approved "50 ft." – otherwise "45 ft." (If recommendation 11 C is approved this column will be removed)
 - ii. R-5a: If recommendation 4 is approved "50 ft." – otherwise "45 ft." (If recommendation 11 C is approved this column will be removed)
 - iii. R-3: If recommendation 4 is approved "50 ft." – otherwise "45 ft."
 - b. Update row "Stepbacks (above 35 ft. when property line abuts a residential zone)(min.)"
 - i. R-5: 10 ft. from side property line and 15 ft. from rear property line" (If recommendation 11 C is approved this column will be removed)
 - ii. R-5a: 10 ft. from side property line and 15 ft. from rear property line" (If recommendation 11 C is approved this column will be removed)
 - iii. R-3: 10 ft. from side property line and 15 ft. from rear property line"
 - c. Add footnote 11 to row "Stepbacks (above 35 ft. when property line abuts a residential zone)(min.)" columns R-5 and R-5a (If recommendation 11 C is approved this column will be removed and this item is not necessary)

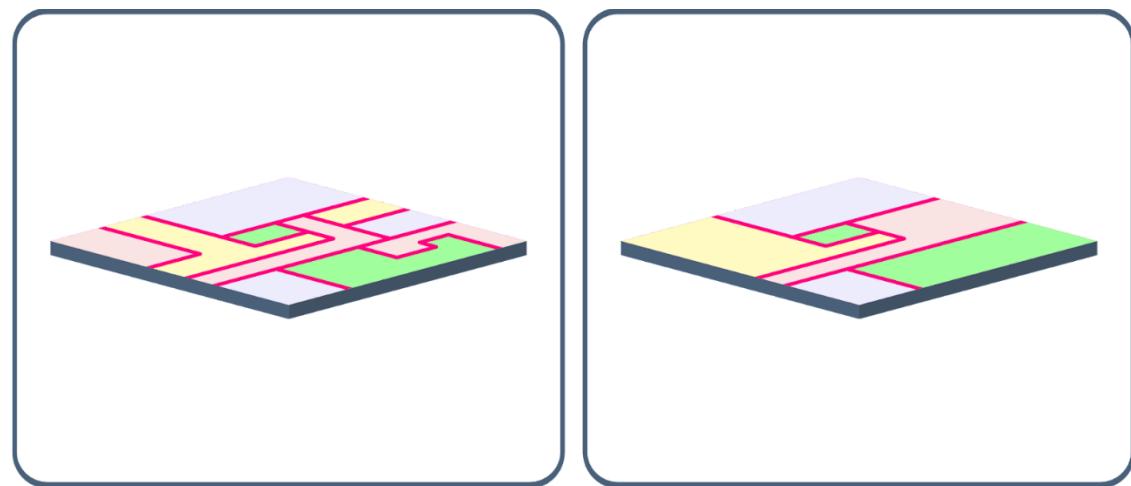


11

Simplify Zones

Simplify Zones

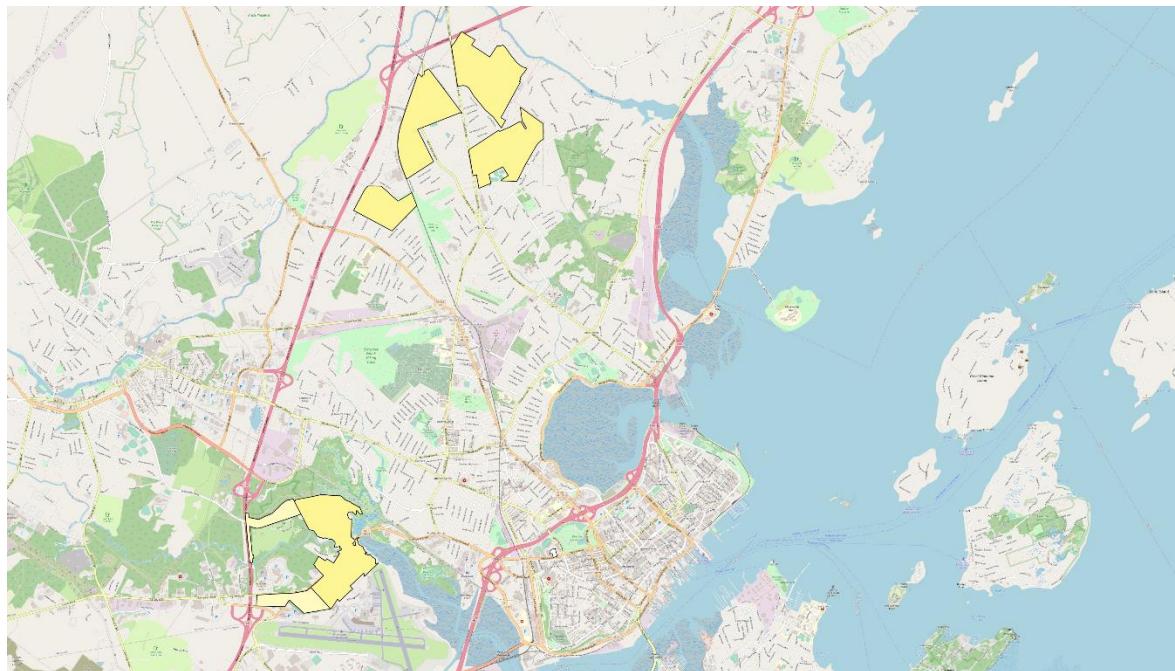
Our zoning code is complicated. We have dozens of zones with hundreds of pages. Some of our zones are very small and encompass a single property, while others have very minor distinctions between them. Many zones are arbitrarily split between on and off the peninsula. By combining our low-density zones into a single zone and our medium-density zones into a single zone, we can preserve the form of areas of the city with far fewer requirements.



See Appendix A for a full list of ordinance text that would be impacted by these consolidations.

Merge A – Zone R-1 into R-2

The R-1 and R-2 zones have identical purpose statements and very similar regulations. There is only a tiny amount of R-1 and it is directly near R-2. The zoning code could be simplified without substantial changes by merging these two zones.



All zone R-1 (light yellow) and R-2 (yellow) parcels

Merge A Summary

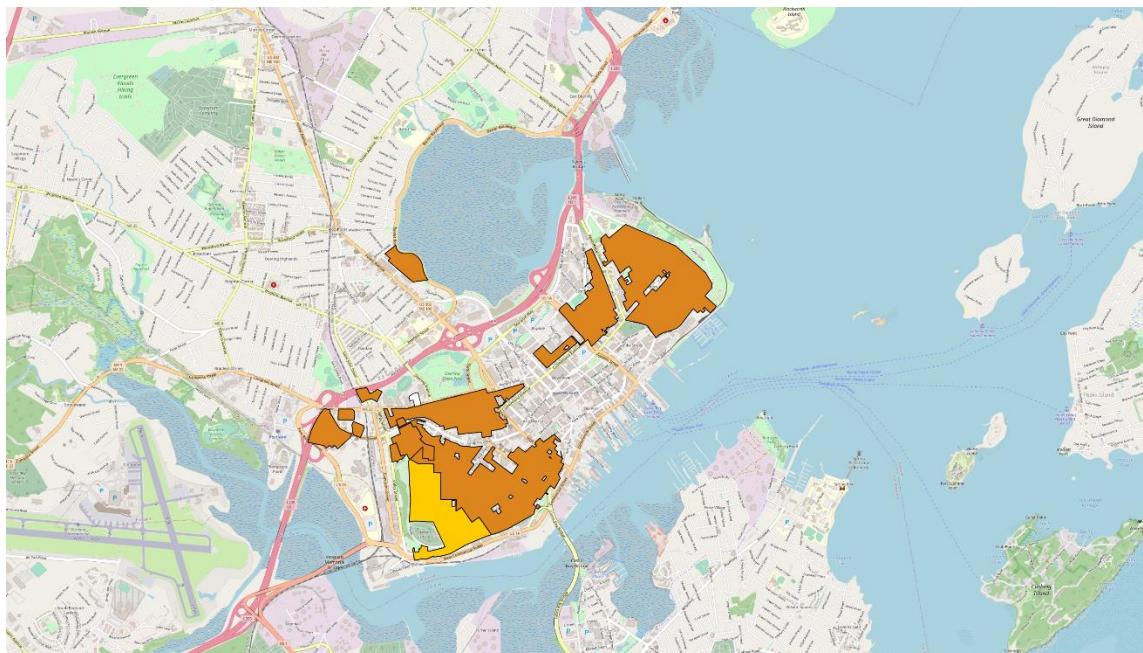
Eliminate the R-1 zone and zone all land currently zoned as R-1 as R-2.

Merge A In-Depth

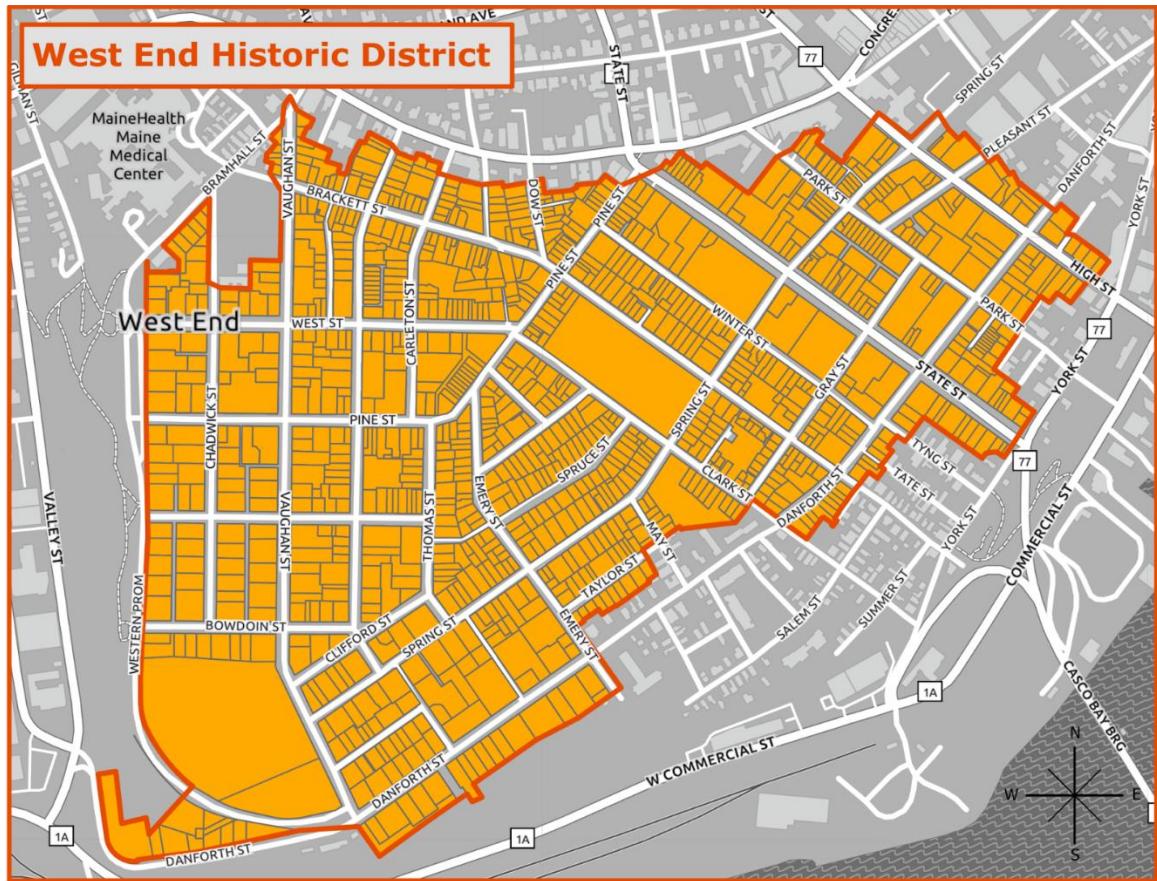
1. Remove all instances of the R-1 zone as cataloged in appendix A. Replace them with R-2 where relevant or remove said reference if it is no longer relevant.
2. Remove R-1 from the zoning map and expand R-2 to the former area of R-1

Merge B – Zone R-4 into R-6

The R-4 zone is a small zone located entirely near the Western Promenade with the intent to “preserve the unique character of the Western Promenade area”. While we applaud the efforts made to protect the historic West End from the damaging effects of urban renewal, the entire R-4 zone and beyond is now covered by the West End Historic District. Meanwhile, the R-4 zone contains standards that are actually out of character with what is already in the neighborhood. For example, there are multi-family middle density buildings in the neighborhood – they are even mentioned in the purpose statement of the zone – but they are not allowed, even as a conditional use. Though the neighborhood resembles the neighboring R-6 zone to the point where most would not be able to tell when they crossed from one into the other, the setbacks and height requirements in the R-4 are more in line with typical suburban standards than what exists in the neighborhood today. The historic district already protects not only all of R-4 but also much of the neighboring R-6 zone from development that is not in character with the neighborhood, so we feel it is time to retire this zone and let the historic district protect this unique neighborhood.



All R-4 (yellow) and R-6 (brown) parcels



Merge B Summary

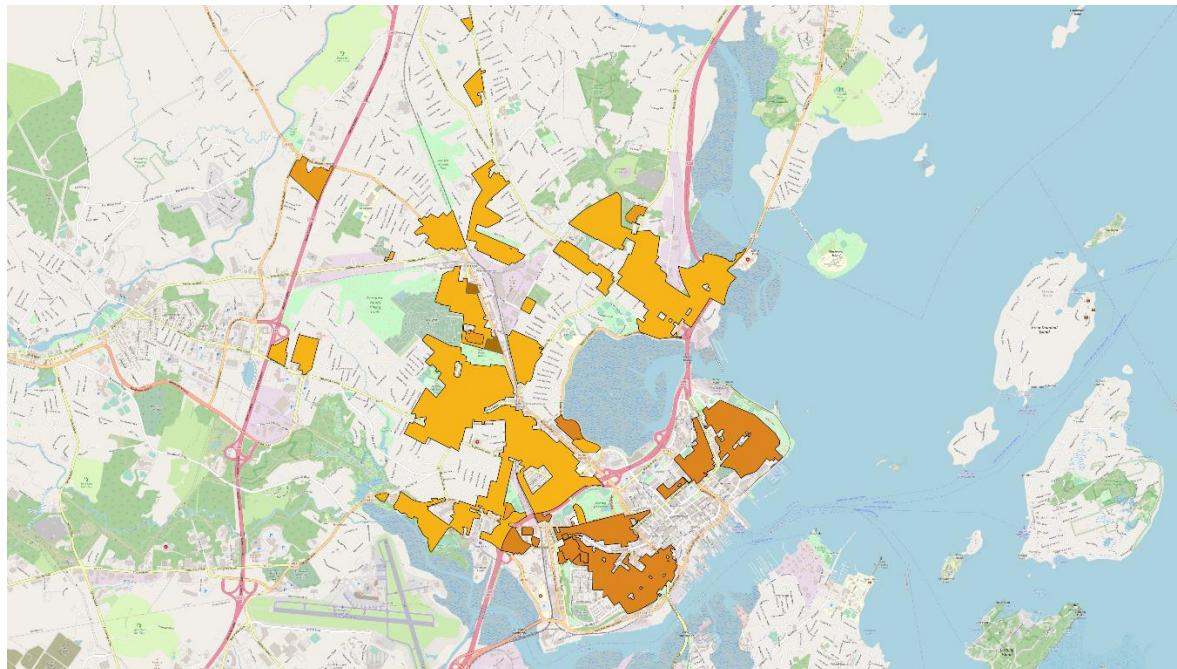
Eliminate the R-4 zone and zone all land currently zoned R-4 as R-6.

Merge B In-Depth

1. Remove all instances of the R-4 zone as cataloged in appendix A. Replace them with R-6 where relevant or remove said reference if it is no longer relevant.
2. Remove R-4 from the zoning map and expand R-6 to the former area of R-4

Merge C – Zone R-5 into R-6

The R-5 zone is the second-densest residential zone and is mostly located along major corridors, like Congress Street, Deering Avenue, and Forest Avenue. While it is Portland's second most dense residential zone, it only allows low-density housing stock. Much of the housing in R-5 areas predates the land use code and is non-conforming with the zone's standards. Combining this zone with R-6 would ensure the zoning map better reflects the built environment and will simplify the code overall.



All R-5 (yellow) and R-6 (brown) parcels

Merge C Summary

Eliminate the R-5 zone and zone all land currently zoned R-5 as R-6.

Merge C In-Depth

1. Remove all instances of the R-5 zone as cataloged in appendix A. Replace them with R-6 where relevant or remove said reference if it is no longer relevant.
2. Remove R-5 from the zoning map and expand R-6 to the former area of R-5
3. Remove all instances of the R-5a zone as cataloged in appendix A. Replace them with R-6a where relevant or remove said reference if it is no longer relevant.
4. Remove R-5a from the zoning map and expand R-6a to the former area of R-5a



12

Empowering
Neighbors to
Reduce
Setbacks

Empower Neighbors to Reduce Setbacks Together

Front setbacks requirements require you to build your buildings back a certain amount from the street. In our zoning code today, front setbacks minimums can already be substituted for an average of the setbacks of your neighbors. This makes sense because the effects of your setback are felt by your immediate neighbors. The only problem with this is that neighbors can't do it proactively, it has to be the average of their existing setbacks. We can provide a block with more flexibility by allowing neighbors on a block to come together and decide to reduce the setback minimums for their own block if they wish. This provides people with flexibility while ensuring they can't ignore the wishes of their neighbors who will be affected.



Recommendation Summary

Allow people to reduce their own setbacks if they have unanimous agreement from their neighbors.

Recommendation In-Depth

1. Table 7-A (Residential Zone Dimensional Standards)
 - a. Create a footnote: "Can be reduced if unanimously agreed upon by all adjacent property owners with setbacks less than the proposed setback."



13

Transportation Demand Management

Ease the Transportation Demand Management Plan Requirement

In ReCode Phase One, parking minimums were removed for all new buildings near a transit stop. This is a great step towards reducing our car dependence, but to receive this benefit builders are currently required to spend a lot of time and money producing a Transportation Demand Management plan. This is administrative overhead that may push builders towards building parking instead and provides little benefit. Removing this requirement will make it even easier for builders to build less parking and encourage transit ridership. The requirement will remain in place for very large developments.



Recommendation Summary

No longer require a Transportation Demand Management plan to benefit from the transit proximity exception to parking minimums. Plans will still be required for very large developments as before, this just removes it as a condition for that exception.

Recommendation In-Depth

1. Table 19-B (Categorical Exceptions to Off-Street Parking Minimums)
 - a. Update row "Transit proximate development and uses", remove "New uses or changes of use of more than 10,000 SF taking advantage of this exception shall be required to provide a Transportation Demand Management Plan if they use this provision in lieu of parking requirements."
2. Section 14.6.1 (Transportation standards) E (Transportation Demand Management (TDM)) 1.b
 - a. Append "Unless the mixed-use development is commercial first floor and residential above."

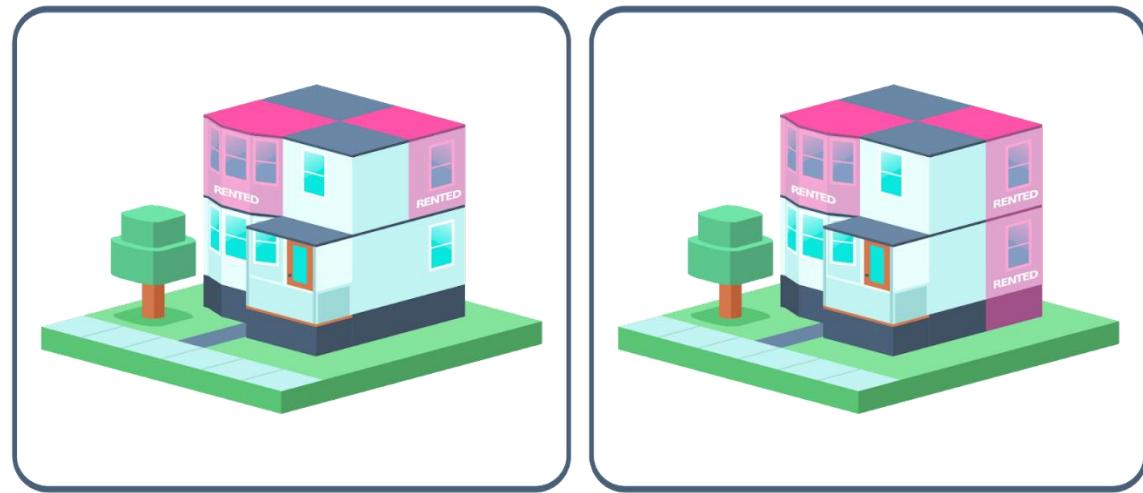


14

Renting More
Rooms

Allow Renting More Rooms

Renting out rooms in your home is a great way to help homeowners remain in their homes, age in place, and provide low-cost housing options. Many of the single-family homes in Portland are large enough to rent out more than two rooms comfortably, without changing the character of the home. We should allow people to make the most of their homes by renting out a few more rooms if they have the space.



Recommendation Summary

Allow renting up to four rooms per dwelling unit instead of two.

Recommendations Detailed

1. Section 6.6 (Accessory Uses) 2 (Standards for specific accessory uses) G (Letting of rooms)
 - a. Update item 2: replace "There shall be not more than two rooms per dwelling unit occupied for such use." with "There shall be not more than four rooms per dwelling unit occupied for such use."

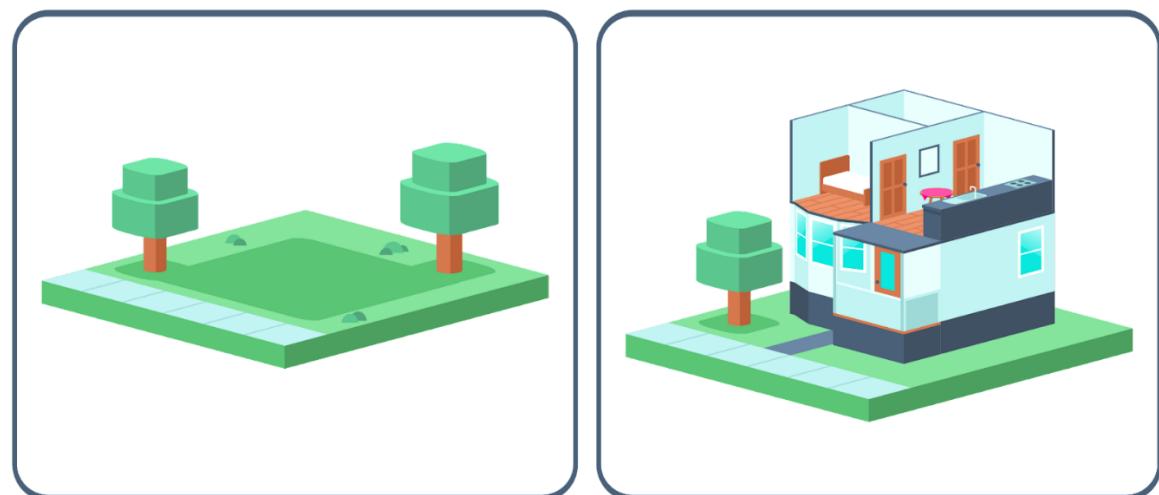


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Co-Living

Allow Co-Living

Coliving buildings create access to affordable, flexible housing by allowing people to rent a room with access to shared amenities. Rooms in these buildings are typically rented out a month at a time and are pre-furnished. These are somewhat similar to "lodging houses," which exist in our code today. However, the requirements for lodging houses enforce a very specific configuration where every piece of common space must be available to every tenant, while also regulating the conversion of part of an existing building into a lodging house. This reflects the typical lodging house structure of the past where an owner would convert a portion of their home into a lodging house.



In contrast, coliving spaces are typically purpose-built buildings with a suite-style configuration, i.e. a single common area may be shared by multiple bedrooms, but not by every bedroom in the building. It is vital to ensure that every tenant has access to the same level of amenities, but there is no reason to prevent this more modern configuration.

Recommendation Summary

Create a new use called “coliving buildings” that is similar to lodging houses with the crucial difference of allowing separated common spaces. Ensure that the total amount of space available to each resident with the new configuration conforms to the standards for lodging houses.

Recommendation In-Depth

1. Page 3-3: Update definition “Common areas” to: “Portions of a lodging house or coliving building which are available for use by multiple residents. Common areas shall include, but are not limited to, one or more of the following: kitchens, living rooms, recreation rooms, improved basements, and finished porches. Bathrooms, stairways, hallways, and storage areas shall not be counted as common areas.”
2. Add definition: “Coliving building: A building containing two or more rooming units with shared amenities such as a bathroom, kitchen, or living area and providing such units to individuals on not less than a monthly basis for compensation”
3. Table 6-A (Permitted and Conditional Uses in Residential Zones) Add row “Coliving buildings” as a normal use in
 - a. R-6/R-6a
 - b. R-5/R-5a (If recommendation 11 C is approved this column will be removed)
 - c. R-4 (If recommendation 11 B is approved this column will be removed)
 - d. R-3
4. Table 6-C (Permitted and Conditional Uses in Mixed-Use Zones): add row “Coliving buildings” as a normal use in all zones except B-6, apply footnote 2 to B1-B
5. 6.4: Add a new supplemental use standard “Coliving buildings”

- a. Coliving spaces shall provide shared amenities to all residents including a kitchen. A kitchen need not be available where all meals are provided on a daily basis.
 - b. Lodging houses shall provide a minimum of 200 square feet of combined rooming unit and common area accessible to that unit per rooming unit. To compute this value, sum the area of each rooming unit as well as the area of common space accessible to that rooming unit then divide the total by the number of rooming units. For example, if the coliving space consists of two two unit suites with 100 square foot rooming units and each suite has 400 square feet of common area then the value would be $4 (100 + 400) / 4 = 500$ square feet per unit.
 - c. Each individual rooming unit shall be a minimum of 70 square feet.
6. Table 7-A (Residential Zone Dimensional Standards)
- a. Under "Lot area (min.)": Rename row "Lodging house" to "Lodging House or Coliving building"
 - i. R-5: 6,000 SF (If recommendation 11 C is approved this column will be removed)
 - ii. R-5a: 6,000 SF (If recommendation 11 C is approved this column will be removed)
 - iii. R-4: 6,000 SF (If recommendation 11 B is approved this column will be removed)
 - iv. R-3: 6,500 SF
 - b. Lot area per rooming unit (min.)
 - i. R-5a: 1,000 SF (If recommendation 11 C is approved this column will be removed)
 - ii. R-4: 1,000 SF (If recommendation 11 B is approved this column will be removed)
 - iii. R-3: 2,000 SF
7. 10.3.5 (Prohibited uses) B: add "coliving buildings"
8. 14.6.4 (Site design standards) I (Design Standards) e.v: Add "coliving buildings" to the list of types

9. 18.1.2 (Applicability) A: Add “coliving buildings” to the list
10. Table 19-A (Off-Street Parking Minimums): Add row “Coliving building” with value “1 space/5 rooming units”
11. If recommendation 7 is approved and in section 19 there is a parking maximums table add row “Coliving building” with value “1 space/rooming unit”

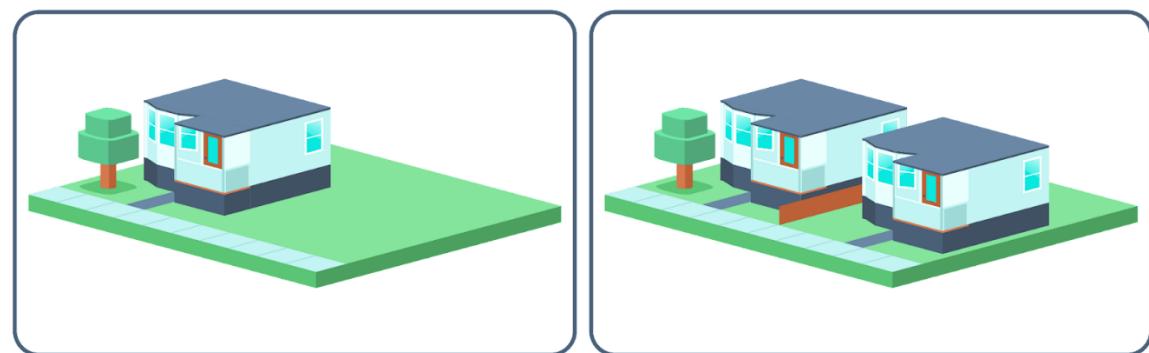


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Smaller Lots

Allow Smaller Lots

Currently, our residential lot size minimums are not only very large, but very unevenly distributed amongst zones. The R-6 zone, home to many pleasant neighborhoods, has a minimum lot size requirement of 2,000 square feet. Meanwhile, the next most dense zone is three times that. By the time you reach the R-1 zone, it takes more than seven R-6 lots to make up just one lot in R-1. Current residential zoning is designed for a suburban development pattern which is inconsistent with Portland's original development pattern. Minimum lot sizes make housing more expensive because they require homeowners to own a significant amount of land just to own a home, while at the same time multiplying the build and maintenance costs of municipal infrastructure, at times causing up to a tenfold increase.



The result is significantly higher property tax rates and an artificially limited pool of taxpayers who are responsible for paying these increasing municipal maintenance costs. These lot size requirements are not what maintains the ratio of houses to yards – we already have a separate rule for maximum lot coverage percentage. A lot size minimum is simply a land ownership requirement for housing. We can ease this requirement by reducing lot size minimums by half. Unless a subdivision creates a second parcel of useful land, this change will not help anyone in practice. Reducing these values by half allows an existing lot to be split once.

Recommendation Summary

Cut all existing lot area minimums in residential zones except those in the R-6 zone in half, allowing all existing lots to be split. In cases where the lot area per dwelling unit is identical to the minimum lot size it serves as a de-facto minimum lot size so it is also reduced to match the new minimum lot size. Lot width is also divided by slightly more than halfway to allow for splitting. Street frontage minimums are reduced to 20 ft across the board to allow for a configuration where you split the back of your lot and allow access to the street via a thin path or driveway.

Recommendation In-Depth

1. Table 7-A (Residential Zone Dimensional Standards)
 - a. Row "Lot area (min.)" Subrow "Residential"
 - i. R-1: 5,000 SF (If recommendation 11 A is approved this column will be removed)
 - ii. R-2: 5,000 SF
 - iii. R-3: 3,000 SF
 - iv. R-4: 3,000 SF (If recommendation 11 B is approved this column will be removed)
 - v. R-5: 3,000 SF (If recommendation 11 C is approved this column will be removed)
 - vi. R-5a: 3,000 SF/2 ac. max⁵ (If recommendation 11 C is approved this column will be removed)
 - vii. R-6a: 2,000 SF
 - b. Row "Lot area per dwelling unit (min.)"
 - i. R-1: 5,000 SF (If recommendation 11 A is approved this column will be removed)
 - ii. R-2: 5,000 SF
 - iii. R-3: 3,000 SF
 - c. Row "Street frontage (min.)"

- i. R-1: 20 ft. (If recommendation 11 A is approved this column will be removed)
 - ii. R-2: 20 ft.
 - iii. R-3: 20 ft.
 - iv. R-4: 20 ft. (If recommendation 11 B is approved this column will be removed)
 - v. R-5: 20 ft. (If recommendation 11 C is approved this column will be removed)
 - vi. R-5a: 20 ft. (If recommendation 11 C is approved this column will be removed)
- d. Row "Lot width (min.)"
- i. R-1: 45 ft. (If recommendation 11 A is approved this column will be removed)
 - ii. R-2: 35 ft.
 - iii. R-3: 25 ft.
 - iv. R-4: 25 ft. (If recommendation 11 B is approved this column will be removed)
 - v. R-5: 25 ft. (If recommendation 11 C is approved this column will be removed)
 - vi. R-5a: 25 ft. (If recommendation 11 C is approved this column will be removed)

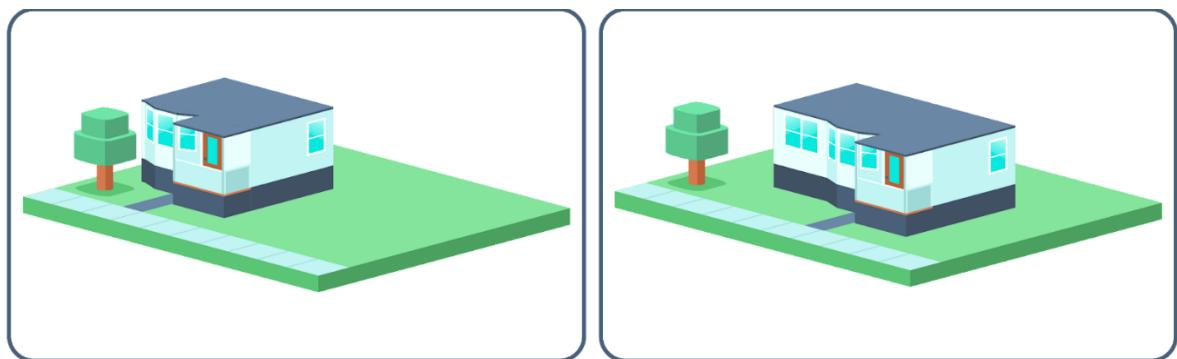


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Lot Coverage

Allow More Lot Coverage

Lot coverage maximums are more sensible than lot size minimums, but in most of the city they are too low. Lot coverage maximums do restrict impermeable surfaces and allow for green space, but when taken to an extreme they can also limit homeownership to only the wealthy. In most of the residential land in Portland today, you can only build on less than 35% of your lot. While permeable surfaces and trees are essential, requiring the majority of a lot to be greenspace means that we have less contiguous land area for public parks and other green spaces that are much more beneficial to a community and wildlife.



By gently easing these requirements, we can meet the need for green space and permeable surfaces while making it less difficult for people to afford housing.

Recommendation Summary

Increase all lot coverage minimums in residential zones except those in the R-6 zone. Increases are designed to gently increase coverage as zones increase in density.

Recommendation In-Depth

1. Table 7-A (Residential Zone Dimensional Standards) Row "Lot coverage (max.)"
 - a. R-1: 40% (If recommendation 11 A is approved this column will be removed)
 - b. R-2: 40%
 - c. R-3: 50%
 - d. R-4: 60% (If recommendation 11 B is approved this column will be removed)
 - e. R-5: 60% (If recommendation 11 C is approved this column will be removed)
 - f. R-5a: 60% (If recommendation 11 C is approved this column will be removed)



Appendices

Appendix A - Land Use Code Items Referencing Defunct Zones

The following is an exhaustive list of those items (sections and tables) of the Land Use Code which reference residential zones that are proposed to be merged into another zone. Should these consolidations be made, these items should be revised simply to delete references to these zones. This would not affect the substance of the code, but these revisions would be best practice for minimizing confusion.

Item in Land Use Code	Page	R-1	R-4	R-5
2.3.11e	2-15	x	x	x
4.2.2d	4-2	x		
4.3.1a	4-2	x	x	x
4.3.1b	4-2	x	x	x
4.4.6c	4-6		x	x
Table 5-A	5-1	x	x	x
Table 5-B	5-4	x	x	x
Table 6-A	6-2	x	x	x
6.4.10b	6-12	x	x	x
6.4.12b	6-13			x
6.5.6f	6-24			x
6.5.6g	6-25			x
6.5.6h	6-26		x	x
Table 7-A	7-3, 7-4	x	x	x
Table 7-B	7-5			x

Cont'd.

Item in Land Use Code	Page	R-1	R-4	R-5
Table 7-C	7-5			x
7.5.5g	7-24	x	x	x
8.11.3b	8-34		x	
8.11.11	8-36		x	
14.3.2a	14-1			x
14.6.4i	14-18			x
18.2.2c	18-5	x		
Table 19-A	19-2			x
Table 20-B	20-8	x	x	x
Table 20-F	20-17	x	x	



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